

SPECIAL MEETING
OF
JACKSON MUNICIPAL AIRPORT AUTHORITY
BOARD OF COMMISSIONERS

April 26, 2010

The Board of Commissioners (the "Board") of the Jackson Municipal Airport Authority (the "Authority" or "JMAA") met in the Main Terminal Building, Hawkins Field, Jackson, Mississippi, at 3:00 p.m. on Monday, April 26, 2010 (the "Meeting"), pursuant to proper notice, a copy of which is attached as an exhibit to the minutes of the Meeting.

I. CALL TO ORDER/ROLL CALL/DECLARATION OF QUORUM.

Chairman George E. Irvin, Sr. presided, called the Meeting to order, and called the roll of Commissioners.

The following Commissioners were present in person at the Meeting.

George E. Irvin, Sr., Chairman
Dr. Glenda Glover, Vice Chair
Earle Jones
Johnnie P. Patton, R. Ph.
Dr. Sylvia Stewart

Chairman Irvin noted that a quorum was present in person as required by the Bylaws, and announced that the Meeting would proceed.

The following other persons were also present at the Meeting.

Dirk B. Vanderleest, JMAA Chief Executive Officer
Gary Cohen, JMAA Chief Financial Officer
Woody Wilson, JMAA Senior Director of Capital Planning
Kenneth Randolph, JMAA Commander, Department of Public Safety
Jack Thomas, JMAA Director of Community Development and DBE Program
René Woodward, JMAA Director of Human Resources and Administration
Arnetrius Reed Branson, JMAA Controller
Eddie Mae Bailey, JMAA Housekeeper
Cindy Crotchett, JMAA Executive Assistant
Larry Gozdecki, JMAA Custodial Superintendent
Chad Parker, JMAA Employee Development Specialist
Joyce Tillman, JMAA Facilities Engineer
Jack Weldy, JMAA Properties Manager
Alan Moore, Baker Donelson Bearman Caldwell & Berkowitz
Jeff Wagner, Baker Donelson Bearman Caldwell & Berkowitz

Chuck Lott, Neel-Schaffer, Inc.
Betty Mallett

II. APPROVAL AND EXECUTION OF MINUTES.

- A. Regular Work Session, March 18, 2010.
- B. Executive Session of the Work Session, March 18, 2010.
- C. Regular Monthly Meeting, March 22, 2010.
- D. Executive Session of the Regular Monthly Meeting, March 22, 2010.

Before the Board considered approval of the minutes of the above meetings, Mr. Moore submitted to the Board a draft of minutes of the Regular Monthly Work Session of the Board on April 22, 2010. Mr. Moore asked the Board to review and consider approval and execution of those minutes at this time, together with the minutes listed above.

After discussion, upon motion duly made by Commissioner Glover, seconded by Commissioner Stewart, and unanimously approved by the affirmative votes of all Commissioners present, the minutes of (i) the Open Session and Executive Session of the Work Session on March 18, 2010, (ii) the Open Session and Executive Session of the Regular Monthly Meeting on March 22, 2010, and (iii) the Regular Work Session on April 22, 2010, were approved as presented and directed to be filed in the appropriate minute book and records of the Authority.

III. PUBLIC COMMENTS.

None.

IV. REPORTS.

A. Chief Executive Officer.

Before discussing the matters routinely discussed at monthly Board meetings, Mr. Vanderleest discussed the following issues with the Board.

FAA Reauthorization Bill.

Mr. Vanderleest said the FAA Reauthorization Bill, which authorizes the FAA Airport Improvement Program grants, was in Conference Committee and probably would not be passed and signed by the President until late summer 2010, if then.

HNA Group.

Mr. Vanderleest advised the Board that he had received an email thanking JMAA for its hospitality during the recent visit to Jackson by representatives of the HNA Group. Mr. Vanderleest said he had provided the HNA Group and Kamsky Associates, Inc. (“Kamsky”) with additional information requested by the HNA Group during the visit, and hoped to have a response within thirty (30) days as to the status of the HNA Group’s interest in Jackson-Evers International Airport (“JEIA”). During discussion, Chairman Irvin asked Mr. Vanderleest for a budget and work projection from Kamsky regarding the HNA project, and Mr. Vanderleest said he would provide that.

East Metro Corridor.

Mr. Vanderleest said the FAA Airport District Office had advised JMAA that the FAA had approved the release of right-of-way across JEIA for the East Metro Corridor Road, and written confirmation should be received shortly. Mr. Vanderleest said that he expected construction of that segment of the Road, which will run north/south on the east side of JEIA, to begin in June 2010.

Ratings Agency Review.

Mr. Vanderleest advised the Board that the rating agencies were conducting a routine review of JMAA’s financial condition, which should be complete by mid-May 2010.

Hawkins Field South Terminal Building.

Mr. Vanderleest said that the application for a grant from the U.S. Department of Interior, Save America’s Treasure’s Program, was being finalized and would be submitted shortly.

Chamblee Leases.

Mr. Vanderleest said that Mr. Wagner and he had discussed the lease issues raised by the Board with Mr. Chamblee and his attorney, and that Mr. Chamblee was comfortable moving forward on the terms desired by the Board. Mr. Wagner said that new leases would be drafted as discussed with the Board, including a requirement for Board approval of a site plan for development. Upon such Board approval, the term of the lease would be extended for fifty (50) years.

1. Airport Project Manager Summary, Period Ending March 31, 2010.
2. Airport Activity Statistics Report, Period Ending March 31, 2010.

Mr. Vanderleest directed the Board’s attention to the Airport Project Manager Summary and the Airport Activity Statistics Report as found in the packet distributed to the Board prior to the Meeting (the “Packet”), and discussed

these reports with the Board. A copy of the Packet is attached as an exhibit to the minutes of the Meeting.

3. Employee Recognitions.

- a. Employee of the Month, April 2010: Eddie Mae Bailey, Housekeeper, Department of Maintenance.

Mr. Vanderleest recognized and commended Ms. Bailey for being named Employee of the Month for April 2010.

4. Professional Development Recognitions.

- a. Larry Gozdecki, Custodial Superintendent, Department of Maintenance.

- (1) Certificate of Completion Level One ATSI, Sponsored by AAAE Airport Training & Safety Institute.

Mr. Vanderleest recognized and commended Mr. Gozdecki on completion of Level One ATSI, as sponsored by AAAE Airport Training & Safety Institute.

- b. Joyce Tillman, Facilities Engineer, Department of Capital Programming.

- (1) Certificate of Completion Level One ATSI, Sponsored by AAAE Airport Training & Safety Institute.

Mr. Vanderleest recognized and commended Ms. Tillman on completion of Level One ATSI, as sponsored by AAAE Airport Training & Safety Institute.

- c. Chad Parker, Employee Development Specialist, Department of Human Resources and Administration.

- (1) Certificate of Completion for Human Resources Certification Program, Sponsored by the Mississippi State Personnel Board.

Mr. Vanderleest recognized and commended Mr. Parker on completion of the Human Resources Certification Program, as sponsored by the Mississippi State Personnel Board.

5. Professional Recognitions.

- a. Jackson Municipal Airport Authority: 2010 Best Places to Work in Mississippi, Mississippi Business Journal.

Mr. Vanderleest informed the Board that the Authority had been named one of the 2010 Best Places to Work in Mississippi by the *Mississippi Business Journal*.

- b. René Woodward: Mississippi's 50 Leading Business Women, Mississippi Business Journal.

Mr. Vanderleest informed the Board that Ms. Woodward had been named one of Mississippi's 50 Leading Business Women by the *Mississippi Business Journal*.

- c. Jackson Advocate Woman of the Year Award.

Mr. Vanderleest recognized and commended Commissioner Patton on her selection as Woman of the Year by the *Jackson Advocate*.

B. Attorney.

Mr. Moore distributed to each Commissioner a copy of an article which had appeared in *The Wellspring*, the quarterly publication of the William Winter Institute for Racial Reconciliation at the University of Mississippi. The article discussed the dedication of the Medgar Wiley Evers Pavilion at JEIA on June 5, 2009. A copy of the article is attached as an exhibit to the minutes of the Meeting.

V. ACTION ITEMS.

A. Financial Matters.

1. Financial Reports for March 2010.

- a. Balance Sheet: Accept.

- b. Income Statement: Accept.

- c. Salient Statistics, Second Quarter Year to Date, FY 2010 vs. FY 2009.

- d. FY 2010 Year to Date, March 31, 2010, Variance Analysis to Budget.

- e. Claims Docket for March 2010: Approve.

Mr. Vanderleest directed the Board's attention to the above financial reports for March 2010 and the Claims Docket for March 2010, all of which were included in the Packet.

After discussion, upon motion duly made by Commissioner Jones, seconded by Commissioner Glover, and unanimously approved by the affirmative votes of all Commissioners present, the Board adopted the following resolution.

**RESOLUTION ACCEPTING FINANCIAL REPORTS FOR MARCH 2010
AND APPROVING AND AUTHORIZING PAYMENT OF CLAIMS
DOCKET FOR MARCH 2010**

WHEREAS, the Board of Commissioners (the "Board") of the Jackson Municipal Airport Authority (the "Authority") has reviewed and considered (i) a Balance Sheet as of March 31, 2010; (ii) an Income Statement as of March 31, 2010; (iii) Salient Statistics, Second Quarter Year to Date, FY2010 vs. FY2009; and (iv) a FY2010 Year to Date, March 31, 2010, Variance Analysis to Budget (collectively, the "Financial Reports"), and the Claims Docket of the Authority for the month of March 2010 (the "Claims"), both the Financial Reports and the Claims being (x) included in the packet distributed to the Board prior to the April 26, 2010, Special Meeting of the Board, and (y) incorporated herein by reference;

NOW, THEREFORE, BE IT RESOLVED, the Board hereby (i) accepts the Financial Reports and (ii) approves and authorizes payment of the Claims in the total amount of \$1,837,568.39.

B. Service Agreements.

1. JMAA Project No. 014-10, Request for Proposals for Management Services of Designated Parking Areas, JEIA: Authorize Request for Proposals.

Mr. Vanderleest directed the Board's attention to the Memorandum dated April 9, 2010, in the Packet, which described this matter, and discussed this matter with the Board.

After discussion, upon motion duly made by Commissioner Jones, seconded by Commissioner Stewart, and unanimously approved by the affirmative votes of all Commissioners present, the Board adopted the following resolution.

**RESOLUTION APPROVING AND AUTHORIZING REQUEST FOR
PROPOSALS FOR MANAGEMENT SERVICES FOR DESIGNATED
PARKING AREAS, JACKSON-EVERS INTERNATIONAL AIRPORT**

WHEREAS, the staff of the Jackson Municipal Airport Authority (the "Authority") has recommended that the Board of Commissioners (the "Board") of the Authority approve and authorize publication of a request for proposals for

management of designated parking areas at Jackson-Evers International Airport (JMAA Project No. 014-10), as more particularly described in that certain memorandum dated April 9, 2010, which was (i) included in the Packet distributed to the Board prior to the April 26, 2010, Special Meeting of the Board, and (ii) incorporated herein by reference (the "Memorandum"); and

WHEREAS, the Board has reviewed the Memorandum and considered the recommendation therein by the staff of the Authority;

NOW, THEREFORE, BE IT RESOLVED, the Board hereby determines that it would be in the best interests of and in furtherance of the duties and responsibilities of the Authority to, and the Board hereby does, approve and authorize publication of a request for proposals for management of designated parking areas at Jackson-Evers International Airport (JMAA Project No. 014-10), all as more particularly described in the Memorandum, relating to this matter.

2. JMAA Project No. 031-06, Disparity Study, JMAA: Authorize Agreement.

Mr. Vanderleest directed the Board's attention to the memorandum dated April 16, 2010, in the Packet, which described this matter, and discussed this matter with the Board.

During discussion, Mr. Vanderleest said that local Disadvantaged Business Enterprise ("DBE") participation would be 8% and that total DBE participation in the project would be at least 15%, perhaps more.

After discussion, upon motion duly made by Commissioner Stewart, seconded by Commissioner Glover, and unanimously approved by the affirmative votes of all Commissioners present, the Board adopted the following resolution.

RESOLUTION APPROVING AND AUTHORIZING NEGOTIATION AND EXECUTION OF AN AGREEMENT WITH NATIONAL ECONOMICS RESEARCH ASSOCIATES, INC. FOR A DISPARITY STUDY

WHEREAS, the staff of the Jackson Municipal Airport Authority (the "Authority") has recommended that the Board of Commissioners of the Authority (the "Board") approve and authorize negotiation and execution of an agreement with National Economics Research Associates, Inc. ("NERA") for preparation of a Disparity Study in connection with the Authority's contracting practices and opportunities (the "Services"), all as more particularly described in that certain memorandum dated April 16, 2010, which was (i) included in the packet distributed to the Board prior to the April 26, 2010, Special Meeting of the Board, and (ii) incorporated herein by reference (the "Memorandum"); and

WHEREAS, the Board has reviewed the Memorandum and considered the recommendation therein by the staff of the Authority;

NOW, THEREFORE, BE IT RESOLVED, the Board hereby determines that it would be in the best interests of and in furtherance of the duties and responsibilities of the Authority to, and the Board hereby does, approve and authorize negotiation and execution of an agreement with NERA for the Services (the “NERA Agreement”), said NERA Agreement to be in such form and to contain such terms and conditions consistent with the Memorandum, as may be deemed appropriate by the Chief Executive Officer of the Authority, as evidenced by his execution thereof.

C. Construction Projects.

No action or discussion took place at the Meeting regarding construction projects.

D. Procurements.

No action or discussion took place at the Meeting regarding procurements.

E. Grants.

No action or discussion took place at the Meeting regarding grants.

F. Other Matters.

1. State of Mississippi, DFA – Office of Air Transport Services, Ground Lease, JEIA: Approve Amendment.

Mr. Vanderleest directed the Board’s attention to the memorandum dated March 25, 2010, in the Packet, which described this matter, and discussed this matter with the Board.

After discussion, upon motion duly made by Commissioner Stewart, seconded by Commissioner Glover, and unanimously approved by the affirmative votes of all Commissioners present, the Board adopted the following resolution.

**RESOLUTION AUTHORIZING LEASE OF LAND AT JACKSON-EVERS
INTERNATIONAL AIRPORT TO THE STATE OF MISSISSIPPI
DEPARTMENT OF FINANCE AND ADMINISTRATION – OFFICE OF
AIR TRANSPORT SERVICES**

WHEREAS, the Jackson Municipal Airport Authority (the “Authority”) currently leases approximately 12,500 square feet of land along the west side of South Hangar Drive (the “Premises”) at Jackson-Evers International Airport (“JEIA”) to the State of Mississippi Department of Finance and Administration – Office of Air Transport Services (the “State”) at a rental rate of \$.25 per square foot, which is the Authority’s standard ground lease rate at JEIA; and

WHEREAS, the State has requested, and the staff of the Authority has recommended, that the Board of Commissioners of the Authority (the “Board”)

approve an extension of the current lease term for the Premises for an additional one year, effective July 1, 2010, at the same rental and subject to the same terms currently in effect (the "DFA Lease"), all as set forth in that certain memorandum dated March 25, 2010, (i) included in the packet distributed to the Board prior to the April 26, 2010, Special Meeting of the Board, and (ii) incorporated herein by reference (the "Memorandum"); and

WHEREAS, the Board has reviewed the Memorandum and considered the recommendation set forth therein by the staff of the Authority;

NOW, THEREFORE, BE IT RESOLVED, the Board hereby determines that it would be in the best interests of and in furtherance of the duties and responsibilities of the Authority to, and the Board hereby does, approve and authorize negotiation and execution of the DFA Lease, said DFA Lease to be in such form and to contain such terms and conditions consistent with the Memorandum and herein as may be deemed appropriate by the Chief Executive Officer of the Authority, as evidenced by his execution thereof.

2. CenterPoint Energy, Utility Agreement in Connection with the East Metro Corridor, JEIA: Authorize Agreement.

Mr. Vanderleest directed the Board's attention to the memorandum dated April 20, 2010, in the Packet, which described this matter, and discussed this matter with the Board.

After discussion, upon motion duly made by Commissioner Stewart, seconded by Commissioner Glover, and unanimously approved by the affirmative votes of all Commissioners present, the Board adopted the following resolution.

**RESOLUTION APPROVING AND AUTHORIZING RELOCATION OF
RIGHT OF WAY EASEMENT FOR CENTERPOINT ENERGY AT
JACKSON-EVERS INTERNATIONAL AIRPORT**

WHEREAS, CenterPoint Energy ("CenterPoint") currently has certain gas lines (the "Lines") located near Cooper/El Dorado Road that must be relocated as part of the construction of the East Metro Corridor Road (the "Road") on the east side of Jackson-Evers International Airport ("JEIA"); and

WHEREAS, CenterPoint has requested that it be allowed to place the Lines underground in the right of way for that portion of the Road to be located on JEIA (the "Right of Way"); and

WHEREAS, the staff of the Jackson Municipal Airport Authority (the "Authority") has recommended that the Board of Commissioners (the "Board") of the Authority approve and authorize relocation of the Lines within the Right of Way, all as more particularly described in that certain memorandum dated April 20, 2010, and the attachments thereto, as (i) included in the packet distributed to

the Board prior to the April 26, 2010, Special Meeting of the Board and (ii) incorporated herein by reference (the "Memorandum"); and

WHEREAS, the Board has reviewed and considered the Memorandum and the recommendation therein by the staff of the Authority;

NOW, THEREFORE, BE IT RESOLVED, the Board hereby determines that it would be in the best interests of and in furtherance of the duties and responsibilities of the Authority to, the Board hereby does: (i) grant unto CenterPoint an easement to relocate the Lines in the Right of Way as more particularly shown in the Memorandum; and (ii) authorize and direct the staff of the Authority to prepare and the CEO of the Authority to execute such documents and take such other actions as may be necessary and appropriate to accomplish said relocation of the Lines in the Right of Way.

3. Denbury Onshore, LLC, JEIA: Authorize Permit to Allow Exploration for Carbon Dioxide.

Mr. Vanderleest directed the Board's attention to the memorandum dated April 20, 2010, in the Packet, which described this matter, and discussed this matter with the Board.

After discussion, upon motion duly made by Commissioner Stewart, seconded by Commissioner Glover, and unanimously approved by the affirmative votes of all Commissioners present, the Board adopted the following resolution.

RESOLUTION APPROVING AND AUTHORIZING NEGOTIATION AND EXECUTION OF AGREEMENT WITH DENBURY ONSHORE, LLC TO PERFORM GEOPHYSICAL SURVEY AT JACKSON-EVERS INTERNATIONAL AIRPORT

WHEREAS, the staff of the Jackson Municipal Airport Authority (the "Authority") has advised the Board of Commissioners (the "Board") of the Authority that Denbury Onshore, LLC ("Denbury") has requested authority to perform a geophysical survey of approximately 2,600 acres of land at Jackson-Evers International Airport ("JEIA") to identify the likely presence of commercially exploitable levels of carbon dioxide (the "Survey"); and

WHEREAS, the staff has recommended that the Board approve and authorize negotiation and execution of an agreement with Denbury to perform the Survey for a fee of \$5.00 per acre (the "Denbury Agreement"), as more particularly described in that certain memorandum dated April 20, 2010, (i) included in the packet distributed to the Board prior to the April 26, 2010, Special Meeting of the Board, and (ii) incorporated herein by reference (the "Memorandum"); and

WHEREAS, the Board has reviewed and considered the Memorandum and the recommendation therein by the staff of the Authority;

NOW, THEREFORE, BE IT RESOLVED, the Board hereby determines that it would be in the best interests of and in furtherance of the duties and responsibilities of the Authority to, the Board hereby does, approve and authorize negotiation and execution of the Denbury Agreement, said Denbury Agreement to be in such form and to contain such terms and conditions consistent with the Memorandum as may be deemed appropriate by the Chief Executive Officer of the Authority, as evidenced by his execution thereof.

4. Commissioner Earle Jones, Approval of Expense Reimbursement for December 2009.

Mr. Vanderleest asked the Board to consider authorizing reimbursement for certain travel expenses incurred by Commissioner Jones in connection with attendance at an AMAC conference in December 2009.

During discussion, Mr. Vanderleest said there was nothing unusual about the expenses, other than the request for reimbursement was beyond the time allotted by the Authority's travel reimbursement policy. Commissioner Jones discussed the expenses and explained the extenuating circumstances which prevented him from filing the request earlier.

After discussion, upon motion duly made by Commissioner Stewart, seconded by Commissioner Patton, and unanimously approved by the affirmative votes of all Commissioners present (except for Commissioner Jones, who abstained), the Board adopted the following resolution.

**RESOLUTION APPROVING AND AUTHORIZING PAYMENT OF
CERTAIN TRAVEL EXPENSES**

WHEREAS, Commissioner Earle Jones has submitted to the Board of Commissioners (the "Board") of the Jackson Municipal Airport Authority (the "Authority") documentation and verification (the "Expense Documentation") of certain travel expenses incurred by Commissioner Jones on behalf of the Authority (the "Expenses"); and

WHEREAS, the Board has reviewed and considered the Expense Documentation of the Expenses and the existing Board Travel Policy, which requires that verification of travel expenses incurred by Commissioners be submitted within thirty days of being incurred, or the Board must specifically approve reimbursement, copies of the Expense Documentation and the Board Travel Policy being (i) attached as exhibits to the minutes of the Special Meeting of the Board on April 26, 2010, and (ii) incorporated herein by reference;

NOW, THEREFORE, BE IT RESOLVED, the Board hereby determines that the Expenses were incurred by Commissioner Jones in good faith on behalf of the Authority and in furtherance of the duties and responsibilities of the Authority; and hereby determines that it would be in the best interests of and in furtherance of the duties and responsibilities of the Authority to, and the Board hereby does:

(i) waive the applicable provisions of the Board Travel Policy and (ii) approve and authorize reimbursement of the Expenses to Commissioner Jones.

5. JMAA Employee Handbook Review.

Mr. Vanderleest said that a copy of a draft employee handbook had been distributed to each Commissioner for review and comment. Mr. Vanderleest said that he would like the Board to consider approval and adoption of the employee handbook at the next regular monthly meeting of the Board.

6. East Parallel Runway 16L-34R, Pavement Rehabilitation, Jackson-Evers International Airport, JMAA Project No. 007-09, AIP Project No. 3-28-0037-042-2009.

Mr. Vanderleest advised the Board that on Thursday, April 22, 2010, the staff received bids for the East Parallel Runway 16L-34R Pavement Rehabilitation project at JEIA (the "Project"). Mr. Vanderleest said that the lowest bid had been submitted by Garrett Construction Co., Inc. ("Garrett") in the amount of \$18,575,757. Mr. Vanderleest said that funding for the Project was to be provided by a discretionary grant from the Federal Aviation Administration ("FAA"). During the pre-application process, FAA had agreed, subject to the availability of discretionary funds at the end of the current fiscal year (June 30, 2010), to grant \$15 million to JMAA for the Project. Mr. Vanderleest said that when he told the FAA Airports District Office in Jackson (the "ADO") the amount of the lowest bid (\$18,575,757), the ADO said it was highly unlikely that FAA would be able to provide any funds beyond \$15 million for the Project, even though the lowest bid was \$18,575,757. Mr. Vanderleest said that the ADO advised him to recommend to the Board (i) that all bids be rejected, (ii) that the Authority work with its professional consultants to redesign the Project in an attempt to lower the estimated cost, and (iii) that the Project be rebid. Mr. Vanderleest said that in order to access the proposed discretionary grant from FAA, the Project would have to be rebid and under contract before the end of the fiscal year on June 30, 2010.

During discussion, Mr. Vanderleest said that the Authority did not have sufficient funds to pay the difference between the bid of \$18,575,757 and the proposed grant of \$15 Million, and for that reason, he recommended following the advice of the ADO to (i) reject all bids, (ii) redesign the Project, and (iii) rebid the Project.

When asked if there were any other issues with the bid submitted by Garrett, Mr. Vanderleest advised the Board that on Friday, April 23, 2010, the Authority had received bid protests from two other bidders for the Project: (i) Dickerson & Bowen and (ii) Superior Asphalt and APAC-MS, a Joint Venture. Both protests alleged that the bid submitted by Garrett was not qualified under Mississippi law and in accordance with the bid documents. Mr. Vanderleest said that the staff would not comment further on the bid protests at this time because

they would be moot if the Board agreed with his and FAA's recommendation to (i) reject all bids, (ii) work with the Project consultants to redesign the Project specifications in an effort to lower the cost, and (iii) then rebid the Project.

After discussion, upon motion duly made by Commissioner Jones, seconded by Commissioner Stewart, and unanimously approved by the affirmative votes of all Commissioners present, the Board adopted the following resolution.

**RESOLUTION REJECTING BIDS FOR EAST PARALLEL RUNWAY
16L-34R PAVEMENT REHABILITATION, JACKSON-EVERS
INTERNATIONAL AIRPORT, JMAA PROJECT NO. 007-09, AIP
PROJECT NO. 3-28-0037-042-2009**

WHEREAS, in accordance with applicable law, the Jackson Municipal Airport Authority (the "Authority") published an advertisement for bids for East Parallel Runway 16L-34R Pavement Rehabilitation, Jackson-Evers International Airport, JMAA Project No. 007-09, AIP Project No. 3-28-0037-042-2009 (the "Project"); and

WHEREAS, on April 22, 2010, the Authority received three bids for the Project, with the lowest bid being submitted by Garrett Construction Co., Inc. ("Garrett") in the amount of \$18,575,757; and

WHEREAS, prior to publishing an advertisement for bids for the Project, the Authority discussed with the Federal Aviation Administration ("FAA") Airports District Office in Jackson, Mississippi (the "ADO"), the probability of receiving a discretionary grant from FAA for the Project, and the ADO had advised JMAA that a discretionary grant might be available for the Project, depending on the availability of funds at the end of the FAA fiscal year on June 30, 2010 (the "Discretionary Grant"), in an amount up to \$15 million; and

WHEREAS, after opening the bids for the Project and determining that the lowest bid was in the amount of \$18,575,757, Dirk Vanderleest, the Chief Executive Officer of the Authority (the "CEO"), has been advised by the ADO that it is highly unlikely that the Discretionary Grant, if available, would exceed \$15 million; and

WHEREAS, the CEO has determined and advised the Board of Commissioners of the Authority (the "Board") that the Authority does not have sufficient funds in its Fiscal Year 2010 Budget to provide the difference between the proposed Discretionary Grant of \$15 Million and the bid price of \$18,575,757; and

WHEREAS, the ADO has recommended that JMAA (i) reject all bids for the Project, (ii) redesign the Project in an effort to lower the expected cost of the Project to \$15 Million or lower, (iii) rebid the Project, and (iv) attempt to receive bids and have the Project under contract by the end of the FAA fiscal year on June 30, 2010, as required to access the Discretionary Grant; and

WHEREAS, after considering all of the circumstances, the CEO has recommended that the Board (i) reject all bids for the Project, and (ii) direct the Authority's staff to (x) work with the Authority's professional consultants in an effort to lower the projected cost of the Project, (y) attempt to rebid the Project and have the Project under contract by the end of the FAA fiscal year on June 30, 2010, and (z) take such other steps as may be necessary and appropriate to apply for and receive the Discretionary Grant in an amount sufficient to fund the Project; and

WHEREAS, the Board has considered the circumstances described above and said recommendation by the CEO;

NOW, THEREFORE, BE IT RESOLVED, the Board hereby determines that it would be in the best interests of and in furtherance of the duties and responsibilities of the Authority to, and the Board hereby does (i) reject all bids for the Project, and (ii) direct the Authority's staff to (x) work with the Authority's professional consultants in an effort to lower the projected cost of the Project, (y) attempt to rebid the Project and have the Project under contract by the end of the FAA fiscal year on June 30, 2010, and (z) take such other steps as may be necessary and appropriate to apply for and receive the Discretionary Grant in an amount sufficient to fund the Project.

VI. DISCUSSION: STRATEGIC INITIATIVES.

No discussion or action was taken at the Meeting regarding strategic initiatives.

VII. ADJOURNMENT.

There being no further business to come before the Meeting, upon motion duly made by Commissioner Patton, seconded by Commissioner Stewart, and unanimously approved by the affirmative votes of all Commissioners present, the Meeting was adjourned.

Respectfully submitted,

George E. Irvin, Sr., Chairman

Dr. Glenda Glover, Vice Chair

Earle Jones

Johnnie P. Patton, R. PH.

Dr. Sylvia Stewart