

FORT LAUDERDALE

AVIATION ADVISORY BOARD FORT LAUDERDALE EXECUTIVE AIRPORT ADMINISTRATIVE OFFICE - MULTIPURPOSE ROOM 6000 NW 21 AVENUE, FORT LAUDERDALE, FL THURSDAY, NOVEMBER 10, 2011, 1:30 P.M.

Cumulative
Attendance
7/11 through 6/12

		7/11 through 6/12		
Board Members	Attendance	Present	Absent	
Bunney Brenneman, Chair	Р	4	0	
Bruce Larkin, Vice Chair	Α	2	2	
Gloria Brown	Р	3	1	
Ron Carlson	Р	1	0	
Avery Dial	Α	2	2	
Linda Iversen	Р	3	1	
Jackie Kaht	Α	1	3	
Patrick Kerney	Р	3	1	
Stephen Stella	Р	3	1	
Mark Volchek	Α	2	2	
Pamela Bushnell, Mayor,	Р	2	2	
City of Tamarac [non-voting]				
Jeff Helyer, City of Oakland Park	Р	4	0	
[non-voting]				

Airport/City Staff

Clara Bennett, Airport Manager
Florence Straugh, Noise Abatement Officer
Rufus A. James, Airport Operations Supervisor
Fernando Blanco, Airport Engineer
Leslie Carhart, Administrative Assistant
Sharon Dreesen, Administrative Aide
Danica Byam, Airport Intern
J. Opperlee, Recording Secretary, Prototype Services

Communications to the City Commission

None

Call to Order

Chair Brenneman called the meeting to order at 1:33 p.m.



1. Approve Minutes of September 2011 Meeting

Motion made by Mr. Kerney, seconded by Ms. Iversen, to approve the minutes of the Board's September 2011 meeting. In a voice vote, motion passed unanimously. Later in the meeting, Chair Brenneman noted some corrections that should be made to the minutes.

2. Executive Airport Parcel 1A – Amendment to Lease Agreement

Ms. Bennett explained that KAS Airport LLC, (KAS) was under contract to purchase the interest of US Bank, National Association, the current lender, in a Lease Agreement, dated July 17, 1984, between the City of Fort Lauderdale and Executive Airport Business Center Phase I Ltd. for Executive Airport Parcel 1A. She stated Parcel 1A was approximately 309,320 square feet or 7.101 acres and had been improved with three office buildings.

Ms. Bennett said the current rent was approximately \$76,000 annually, or about \$0.25 per square foot. The term of the lease would expire on February 1, 2031, with a 13.5-year option to extend the lease term to July 31, 2044. She stated if this option were exercised, the rental payment for the additional 13.5 years would be indexed to 10% of Fair Market Value as determined by appraisal and adjusted in accordance with CPI every five years. Ms. Bennett said, as KAS would acquire the remaining leasehold through bankruptcy from the bank, they wished to extend the base term plus option period by seven years for a total term of 40 years. In consideration of this extension, they would escalate the ground rent 24 months from January 1, 2012, the date of the execution amendment. This would increase the rent 97%, to \$150,000 per year and would generate an additional \$1.3 million for the remaining term. At the end of the base period, the annual ground rent would be adjusted to 10% of fair market value, with a cap of 10% and the rent would escalate from there. Also, beginning on July 1, 2031, the ground lease would be converted to a ground lease plus improvement rent. This would escalate the rent 2.5% of the net annual income from the improvements on the parcel.

Ms. Bennett noted that the terms of the lease were subject to FAA review and approval.

Staff Recommendation

Staff recommends that the terms of the lease for Parcel 1A be amended as follows:

- 1. An adjustment in the annual rent to \$150,000 with five-year CPI adjustments beginning twenty four months from the effective amendment date.
- 2. An adjustment in the annual rent to 10% of the Fair Market Value, or the then current City Commission approved percentage rental rate, whichever is lower limited to a maximum increase in the base rent of 10%, beginning twenty years from the date of the effective amendment date.

3. An assessment of 2.5% of the annual net rental income from the improvements on the parcel beginning on February 1, 2031.

Stephanie Toothaker, attorney for KAS, thanked Airport staff and the Board and invited questions.

Ms. Bennett explained that because of the stadium issue the FAA was taking additional time to review the request. If the FAA did not approve it, Airport staff would adjust the amendment per the FAA's comments and bring it back to KAS, the Board and the City Commission.

Ms. Toothaker informed the Board that there would be no new construction on the property but the existing buildings required rehabilitation.

Motion made by Mr. Kerney, seconded by Ms. Brown, to approve the staff recommendation. In a voice vote, motion passed unanimously.

3. Taxiways Charlie & Delta Pavement Rehabilitation - Construction Support/Inspection Services - Task Order No. 20 - Kimley-Horn and Associates Inc.

Mr. Blanco reported staff had negotiated a Task Order with Kimley-Horn and Associates, Inc. to provide construction oversight and support services for the upcoming Taxiways Charlie and Delta Pavement Rehabilitation project.

Mr. Blanco said this Task Order included the following tasks: attend weekly construction meetings; provide periodic site inspections to observe the progress of the work; review and approve change orders; respond to Requests for Information; review and approve shop drawings; monitor asphalt paving operations and test asphalt plant and materials stockpile, as well as provide a written report at end of project; review and approve contractor's partial payment requests; conduct electrical site inspections, attend walk-thru inspection at end of project and prepare close-out documentation of all project costs and items.

Mr. Blanco said staff had reviewed both task order and fees, and recommended approval of this task order. Funds for this task order were available from the Airport's approved Capital Improvement Plan and from a grant from the Florida Department of Transportation for reimbursement of 80% of eligible project costs.

Staff Recommendation

Staff recommends approval of Task Order No. 20 with Kimley-Horn and Associates, Inc. for construction support/inspection services for the Taxiway Charlie and Delta Pavement Rehabilitation project in the amount of \$207,580.

Ms. Bennett stated Aileen Velez was the project engineer. Mr. Blanco said Kimley-Horn and two of their sub-consultants would perform the work. Ms. Bennett said the price was based on Kimley-Horn's agreed-upon contract rates.

Motion made by Mr. Kerney, seconded by Mr. Stella, to approve the staff recommendation. In a voice vote, motion passed unanimously.

4. Application to the Foreign-Trade Zones Board for Approval of Foreign-Trade Zone #241 Alternative Site Framework

Ms. Bennett reminded the Board that in June 2011, the Aviation Advisory Board and the City Commission had approved staff recommendation to submit an application restructuring their Foreign-Trade Zone program. Staff had been working with Broward County for six months to gain their concurrence with the request, but Broward County had stated they would not grant their concurrence because they saw no business reason to support this. Staff would proceed with the allocation, which would now require an additional layer of justification with the foreign Trade Zone Board.

Ms. Bennett stated in the meantime, Site 32, CenterPort Industrial Park in Pompano Beach, owned and operated by ProLogis, had asked that two of their buildings be included in the zone application under this new framework. Ms. Bennett stated they were also modifying to correct the acreage for site #2 from 11 to 20.41 acres and for Site #4 from 44.46 acres to 43.68 acres. Total acreage would now be 918.09 acres.

The new site listing and designated acreage would be as follows:

Location	Site No.	Site Category	Existing Acreage
FXE Airport-Hub Site	1	Magnet	847 acres
Centerport Industrial Park (owned by ProLogis)	2	Magnet	20.41 acres
Meridian Business Park (owned by CMD Properties, Inc.)	3	Magnet	43.68 acres
Wartsila North America, Inc.	4	Usage Driven	7 acres
			918.09 acres

Staff Recommendation

Staff recommends that the City Commission authorize the proper city officials to submit an application to the Foreign-Trade Zones Board of the United States Department of Commerce removing 68 acres from Site #1 and removing Site #3 from the City's Foreign-Trade Zone and reorganizing the Grant of Authority under the Alternative Site Framework.

Motion made by Ms. Brown, seconded by Mr. Kerney, to approve the staff recommendation. In a voice vote, motion passed unanimously.

WALK-ON ITEM

5. Taxiways Charlie & Delta Pavement Rehabilitation – Project 10882 Contract Award to Hardrives of Delray, Inc.

Mr. Blanco reported this project was to mill and resurface the airfield pavement along Taxiways Charlie and Delta, replace existing airfield lighting, and construct three taxiway connectors along Taxiway Charlie. Design of this project was completed in August and advertised in September.

Bidder	Bid Amount
1. Hardrives, Inc.,	\$ 1,471,783.80
2. Weekley Asphalt Paving, Inc.	\$ 1,496,676.15
3. H&R Paving, Inc.	\$ 1,720,865.50
4. General Asphalt Co., Inc.	\$1,754,494.10
5. Central Florida Equipment Rentals, Inc.	\$ 2,107,389.83
6. West Construction. Inc.	\$ 2,121,594.14
7. Community Asphalt Corp.,	\$ 2,257,729.55

Mr. Blanco stated the lowest responsive bidder had been Hardrives, Inc., of Delray Beach, FL with a bid of \$1,471,783.80.

Mr. Blanco described on an aerial photo the areas that would be resurfaced and areas that would be resealed.

Staff Recommendation

The staff recommends award of the contract to the low responsive bidder, Hardrives, Inc., of Delray Beach, FL in the amount of \$ 1,471,783.80.

Motion made by Ms. Iversen, seconded by Mr. Kerney, to approve the staff recommendation. In a voice vote, motion passed unanimously.

UPDATE ITEMS

A. Noise Compatibility Program

Ms. Straugh introduced the Airport's new intern. Danica Byam.

Noise Abatement Workshop for Propeller Pilots

Ms. Straugh reported a Noise Abatement Workshop for propeller pilots was planned for Thursday, November 17, 2011 from 11:00 a.m. until 1:00 p.m. Also, the FAA, Flight Standards District Office (FSDO-19) would present topics covering regulatory requirements for aircraft maintenance personnel and recordkeeping. She stated announcements would be distributed to the FBOs and emails would be sent to airport tenants as well as local flight schools and other local airports to encourage and promote pilot participation and awareness.

Ms. Straugh informed the Board that prior to the aforementioned meeting, they would hold an Airport user and tenant meeting for the U.S. Department of Transportation Office of Inspector General at 10:30 a.m. FXE had been selected as a non-contract airport to be surveyed regarding the airport contract program. Ms. Bennett said this was for airports that had contracts with private entities for air traffic controllers. The FAA was auditing 22 airports with privately contracted controllers and visiting 7 airports with non-contract towers.

Ms. Bennett said FXE had never explored private contracting, but she noted this would be an FAA decision. Chair Brenneman suggested staff "politely broach the subject."

Ms. Iversen asked what could be done regarding propeller pilots and Ms. Straugh said there was a voluntary restriction on repetitive night flights; they asked propeller pilots to follow the jet routes when possible; pilots were also asked to use the preferred runway and maintain altitude on approach.

Ms. Bennett said they offered incentives for pilots to attend and would offer the workshop in the evenings as well.

Achievements in Community Excellence (ACE) Awards

Ms. Straugh explained that every year, the Airport held an open house to present awards, the highest of which was the Achievements in Community Excellence (ACE) Award, formally recognizing tenants who made exceptional efforts to comply with the elements of the Noise Abatement Program throughout the year. They also presented AOA Driving Safety awards, which were given out on a five, ten and 20-year basis. The event would be held on Tuesday, December 13, 2011from 4:30 p.m. until 7:00 p.m. and the awards ceremonies would begin at 6:00 p.m.

Nighttime and I-95 Turn

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For September 2011, there were no jets over 80 dB at night between at night between 10:00 p.m. and 7:00 a.m.

Monthly Noise and Operations statistics for September were included in the Board's packet.

B. Development and Construction

Airport Projects in Development

Parcel D Exotic Removal and Habitat Restoration

Mr. James reported the contractor, DeAngelo Brothers, Inc., had begun work on Thursday, October 13, 2011 and was expected to finish by the end of November 2011. The recent rainfall had resulted in a slight delay to the restoration phase of the project. After the planting phase had been completed and a final site inspection was approved, a one-year warranty period would begin, requiring the contractor to perform monthly inspections and maintenance to ensure survival of the plantings. Mr. James said staff would provide the Board with an update at the completion of the planting phase. Ms. Bennett described the area and the work done on an aerial photo.

C. Arrearages

Ms. Bennett reported the following arrearage:

Rent

K.S.R. LLC, Parcel 8G

Ms. Bennett said K.S.R. wished to amend their lease, but this could not be considered when the property was in potential default. Once the situation was stabilized, staff might discuss this with K.S.R. so they would be eligible for better financing.

D. Communications to the City Commission

None.

E. FLL Update

Ms. Straugh referred to a handout indicating the City of Dania had settled with FLL and would move forward with payouts to homeowners upon completion of the runway extension project.

Ms. Straugh said the Imperial Point Homeowners Association President, Betty Shelly, was very supportive and her efforts were appreciated. They planned to present Ms.

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Shelly with a special recognition award at the December 13 event.

F. Taxiways Charlie & Delta Pavement Rehabilitation – Project 10882

Discussed earlier.

G. Organization & Funding Presentation

Ms. Carhart gave a Power Point presentation, a copy of which is attached to these minutes for the public record.

Other Items and Information

None.

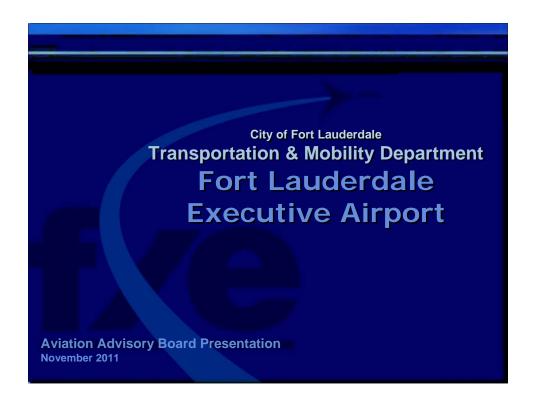
There being no further business before the Board, the meeting adjourned at 3:04 p.m.

➤ Next scheduled meeting date: Thursday – December 8, 2011 – 1:30 PM

Bunney Brenneman, Chair

PLEASE NOTE:

If any persons decide to appeal any decision made with respect to any matter considered at this public meeting or hearing, he/she will need a record of the proceedings and, for such purpose, he/she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.



Getting To Know Our Fort Lauderdale Executive Airport

- History & Overview
- **♦** Operating Budget
- **♦ Capital Program**
- **Highlights**

Aviation Advisory Board Presentation



How it Began ...

War Assets Administration-March 11, 1947

Conveyances of surplus property are subject to the terms, conditions, reservations, and restrictions prescribed in the instruments of conveyance. In other words, the properties were conveyed with strings attached, which are the sponsor's federal obligations.

The FAA takes the position that each converance of revenue-production property obligates the public-agency tecipient to use the revenues generated by the nonaeronautical use of the property for the operation, maintenance, or development of the airport. Consequently, if the property conveyed has been determined by the GAA with FAA concurrence) to be used for revenue-production purposes, the airport sponsor must use the revenue senerated by the property for airport purposes by depositing the revenues into an airport fund designated for airport use.

DECLARATION OF SURPLUS COPERTY BOARD

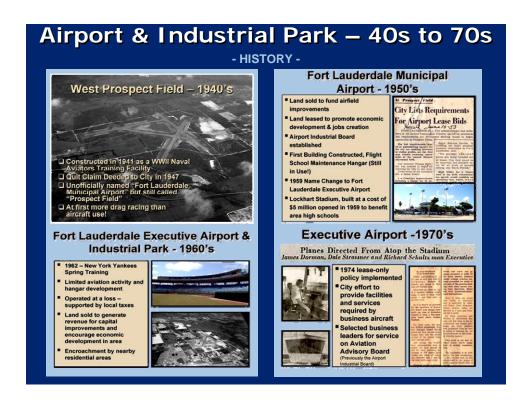
DECLARATION OF SURPLUS REAL PROPERTY

(In the continental United States, its Territories and possessions) to the Surplus Property Board, Washington 25, D. C.

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Airport Sponsor Assurances Federal Compliance Standards

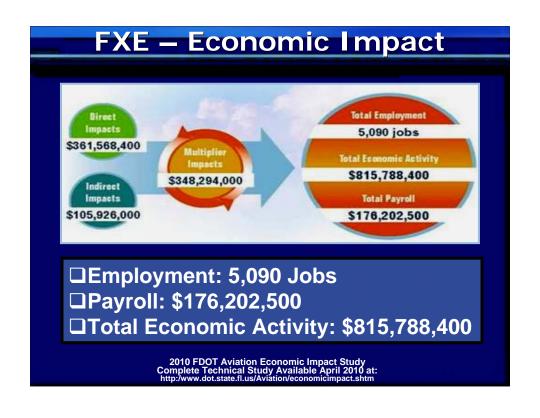
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Public Access/Use
Airport Revenues
Generated Must Be
Held in a Designated
Fund To Operate and
Maintain the
Airport...







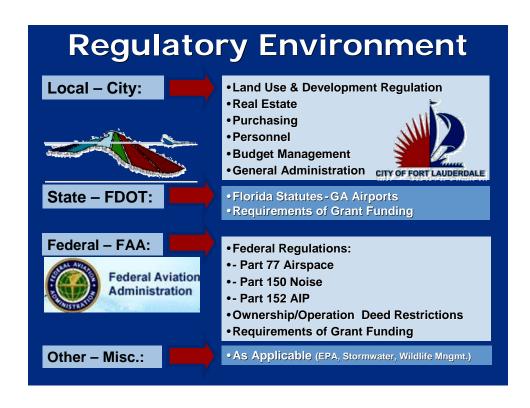


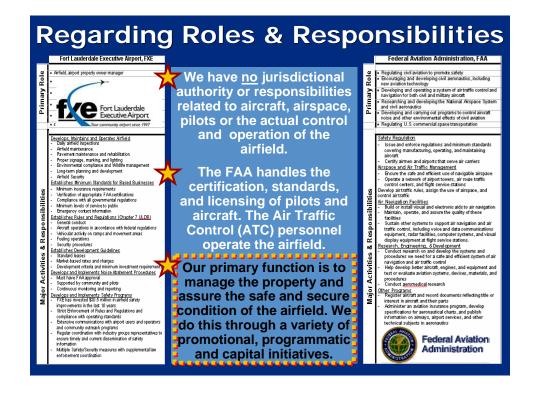




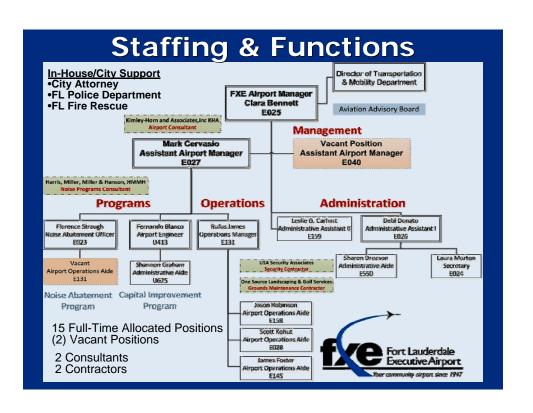
The Organization





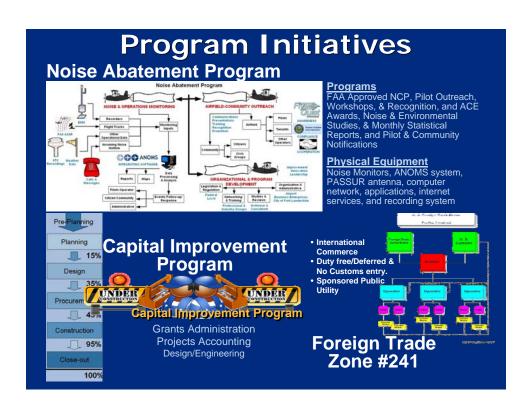








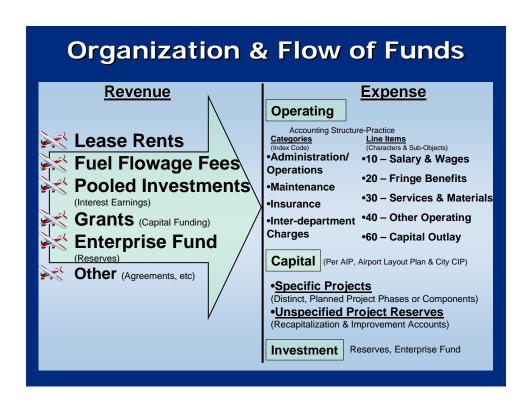


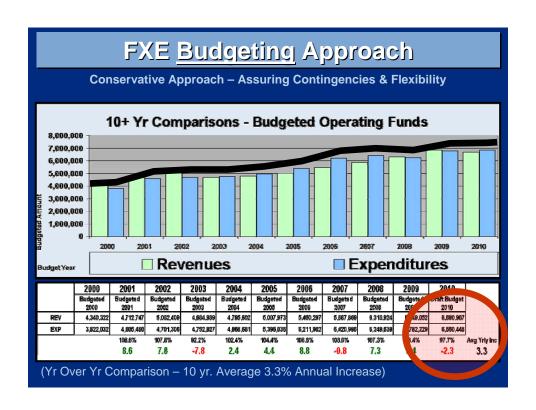


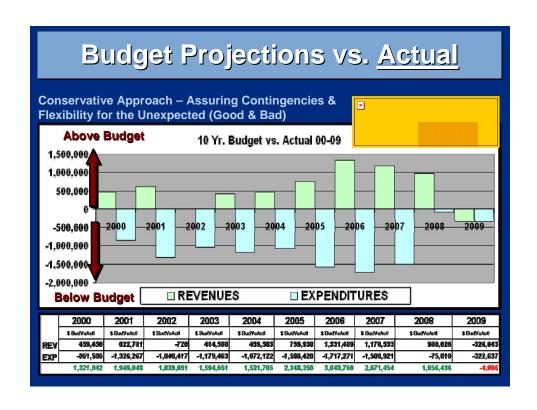


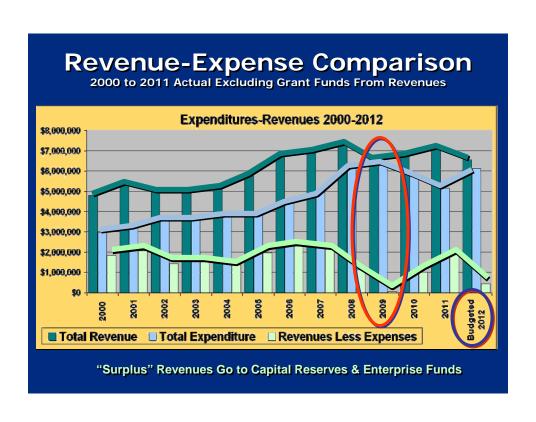
The Operating Budget

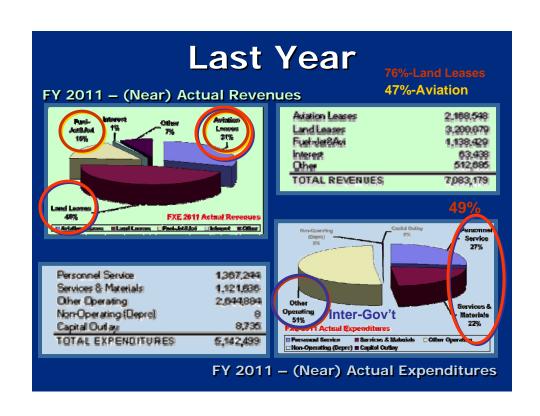


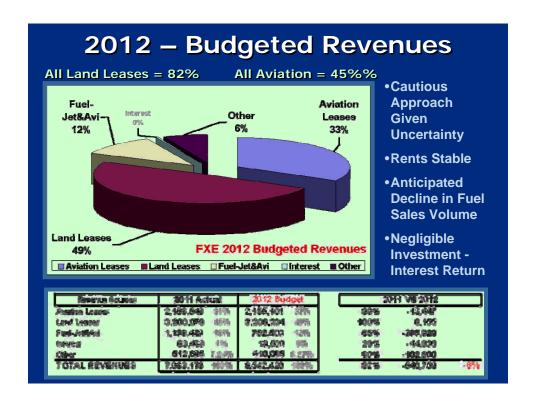


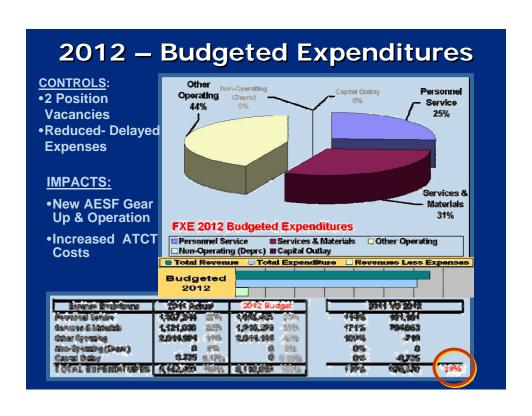














Capital Funding Resources

- New Facilities/Equipment
- Repair/Renovation of Existing Infrastructure & **Improvements**
- Recapitalization: Major/Recurring Maintenance. & Scheduled Replacement
- Planning Activities and Studies

3 Sources: FDOT - FAA - FXE

- FXE Capital Funds Approx. \$1.5 Mill/Year
- (Revenue/Operating Funds Set-aside for Capital Projects)

 State FDOT 50% on Joint Fed\$ or 80% of Costs
- (Requested/Applied for on a Project-by-Project Basis)

 Federal FAA 95% on Eligible Projects
- (Includes Annual Entitlement (\$150K/Yr) and Discretionary Grants)
- Other
- (Partnerships/Grants that are not in Competition with Other City Functions)
- Paid After-the-Fact as Reimbursable based on Actual Costs

City's Capital Improvement Program Funded in Conjunction with the Budget Process Based on a 5 year Planning Cycle - Current Year + 4 Future Years

