



CITY OF
FORT LAUDERDALE

**AVIATION ADVISORY BOARD
FORT LAUDERDALE EXECUTIVE AIRPORT
ADMINISTRATIVE OFFICE - MULTIPURPOSE ROOM
6000 NW 21 AVENUE, FORT LAUDERDALE, FL
THURSDAY, MAY 24, 2012, 1:30 P.M.**

Board Members	Attendance	Cumulative Attendance	
		7/11 through 6/12 Present	Absent
Bunney Brenneman, Chair	P	9	0
Bruce Larkin, Vice Chair	A	4	5
Gloria Brown	A	4	5
Ron Carlson	P	5	1
Avery Dial	A	4	5
Linda Iversen	A	7	2
Patrick Kerney	P	6	3
Stephen Stella	A	6	3
Mark Volchek	A	6	3
Pamela Bushnell, Commissioner	P	6	3
City of Tamarac [non-voting]			
Jeff Helyer, City of Oakland Park [non-voting]	P	9	0

Airport/City Staff

Diana Alarcon, Transportation & Mobility Director
Clara Bennett, Airport Manager
Mark J. Cervasio, Assistant Airport Manager
Florence Straugh, Noise Abatement Officer
Fernando Blanco, Airport Engineer
Karen Reese, Economic Development Representative
Shannon Graham, Administrative Aide
Jason Roopnarine, Airport Intern
William Browne, Airport Intern

Guests

Don Campion, BanyanAir
Ken Fick, KC FXE Aviation Investment
Dylan Larson, Miller Legg
Kelly Mcuy, Rep West
Lynda Zur, Sano Aviation
Taylor Nouman, Sano Aviation

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Communications to the City Commission

None

Call to Order

Chair Brenneman called the meeting to order at 1:30 p.m. Roll was called and it was determined a quorum was not present. All voting items to be voted on as general consensus as amended and approved.

1. Approve Minutes of March 2012 Meeting

Motion made by Ms. Brenneman, to approve the minutes of the Board's March 2012 meeting. In a general consensus, the minutes were approved.

2. Parcel 8AB – KC FXE Aviation Investments, LLC – First Amendment to Lease Agreement

Ms. Bennett explained KC FXE Aviation Investments, LLC (KC FXE) leases Parcel 8AB, consisting of 8.683 acres of aviation property at the Airport. The company operates a Fixed Base Operation (FBO), providing a variety of services to piston and jet aircraft, and a charter company.

The Amended and Restated Lease for this Parcel commenced on November 1, 2009 with a term of 30 years, expiring on October 31, 2039. This property has been improved with 29,520 square feet of hangar and FBO office space. Rental payments are \$138,874.92 (\$0.37 per square foot) per year and are adjusted annually in accordance with the Consumer Price Index. The next adjustment is scheduled for November 1, 2012.

According to the terms of the Lease, KC FXE is required to redevelop Parcel 8-AB in three phases totaling \$5,000,000. Phase I involved the demolition and clearing of the old restaurant located on the property within 12 months of the commencement date of the new lease. This phase was completed on schedule.

Phase II consists of construction of 21,577 square feet new aircraft hangar and office, roadway access, automobile parking, and site improvements. Phase II is to be completed within 36 months of the commencement date (November 2012) and requires a minimum investment of \$1,800,000.

Phase III will consist of construction of two hangars totaling approximately 39,300 square feet and a 10,000 square foot, two-story office building. This Phase will total a minimum of \$3,000,000 and will be completed within ten years of the commencement date of the lease.

In light of the economic situation suffered by the aviation industry, KC FXE will not be able to complete Phase II by the established timeframe. KC FXE is requesting an additional 24 months to complete the construction, extending the date of completion to November 1, 2014. In consideration for the additional time, KC FXE has offered to

increase the current rent by five percent, effective on the date of the amendment, increasing the rent to \$145,818.66.

Staff recommended that the First Amendment to Lease Agreement for KC KXE Aviation Investments, LLC - Parcel 8AB be amended to reflect:

1. An increase in the rent to \$145,818.66 effective on the date of the amendment.
2. Extending deadline for construction of approximately 21,577 square feet of hangar and office, roadway access, automobile parking, and site improvements totaling approximately \$1,800,000, to November 1, 2014.

Commissioner Bushnell remarked this was a reasonable plan given the current economy and asked whether the Airport would be harmed by not allowing the extension of time.

Ms. Bennett stated that the tenants would be harmed and it could result in a lease default.

There was consensus of the Board members present to accept to accept the staff recommendation.

3. Lots 18 & 19 – Cypress Concourse A, LLC – Memorandum of Lease

Ms. Bennett explained Cypress Concourse A, LLC leases Lots 18 & 19 in the Airport Industrial Airpark, consisting of 4.27 acres. The property has been improved with the construction of 49,997 square feet of office space and the current annual rent for the property is \$90,052.92.

The lease for this property was entered into by virtue of an Option Agreement dated March 1, 1998 with Southern Facilities Development, Inc., the previous Lessee. Southern Facilities exercised its Option to Lease on March 1, 1999. The Lease was assigned to Cypress Concourse A, LLC on March 7, 2000.

A Memorandum of Lease dated March 1, 1999 incorrectly states the lease term as March 1, 1999 to February 28, 2049. The correct lease term is March 1, 1998 to February 28, 2048. Therefore, it is necessary to record a Corrected Memorandum of Lease with the appropriate commencement and expiration dates.

Additionally, the Corrected Memorandum of Lease will reflect the assignment and assumption of the ground lease from Southern Facilities Development, Inc. to Cypress Concourse A, LLC, which occurred after the original recording of the Memorandum of Lease.

The staff recommended that the City of Fort Lauderdale execute the Corrected Memorandum of Lease for Executive Airport Industrial Airpark Lots 18 and 19 reflecting March 1, 1998 to February 28, 2048 as the ground lease commencement and expiration

dates and the assignment of the ground lease from Southern Facilities Development, Inc. to Cypress Concourse A, LLC.

There was consensus of the Board members present to accept to accept the staff recommendation.

4. Supplemental Joint Participation Agreement (SJPA) with Florida Department of Transportation (FDOT) for Construction of U.S. Customs & Border Protection Facility - Project 11242

Mr. Cervasio stated the project provides for the construction of a new single-story, 7,900 square foot, U.S. Customs & Border Protection Facility that is anticipated to be LEED Silver Certified. The facility will include a waiting area, bag inspection and queuing area, administrative office areas, interview/search rooms, restroom/bathing facilities, parking for vehicles including parking for the physically disabled, hybrid vehicle space, and carpool space, fencing and CCTV cameras, site lighting to meet City of Fort Lauderdale Code of Ordinances, emergency generator, irrigation and landscaping improvements, sidewalk and accessible paths for the physically disabled. The preliminary construction estimate for this facility is approximately \$4,887,950.

Mr. Cervasio explained the Florida Department of Transportation has initiated a multi-year Joint Participation Agreement (JPA) to provide funding for the construction of the above facility for up to 80% of eligible costs associated with the project. The FDOT recently has provided a JPA in the amount of \$2,744,000. The FDOT is now providing an additional SJPA in the amount of \$885,000 for the upcoming Fiscal Year 2013.

Additionally, staff is working with the FDOT to convert the excess funding in the Taxiway Charlie/Delta Pavement Rehabilitation grant to the CBP Building project in Fiscal Year 2014 in order to complete the funding program. However, if this option does not become available to us, there is funding available within the Airport's Capital Improvement Plan for the remaining balance.

The staff recommended the Supplemental Joint Participation Agreement be approved for the City to accept \$885,000 in grant funding from the Florida Department of Transportation for the construction of the U.S. Customs & Border Protection Facility, Project 11242.

Chair Brenneman complimented the Airport Staff for moving the project forward and coming up with additional funding.

By General Consensus made by Chair Brenneman, to approve the staff recommendation. In a voice vote, agreed and approved unanimously.

5. Florida Department of Transportation (FDOT) - Joint Participation Agreement with for Design and Construction of Taxilane Charlie Pavement Rehabilitation - Project 11749

Mr. Blanco stated Taxilane Charlie is a 1,300-foot long by 50-foot wide taxiway located west of Runway 13-31. Taxilane Charlie provides access to the airfield to various tenants via several connectors.

Mr. Blanco explained that based on the recommendations in the Pavement Management Program, the Pavement Condition Index (PCI) value for Taxilane Charlie was 13 or poor. The PCI prediction models would categorized the pavement on Taxilane Charlie and its connectors below the FAA recommended minimum levels of 70 for parallel taxilanes. The Pavement Management Program recommends major rehabilitation including base reconstruction for pavements with PCI's between 10 and 30. In addition to the pavement rehabilitation, the Airport will also be replacing the existing taxiway edge lighting fixtures with new LED fixtures similar to the ones installed on previous airfield projects.

The Florida Department of Transportation has initiated a Joint Participation Agreement in the amount of \$912,000, based on a project estimate of \$1,140,000 to provide up to 80% of the cost for design and construction costs to rehabilitate Taxilane Charlie. The Airport's matching share of \$228,000 is provided for in the Airport's approved CIP for FY12.

Staff recommended the Joint Participation Agreement be approved for the City to accept \$912,000 from the Department of Transportation for up to 80% of the project costs for the pavement rehabilitation and replacement of airfield lighting on Taxilane Charlie.

There was consensus of the Board members present to accept to accept the staff recommendation.

6. Proprietary Purchase and Annual Renewal of Airport Noise and Operations Monitoring System (ANOMS) Software Support with Bruel & Kjaer EMS Inc.

Ms. Straugh stated the service with Bruel & Kjaer EMS Inc. for Airport Noise and Operations Monitoring System (ANOMS) Software Support expires on July 15, 2012. The ANOMS software integrates noise, aircraft and call data, which is used to generate monthly statistics, to assist in monitoring and developing noise abatement measures and to research aircraft and flight activity in order to conduct outreach to pilots. This system is a vital tool that supports the efforts of the Noise Abatement Program to reduce noise over the communities.

Ms. Straugh explained the Bruel & Kjaer EMS Inc. support contract has a current annual cost of \$38,946.05. The new annual cost will be increased by 2.9%, based on the current Consumer Price Index (CPI), which is an increased cost of \$1,129.44 per year. The new

annual cost will be \$40,075.49. The City Procurement procedures direct each Department to submit proprietary / sole source purchases over \$25,000 for annual renewals to the Commission.

Staff recommended renewing this proprietary service with Bruel & Kjaer EMS Inc. to provide Airport Noise and Operations Monitoring System Software Support for one year at an annual cost of \$40,075.49.

Commissioner Bushnell asked if this purchase always increases annually.

Ms. Straugh stated there have been years when the annual cost has not increased.

There was consensus of the Board members present to accept to accept the staff recommendation.

7. Walk on Item - Florida Department of Transportation (FDOT) Joint Participation Agreement- Taxiway Echo Pavement Rehabilitation - Project 11750

Mr. Blanco stated Taxiway Echo is a 6,000-foot long by 50-foot wide taxiway located south of and parallel to, Runway 8-26 at Fort Lauderdale Executive Airport. Taxiway Echo lies between Taxiway Alpha and the aircraft parking ramp areas on the south side of the airport and provides access to those ramps via several connectors. The connectors at Taxiways E2, Hotel, and Quebec are not wide enough to meet current FAA design standards for D-III category aircraft, which includes the airport's Critical Aircraft, and will require widening and relocation of taxiway edge lights and signs.

Mr. Blanco explained Based on the recommendations in the Pavement Management Program, the Pavement Condition Index (PCI) values for Taxiway Echo east of Runway 13-31 ranged from 44-poor to 100-good. The PCI values for Taxiway Echo west of Runway 13-31 ranged from 21-serious to 100-good. The 100-good sections were found in the Runway 13-31 intersections, which were included in the Runway 13/31 rehabilitation project. The taxiway connectors had PCI values that ranged from 19-serious to 81-satisfactory. The PCI prediction models would categorized the pavement on Taxiway Echo and its connectors below the FAA recommended minimum levels of 70 for parallel taxiways. The Pavement Management Program recommends major rehabilitation including base reconstruction for pavements with PCI's between 10 and 30. The PCI for the main Taxiway Echo pavement on the east and west side will need further evaluation to determine its existing condition prior to recommending rehabilitation options.

The cost estimate for design and construction for this project is currently \$3,650,000 and we are anticipating FAA grant participation assistance for 90% of the costs along with the Florida Department of Transportation for up to 5%. The FDOT has initiated a Joint Participation Agreement for the design of this project for their 5% reimbursement of

eligible design costs in an amount not to exceed \$17,500. The Airport's portion of \$17,500 is provided for in the Airport's approved CIP for FY12.

Staff recommended the Joint Participation Agreement be approved for the City to accept \$17,500 from the Department of Transportation for up to 5% of the project costs for the design of Taxiway Echo Pavement Rehabilitation.

Mr. Helyer asked if better language could be used for reimbursement.

Mr. Cervasio stated this is how FDOT grants are set up. The FDOT reimburses for eligible project costs when the work is complete. They do not give the money up front.

There was consensus of the Board members present to accept to accept the staff recommendation.

8. Walk on Item - Chapter 7 Airport Rules and Regulations

Mr. Cervasio stated Chapter 7 of the Fort Lauderdale Code of Ordinances prescribes rules to be satisfied by all individuals entering upon the Fort Lauderdale Executive Airport.

Mr. Cervasio explained effective airport rules and regulations cover the activities on the airport that affect the health, safety and welfare of airport users, surrounding neighbors and the environment, but are not addressed adequately in other provisions of the municipal code. The FAA acknowledges the legitimate right of airport operators to establish reasonable rules that individuals must follow in order to gain access to the airport.

The existing version of Chapter 7 currently in effect was last amended in the mid-1980s. The Airport Rules and Regulations should be updated to account for changes in the law, technology, airport and aircraft operations and other relevant issues. To this end, staff has prepared a draft update to Chapter 7. Staff would like to obtain the assistance of Kaplan Kirsch & Rockwell, LLP (KKR), one of the leading firms in the field of aviation law to review the draft update.

The firm's airports practice is characterized by a comprehensive, creative, and strategic approach to issues that comes from a deep understanding and knowledge of the industry and its needs. Kaplan Kirsch & Rockwell attorneys include a former General Council of the U.S. Department of Transportation; a former FAA legislative council and a former in-house council to three of the nation's largest air carrier airports and one of the country's largest general aviation airports.

Kirsch Kaplan & Rockwell's review of the Chapter 7 draft will be comprehensive focusing on the following:

1. Aircraft Operating Restrictions
2. Penalties and Enforcement
3. Safety and Security
4. Personal Conduct
5. Organization

The firm proposes to provide the City with these services for a cost of \$9,600.

The staff recommended the City obtain the services of Kaplan Kirsch & Rockwell to review and edit the proposed update to Chapter 7 Airport Rules and Regulations for a fee of \$9,600.

Commissioner Bushnell asked why the Airport wants to update the Airport Rules and Regulations now and whether there was there a reason to make these changes.

Mr. Cervasio stated the rules and regulations are outdated and need to be updated.

Chair Brenneman stated this would place an emphasis on safety regulations at the Airport.

Mr. Kerney wondered about the low cost to provide these services. Mr. Cervasio stated that the document was in final form and therefore only requires legal review.

There was consensus of the Board members present to accept to accept the staff recommendation.

UPDATE ITEMS

A. Noise Compatibility Program

Noise Abatement Office Update

Airport Noise & Operations Monitoring System – Upgrade

On May 13, 2012, the Airport Noise & Operations Monitoring System (ANOMS) was upgraded to version 8.9.10. This upgraded version has enhanced features including the capability to identify touch and go activity. In preparation for the installation of the new noise monitor and future replacement monitors, it was essential to upgrade ANOMS in

order to be compatible with the equipment. This upgrade was done at no cost to the Airport.

Mr. Helyer to be informed when the ANOMS system is up and running.

Ms. Straugh stated an email will be sent out when the system is up.

New Noise Monitoring Terminal Installation

There will be a project kickoff meeting scheduled during the last week in May 2012. The installation is expected to take one week. The ANOMS configuration should take less than a day to setup and be fully integrated into the system. We have informed the neighborhood that the project will begin at the end of this month and is expected to be completed during the first week of June 2012.

Nighttime and I-95 Turn

For March 2012, there were no jets over 80 dB at night between 10:00 p.m. and 7:00 a.m.

For March 2012, fifty (50) jets flew the I-95 Turn at night, between 11:00 p.m. 7:00 a.m., and two (2) were stage-two aircraft.

For April 2012, there was one jets over 80 dB at night between 10:00 p.m. and 7:00 a.m. There was a stage 2 jet (air ambulance) on April 4, 2012 at 10:49 p.m. that registered 89.6 dB. A letter was sent to the operator.

For April 2012, forty (40) jets flew the I-95 Turn at night, between 11:00 p.m. and 7:00 a.m., and no stage-two aircraft.

Mr. Carlson complimented Ms. Straugh and staff for the status from the last few months.

B. Development and Construction

Airport Projects in Development

Executive Airport Safety Expo

Mr. Cervasio stated to the Board that airfield safety is a continuous priority for Staff and Airport tenants, and over the years we have been involved with several initiatives to promote airfield safety. Last year we conducted our first FXE Aviation Safety Expo which proved to be a rewarding experience. This year, the second Aviation Expo was held on Saturday, April 14, 2012 and included presentations from several agencies on Runway Incursion Prevention, Local Airspace Procedures and Radio Communication. The format for this year was slightly different and actually turned out to be a full day event which

included partnership with the local FAA participating in a nationwide event titled "Safety Stand Down" (SSD). The SSD included several presentations on "In-Flight Loss of Control" and provided an opportunity for the attendees to have open discussions after each presentation. The Aviation Expo and SSD event were both held in the Aviation Equipment and Safety (AES) building and included static aircraft displays, food, and prizes. The attendance level was consistent throughout the day and the Expo created a comfortable atmosphere for networking and useful information sharing. We look forward to the next Aviation Expo with continued support and participation from our Airport tenants, exhibitors, presenters, and the Board as we undertake future aviation safety events.

Taxiways C & D Pavement Rehabilitation Project # 10882

Mr. Cervasio stated that a tenant pre-construction meeting was held on April 30, 2012 to discuss the scope of work and scheduling of the project. The contractor (Hardrives, Inc.) started Phase 1 work on April 30, 2012 and during the past few weeks has completed milling and repaving the surface in the centerfield run up area and portions of Taxiway Delta. Currently, the contractor is working in phase 2a & 2b which also include milling, repaving and electrical upgrades to the lighting system. We have met with several tenants again to discuss taxiway closures and will continue to issue Notices identifying affected areas of the Airport. Notices to Airmen (NOTAM) will also be filed with the Flight Service Station (FSS) to inform pilots of the taxiway closures. We will continue to provide the board with updates on the progress of this project.

C. Arrearages

Rent

Ms. Bennett explained the arrearages to report for the months of October, November, and December 2011, January, February, March, and April 2012 are as follows:

K.S.R. LLC, Parcel 8G

The arrearages to report for the month of March and April 2012 are as follows:

Personal Jet, Parcel 18

Fuel Flowage

The arrearages to report for the month of April 2012 are as follows:

World Jet, Inc. Parcel 11ABC

Aero Toy Store, LLC Parcel 9

D. Communications to the City Commission

None.

E. FLL Update

None

Other Items and Information

Mr. Helyer asked where the City is in regards to the billboards in the Twin Lakes North Community.

Chair Brenneman relayed Commissioner Roberts spoke with the City Manager in regards to the Billboard in the Twin Lakes North and this was resolved with the City of Oakland Park's City Manager.

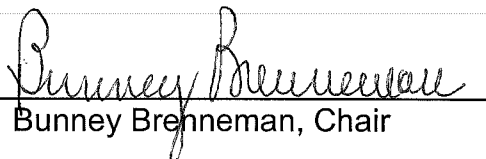
Chair Brenneman applauded the City Manager and staff for attending various network events.

Ms. Bennett explained the benefits of going to conferences and talking with colleagues.

Ms. Alcaron stated the City Manager encourages staff to attend networking events.

There being no further business before the Board, the meeting adjourned at 2:35 p.m.

➤ Next scheduled meeting: June 28, 2012 – 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.