

# AGENDA

Arapahoe County Public Airport Authority  
Board of Commissioners Meeting  
West Hearing Room at Arapahoe County Administration Bldg.  
5334 S. Prince Street Englewood, CO

Except where noted, all scheduled items today will be heard in the West Hearing Room at above noted address.

## FINAL AGENDA

September 19, 2011 at 11:00 a.m.

- ❖ **Call to Order**
- ❖ **Next Meetings**

**Susan Beckman**  
**Susan Beckman**

- Next regular Board Meeting, October 13, 2011 at 3:30 p.m., Wright Brothers Room, 7800 S. Peoria St.
- Roundtable Meeting, October 5, 2011 at 7:00 p.m., Ramada Hotel and Suites.

1. Consent Agenda Item:

**Michael Fronapfel**

- Award of Contracts for the construction of Runway 17L/35R shoulders and to improve Detention Ponds C3 and C4.

2. Approval of Consent Agenda

**Susan Beckman**

3. Executive Session

**Susan Beckman**

4. Business Agenda Item:

**Susan Beckman**

- Proposed Termination of Epic Aviation Services, LLC's Agreement Under Standards – continued from September 8, 2011 (*Board will consider Proposed Findings and Conclusions for the purpose of rendering a decision in this matter.*)

- ❖ **Execution of Documents**

**Gwen Balk**

Preliminary  
WEB COPY

**REPORT/ RECOMMENDATION TO THE BOARD OF COMMISSIONERS OF  
ARAPAHOE COUNTY PUBLIC AIRPORT AUTHORITY AND  
RECORD OF ACTION**

**September 19, 2011**

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**FROM:** Michael Fronapfel, Deputy Director of Planning & Development

**SUBJECT:** Award of Contracts for the construction of Runway 17L/35R shoulders and to improve Detention Ponds C3 and C4.

**RECOMMENDATION:** Motion to Award the Contract for the construction of Runway 17L/35R shoulders to Asphalt Specialties in the amount of \$2,828,847.75 (which includes the non-Federal reconstruction of Briarwood Avenue) and the Contract to improve Detention Ponds C3 and C4 to Kelly Trucking in the amount of \$1,157,473.00 and authorize the Chair and Clerk to sign the Contract, Notice of Award and Notice to Proceed.

**BACKGROUND:** This project was bid on June 20, 2011. Asphalt Specialties and Kelly Trucking were the lowest qualified bidders. See the attached bid tabs. This project is included in the airport's six year capital improvement program and was scheduled for completion in 2011.

**FINANCIAL DATA:** 95% of the cost of the Federal project will be covered by AIP-44 grant funds; the Airport Authority will be responsible for remaining 5% match. The Airport will also be responsible for the non-Federal work on Briarwood Avenue in the amount of \$181,660.00. Both the Federal match and non Federal work is included in the 2011 Budget.

**REVIEW BY OTHERS:** L. Hinton, G. Balk

**PRESENTERS:** Michael Fronapfel

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Action of the Board of Commissioners

	1 <sup>st</sup>	2 <sup>nd</sup>	YES	NO	ABS
Beckman	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Bockenfeld	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Doubek	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Neukirch	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Sharpe	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

# Approval of Consent Agenda

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Action of the Board of Commissioners

	1 <sup>st</sup>	2 <sup>nd</sup>	YES	NO	ABSTAIN
Beckman	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Bockenfeld	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Doubek	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Neukirch	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Sharpe	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

# Items Moved from Business Agenda

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Action of the Board of Commissioners

	1 <sup>st</sup>	2 <sup>nd</sup>	YES	NO	ABSTAIN
Beckman	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Bockenfeld	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Doubek	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Neukirch	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Sharpe	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

**REPORT/ RECOMMENDATION TO THE BOARD OF COMMISSIONERS OF  
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**FROM:** Gwen C. Balk, Director - Administration

**SUBJECT:** Adjournment to Executive Session pursuant to CRS Section 24-6-402(4)(a)-(f); specifically concerning legal advice about the procedures related findings and conclusions in the matter of the proposed termination of Epic Aviation Services, LLC's Agreement Under Standards

**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.

**BACKGROUND:** An executive or "closed" session may only be called at a regular or special meeting of the Board by an affirmative vote of two-thirds of the quorum present.

The Chair (or acting Chairman) must announce, and the minutes reflect, the specific citation (provided in the above motion that allows the Board to meet in the Executive Session.)

The Executive Session will be closed to the public pursuant to CRS Section 24-6-402(4)(a)-(f). The primary discussion for this proposed Executive Session will concern issues under (b) as described above.

The Board will not adopt any proposed policy, position, resolution, rule, regulation or take any formal action during this Executive Session.

After receiving legal advice, the Board will return from Executive Session to the public forum and will then consider Item 4 on the Agenda, the proposed termination of Epic Aviation Services, LLC's Agreement Under Standards.

**FINANCIAL DATA:** Not applicable

**REVIEW BY OTHERS:** Brian Magoon

**PRESENTERS:** Susan Beckman, Chair

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Action of the Board of Commissioners

	1 <sup>st</sup>	2 <sup>nd</sup>	YES	NO	ABSTAIN
Beckman	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Bockenfeld	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Doubek	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Neukirch	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Sharpe	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

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**September 19, 2011**

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**FROM:** Gwen C. Balk, Director - Administration

**SUBJECT:** Proposed Termination of Agreement Under Standards for Epic Aviation Services, LLC – continued from September 8, 2011

**BOARD RECOMMENDATION:** To be announced by the Board on the day of the meeting.

**BACKGROUND:** A public hearing on the proposed termination of the Epic Aviation Services, LLC’s Agreement under Standards (“Epic’s AUS”) was held on September 8, 2011.

At the completion of all testimony and questions from Epic Aviation Services, LLC and the Airport Authority Staff, the Airport Board of Commissioners instructed those present that it would take the matter under advisement; then directed Counsel to present proposed findings and conclusions, and then to schedule a special public meeting on September 19, 2011 on or about 11:30 a.m. at the West Hearing Room at the Arapahoe County Administration Building at 5334 S. Prince Street, Littleton, Colorado for the purpose of rendering a decision in the matter of the proposed termination of Epic’s AUS. The start time of the meeting was later revised to 11:00 a.m. with 11:30 a.m. reserved for the rendering the decision on Epic’s AUS.

On September 13, 2011, Notices of the Special Public Meeting were posted at the administration buildings and courthouses at Arapahoe County and Douglas County; at the administration buildings for the City of Centennial and Greenwood Village, at each of the five FBO buildings upon the Airport and at the Airport Authority Administration Building (see attached copy of notice). The Final Agenda was posted before 11:00 a.m. on Friday, September 16, 2011 at the base of the Tower/Administration Bldg. (required place of posting of agendas) and also outside the West Hearing Room at the Arapahoe County Administration Building.

The following documents are attached and provided only to the Voting Commissioners who were present at the 9/8/11 Public Hearing:

- Exhibit A**, the Transcript of the 9/8/11 public hearing;
- Exhibit B**, Findings and Conclusions of the Airport Board’s Counsel; and
- Exhibit C**, Findings and Conclusions of Epic Aviation’s Counsel.

**FINANCIAL DATA:** As previously stated.

**REVIEW BY OTHERS:** None.

**PRESENTERS:** Brian Magoon, Airport Board Counsel

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Action of the Board of Commissioners

	1 <sup>st</sup>	2 <sup>nd</sup>	YES	NO	ABS
Beckman	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Doubek	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Neukirch	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Sharpe	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>