

February 11, 2021

The Board of Commissioners of the Arapahoe County Public Airport Authority, Arapahoe County, Colorado, held a regular meeting open to the public at Centennial Airport, in the new Administration Facility “The Hangar” at 7565 South Peoria St., Englewood, Colorado, located within the County, on February 11, 2021 at 3:00 p.m.

The following members were present:  
Commissioner Sharpe, Chair  
Commissioner Bagnato, Chair Pro-Tem  
Commissioner Baker, Clerk  
Commissioner Doubek, Treasurer  
Commissioner Holen, Voting Member  
Commissioner Huffman, Ex-Officio  
Commissioner Laydon, Ex-Officio  
Commissioner Sieber, Ex-Officio

The following members were absent, but excused:

Each Commissioner was notified of the date, time and place of the meeting and the purpose to which it was called. At least three (3) days prior to the date of the meeting, Public Meeting notices were posted at the Administration Buildings of Arapahoe County, Douglas County, Greenwood Village, City of Centennial; the courthouses in Arapahoe County and Douglas County; and at least three places on the Airport. At least 24 hours prior to the meeting, an agenda was posted on the Authority’s website and in the window of the door at the base of the Control Tower/Administration Complex at 7800 South Peoria Street.

Please note that due to the Governor’s order related to the COVID-19 pandemic and restrictions on public gatherings, this public meeting was held through video and web conferencing software options for the Board members, staff and public

**Call to Order & Pledge of Allegiance**

Chair Sharpe called the meeting to order at 3:00 PM and recited the Pledge of Allegiance.

**Public Comment**

**Amendments to the Agenda**

- **Consent Agenda Item 10** – amended Consent form to show a deadline of 4/10/2021 for conditions to be met by Bird’s Nest and ATP.
- **Consent Agenda Item 13** – amended Consent to DOT form with correct loan amount of \$5.9M.
- **Business Agenda Item 23** – amended to include a motion to approve the revisions to the ACPAA By-laws.

**Next Meetings**

- March 03, 2021 @ 6:30 p.m. – Noise Roundtable Meeting – Virtual
- March 11, 2021 @ 3:00 p.m. – Regular Board Meeting – Board Room, Suite 115 “the Hangar” – Hybrid/Virtual
- March 11, 2021 following the Board Meeting – Centennial Airport Foundation Meeting

**Election & Appointments Agenda**

**1. Election of Airport Authority Board Officers**

**Chair Sharpe**

*Recommendation:* Motion to nominate and approve the following slate of officers for the period from 2/11/2021 through 2/9/2023:

- Chair(man) – Nancy Sharpe
- Chair(man) Pro-Tem – Thad Bagnato
- Clerk – Jeff Baker
- Treasurer – Robert Doubek
- Assistant Clerk – Bill Holen

Commissioner Baker made the motion to nominate and approve the recommended slate of officers followed by second from Commissioner Doubek; the motion passed unanimously.

**2. Committee & Foundation Appointments**

**Chair Sharpe**

**Recommendation:** Confirm and reappoint the same members to the Personnel Committee and executive Committee for next two years. The Personnel Committee will be comprised of Commissioner Sharpe, as Committee Chair; Commissioners Doubek and Seiber as regular members; and Commissioner Baker as an alternate member. The members of the Executive Committee are in accordance to the Authority By-laws.

**CONSENT AGENDA**

**3. Approve Minutes of December 10, 2020**

**Gwen Balk**

*Recommendation:* Motion to approve the minutes of December 10, 2020 and authorize the Chair to sign.

4. **Resolution 2021-01 – Posting Places** **Gwen Balk**  
*Recommendation:* Motion to approve Resolution 2021-01 and authorize Chair and Clerk to sign.
5. **Resolution 2021-02 – Official Publications for Notice of Public Hearings** **Gwen Balk**  
*Recommendation:* Motion to approve Resolution 2021-02 and authorize Chair and Clerk to sign.
6. **Resolution 2021-03 – Grant Authorizations** **Gwen Balk**  
*Recommendation:* Motion to adopt Resolution 2021-03 and authorize Chair and Clerk to sign.
7. **Resolution 2021-04 – Indemnification Resolution** **Gwen Balk**  
*Recommendation:* Motion to adopt Resolution 2021-04 and authorize the Chair and Clerk to sign.
8. **Resolution 2021-05 – Credit Card Authorizations** **Roxana Hahn**  
*Recommendation:* Motion to adopt Resolution 2021-05 and authorize Chair and Clerk to sign.
9. **US Aero, LLC Reapplication under the Minimum Standards** **Luke Skaflen**  
*Recommendation:* Motion to approve the reapplication from US Aero, LLC to conduct Aircraft Sales and authorize the Chair and Clerk to sign the associated 10-year Agreement Under Standards (AUS).
10. **Bird’s Nest, LLC – Consent to Assignment of Gold Hangar 8 Sublease to Airline Transport Professionals Holdings, Inc.** **Gwen Balk**  
*Recommendation:* Motion to approve the Consent to Assignment of Sublease and authorize Chair and Clerk to sign.
11. **Consent to Sublease between TAC Air, Inc. and Marisco Aviation Hangar, LLC** **Luke Skaflen**  
*Recommendation:* Motion to approve the Consent to Agreement to Lease Aircraft Storage and Office Space between TAC Air, Inc. and Marisco Aviation Hangar, LLC, and authorize the Chair and Clerk to sign.
12. **Consent to Assignment of Sublease from Sierra Nevada Corporation to Straight Flight, Inc.** **Luke Skaflen**  
*Recommendation:* Motion to approve the Consent to Agreement of Sublease from Sierra Nevada Corporation to Straight Flight, Inc. and authorize the Chair and Clerk to sign.
13. **APP Centennial, LLC – Consent to Mortgage of Leasehold Deed of Trust and Lessor Estoppel Certificate** **Gwen Balk**  
*Recommendation:* Motion to approve the Consent to Mortgage of Leasehold Interest and Lessor’s Estoppel Certificate and authorize Chair and Clerk to sign.
14. **SunBorne – Lease Amendments and Memorandums of Lease** **Luke Skaflen**  
*Recommendation:* Motion to approve the following documents and authorize the Chair and Clerk to sign subject to final and satisfactory review by staff and counsel:  
A) Fourth Amendment to FBO Lease and Agreement.  
B) Fifth Amendment to Ground Lease and Agreement.  
C) 2021 Amended and Restated Memorandum of Lease for FBO Lease; and  
D) 2021 Amended and Restated Memorandum of Lease for Ground Lease.
15. **SunBorne – Consent to Ground Lease with Floors and Doors 2.0, LLC** **Luke Skaflen**  
*Recommendation:* Motion to approve the Consent to Ground Sublease between SunBorne and Floors and Doors 2.0, LLC and authorize the Chair and Clerk to sign.
16. **Change Order #2 to the AIP-52 contract with Asphalt Specialties Company** **Mike Fronapfel**  
*Recommendation:* Motion to approve the Change Order #2 to the AIP-52 contract with Asphalt Specialties Company and authorize the Chair to sign.
17. **Ratification of Fourth Quarter 2020 Expenditures** **Roxana Hahn**  
*Recommendation:* Motion to ratify Fourth Quarter 2020 Expenditures in the amount of \$3,945,603.81.
18. **November 2020 Financial Reports** **Roxana Hahn**  
*Recommendation:* Advisory
19. **Approval of Consent Agenda** **Chair Sharpe**  
*Recommendation:* Approval of the Consent Agenda

Commissioner Huffman asked if on Item 6, the snow equipment was the brooms. Mr. Olislagers replied that the brooms mentioned are not the combo brooms that have been mention in the past. Commissioner Holen moved to approve the consent agenda as amended followed by a second from Commissioner Baker; the motion passed unanimously.

## **BUSINESS AGENDA**

### **20. Items Moved to the Business Agenda**

None

**Chair**

### **21. Establish Jurisdiction to proceed with Public Hearing**

*Recommendation:* Advisory.

**Kimberly Bruetsch**

Ms. Bruetsch advised that the public hearing notices had been properly published and that the Board had jurisdiction to proceed with the Public Hearing for Floors and Doors 2.0, LLC.

### **22. Floors and Doors 2.0, LLC Office/Hangar Development Plan**

*Recommendation:* Approval of the Development Plan for Floors and Doors 2.0, LLC provided the following conditions have been met:

- 1) All comments from the Airport Authority and the referral agencies (Arapahoe County Planning & Engineering, Southeast Metro Stormwater Authority, Cherry Creek Basin Water Quality Authority, Arapahoe County Water & Wastewater Authority, South Metro Fire Rescue Authority) must be addressed to their satisfaction prior to construction;
- 2) Construction must be completed within 2 years of Board Approval; and
- 3) A 3% construction fee will be paid to the Airport Authority no later than 30 days after a Certificate of Occupancy has been issued for the facility.

**Mike Fronapfel**

Mr. Fronapfel presented a Development Plan from Floors and Doors 2.0, LLC. He advised that construction pending the Board's approval is set to start Summer 2021 and should be completed by Spring 2022. This development will consist of a 28,600 sqft hangar and a 38,300sqft office space, with a patio on top of the building. These will be private hangars and Suited Connector, the principal behind this development, expects to use part of the office space and then the other part will be aviation use. Mr. Fronapfel did inform the Board that referrals were sent out to all 6 referral agencies and that while SEMSWA had a delay, they have put in their comments and construction cannot begin until comments are rectified. He informed that Bret Packard, Chad Cox, and Chris Hamler were all on the phone to answer any questions. Commissioner Bagnato asked about South Metro disapproving the project. Mr. Fronapfel replied that they initially disapproved the plan but approved after revisions were made. Commissioner Sieber asked if the public could rent out this space. Mr. Fronapfel replied yes, but only for a non-commercial aeronautical (aviation) use as the facility was not designed for commercial aeronautical uses such as charter flights. With no further questions from the Board, Chair Sharpe opened the public comment period at 3:12 p.m., There being no comment from the public, she closed the public hearing at 3:31 p.m. Commissioner Bagnato made a motion to approve the Development Plan subject to the listed conditions; followed by a second from Commissioner Holen; the motion passed unanimously.

### **23. 30-Day Notice of Proposed Revisions to ACPAA By-Laws**

*Recommendation:* Motion to approve the revisions to the By-laws of the Arapahoe County Public Airport Authority.

**Gwen Balk**

Ms. Balk advised that as required in the By-laws, the 30 notice to makes changes was provided to the Board at the December meeting and any approval of the changes requires 4/5 approval of the Voting Members of the Board. She then summarized each of the 3 revisions as follows:

- Under Article I, page 1 to change the administrative offices address to 7565 South Peoria Street, Englewood, CO 80112;
- Under Article II, Section 5, page 2 – to change the notice of meetings section to comply with state law which permits website posting only vs. physical posting in various locations; and
- Under Article II, Section 6, page 3 – to change the amount from \$10,000 to \$50,000, so the amount agrees with Article VI on Contracts and with the State's Airport Authority laws.

Commissioner Huffman asked about the specific deletions in Article II, section 5 only being on the website now. Ms. Balk responded yes, because State law was addressing an issue where fewer agencies had space or access to areas where physical postings could take place and the State law accepts and encourages website posting as long as we are not charging citizens to use the site and it is readily

available to access. Commissioner Bagnato made a motion to approve the revisions to the by-laws, followed by a second from Commissioner Holen; the motion passed unanimously.

## REPORTS

### 24. Fuel and Operations Report for December 2020, Year End, & January 2021

Jeremy Gunn

*Recommendation:* Advisory

Mr. Gunn stated the following:

- Monthly Operations December: Down 140.8% from 2019 at 25,427
- Monthly Fuel Totals December: Down 8% from 2019 at 1,131,585
- Monthly Jet Fuel Sales December: Down 8.3% from 2019 at 1,084,558
- Monthly AvGas Sales December: Down 3.4% from 2019 at 47,027
- Monthly Market Share for AvGas and Jet Fuel Combined December: DJC: 34%; TAC Air: 24.9%; Signature: 32%; Modern Aviation: 8.9%; Heliplex: .2%
  
- 2020 YTD Operations: Down 5.9% from 2019 at 334,965
- 2020 YTD Fuel Totals: Down 14.6% from 2019 at 12,275,935
- 2020 Jet Fuel Totals: Down 15.2% from 2019 at 11,639,803
- 2020 Av Gas Totals: Down .7% from 2019 at 636,132
- 2020 Market Share for AvGas and Jet Fuel Combined: DJC: 36.7%; TAC Air: 29.8%; Signature: 25%; Modern Aviation: 8.3%; Heliplex: .2%
  
- Monthly Operations January: Down 20.5% from 2020 at 23,799
- Monthly Fuel Totals January: Down 6.2% from 2020 at 1,152,080
- Monthly Jet Fuel Sales January: Down 6.2% from 2020 at 1,102,862
- Monthly AvGas Sales January: Down 4.4% from 2020 at 49,218
- Monthly Market Share for AvGas and Jet Fuel Combined January: DJC: 36.4%; TAC Air: 28%; Signature: 25.4%; Modern Aviation: 10.1%; Heliplex: .2%

Mr. Gunn advised the Board that during January, the operations were down slightly more than expected due to not having enough air traffic controllers being staffed in the Tower which caused training from the flight schools to be limited.

### 25. Fourth Quarter of 2020 Land Use Referrals

Rachel Keller

*Recommendation:* Advisory

Ms. Keller presented the following about the fourth quarter land use referrals:

- 21 referrals were received during the 4<sup>th</sup> quarter 2020 (October – December)
- 11 were subject to comments
- 3 were approved as submitted, 7 were not recommended
- For the 7 that were not recommended 5 of the not recommended developments were in City of Centennial and 2 were in Douglas County Unincorporated
- For the 5 not recommended referrals in City of Centennial:
  - 3 were referrals for the Trails at Green Acres proposed development 190unit Townhome community*
  - The other 2 City of Centennial proposed developments were referrals for Embrey Multifamily (Parcels 8 and Parcels 6&7) in the Jones District both are 305unit multifamily apartments*
- For the 2 not recommended referrals in Douglas County Unincorporated:
  - 1 referral for Meridian International Business Center Planned Development, 17th AMD single family homes*
  - 2<sup>nd</sup> referral was the Meridian International Business Center North Filing 1, 3<sup>rd</sup> AMD*

Chair Sharpe, Commissioner Bagnato, and Commissioner Huffman asked questions stated some concerns and comments regarding the referrals and the future for the airport. Mr. Olislagers responded that staff has started notifying agencies and developers of the need to notify prospective homeowners in writing of the location of the airport and potential adverse impacts on residences. Failing to do so will cause the airport to simply refer complaints back to the developers and approving agencies if avigation easements are not included. The airport cannot keep accepting noise complaints from areas that have been put on notice. Chair Sharpe concurred.

### 26. Noise Update

Rachel Keller

*Recommendation:* Advisory

Ms. Keller presented statistics on the December 2020, Year End and January 2021 noise complaints. She stated the following:

**December 2020:**

- There were 598 complaints from 22 households.
- Year-to-Date there are 10,401 complaints from 382 households.
- With the top household removed, there were 8,245 year-to-date complaints.
- There were 563 daytime complaints, 35 nighttime complaints
- 10 requested a response by email; 39 requested a response by phone
- Majority of the complaints come from Unincorporated Arapahoe County with 40% followed by Centennial at 21% and Castle Rock at 17%
- The Top 5 households comprise 65% of year-to-date complaints.
- The Top 1 household comprises 21% of YTD complaints
- Departures led complaints with 48% and complaints for prop aircraft was 66%.

**Year End:**

- There were 10,401 complaints with 334,965 operations.
- With the top household removed, there were 8,245 complaints.
- The number one household made up 21% with 2,156 complaints total in Centennial
- Prop aircraft counted for 73% of complaints in 2020 with departures leading at 37% and training at 26%
- Ms. Keller presented the DEN and APA Flight track density map before and after Metroplex

Chair Sharpe and Commissioners Huffman, Bagnato, Sieber, and Laydon asked questions regarding the noise complaints for the Castle Pines and Centennial. Both Mr. Olislagers and Ms. Keller responded. Commissioner Laydon thanked Mr. Olislagers, staff and Arapahoe County for being on top of the complaints.

Ms. Keller also delivered the January Noise Report to the Board.

**January 2021:**

- There were 879 complaints from 36 households.
- There were 828 daytime complaints, 51 nighttime complaints.
- Majority of complaints Unincorporated Arapahoe County at 44%, Greenwood Village at 15% and Castle Rock at 13%
- 57 requested a response by email; 24 requested a response by phone.
- The number one household made up 19% of the complaints; outside the top 5 households the other 25% was made
- Prop aircraft counted for 79% of complaints in January 2020 with departures leading at 39% and followed close behind at 35% is training for operations

**27. Centennial Airport Noise Roundtable Update**

**Candace Moon**

*Recommendation: Advisory*

Ms. Moon presented the following:

January CACNR Meeting:

- 7 people from the public were present for public comment
- All roundtable committees will have meetings with Consultant Jason Schwartz with ABCx2 before the end of January and prior to the February meeting
- The new Air Traffic Control manager for APA Melissa Booth was introduced
- Brad Pierce reported a Next Meeting would be in March and the attendees for the virtual UC Davis Aviation and Emissions Symposium are Mike Anderson, Dan Avery, and Karen Hancock
- The Rocky Mountain Metropolitan Airport Community Noise Roundtable has been formed

February CACNR Meeting:

- CACNR welcomed two new members: Carrie Warren-Gully for Arapahoe County District 1 and Todd Hendricks for Parker City Council
- Ms. Warren-Gully was assigned to the Fly Quiet Committee and Mr. Hendricks was assigned to the Community Outreach Committee
- There was 4 people who spoke from the public during the public comment period
- All committees provided Committee Reports
- Mr. Pierce reported that the FAA Neighborhood Environment Survey NES (NES Noise Survey) report has a 60-day comment period that ends March 15<sup>th</sup>
- Mr. Ron Curry, the Air Traffic Control Supervisor presented the FAA Report

**28. Legislative Report**

**Robert Olislagers**

*Recommendation: Advisory*

Mr. Olislagers informed the Board that the Administration is moving forward with its \$1.9T virus relief bill. While details are still being circulated, the T&I committee recommends \$8B for airports and concessionaires. That is further subdivided between Non-Primary Commercial Service and GA Airports in the amount of \$100M. Allocations may be restricted to airports that received more than 4-times annual operating funds during the CARES Act round. 100% AIP funding is also being considered. APA may see some funds but nothing close to off-setting 2020 revenue losses! It remains to be seen how this will all shake out.

**Public Comment**

Mr. Andy Jones who is a director at Highlands Ranch Metro District stated that the community is engaged, and they plan to stay on top of the noise complaints from Highlands Ranch.

**Comments from Board or Staff**

**Chair Sharpe**

Mr. Olislagers informed the Board that on 2/8/2021, the Corporate Pilots luncheon was held in our Public conference room. Staff took temperatures and phone numbers for tracing and then followed up with sterilizing the room for the next user, which will be the Jeppesen Flight School.

**Adjournment**

**Chair Sharpe**

The meeting was adjourned at 4:30 PM.

**Execution of Documents**

**Gwen Balk**

**Approved:**

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Chair Sharpe