

AIRPORT AUTHORITY MINUTES

June 23, 1977

Members Present: Chairman Larry Brown, Members Errol Snider, Howard Roland, Maxine Albers, Larry Kozisek, and Robert Holmes. Airport Manager Jim Spelman, Clerk T. M. Ford

The Minutes of the last meeting were approved as mailed.

Mr. Don Schroeder, of Isbill and Associates, outlined the planned ramp expansion project, with a total price tag of \$1,125,000.00, and the federal share being slightly over \$633,000.00. He said local available funding is based on enplanements and that additional ramp space would be provided for snow bird flights. Schroeder reported the pre-application forms for federal participation are being worked on and he would have more detail cost estimates at the next Authority meeting.

Three FAA representatives; Mr. M. M. Martin, Mr. Max Bard, and Mr. Dan Peterson (legal counsel), were introduced to the Authority Members. Mr. Peterson said the three came to talk over some problems and views with Authority Members, and they hoped to improve communications with the Authority. He said the FAA has the responsibility to assist in the National Transportation System of Airports and that it takes five times the resources and effort to deal with the Walker Field Airport Authority than with other airports. Mr. Martin said the Authority has not followed through with federal regulations.

Mr. Brown suggested that Mr. Martin be specific in his comments, and Mr. Martin said the purchase of land in the 1971 ADAP project was delayed unnecessarily which resulted in the final land purchase price being higher than it should have been.

Mr. Brown said the reason for this was the difference between the early appraisal price and the price paid as the result of a jury in the condemnation proceedings. Mr. Brown said the Authority worked as expeditiously as possible through the courts in obtaining the land. Member Robert Holmes also urged for more specifics from the FAA representatives. Mr. Bard said the Master Plan Grant has never been officially closed and that \$1,600.00 remains unresolved. Mr. Brown said he wishes the FAA would show the same zealotness in closing out the land purchase project, in which the FAA owes the Authority over \$200,000.00.

Mr. Bard explained that the Authority was overpaid approximately \$12,000 and that the land deal cannot be finalized until this discrepancy is cleared up. He also mentioned that an audit was made and that all differences in the audit must be cleared up before the land payment can be made. Mr. Brown suggested the FAA deduct the \$12,000 overpayment from the \$200,000.00 owed on the land and pay the Authority the difference.

Mr. Spelman said he thought everything had been done to finalize the land sale project. The question of the audit was discussed, and Mr. Bard said the audit had some \$400,000 in question on the 1971 project. Mr. Spelman said he had earlier questioned FAA auditors and had been told there was only some \$10,000.00 in question.

Mr. Snider wanted to know if it was common to have an audit made without the Authority knowing anything about the audit, or its results, and Mr. Bard answered, "yes". Mrs. Albers said she felt there was something wrong with the system when the

Authority finds out about the \$400,000 in question at this late date.

Mr. Martin indicated that some \$200,000 of the \$400,000 in question had now been cleared. Mr. Snider wondered why individual Board Members had not been contacted on the audit as they apparently had been on some other matters. Mr. Martin said his only contact with Authority Members was with the Chairman of the Board of Commissioners, Mr. Roland, and the Mayor, Mr. Kozisek, concerning another matter. Mr. Peterson said they were trying to contact the people who signed the 1971 Grant Agreement and Mr. Snider said the Authority is separate from the City and County. Mr. Martin then told the Authority that if the Restraining Order sought by the Authority is upheld, then he will not be able to talk to the Authority members.

Mr. Peterson explained to the Authority Members that he has evidence that shows communications have been going on for some time with the Authority all in an effort to clear up the situation. He said some working in agreements have been the stumbling block and Mr. Spelman agreed. Mr. Spelman said on the land exchange the Authority went to the Congress for approval and expected a Deed of Release from the FAA, but instead got another agreement asking the Authority to approve standards and other matters the FAA desired. Mr. Peterson said he felt that both sides were in letter writing contest, and suggested a phone call might better have solved the problem with the wording in the agreement and he called for closer and better communications between the Authority and the FAA.

Mr. Bard said that some \$300,000 in Discretionary Funds were set aside for Grand Junction and then diverted to Colorado Springs due to lack of assurances on the proposed land use regulations from the FAA there seemed to be some question as to dates involved that might have caused this situation, and the fact that an FAA official stopped by Mr. Spelman's office to pick up the agreement and no one was there. Mr. Spelman said he felt the letter on land use was forwarded to the FAA in time. Mr. Bard said he felt that working on agreements of this type took a great deal of communication and the need to work together due to the complexity of the agreements.

Mr. Holmes said he felt that actions speak louder than words, and that if the FAA desired to help the Authority they could demonstrate this by overlooking any pettiness that may be involved. Holmes said some concessions could have been made, or at least the Authority might have had the entire matter explained to them. Mr. Brown said he felt this was done. Mr. Spelman said this was the first he knew that any deadline had passed on the Discretionary Funds. Mr. Kozisek suggested the Security Fencing Project be addressed at this time, and Mr. Brown said he felt the Authority had three choices ...1. build the fence entirely with Authority funds, 2. have the City and County co-sign the Grant Agreement as the FAA requests before the project can go through . . . 3. build the fence with federal participation, with hopes that the courts will rule with the Authority, and allow the FAA to recognize the Authority without having co-signers on grants.

Mr. Peterson suggested the Authority could comply with

security regulations by hiring guards, rather than fencing, and then the Airport Certificate would be safe. Mr. Brown said he was not concerned with anything other than the three alternatives he recommended. A threat earlier by Mr. Peterson to close the airport to all certificated air carriers was discussed, and what the FAA people termed the lack of communications between the Authority and the FAA particularly on the fencing project. Mr. Roland asked that since the Airport Authority is a political subdivision of the State of Colorado, why the FAA insisted on having the City and County co-sign Grant Agreements. Mr. Peterson said his legal opinion is that the Authority, under Colorado Law, is a political subdivision, and a public agency, but that the FAA's concern is that the Authority does not exist in perpetuity, since it can be abolished by the City and the County . . . that it has no taxing authority . . . and no zoning authority. Mr. Peterson said the Authority cannot guarantee its existence. Mr. Peterson said he suggested some time ago that if the City and County would guarantee that they would back up the Authority in case of its being abolished then the problem would be solved. Mr. Holmes said he felt the FAA is acting in an arbitrary manner when it does not recognize the Authority. Mr. Brown then suggested someone make a motion regarding the security fencing project as he had outlined in one of three manners earlier. There was no motion.

Mr. Martin then said he hoped the meeting would lead to better understanding of each others problems. Mr. Roland suggested that the Colorado Airport Authority Law might be changed to clear

up the misunderstanding, and Mr. Peterson said he would help get the statute changed. He also reminded the members that the FAA will not participate in a construction grant after construction actually begins. Mr. Peterson also said the present Grant Offer on the Grant Agreement expired February 15th, so there is no present offer.

The Authority at this time took up other matters for consideration. Mr. Spelman reported that new car rental leases were ready for execution, covering a three year period. Mr. Kozisek moved the Chairman be authorized to sign the Agreements, to become effective on the lease dates. Mr. Roland seconded the motion which passed.

Mr. Spelman introduced Ed Settle from NHPQ, engineer for the Fire Cache Water Line Project. Bid openings were held earlier and Corn Construction was the low bidder in the amount of \$9,482.00 for 1250 feet of water line. Mr. Spelman said the Budget needs to be revised to reflect this project. Mr. Brown wondered if there would be enough sewer capacity and Mr. Settle said he felt there would be. Mr. Spelman suggested that Budget Line Item 337.60.902 be increased by \$10,000 and he be allowed to negotiate with Corn and the G.S.A. and to make certain this water line meets with their approval. Mr. Roland so moved, and Mr. Kozisek seconded the motion. Mrs. Albers wondered what problems might exist, and Mr. Spelman explained the lines are being enlarged and that G.S.A. might have some problems with procedure in accepting funds for the project. The motion then passed unanimously.

Mrs. Albers said she hoped this won't get tied up in

negotiations . . . that a larger line is very desirable.

Mr. Spelman said under the agreement the Authority also agreed to furnish the water meter, and the Engineer recommends a compound meter at a cost of \$4,500.00. Following a short discussion, Mr. Kozisek moved for acceptance of the Engineer's recommendation and the purchase of the compound meter and adjust the budget to reflect this added expenditure. Mr. Holmes seconded the motion which passed.

Mr. Spelman presented the Accounts Payable in the amount of \$39,913.61. Mr. Kozisek moved the Chairman be authorized to sign the warrants and pay the bills. Mr. Roland seconded the motion which passed.

Mr. Spelman reported that the cash flow report looks surprisingly good . . . the Accounts Receivable list is getting smaller . . . and that he will be going to Denver this evening for the start of court proceedings.

Mr. Holmes said he had heard complaints at the Frontier Airlines desk because employees are using parking places intended for the public near the terminal. Mr. Brown said this comes up occasionally and that the Manager will write a letter urging employees not to park there.

Mr. Snider said he would like to have an executive session. Mrs. Albers seconded the motion which passed. The formal session of the Authority adjourned at 10:00 p.m.

AIRPORT AUTHORITY MINUTES
July 13, 1977

Members Present: Chairman Larry Brown, Members Errol Snider, Maxine Albers, Larry Kozisek, Howard Roland, and Robert Holmes. Also Attorney Ashby, Clerk T. M. Ford, Members of the Aviation Subcommittee of the Chamber of Commerce and several tenants from the Airport.

This special meeting was called to order by Chairman Brown at 7:00 a.m. in the Juniper Room of the Holiday Inn.

Mr. Brown had one warrant for payment in the amount of \$9,979.20 which is to the BLM for the oversizing of the water line that will serve the new fire cache operation and which the BLM has approved. Mr. Kozisek says this larger line may eventually save the airport One Hundred Thousand Dollars within five years or less, and he made a motion that the Chairman be authorized to sign the warrant. Mrs. Albers seconded the motion which passed unanimously.

Mr. Brown informed the Members that he has been contacted by officials of the Colorado Game and Fish Department who want to meet with the Authority concerning antelope.

Mr. Ashby reported to the Authority he had met with legal counsel of the FAA on Monday (7/11/77), to close up the land purchase, part of the 1971 ADAP program he said their requests are reasonable and that he mailed material to fill that request yesterday, and that he hoped for a quick conclusion to the problem.

On the Security Fencing Project, Mr. Ashby suggested the Authority direct the Airport Counsel to try to resolve the issue on the fencing with the FAA separately, while the law suit continues. Ashby said he felt something could be worked out so the fencing grant could be issued and the law suit be resolved at the same time.

Mr. Roland moved that Mr. Ashby and Mr. Spelman contact the

FAA so that arrangements can be made to proceed with the Security Fencing Grant, and that they proceed with the law suit at the same time, and do so in a manner that will not affect the law suit.

Mr. Holmes seconded the motion, which passed unanimously.

Mr. Kozisek then moved that the Authority reaffirm its position in regards to the law suit, and proceed with the law suit with haste. Mr. Holmes seconded the motion which passed, with Members Brown, Kozisek, Holmes, and Roland voting yes, and Members Albers and Snider abstaining.

Authority Members studied the latest report on passenger boardings which indicated an increase of 1,000 boardings in June 1977 over the same month a year ago. Aeroplane Restaurant Owner Richard Pond told the Authority he was happy they were not meeting in his place due to the airplane noise factor. Mr. Jim Hill, of the Chamber Aviation Committee, asked when a new terminal is contemplated, and Mr. Brown said the Master Plan contained this project, scheduled for early 1980.

Mr. Kozisek said the oversized water line for the fire cache and an earlier one for Monarch Aviation would help in the future, particularly with the terminal. Mr. Clyde Davis of Monarch said he was concerned about this, and wondered where the fire cache line was hooked on and he said the water pressure on the Monarch line has dropped lately. Mr. Brown said Ute Water is having some problem providing adequate pressure with the additional construction near the airport. Mr. Davis also pointed out that anyone hooking onto the Monarch line would have to be charged a hook up fee, which

would go toward reimbursing Monarch for its initial water line costs. Mr. Brown said a map would be obtained by the next meeting to determine where the fire cache line hooks on.

Car rental owner Kenneth Cox told the Authority the buses are causing a problem during the ski bird flights, as they park under the canopy and in areas designated for car rentals, and suggested they be located elsewhere. Mr. Brown indicated Mr. Spelman would look into the situation and come up with a solution.

Mr. Clyde Davis suggested the Authority buy up the APCOA parking lease which has one year to run, and redo the parking lot for more citizen convenience. Mr. Brown said some of the Authority Members wish to rearrange the parking when the lease runs out. Mr. Kozisek said he felt Mr. Davis' suggestion is a good one, but questioned whether the APCOA Lease has an option to buy it at this time.

Aeroplane Restaurant owner Richard Pond wanted to know about an increase in revenues of 90% over estimates as reported in the Daily Sentinel. Mr. Brown said the Authority had never received a report of that exact figure, although revenues are up over one year ago.

The Authority adjourned at 7:30 a.m.