

**MINUTES OF A SPECIAL MEETING
CITY COMMISSION
FORT LAUDERDALE
July 12, 2011**

Meeting was called to order at 7:05 p.m. by Mayor Seiler on the above date, in City Hall, 100 North Andrews Avenue, 8TH floor Conference Room.

Roll call showed:

Present: Commissioner Bruce G. Roberts
Commissioner Charlotte E. Rodstrom (telephonically)
Vice Mayor Bobby B. DuBose
Commissioner Romney Rogers
Mayor John P. "Jack" Seiler

Absent:

Also Present: City Manager Lee R. Feldman (arrived at 8:39 p.m.)
Assistant City Manager Stanley Hawthorne
City Auditor John Herbst
City Clerk Jonda K. Joseph
City Attorney Harry A. Stewart

Mayor Seiler explained that Commissioner Rodstrom was unable to get a flight back for this meeting.

Motion made by Commissioner Rogers and seconded by Commissioner Roberts to authorize Commissioner Rodstrom's attendance telephonically. Roll call showed: YEAS: Vice Mayor DuBose, Commissioners Rogers and Roberts and Mayor Seiler; NAYS: None.

Mayor Seiler noted that the City Manager is speaking before the Fort Lauderdale Council of Civic Associations, therefore Assistant City Manager Stanley Hawthorne will serve in his absence.

Fort Lauderdale Air Show, LLC

Ted Plana of Fort Lauderdale Air Show, LLC, referred to a recent news article concerning a lawsuit against Stan Smith on their management team and explained that suit was filed by the individual who originally signed the contract and then quit. Mr. Smith was trying to do something good. Mr. Plana then proceeded to review slides concerning the proposed Air Lauderdale Beach Fest 2012. A copy of the slides is attached to these minutes. He urged that both proposals presented this evening be considered based on merit. A followup letter from Verdant Capital Group, LLC, dated July 12, 2011, to their letter of July 7, 2011, was provided to the Commission and is attached to these minutes. He advised that \$726,000 for City costs is 50 percent of the total cost. Public safety is the number one concern. With regard to public safety, a lot of thought for this plan has been drawn from previous meetings and shows as to what works and what does not work. He concluded by stating that he has sixteen years of involvement in the show.

Lauderdale Air Show, LLC

Ramola Motwani of Lauderdale Air Show, LLC, explained when she was approached by Bryan Lilley about this show, she asked the parks and recreation staff if there had been any conversation about the air show coming back in 2012 and the reply was that they had not heard from anyone in a very long time. Part of the reason for her interest was to think of the future when the Arvo convention leaves Fort Lauderdale in 2012. Also, Fleet Week will be celebrating two hundred years since the War of 1812.

Dev Motwani of Lauderdale Air Show, LLC, commented on the importance of the air show events of the past both to his family as residents and business owners as well as to others. He introduced Bryan Lilley of B. Lilley, Inc. and indicated that he has a proven track record in operating air shows. He mentioned show cancellations of the past and emphasized the importance of a successful event next year and for many years.

Bryan Lilley introduced other members of show team and reviewed slides concerning the proposed Lauderdale Air Show – April 28-29, 2012. A copy of the slides is attached to these minutes. He introduced a representative of one of their premier civilian acts,

Steve Kapur, pilot with GEICO Skytypers, spoke in support of Mr. Lilley and indicated his organization has performed for Lilley in Cocoa Beach and Ocean City. He drew attention to correspondence from GEICO, a sponsor, dated July 8, 2011, that was made a part of the record. He elaborated upon the community outreach that has occurred.

Mr. Lilley advised that the Boys and Girls Club will be the show's charity of record. Alan Goldberg, a member of the Boys and Girls Club Board of Directors, explained that they have entered into an understanding to partner with Lilley to the benefit of both Lilley and the Club. The Club anticipates participating with the event planning and provide volunteer support for the event and the vendors. The Club anticipates receiving financial support from the event.

Mr. Lilley pointed out that a jet team is not necessary for an air show, but it is a stand-out performance which was proven in a show they produced in Ocean City. A theme can carry the show. There is no guarantee that the Thunderbirds or Blue Angels will come to this show. The estimated (City) cost of over \$700,000 is 75 percent more than the 2007 cost. They believe the amount can be refined and the financial model will work. He continued review of the slides. He referred to an email provided to the Commission, dated July 12, 2011, from SunTrust Private Wealth Management regarding a letter of credit. A copy of the email was provided by Mr. Motwani and is attached to these minutes.

Mayor Seiler asked that the letters of recommendation provided to the Commission also via email be made a part of the record.

Mayor Seiler opened the floor for public comment.

Tim Shiovone, 3315 NE 16 Place, indicated that he resides in the area of the proposed show and has owned the Parrot Lounge on the beach for the forty-one years. He urged the Commission to focus on the show, make a decision and move forward as soon as possible. If there becomes back and forth debate on who will produce the show, the 2012 window may be lost. He wanted to see the show return.

Ray DeIPapa of the Southern Command Watch affiliated with the School of the Americas Watch, and also with a group called Pax Christi, wanted to see the show occur without involvement of the United States Military. With their involvement, there could be a general mobilization of demonstrations. On the last occasion when there was a general mobilization during the Organizations of American States, it cost the City \$6 million for security.

Karen Turner, 550 Bayshore Drive, indicated she is a director on the Central Beach Alliance, expressed support for the event returning and being produced by B. Lilley, Inc.

Jim Oliver of Ritz Carlton Fort Lauderdale, expressed support for the air show. He went on to emphasize the importance of developing events that will support tourism. He supported the Lauderdale Air Show proposal because their business model will work to benefit the hoteliers.

Kent Dunston, 1300 NE 3 Street, commented that with two proposals, it is apparent that the event will be returning to the city. The difficulties Stan Smith of Fort Lauderdale Air Show, LLC has encountered in his attempt to make this event happen have been unfortunate. He felt Mr. Smith deserves applause for his efforts.

John Weaver, president of Central Beach Alliance, supported having this event by a producer selected by the Commission.

Kathy Koch, 2621 Castillo Isle, indicated she is a Fort Lauderdale resident and business owner. She supported Ramola and Dev Motwani and the positive changes they have brought to the beach. She supported the B. Lilley and Motwani collaboration in bringing an air show to the city in 2012.

John Hooper, 425 North Andrews Avenue, supported the proposal by Stan Smith of Fort Lauderdale Air Show, LLC.

Matt Storelli, 2815 NE 40 Court, did not think that Stan Smith should be penalized for the difficulties he has encountered because he has been persistent in his efforts. He drew attention to Ted Plana being added to the team and his thirteen years of experience in this field.

Scott Frybarger, resident of Hollywood, supported the proposal by Stan Smith of Fort Lauderdale Air Show, LLC. He emphasized that Mr. Smith's dedication to making the show a reality is beyond words. He discussed some of Mr. Smith's accomplishments and professional experience. He referred to Ted Plana now being on the team. He felt the thirteen years of successful events speak for themselves. There is now funding. The other team does not have the same level of experience as Mr. Smith and Mr. Plana.

Beth Bevan, 411 NW 1 Avenue, supported the proposal by Stan Smith of Fort Lauderdale Air Show, LLC.

Sharon Shortt, 3698 NW 16 Street, discussed her involvement as a vendor for twelve of the thirteen years the air show was held in Fort Lauderdale. She had contracted with Stan Smith and Fort Lauderdale Air Show, LLC and has now contracted with Bryan Lilley of Lauderdale Air Show, LLC. Mr. Smith has no event experience or air show experience in particular and would not take guidance from people with experience. She has worked

with Bryan Lilley in Cocoa Beach. He is experienced, efficient and professional. She supported the B. Lilley, Inc. proposal.

Chuck Black, representing the Navy League, was pleased that there are two good organizations making proposals this evening. He would choose B. Lilley, Inc. based on past proven performance. He felt it is time for a fresh organization.

Pete Ackerman, 314 SW 12 Street, was opposed to the military component of the show. If the City chooses to go forward with a military component, there will be a mobilization effort nationwide to present the fact that war is not entertainment. He was concerned about the former police chief of Miami being in charge of security because of his track record with respect to civil rights. He provided *?JONDA

Dan Lindblade, president of Fort Lauderdale Chamber of Commerce, mentioned his previous research into the feasibility of producing this event. He decided that the Chamber was not capable of it. It is important to look at funding beyond that required for City services. April is a short time away. He commented that he has not spoken with Stan Smith for four years, however, the information provided indicates that the Chamber is a strategic partner. The Chamber is in favor of the event. Funding is all important.

Chuck Malkus, 2132 NE 62 Court, advised that he is a Fort Lauderdale resident and owns a public relations firm. He pointed out that one organization has executed all elements of an air show on Cocoa Beach for three years, inclusive of marketing and sponsorships, during tough economic times that was indicated as a potential reason the other group (Fort Lauderdale Air Show, LLC) did not perform. Air Lauderdale, LLC (Fort Lauderdale Air Show, LLC) failed the City in 2010 and 2011 and Coney Island, New York, in 2010. One group has spent three months meeting with community organizations and appearing before the Beach Redevelopment Board. This group seems to have a very good handle on sponsorships which will ultimately make or break a show. The other groups has not met with community organizations. A representative of this group stated to the Commission on Wednesday and stated that they had an agreement as Air Lauderdale LLC. However, Air Lauderdale LLC is a dissolved corporation. He compared the two groups, noting that one is financially stable and has produced three beach shows during the prior three years. He referred to the proposal of Air Lauderdale LLC (Fort Lauderdale Air Show, LLC) indicating that it has a strategic partnership with the Fort Lauderdale Chamber of Commerce. He has served on the Chamber's board of directors for four years and has never heard from this group. There is no strategic partnership. It comes down to integrity and fact and fantasy.

Genia Ellis, Fort Lauderdale resident, pointed out that 17th Street is also a gateway to the beach and that was recognized by the Motwani group. She supported the air show. All of the neighborhoods were not reached out to. She supported the B. Lilley, Inc. proposal and noted her belief that they have done their due diligence and has presented a reasonable package. She hoped they would be considered fairly.

Diane Townes, Hollywood resident, indicated she was born and grew up in this area. She supported the event generally and its positive impact on tourism. She spoke highly of Bryan Lilley and commented on her impression of the military.

Ron Polito, Chicago resident, indicated he has worked with Stan Smith on bringing the show back. He explained that they did not work closely with the City recently because

they did not want to give false hope and to first secure the funding. He hoped both proposals will be examined fairly and consideration given to Ted Plana's experience and familiarity with Fort Lauderdale.

There was no one else wishing to speak.

Commissioner Rogers referred to the email provided to the Commission and the explanation concerning a letter of credit from SunTrust. The email does not contain any dollar amount. Mr. Lilley indicated that his discussion with SunTrust was the cost in 2007, \$400,000. At the time, he was not privy to an amount. He indicated that it will not be an issue. In further response to Commissioner Rogers, Mr. Lilley estimated the cost to be around \$500,000 excluding City costs. Most of the \$300,000 raised is in dollars. Seventy to seventy-five percent is financial commitments. Twelve of the major hotels have agreed to host all of the performers complimentary. Commissioner Rogers asked about the Cocoa Beach budget. Mr. Lilley recalled it was in the range of \$400,000. Fifty-five to sixty percent was sponsorships with the remainder from other sources, such as gate, food and beverage commissions and so forth. In further response, Mr. Lilley believed the Fort Lauderdale event would be four to five times larger than Cocoa Beach as far as the number of people. For food and beverage commissions, it may be a thousand percent more which is part of the reason they have received some tremendous vendor guarantees. The city cost in Cocoa Beach was \$17,000 which was a negotiated maximum. He believed the actual cost was in the neighborhood of \$30,000. Commissioner Rogers inquired about Ocean City. Mr. Lilley advised that Ocean City provided city support services free of charge. He believed it was in the range of \$160,000 to \$170,000. They raised close to \$300,000. That event was about half the size contemplated in Fort Lauderdale. Fort Lauderdale will be the largest show B. Lilley, Inc. will have produced and the largest that could be produced in the United States. B. Lilley, Inc. has produced in total eight shows, including the Nasa event that was larger than Ocean City.

Commissioner Rogers recalled in the past school children have been allowed to view the show's dry run before the actual event. He asked if this could be possible. Mr. Lilley explained the first thing that has to be done is to check the aerobatic box. He elaborated upon some of the logistical challenges and their idea of coordinating with Fleet Week and educational visits on the ships. They will make their best effort, but if not possible this year, certainly in 2013.

Commissioner Rogers asked if Mr. Lilley would be ready to execute a contract only subject to negotiating a rate for City charges and to work within a tight framework, so that it would be known within a short period of time whether the show would occur. Mr. Lilley replied yes and responded to Commissioner Rogers' further question that he would like to see this come to a final memorandum of understanding in the next thirty days, that is, the August 16 meeting. Mayor Seiler noted that meeting has been moved to August 23.

In response to Commissioner Rogers, Mr. Plana advised that the largest show with which he has been involved was Fort Lauderdale and he was involved in the shows in Fort Lauderdale from the onset. He went on to enumerate other shows in which he was involved. As to fundraising involvement, he indicated that from the standpoint of what was presented this evening, he was involved in that he brought in Verdant Capital Group. Verdant would be putting up everything that is required. The event planning will be contracted out - Charles Sullivan who was associated with the Michael Jackson Victory

Tour. There are members of the team yet to be selected, but very few. There is a large contingent of people who worked this show for many years and want to come back. Michael Johnson would be heading up fundraising. In further response, Mr. Plana advised that he had thought the City services would be around \$700,000 and believed that Verdant had been given the figure of \$750,000.

The City Manager arrived.

Mr. Plana explained the festival concept portion of the proposal for Commissioner Rogers' benefit. Mr. Polito added more detail, noting components having to do with sustainable/green energy.

Commissioner Rogers asked if Mr. Plana would be ready to execute a contract without any delay. Mr. Plana replied yes.

In response to Vice Mayor DuBose, Mr. Plana advised that Verdant would be covering the City's costs and the main cost of the show. Vice Mayor DuBose was concerned about future shows after 2012. He asked for clarification about the comment that the show could go away without another component and what would happen if Verdant changes their mind. Mr. Plana pointed out with one company putting up \$750,000 for the City's cost, other costs could be raised from a number of sources. He could not envision any beverage company turning down the opportunity with such a crowd size. The idea is that something more than airplanes has to be created for a sustainable event. He elaborated upon the military cutting back and that impact upon future show features. Mr. Polito explained that a beach festival will generate additional streams of revenue with the gate and premium areas. As the event grows, they would be looking to increase the music component. In essence, it allows the event to be sustainable so that if a sponsor goes away, the event still works. The gate revenue alone will cover the City's costs.

In response to Vice Mayor DuBose, Mr. Lilley advised that the listed sponsors make up about 70 percent. On the sponsor side, there are two vendors – he believed there is \$147,000 in sponsor commitments, \$85,000 in vendor minimum guarantees and the remainder is in-kind, hotels hosting performers. Mr. Lilley went on to comment on the complexity of the Nasa event they produced. He also mentioned that each event has unique issues and elaborated upon some. Mr. Motwani mentioned the need for the City's ability to grow with the size of the event and he believed Fort Lauderdale staff have that background. Mr. Lilley gave more examples of their work with the Cocoa Beach events and explained event management is problem solving. B. Lilley's team is highly adaptable.

Commissioner Rodstrom asked if either group has sought funding from the Tourist Development Council. Mr. Plana advised no. Mr. Motwani advised no. They have met with the Convention and Visitors Bureau for support and partnership, but have no intention of seeking direct cost assistance. Mr. Plana explained they do not intend to use public funds. Mr. Motwani added that the bureau has expressed support and intend to publicly support the show through purchasing tickets and the potential of sponsorships. Commissioner Rodstrom inquired about sponsor contracts being provided to the City Manager. Mr. Plana noted that Verdant is putting up the bond for what the City is requiring. Mr. Polito clarified that Ted Plana, not Stan Smith, is the promoter of the event. They have a signed commitment from Verdant Capital Group that was provided. Commissioner Rodstrom asked about past contracts and the amount of money produced

from past events. Mr. Motwani explained they were given the go ahead about three weeks ago and although it was halted last Wednesday, the commitments presented were obtained during this period. They are circulating contracts. A financial commitment from GEICO was provided. A number of the hotels have committed financially as well as in kind with rooms and there are vendor contracts. He added that Mr. Lilley could furnish the contract form. They intend to finalize this in the next month or so. Mr. Lilley indicated that he has four or five signed contracts that are pending the outcome of this meeting. Many corporations are in budgeting now. It will be possible to provide a lot more clarity by the August Commission meeting. B. Lilley, Inc. has a huge portfolio of sponsors from other shows and several of the major ones are transportable. They have met with many in this area. They are looking for diversification so there is no material impact if one is missing. Commissioner Rodstrom explained her reasoning for concern has to do with the \$750,000 cost. She has some pause because they have not come forward with a check or a commitment. She asked if sponsors were requested to target a certain amount of money toward City fees. Mr. Plana advised that Verdant Capital letter specifically states the first priority was to pay the City. They did not know the cost until yesterday. Commissioner Rodstrom questioned why a check is not being presented this evening because the Commission was scheduled to make a decision at this meeting. Mr. Motwani advised that the contract would be structured to make the City comfortable and that is their intent. They do not expect the City to be at risk at any point. Commissioner Rodstrom asked if both promoters have the ability to produce a \$1 million bond. Mr. Plana replied yes; the commitment letter essentially states this. Mr. Motwani replied yes; a letter from SunTrust has been provided concerning a letter of credit to support City costs. They hope to use a letter of credit instead of a bond. She asked about indemnification and when could the City expect reimbursement. Mr. Plana thought there would be indemnification and that the contract would specify a time for reimbursement. Mr. Lilley believed previous contracts provided for thirty days in advance. When the letter of credit is submitted, they would escrow the funds which would be reserved for the City's use. In further response, Mr. Plana indicated that Verdant does not wish to be the title sponsor; it is still for sale. The City Attorney advised that it has been the City's position historically that it much prefers a payment bond. A letter of credit has a number of terms of conditions upon which one may call upon it whereas a payment bond is just simply upon demand. Commissioner Rodstrom noted that the backup shows staff's recommendation is a payment bond.

Commissioner Roberts requested the City Auditor's input. The City Auditor referred to his memorandum provided to the Commission yesterday that was made a part of the record. Neither proposal is a business plan. They contain very little in the way of details. He could not offer an opinion as to whether either proposal has a chance of making money. There is no sense as to ticket price, expected capacity of the various areas, cost. As to the SunTrust and Verdant correspondence, he noted that he has not had a chance to review these items because they were submitted at the last minute. Commissioner Roberts commented on the situation being dynamic. He assumed the \$1 million bond would alleviate the concerns. If the City devotes any resources, the City Manager wanted a guarantee that the City would be repaid which could be accomplished through a payment bond or letter of credit, provided that there are conditions that work for the City in terms of being able to call them on demand. The form of the payment bond or letter of credit would have to be acceptable to the City. However, he did not think this could be produced until there is a signed agreement. It is reason to require in memorandum of understanding that within thirty days of the signing, the surety would be produced. Mr. Plana agreed. Mr. Motwani explained the reason they raised the idea of a letter of credit

is because typically with a bond there is a lot of underwriting that takes place. With only two to three weeks, the letter of credit was a good way to show that the financial commitment could be made. Another option would be to escrow the funds in advance.

Commissioner Roberts saw B. Lilley, Inc as having the ability to produce the show and having a proven record of doing that however he did not see it being the case with Fort Lauderdale Air Show, LLC. He asked about why the New York City air show that is on Mr. Plana's resume ever occur. Mr. Plana presented information on this topic which was returned to him and indicated there are reasons he cannot talk about it. There is an investigation occurring. Commissioner Roberts explained this brings out another unknown as to Mr. Plana's ability to produce this show. He recalled that Mr. Plana indicated they did not want to do any community outreach until the money was guaranteed. The commitment from Verdant came to the City on July 7, which he felt is late in the process to do community outreach. He understood from the community that there has been a lot of outreach by Lilley. He also drew attention to one of the previous vendors who spoke this evening and expressed her belief that Fort Lauderdale Air Show, LLC is not as together as Lilley. Mr. Plana pointed out that their model is that they have located someone to pay for City costs. There are companies underneath Verdant that will be sponsors. Everyone loves the air show. Commissioner Roberts indicated that issues have to be addressed. One example is protecting the integrity of neighborhoods impacted by the show. There is traffic circulation and flow. Just as important as the funding is community outreach and he did not see that yet. Mr. Polito agreed it has not yet happened. He worked on these issues for the 2010 show. They did not want to provide false hope without having the funding.

Mayor Seiler asked the name of the LLC in the contract of two years ago. The City Attorney advised it was Fort Lauderdale Air Show, LLC. They went through a name change and are now Air Lauderdale LLC. It is the same company. They were administratively dissolved in September of 2010 because of the resignation of the registered agent. They have yet to name a registered agent and to this day remain dissolved. There has been non reinstatement. Also, the City does not have anything to indicate that the other applicant is the entity to deal with either. Mr. Plana indicated they will be registering a new agent on Air Lauderdale LLC. The intent is to use the same company. Mayor Seiler asked if there are any creditors that would create a problem and Mr. Plana indicated Steve Saber who designed the original contract. Mr. Saber is no longer involved. Mr. Plana listed the members of Air Lauderdale LLC and indicated he would be the managing member. In response to Mayor Seiler, Mr. Lilley advised the promoter is Lauderdale Air Show, LLC. Mr. Motwani advised that Lauderdale Air Show, LLC was incorporated in Florida. Lauderdale Air Show, LLC was incorporated a few months ago when they started the process. He offered to provide the documentation for both Lauderdale Air Show, LLC and B. Lilley, Inc. to the City Attorney. Mr. Lilley indicated that he would be the managing member personally. B. Lilley, Inc. is a Delaware corporation. The City Attorney indicated B. Lilley, Inc. would not be authorized then to do business in Florida. In further response to Mayor Seiler, Mr. Lilley advised that there are no creditors of Lauderdale Air Show, LLC at this time and went on to list the members. He confirmed that Lauderdale Air Show, LLC would be the entity to contract with the City.

In response to Mayor Seiler's question about sponsors, Mr. Plana advised that Verdant Capital is part of many companies. He has a list of sponsors with which he has worked. Mayor Seiler asked about the listing that they are a strategic partner with the Chamber of Commerce but there has been no communication according to Mr. Lindblade's earlier

comment. Mr. Plana clarified the statement was who would be the strategic partners. The listing is who they would anticipate would be strategic partners. Mr. Motwani listed Lauderdale Air Show, LLC strategic partners. They would intend to speak to neighborhood associations and business owners that would be immediately impacted between the Galt and 17th Street. They have already had discussions with a majority of them. Mayor Seiler questioned how the proposed aerobatic box differs from the ones in Cocoa Beach and Ocean City. Mr. Lilley advised that Cocoa Beach is a standard 12,000' x 3,000' which is the minimum requirement for Thunderbird or Blue Angel performance. Otherwise, the minimum requirement would be 6,000' x 3,000'. In further response, Mr. Lilley advised that the Canadian Snowbirds require 6,000' x 3,000'. He went on to provide more detail as to air space. Mr. Plana indicated 3,000' is not possible because of a reef; it was always at 4,000'. Mr. Lilley recognized there are other parameters for water closure.

In response to Vice Mayor DuBose, Mr. Plana indicated that he has not worked with Verdant in the past. The City Attorney responded to Commissioner Rodstrom's question about business licenses. As to her question about criteria for issuing letters of credit, he indicated his experience is that the bank would be looking at financial wherewithal. The City Auditor indicated he could not find Verdant Capital as an existing corporate entity in Illinois even though they have a Chicago address. Mr. Plana guessed they are registered in Delaware. He has not asked that question of them.

The City Attorney confirmed for Mayor Seiler that the City's policy is not to allow votes by telephone.

Commissioner Rodstrom wanted to adhere to the staff recommendation and obtain a \$1 million bond or any other alternative that could achieve the same outcome as discussed by the City Manager.

Commissioner Rogers questioned if the previous air show event was discontinued had mostly to do with money. He referred to discussion concerning a festival component and questioned whether other members of the Commission feel that there needs to be more than an air show in order for the event to be successful. Commissioner Roberts thought there were other issues associated with why the previous air show is no longer with the city. Commissioner Rogers was concerned about the future of the event if it is successful this time. Both Commissioner Roberts and Mayor Seiler thought this point could be addressed at a future point.

Commissioner Rogers was uncomfortable about both entities. He would have no problem with a letter of credit. Although both have similar experience, Lilley has uninterrupted success, they are stronger in event planning and seem to have their team assembled.

Mayor Seiler made concluding remarks about the process, the event and economic impact.

Motion made by Commissioner Roberts and seconded by Commissioner Rogers to proceed with B. Lilley, Inc. (Lauderdale Air Show, LLC) and the City Manager's recommendations (Memorandum 11-209 attached to these minutes). Roll call showed: YEAS: Vice Mayor DuBose, Commissioners Rogers and Roberts and Mayor Seiler; NAYS: None.

In the abundance of precaution and in the event it might apply, the City Attorney requested the Commission entertain a motion denying Air Lauderdale LLC's request to hold the 2012 air show in accordance with Section 25.c of the contract that may or may not apply. While he does not believe a contract is in force, he wanted to cover the City. There is an out in the contract in Section 25.c for this year. The law is not as clear as one of the speakers indicated as to being reinstated and what that does to existing contracts.

Motion made by Commissioner Roberts and seconded by Commissioner Rogers to deny Air Lauderdale LLC's request to hold the 2012 air show pursuant to Section 25.c of the agreement between the City and Air Lauderdale LLC. YEAS: Vice Mayor DuBose, Commissioners Rogers and Roberts and Mayor Seiler; NAYS: None.

Mayor Seiler concluded that City Officials are now authorized to negotiate with Lauderdale Air Show, LLC and to take all necessary steps including executing related documents for an air show special event to be held in 2012.

There being no other matters to come before the Commission, the meeting was adjourned at 9:43 p.m.

John P. "Jack" Seiler
Mayor

ATTEST:

Jonda K. Joseph
City Clerk