

September 9, 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, Administration Complex, 7565 South Peoria St., Englewood, Colorado, located within the County, on September 9, 2021 at 3:00 p.m.

The following members were present:  
Commissioner Sharpe, Chair  
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:  
Commissioner Bagnato, Chairman Pro-Tem  
Commissioner Baker, Clerk

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 3:07 PM and recited the Pledge of Allegiance.

#### **Moment of Silence in Memory of Brian Lewis**

Mr. Fronapfel asked for a moment of silence in memory of Brian Lewis who on August 16<sup>th</sup> suddenly passed away. He informed the Board that Brian is survived by his wife, two children, two sisters, mother, father and stepmother. Brian worked for the airport for 21 years and started as an intern; Mr. Fronapfel advised that as of now there was no memorial serviced planned but as soon as staff knew something, they would let it be known. He thanked everyone who has sent flowers and cards to staff, who has provided meals to his family, and that staff asks for everyone to keep Brian and his family in their thoughts and prayers during this difficult time.

#### **Public Comment**

No Comment

#### **Amendments to the Agenda**

**Consent Agenda** – Item # 3: Denver jetCenter, Inc. – change recommendation to “*motion to approve continuation to the 10/14/2021 Board meeting*”.

#### **Next Meetings**

- October 6, 2021 @ 6:30 p.m. – Noise Roundtable Meeting – Wright Brother's Room, Virtual/Hybrid
- October 14, 2021 @ 3:00 p.m. – Regular Board Meeting – Wright Brother's Room, Virtual/Hybrid

#### **CONSENT AGENDA**

**1. Approve Minutes of August 12, 2021**

**Gwen Balk**

*Recommendation:* Motion to approve the minutes of August 12, 2021 and authorize the Chair to sign.

**2. SunBorne XVI, Ltd. – Consent to Ground Sublease with ONEflight International**

**Gwen Balk**

*Recommendation:* Motion to approve the Consent to Sublease related to FBO Lot 10 East and authorize the Chair and Clerk to sign.

**3. Denver jetCenter, Inc. (“DJC”) – Three Amendments**

**Gwen Balk**

*Recommendation:* Motion to conditionally approve the following amendments and authorize the Chair and Clerk to sign subject to the satisfactory review of the legal descriptions by staff and Denver jetCenter:

1. **First Amendment** to the 12/9/1999 FBO Lease and Agreement which was an amendment and restatement of the Colorado Air Center, Inc. FBO Lease dated 2/1/1979 between Authority and DJC (“CACI Lease”)
2. **Eleventh Amendment** to the 12/9/1999 FBO Lease and Agreement which was an amendment and restatement of CSX Beckett Aviation, Inc. FBO Lease dated 8/13/1982 between Authority and DJC (“Beckett Lease”)
3. **Third Amendment** to the 11/1/2066 FBO Lease and Agreement between Authority and current lessee, DJC for the lease of Parcel 100 in the Douglas County portion of the airport (“Parcel 100 Lease”)

**4. AeroColorado Hangar Lot 15 – Uniform Easement Deed and Revocable Storm Drainage License Agreement and Stormwater Facility Maintenance Agreement**

**Gina Conley**

*Recommendation:* Motion to conditionally approve the Uniform Easement Deed and Revocable Storm Drainage License Agreement and Stormwater Facility Maintenance Agreement for the AeroColorado Hangar Lot 15 Development and authorize the Chair to sign pending final review and approval by staff and legal counsel.

- 5. Revocable Drainage Improvement License Agreement – Direct Connection to Stormsewer – Modern Aviation Ramp Development** **Gina Conley**  
*Recommendation:* Motion to approve Revocable Drainage Improvement License Agreement – Direct Connection to Stormsewer for Modern Aviation Ramp Development and authorize the Chair to sign pending final approval by staff and legal counsel.
- 6. Change Order #3 to the AIP-52 Contract with Asphalt Specialties Company** **Mike Fronapfel**  
*Recommendation:* Motion to approve the Change Order #3 to the AIP-52 contract with Asphalt Specialties Company and authorize the Chair to sign.
- 7. July Financial Reports** **Roxana Hahn**  
*Recommendation:* Advisory
- 8. Approval of Consent Agenda** **Nancy Sharpe**  
*Recommendation:* Approval of the Consent Agenda

Commissioner Doubek made a motion to approve the consent agenda as amended followed by a second from Commissioner Baker; the motion passed unanimously.

#### **BUSINESS AGENDA**

- 9. Items Moved to the Business Agenda** **Nancy Sharpe**  
None.
- 10. Commercial Real Estate Broker Selection for Parcel 50-5** **Luke Skaflen**  
*Recommendation:* Motion to approve the selection of Stijgend Real Estate, LLC and authorize the Chair and Clerk to sign the broker documents subject to final and satisfactory review by staff and counsel.

Mr. Skaflen advised the Board that as of January 1, 2022, Parcel 50-5 and its improvements will revert to the Authority. He stated that currently there are 6 office and hangar units on the Parcel and that all the current lessee and sublessees have been notified of the Authority's plans. An RFP was issued and there were 5 respondents. Mr. Skaflen informed that a selection committee was formed and that of the 5 respondents, 3 had prior airport/aviation expectance. The committee chose Stijgend Real Estate, LLC as it was ranked the highest within the committee. Commissioner Huffman asked if this was the building where Cutter and Haggan Aviation were located; Mr. Skaflen responded yes. Commissioner Holen made a motion to approve the selection and it was seconded by Commissioner Doubek; the motion passed unanimously.

- 11. Hotel – Status Update** **Mike Fronapfel**  
*Recommendation:* Advisory

Mr. Fronapfel informed the Board that following the selection of Pinnacle Hospitality, LLC and Mr. John Reed, the Board conditionally approved a lease for the former Ramada Hotel to reconstruct the hotel and establish a Four Points by Sheraton Hotel. Mr. Reed and Pinnacle Hospitality, LLC failed to extend the contract or deposit earnest money by the August 31, 2020 deadline granted by the Court Receiver Byron Chapman and the creditor, Wells Fargo Bank. He advised that Mr. Reed requested an additional extension to secure financing and was directed by staff to make the request directly to the Court Receiver. Mr. Fronapfel further advised that the Court Receiver indicated he had three additional proposals from prospective hotel operators; however, no proposals were submitted as of today's Board meeting and therefore no vetting of the proposals has taken place, including a review of verifiable financials, premium flag and hotel brand, and experience. Mr. Fronapfel stated that if no qualified proposals are received, it will be up to the creditor whether to foreclose on the hotel or start the sale process over again; the Court would need to approve all steps.

#### **REPORTS**

- 12. Fuel and Operations Report for August 2021** **Samantha Blymyer**  
*Recommendation:* Advisory

Ms. Blymyer stated the following:

- 2021 YTD Operations: Down 4.6% from 2020 at 206,511
- Monthly Operations August: Down 17.9% from 2020 at 29,544
- 2021 YTD Fuel Totals: Up 39.5% from 2020 at 10,671,606
- Monthly Fuel Totals for August: Up 30% from 2020 at 1,633,930
- Monthly AvGas Sales August: Down .1% from 2020 at 67,149
- Monthly Jet Fuel Sales August: Up 31.3% from 2020 at 1,566,781
- Monthly Market Share for fuel sales for August: DJC: 32.6%; TAC Air: 28.4%; Signature: 28.5%; Modern Aviation: 10.4%; Heliplex: .1%

Ms. Blymyer advised that the Jet Fuel Sales graph for 10 years was for August only, not year to date.

### 13. Noise Update

Rachel Keller

*Recommendation: Advisory*

Ms. Keller presented statistics on the August 2021 noise complaints. She stated the following:

- There were 1,497 complaints from 67 households.
- Year-to-Date there are 9,312 complaints from 323 households.
- With the top household removed, there were 896 complaints for the month of August
- There were 1,357 daytime complaints; 139 nighttime complaints
- 113 total response requests with 37 requesting a response by email, 76 requesting a response by phone
- Year-to-Date there are 960 total requests with 517 requesting a response by email, 443 requesting a response by phone
- Majority of the complaints come from Unincorporated Douglas County at 45% followed by Greenwood Village at 18% Unincorporated Arapahoe County at 10% and Castle Rock at 10%
- The Top 5 households comprise 59% of year-to-date complaints.; with the top 1 household comprising 16% with 1,502 complaints in Unincorporated Douglas County
- Departures led complaints with 42% by operation type followed close behind by training at 29%; Prop aircraft led complaints at 75%.
- Staff provided a 2018 Census population information for the surrounding cities and counties affected by aircraft noise

### 14. Centennial Airport Noise Roundtable Update

Bill Wasmund (Wings Over the Rockies)

*Recommendation: Advisory*

Mr. Wasmund reported the following.

- CACNR met on September 1<sup>st</sup>
- Two Complaints were received from the public by CACNR in the past month
- Four flight schools and one training aircraft rental company will be invited to attend a September meeting with CACNR, Arapahoe and Douglas representatives, Airport staff, and CACNR's consultant
- Notices will go out to CACNR members about the anticipated request for the MOU funding which was suspended due to COVID
- A 2022 Budget is currently being developed
- Exploration is being done about how noise hotlines are handled at other airports
- The October CACNR meeting will focus on the background of the airport's noise monitor system, the capability of the system, and what kind of data might be of the most use in the future

### 15. Legislative Report

Mike Fronapfel

*Recommendation: Advisory*

Mr. Fronapfel advised that the House of Representatives briefly returned from its summer recess to settle on the timing of the \$3.5T Budget Reconciliation Bill while also addressing the vote on the Senate-passed bi-partisan Infrastructure Bill. He stated that the Speaker of the House initially linked the votes for passage of both bills to occur simultaneously but was forced into a compromise after moderates in her own party wanted a vote immediately on the Infrastructure Bill. Mr. Fronapfel informed that a firm date of September 27<sup>th</sup> has been set for a vote if not sooner, while the reconciliation process is set to be completed by September 15<sup>th</sup>. However, numerous obstacles remain with two Democrats opposing the massive \$3.5T reconciliation; a pending vote on the budget ceiling, as well as the size of the bill itself to be written in a short two-week window, could derail the self-imposed deadline, possibly seeing only the Infrastructure Bill.

**Public Comment**

No public comment.

Nancy Sharpe

**Comments from Board or Staff**

Mr. Olislagers attended virtually and said hi to the Board.

Nancy Sharpe

**Execution of Documents**

Gwen Balk

**Adjournment**

Chair Sharpe adjourned the meeting at 3:45 pm and the Board moved to Executive Session with no intention to return.

Nancy Sharpe

**16. Adjourn to Executive Session pursuant to CRS Section 24-6-402(4)(a)-(f); specifically concerning legal advice related to Personnel matter**

Nancy Sharpe

*Recommendation:* Motion to adjourn to Executive Session to discuss any of the following pursuant to CRS Section 24-6-402(4): (a) purchase, acquisition, lease, transfer, or sale of any real, personal or other property interest; (b) conference with an attorney for purposes of receiving advice on specific legal questions; (c) matters to be kept confidential by federal or state law; (d) security arrangements; (e) determining positions relative to matters that may be subject to negotiations or negotiation strategies; and (f) personnel matter.

Chair Sharpe asked for a motion to adjourn to Executive Session regarding a personnel matter and stated that they would not be returning to the meeting and that it will be adjourned after the motion is made. Commissioner Holen made a motion to move to executive session and adjourn the Board meeting which was seconded by Commissioner Doubek and motion passed unanimously.

**Approved:**

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Nancy Sharpe, Chair

Preliminary Web Documents