

**DES MOINES AIRPORT AUTHORITY BOARD  
SUMMARY MINUTES OF MEETING  
Des Moines International Airport  
Board Room  
September 13, 2022**

**Call to Order and Roll Call:** 9:00 a.m.

**Chaired by:** Mr. Feldmann (Mr. Christensen started the meeting; however, Mr. Feldmann joined at 9:01 a.m. and chaired the rest of the meeting)

**Present:** Mr. Christensen, Mr. Dickinson (at 9:01 a.m.), Mr. Feldmann (at 9:01 a.m.), Ms. Lauridsen Sand, Ms. Levy

**This meeting was held in-person with a Zoom link also available. The public was provided ability to monitor the meeting online via Zoom. All Board members participated in person. The Airport Board Room, 2nd Floor, Airport Terminal, was also open to the public.**

**A22-127 Consider Minutes for August 9, 2022, Regular Board Meeting**

Ms. Levy moved to approve the minutes for the August 9, 2022, Regular Board Meeting. Ms. Lauridsen Sand seconded. Motion Carried: 3-0-0-2; Yeas: Christensen, Lauridsen Sand, and Levy; Nays: 0; Abstained: 0; Absent: Dickinson, Feldmann.

Mr. Feldmann and Mr. Dickinson joined the Board Meeting. Mr. Feldmann chaired the Board Meeting from this point forward.

**A22-128 Consider Gate 12 Underground Fuel Storage Tank Replacement Project**

**a. Public Hearing regarding the plans, specifications, form of contract, and estimated cost for the Gate 12 Underground Fuel Storage Tank Replacement Project**

The Director of Engineering stated this contract will provide for the installation of new above ground fuel tanks and associated piping to the fuel dispensers located at Gate 12. Three new fuel tanks will be installed with the possibility of expansion in the future. One new fuel dispensing island will be added to the existing two islands at Gate 12. Roadway modifications will be installed to allow for fuel deliveries to occur outside the secure Aircraft Operations Area. Once new fuel tanks are fully installed and functional at Gate 12, the existing underground fuel tanks will be removed at both Gate 7 & 12 locations. The fuel system is used by both Authority staff and tenants.

The Engineer's estimate for this portion of the project is \$2,886,938.50

**Mr. Feldmann opened the Public Hearing.**

Mr. Feldmann invited public comment. There were no comments.

**Mr. Feldmann closed the Public Hearing.**

**b. Consider Resolution adopting plans, specifications, form of contract, and estimated total cost for the Gate 12 Underground Fuel Storage Tank Replacement Project**

The Director of Engineering recommended the Board approve Resolution adopting plans, specifications, form of contract, and estimated total cost for the Gate 12 Underground Fuel Storage Tank Replacement Project.

Ms. Levy moved to approve a Resolution adopting plans, specifications, form of contract, and estimated total cost for the Gate 12 Underground Fuel Storage Tank Replacement Project. Ms. Lauridsen Sand seconded. Motion Carried: 5-0-0-0; Yeas: Christensen, Dickinson, Feldmann, Lauridsen Sand, and Levy; Nays: 0; Abstained: 0; Absent: 0.

**c. Consider award of contract for the Gate 12 Underground Fuel Storage Tank Replacement Project to Iowa Contracting Inc. in the amount of \$3,352,367.13**

The Director of Engineering stated the lowest responsive, responsible bidder was Iowa Contracting Inc. in the amount of \$3,352,367.13.

The Director of Engineering recommended the Board approve the contract with Iowa Contracting Inc. in the amount of \$3,352,367.13 for the improvement and authorize the Director of Engineering and Planning to accept and close out this project when completed in accordance with the contract documents.

Ms. Lauridsen Sand moved to approve the contract with Iowa Contracting Inc. in the amount of \$3,352,367.13 for the improvement and authorize the Director of Engineering and Planning to accept and close out this project when completed in accordance with the contract documents. Ms. Levy seconded. Motion Carried: 5-0-0-0; Yeas: Christensen, Dickinson, Feldmann, Lauridsen Sand, and Levy; Nays: 0; Abstained: 0; Absent: 0.

**d. Consider Professional Services Agreement, Task Order No. 101, with Foth Infrastructure & Environment, LLC for Gate 12 Underground Fuel Storage Tank Replacement Project - Construction Phase Services**

The Director of Engineering stated during the Gate 12 underground fuel storage tank replacement project, the consultant will provide contract management, construction administration, construction testing, and construction observation services for the project. The negotiated amount of the agreement is \$280,500.00.

The Director of Engineering recommended the Board approve the professional services agreement, Task Order No. 101, with Foth Infrastructure & Environment, LLC in the amount of \$280,500.00 and authorize the Director of Engineering and Planning to accept and close out this contract when completed in accordance with the contract documents.

Mr. Christensen moved to approve the professional services agreement, Task Order No. 101, with Foth Infrastructure & Environment, LLC in the amount of \$280,500.00 and authorize the Director of Engineering and Planning to accept and close out this contract when completed in accordance with the contract documents. Ms. Levy seconded. Motion Carried: 5-0-0-0; Yeas: Christensen, Dickinson, Feldmann, Lauridsen Sand, and Levy; Nays: 0; Abstained: 0; Absent: 0.

**A22-129 Consider Noncompetitive Contract with MidAmerican Energy for removal and reinstallation of conductor and transformer related to Gate 12 Underground Fuel Storage Tank Replacement Project**

The Director of Engineering stated with the installation of the new above ground fuel storage tanks, the existing primary electrical feed provided by MidAmerican Energy comes into conflict on the South side and Middle of the project. The South side project scope of work will move the conduit and conductor to the south to avoid the fuel tanks. The conduit and conductor running through the middle of the project will be redirected to the NW, outside of the project limits. While performing this run, a new transformer will be placed, allowing for the existing transformer to be removed from future conflict with corporate hangar aircraft apron and taxi lane development.

Bids and quotes were not solicited for this work because it is sole source with MidAmerican. According to the Authority's purchasing policy, the Board may exempt contracts or purchases for goods or services from its normal purchasing procedures for good cause. It is within the sole discretion of the Authority to determine what constitutes good cause for purposes of this provision. Examples may include procurements having unique requirements that can only be satisfied by a specific vendor, or procurements where competition is determined inadequate.

The Director of Engineering recommended the Board approve the noncompetitive contract with MidAmerican Energy, for good cause, in the amount of \$85,467.55 and authorize the Director of Engineering and Planning to accept and close out this contract when completed in accordance with the contract documents.

Ms. Levy moved to approve the noncompetitive contract with MidAmerican Energy, for good cause, in the amount of \$85,467.55 and authorize the Director of Engineering and Planning to accept and close out this contract when completed in accordance with the contract documents. Ms. Lauridsen Sand seconded. Motion Carried: 5-0-0-0; Yeas: Christensen, Dickinson, Feldmann, Lauridsen Sand, and Levy; Nays: 0; Abstained: 0; Absent: 0.

**A22-130 Consider Construct Building 57 Project**

**a. Public Hearing regarding the plans, specifications, form of contract, and estimated cost for the Construct Building 57 Project**

The Director of Engineering stated this contract will provide for the construction of a warehouse facility in the south quadrant of the airport which will be utilized by a cargo operator. The proposed facility is a pre-engineered metal building (PEMB) with a lean-to which will house office space, restrooms, a break room, and storage space. A total of four dock doors will be installed with an additional overhead door leading from recessed grade into the facility. Total facility square footage is approximately 12,500 SF. A new access roadway will be installed from the cargo apron, through the Aircraft Operation Area fencing to the facility.

The Engineer's estimate for this portion of the project is \$3,321,222.50.

**Mr. Feldmann opened the Public Hearing.**

Mr. Feldmann invited public comment. There were no comments.

**Mr. Feldmann closed the Public Hearing.**

**b. Consider Resolution adopting plans, specifications, form of contract, and estimated total cost for the Construct Building 57 Project**

The Director of Engineering recommended the Board approve Resolution adopting plans, specifications, form of contract, and estimated total cost for the Construct Building 57 project.

Ms. Levy moved to approve Resolution adopting plans, specifications, form of contract, and estimated total cost for the Construct Building 57 project.

Mr. Christensen seconded. Motion Carried: 5-0-0-0; Yeas: Christensen, Dickinson, Feldmann, Lauridsen Sand, and Levy; Nays: 0; Abstained: 0; Absent: 0.

**c. Consider award of contract for the Construct Building 57 Project to Jensen Builders, LTD in the amount of \$3,782,855.00**

The Director of Engineering stated the lowest responsive, responsible bidder was Jensen Builders, LTD. in the amount of \$3,782,855.00.

The Director of Engineering recommended the Board approve the contract with Jensen Builders, LTD in the amount of \$3,782,855.00 for the improvement and authorize the Director of Engineering and Planning to accept and close out this project when completed in accordance with the contract documents.

Ms. Lauridsen Sand asked a question about what portion of the cost increases were for mechanical and electrical items. The Director of Engineering stated he didn't have the breakdown with him at the meeting, but he would get back to the Board with the answer. Other questions were asked by Board members as well and they were answered by the directors.

Ms. Lauridsen Sand moved to approve the contract with Jensen Builders, LTD in the amount of \$3,782,855.00 for the improvement and authorize the Director of Engineering and Planning to accept and close out this project when completed in accordance with the contract documents. Mr. Christensen seconded. Motion Carried: 5-0-0-0; Yeas: Christensen, Dickinson, Feldmann, Lauridsen Sand, and Levy; Nays: 0; Abstained: 0; Absent: 0.

**d. Consider Professional Services Agreement, Task Order No. 102, with Foth Infrastructure & Environment, LLC for Construct Building 57 Project - Construction Phase Services**

The Director of Engineering stated during the Construct Building 57 project, the consultant will provide contract management, construction administration, construction testing, and construction observation services for the project. The negotiated amount of the agreement is \$217,000.00.

The Director of Engineering recommended the Board approve the professional services agreement, Task Order No. 102, with Foth Infrastructure & Environment, LLC in the amount of \$217,000.00 and authorize the Director of Engineering and Planning to accept and close out this contract when completed in accordance with the contract documents.

Ms. Levy moved to approve the professional services agreement, Task Order No. 102, with Foth Infrastructure & Environment, LLC in the amount of \$217,000.00 and authorize the Director of Engineering and Planning to accept and close out this contract when completed in accordance with the contract documents. Ms. Lauridsen Sand seconded. Motion Carried: 5-0-0-0; Yeas: Christensen, Dickinson, Feldmann, Lauridsen Sand, and Levy; Nays: 0; Abstained: 0; Absent: 0.

**A22-131 Consider a Project Management Committee Policy for New Terminal Design and Construction Requests**

The Executive Director stated Section 4.2, Owner Designated Representative, of the CMR agreement between Weitz/Turner, a Joint Venture, and Des Moines Airport Authority states:

The Owner shall identify a representative to act on behalf of the Owner with respect to the Project. The Owner's Representative shall render decisions promptly and furnish information expeditiously, so as to avoid unreasonable delay in the services or Work of the Construction Manager. Except as otherwise provided in Section 4.2.1 of the General Conditions, the Architect

does not have such authority. The term “Owner” means the Owner or the Owner’s authorized representative.

The Executive Director stated in keeping with this section, the proposed Project Management Committee is anticipated to be an ad hoc committee which may be disbanded and reconvened as construction phases of the New Terminal Project are introduced. The purpose of the committee is to review requests generated by design and construction teams working on the New Terminal project. The structure of the proposed committee is set by the Des Moines Airport Authority Board. Members of the Committee may be added or removed as the Des Moines Airport Authority Board determines necessary, but initially consists of at least one Des Moines Airport Authority Board member, but no more than two Board members, four Airport Authority staff members: the Executive Director, Director of Engineering and Planning, Director of Finance and Administration, and Director of Operations, and up to two ex-official members from the Anser Advisory, LLC team. Committee responsibilities would be to review and act on requests as established within the limits of the Board’s Project Management Committee Policy.

The Executive Director stated the policy provides the committee may only act when a quorum of members is present. All votes must be unanimous for all members present. The Policy gives the committee the authority to approve change order requests, and the use of Owner and/or CMR contingencies with a net value of \$500,000 or less. Change order requests, and the use of owner contingencies with a net value of more than \$500,000 must be submitted to the Des Moines Airport Authority Board with a committee recommendation for consideration. The Policy further provides that all Gross Maximum Price (GMP) amendments must be submitted to the Des Moines Airport Authority Board with a committee recommendation for consideration.

The Board had many questions and comments about the proposed policy, including whether it was necessary for a Board member to be part of the committee.

The Executive Director recommended the Board table approval of a Project Management Committee Policy for New Terminal project design and construction requests until the October 11, 2022, Regular Board Meeting so the Board has more time to think about the policy.

Mr. Christensen moved to table approval of a Project Management Committee Policy for New Terminal project design and construction requests until the October 11, 2022, Regular Board Meeting so the Board has more time to think about the policy. Ms. Levy seconded. Motion Carried: 5-0-0-0; Yeas: Christensen, Dickinson, Feldmann, Lauridsen Sand, and Levy; Nays: 0; Abstained: 0; Absent: 0.

**Acknowledgment of Elliott Aviation’s Authority to Assign its Leases to Modern Aviation Des Moines, LLC**

The Executive Director stated Elliott Aviation LLC was purchased by Summit Park, a private investment firm, on January 31, 2020. A new firm, Modern Aviation, Inc. has purchased the Elliot Aviation, Inc. subsidiary, Elliot Aviation of Des Moines, LLC, from Summit Park. Modern Aviation, LLC plans to operate the Fixed Base Operation of the business and sublease the Maintenance Repair and Overhaul (MRO) operation to Elliott Aviation of Des Moines, LLC.

The Executive Director stated Modern Aviation Des Moines, LLC has indicated the leases affiliated with Elliott Aviation of Des Moines, LLC will be assigned to Modern Aviation Des Moines, LLC, and that a portion of the leased property will be subleased back to Elliott Aviation of Des Moines, LLC. The lease agreements allow for assignment of the leases. Article 13 Assignment or Sublease states in part:

Section 13.01 Assignment and Subletting by Tenant

A. Tenant shall not, directly or indirectly, assign, sell, or otherwise transfer this Agreement, or any portion of the Leased Premises, without the prior written consent of Landlord, provided that the foregoing shall not prevent the assignment of this Agreement to any corporation with which Tenant may merge or consolidate, or which may succeed to the business of Tenant, provided such a successor corporation no later than sixty (60) days after the date of such merger, consolidation or succession shall acknowledge by a writing satisfactory in form and content to Aviation Director that it has assumed all obligations of Tenant and will fully honor all the terms and conditions set forth in this Agreement.

The Executive Director introduced Mr. Mark Carmen, Chief Executive Officer, and Mr. John Parrino, Chief Operating Officer, from Modern Aviation Des Moines, LLC, who attended the meeting in person. The Executive Director stated Mr. Sam Elliott, Vice President and General Manager of Elliott Aviation Inc., was in attendance as well.

The Executive Director recommended the Board acknowledge the authority of Elliott Aviation to assign its leases to a corporation with which Tenant may merge or consolidate, or which may succeed to the business of Tenant, provided such a successor corporation no later than sixty (60) days after the date of such merger, consolidation or succession shall acknowledge by a writing satisfactory in form and content to Aviation Director that it has assumed all obligations of Tenant and will fully honor all the terms and conditions set forth in the leases.

Mr. Christensen moved to acknowledge the authority of Elliott Aviation to assign its leases to a corporation with which Tenant may merge or consolidate, or which may succeed to the business of Tenant, provided such a successor corporation no later than sixty (60) days after the date of such merger, consolidation or succession shall



acknowledge by a writing satisfactory in form and content to Aviation Director that it has assumed all obligations of Tenant and will fully honor all the terms and conditions set forth in the leases. Ms. Levy seconded. Motion Carried: 5-0-0-0; Yeas: Christensen, Dickinson, Feldmann, Lauridsen Sand, and Levy; Nays: 0; Abstained: 0; Absent: 0.

**A22-133**

**Consider Resolution Authorizing Authority Staff to Sign and Submit Projects for Development on behalf of the Authority**

The Director of Engineering stated the City of Des Moines has changed their current requirement when submitting projects for review. An owner affidavit form is required to be signed on behalf of the Authority. If the owner/titleholder of the property is an organization/entity, proof of signature authority on behalf of the organization/entity must be included with the submission. This resolution would allow the Executive Director, Assistant Executive Director, Director of Engineering, Director of Operations, and Director of Finance to authorize and sign the application.

The Director of Engineering recommended the Board approve Resolution authorizing Authority staff to sign and submit projects for development on behalf of the Authority. Ms. Levy moved to approve Resolution authorizing Authority staff to sign and submit projects for development on behalf of the Authority. Mr. Christensen seconded. Motion Carried: 5-0-0-0; Yeas: Christensen, Dickinson, Feldmann, Lauridsen Sand, and Levy; Nays: 0; Abstained: 0; Absent: 0.

**A22-134**

**Consider a Conflict-of-Interest Waiver for Ahlers & Cooney, P.C. to Draft a Borrow Site Agreement Between the Des Moines Airport Authority and the City of Des Moines**

The Executive Director stated as general counsel for the Authority, Ahlers & Cooney has been asked to assist with drafting an Agreement for the borrow site between the City and the Authority on behalf of the Authority. The Agreement will outline the rights and responsibilities of each party as it relates to the borrow site. Ahlers & Cooney's representation in this regard will include, but not be limited to, drafting the terms and conditions of the Agreement. Ahlers & Cooney understand the City will be represented by one of its assistant city attorneys in this matter and will not rely on Ahlers & Cooney for any legal advice or representation regarding either for the Agreement. Should the City seek Ahlers & Cooney's advice regarding the Agreement, they will not be able to provide it.

The Executive Director stated since the City is a current client of Ahlers & Cooney, any work that they perform for the Authority that would be adverse to the City will create a conflict of interest. Therefore, they cannot represent the Authority in this matter unless the Authority Board and the Des Moines City Council agree to waive the conflict.

The Executive Director recommended the Board approve a Conflict-of-Interest Waiver for Ahlers & Cooney, P.C. to Draft a Borrow Site Agreement Between the



Des Moines Airport Authority and the City of Des Moines and authorize the Executive Director to sign the Agreement once drafted.

Ms. Levy moved to approve a Conflict-of-Interest Waiver for Ahlers & Cooney, P.C. to Draft a Borrow Site Agreement Between the Des Moines Airport Authority and the City of Des Moines and authorize the Executive Director to sign the Agreement once drafted. Ms. Lauridsen Sand seconded. Motion Carried: 5-0-0-0; Yeas: Christensen, Dickinson, Feldmann, Lauridsen Sand, and Levy; Nays: 0; Abstained: 0; Absent: 0.

**A22-135 Consider the Iowa Department of Transportation Agreement for the Fiscal year 2023 Air Service Development Program**

The Executive Director stated the Airport Authority applies annually for funds through the Iowa DOT Bureau of Aviation Fund Air Service Development Program. The FY23 application has been approved to use the funds for air service software and marketing strategies to support local air service growth. The airline data and software system will be used to build business cases for existing and prospective airlines to meet commercial service demands in our catchment area. The Des Moines Airport Authority will implement a marketing strategy using print, digital, video, and radio advertising to continue building traveler confidence while growing the retention of passengers in our catchment area. Marketing campaigns will promote the airport building brand awareness and loyalty and be used for targeted marketing to support existing and newly announced nonstop service.

The Executive Director stated the Iowa DOT will reimburse the Authority for 80% of eligible project costs not to exceed \$80,000.

The Executive Director recommended the Board approve the Iowa Department of Transportation Agreement for the Fiscal year 2023 Air Service Development Program.

Ms. Levy moved to approve the Iowa Department of Transportation Agreement for the Fiscal year 2023 Air Service Development Program. Ms. Lauridsen Sand seconded. Motion Carried: 5-0-0-0; Yeas: Christensen, Dickinson, Feldmann, Lauridsen Sand, and Levy; Nays: 0; Abstained: 0; Absent: 0.

**A22-136 Financial Report**

- The Assistant Executive Director stated:
  - Revenue
    - 18% ahead of budget.
    - 2% ahead of 2019.
  - Expenses
    - 3.5% below budget.
    - 2% above 2019.

Ms. Lauridsen Sand asked a question about expenses which the Assistant Executive Director answered.

**A22-137**

**Briefing**

- The Director of Operations reported:
  - August 2022 taxi statistics.
  - August 2022 passenger statistics.
  - Number of Covid-19 tests administered at the airport by Exemplar Care in August 2022: 63. Since the number of tests has decreased significantly in recent months, Exemplar Care will no longer be operating at the Airport.
- The Executive Director reported:
  - Reminders for the Board:
    - A dedication and reception for the Liftoff sculpture will be held at the airport on September 23, 2022, at 4 p.m.
    - Envision Iowa, in conjunction with the Business Record and the Iowa Economic Development Authority, is holding a reception on October 5, 2022. The Authority has a table for ten people so the Board and the Authority directors can attend. If you can attend, please email Ms. Kovarna, then she will provide you with event details.
    - A workshop on the new terminal project will be held with the Board following next month's Board meeting.

**A22-138**

**Next Meeting**

- a. **October 11, 2022, Regular Board Meeting**


**A22-139**

**Adjourn**

Ms. Levy moved to adjourn the meeting. Mr. Christensen seconded. Motion Carried: 5-0-0-0; Yeas: Christensen, Dickinson, Feldmann, Lauridsen Sand, and Levy; Nays: 0; Abstained: 0; Absent: 0.

The meeting adjourned at 9:58 a.m.

**Respectfully Submitted:**

  
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**Christine Lauridsen Sand**  
**Secretary/Treasurer**

  
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**Mary Benson**  
**Board Clerk**