



Venice of America

CITY OF
FORT LAUDERDALE

**AVIATION ADVISORY BOARD
FORT LAUDERDALE EXECUTIVE AIRPORT
ADMINISTRATIVE OFFICE - MULTIPURPOSE ROOM
6000 NW 21 AVENUE, FORT LAUDERDALE, FL
THURSDAY, SEPTEMBER 25, 2008, 1:30 P.M.**

Board Members	Attendance	Cumulative Attendance 7/08 through 6/09	
		Present	Absent
Bunney Brenneman, Chair	P	2	0
Joseph Scerbo, Vice Chair	P	2	0
Lee Alexander	P	2	0
Andrew Berns, Tamarac	P	0	2
Alberto Calvo [1:37]	P	1	1
Michael Dunbar	A	1	1
Lloyd Evanson	P	1	1
Linda Iversen [1:35]	P	2	0
Richard McDonald	A	1	1
Deborah VanValkenburgh	P	1	1
Sharon Woods	A	1	1

Airport/City Staff

- Clara Bennett, Airport Manager
- Mark Cervasio, Assistant Airport Manager
- Alex Erskine, Assistant Airport Manager
- Fernando Blanco, Airport Engineer
- Florence Straugh, Noise Abatement Officer
- Leslie Carhart, Administrative Assistant II
- Victoria Minard, Assistant City Attorney
- Sharon Dreesen, Administrative Aide
- Jason Robinson, Operations Aide
- Matt Bocchino, Operations Aide
- Jonathan Gehrke, Operations Aide
- James Foster, Airport Programs Aide
- J. Opperlee, Recording Secretary

Call to Order

The meeting was called to order at 1:31 p.m. by Chair Brenneman.

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1. Approve Minutes of August 2008 Meeting

Motion made by Ms. VanValkenburgh, seconded by Dr. Alexander, to approve the minutes of the Board's August 2008 meeting. In a voice vote, the motion passed unanimously.

2. Specialty Restaurants Corporation Parcel 8-A/B Assignment to Southeast Toyota Distributors, LLC or Designee, Termination of Parcel 8H Lease, and Amended and Restated Lease for Combined Lease Parcel to be Known as Parcel 8A

Ms. Bennett explained that Specialty Restaurants Corporation leased Parcel 8-A/B consisting under terms of a lease that would expire in June 2016. The annual lease payments were \$118,234.22 (\$0.31 per square foot) and were adjusted annually in accordance with the Consumer Price Index (CPI). Improvements on the parcel included a restaurant, (closed since June 2006) and an FBO facility operated by AOG Aircraft Services, Inc. consisting of three aircraft hangars, a fuel farm, and associated aircraft and automobile parking.

Ms. Bennett informed the Board that Specialty Restaurants had entered into a contract for the sale of the improvements and remaining leasehold interest and has requested to assign the Lease to Southeast Toyota (or a designee), adjacent leaseholder. She explained that this recommendation also included entering into a new 30-year lease to allow for the development of the combined parcels.

Ms. Bennett said in addition to the proposed capital investment, Southeast Toyota had agreed to a rent increase to the current market rent of \$0.31 per square foot, which would bring the total rent for the new parcel to \$190,835,000, subject to verification by the City surveyor. This represented a 17% increase in the annual rent with annual CPI adjustments and market adjustments at years 10 and 20. Southeast Toyota had also agreed to pay rent on the existing improvements on Parcel 8H in 2025 based on 5% of the market rent for the improvements determined by market appraisal. This methodology would allow the Airport to receive an income stream from the improvements that would have reverted to the Airport had the Lease not been extended. This allowed the Airport to continue to escalate the rent that was somewhat undervalued based on market terms for the remaining leasehold term.

Staff Recommendation:

1. Consent to Assignment of the Specialty Restaurants Corporation Lease for Parcel 8AB to Southeast Toyota LLC or Designee
2. Termination of Southeast Toyota Distributors, LLC Lease for Parcel 8H
3. Execution of Amended and Restated Lease for Combined Lease Parcel to be Known as Parcel 8A

Mr. Matthew E. Morrall, J.M. Family Enterprises, gave a PowerPoint presentation regarding Southeast Toyota's plans for the property.

Mr. Scerbo asked if future rent would be based on the value of the property if the proposed improvements were not all made. Ms. Bennett explained that the lease was structured so that if redevelopment of the area of the property where the restaurant was currently located did not take place within 72 months, there would be a rent escalation to \$0.37 per square foot. This was the only existing time requirement regarding rent escalation. In 12 years, Southeast Toyota would be committed to a certain level of investment for the FBO parcel; if improvements were not made equal to this commitment, this would constitute default.

Ms. Straugh explained to Ms. Iversen that no J.M. aircraft had been involved in any noise incidents at FXE. Ms. Bennett noted that all of J.M.'s aircraft were stage III, and that J.M. had been recognized at the ACE Awards in 1994.

Mr. Morrall explained to Dr. Alexander that the new lease would be with the new entity: J.M. Aviation Property Holdings LLC.

Mr. Scerbo asked if the parent company would guarantee the lease by the new entity and Mr. Morrall agreed.

Motion made by Ms. VanValkenburgh, seconded by Mr. Scerbo, to approve the staff recommendations, and to include that the parent corporation would guarantee the lease by the new entity. In a voice vote, Board unanimously approved.

3. Taxiway Alpha – Project 10802 - Change Order

Mr. Blanco reported that Ranger Construction-South had completed work on three run-up areas that were part of the Taxiway Alpha Relocation Project. He explained that the application of the originally specified hydro mulch product had failed to cover the surface adequately to allow the seed to establish in order to sufficiently mitigate dust and erosion. Therefore, the Airport had requested that Kimley-Horn and Associates, Inc. research an alternate type of hydro-mulch and seeding material that would provide the required performance and would mitigate dust and erosion and allow for the grass seed to take hold.

Mr. Blanco informed the Board that a test was conducted around the run-up area in front of the Air Traffic Control Tower with two different products and a new application technique and the results had been successful in mitigating dust and preventing erosion.

Mr. Blanco explained that Ranger had provided a proposal to the City to install the new hydro-mulch and seed material resulting in a net increase in the unit price. The total cost for providing the new material was approximately \$127,200. He stated funds for this change order were available by transferring \$127,200 from P11149-Airport Airfield Infrastructure Improvements. The Airport had also requested approval from FDOT and the FAA for grant reimbursement participation in the above costs.

Staff Recommendation:

1. Approval of Change Order No. 01 with Ranger Construction-South in the amount

of \$127,200 for the substitution of the hydro-mulch and seeding material

2. Approval of the funds transfer in the amount of \$127,200.

Motion made by Mr. Scerbo, seconded by Ms. VanValkenburgh, to approve the staff recommendation. In a voice vote, Board unanimously approved.

4. Security Improvements Contract Award P10965

Mr. Blanco informed the Board that plans were completed and the project was advertised on August 19, 2008. The project was separated into a Base Bid to install video cameras, with three alternates: Alternate 1 for replacement of pedestrian gates; Alternate 2 for installing new cameras at the Downtown Helistop; and Alternate 3 for installing wireless transmitters at all manual gates.

Mr. Blanco stated the bids were opened on September 17, 2008 and the lowest responsive, qualified bidder was Acupower, Inc, of Tamarac, FL. with a bid of \$1,024,106.72 for the Base Bid plus the three alternates. This was approximately 21.5% below the engineer's final construction cost estimate of \$1,305,946.00.

Mr. Blanco said staff had reviewed the bids with respect to the engineer's estimate and other competitive bids and found the unit prices and reference checks on Acupower to be satisfactory. He reported that funds for this Task Order were available from the Airport's approved CIP, from grants from FDOT for reimbursement of eligible project costs, and by a transfer from P11237-Airport Capital Project Holding Account for the remainder of the funds.

Staff Recommendation:

Staff recommends award of the contract to the low responsive, qualified bidder, Acupower, Inc. of Tamarac, FL in the amount of \$1,024,106.72 for construction of the Airport's Security Improvements.

Mr. Blanco stated they intended to award all three alternates at the same time, and the project would be completed in phases. He informed Mr. Scerbo that Acupower had been a contractor at the Airport and their work had been satisfactory. Mr. Blanco said both Acupower and Hy-power were financially solid.

Motion made by Ms. Iversen, seconded by Mr. Evanson, to approve the staff recommendation. In a voice vote, Board unanimously approved.

5. Joint Participation Agreement Conversion - Turf Establishment to Security Improvements

Mr. Cervasio stated staff had recognized a potential maintenance issue arising from the use of the centerfield run-up area to conduct jet engine run-ups and staff had included a project in the Executive Airport's Capital Improvement Plan for \$175,000.

Mr. Cervasio said staff had worked with the Florida Department of Transportation (FDOT), which had agreed to reimburse the Airport for up to 80% the total project costs for these improvements. Eligibility for these funds required the execution of a Joint Participation Agreement (JPA) in advance of the project initiation. Staff worked with FDOT to prepare the required JPA in the amount of \$140,000, which was executed by the City.

Subsequent to this, Mr. Cervasio explained that in conjunction with the Runway 13/31 Rehabilitation project, staff had rented a bulldozer and maintenance personnel had graded a raised berm area around the run-up pad. Millings from the old runway surface were spread over the berm and rolled to stabilize it. Mr. Cervasio remarked that these efforts had been effective in alleviating the erosion issue around the run-up pad.

Mr. Cervasio reminded the Board that in response to the terrorist attacks of September 11, 2001, FDOT allowed grant funding that had been awarded for non-security projects to be redirected to security projects at 100% of the costs. Due to the success of the berm creation, alleviating the need to implement the Turf Establishment project, staff recommended that the \$140,000 provided for in this JPA with FDOT be converted to assist with the costs associated with the Airport security improvements. The funds would be used to either offset the CIP costs in the project, or to expand the project.

Staff Recommendation

The staff recommends that the Supplemental JPA be approved for the City to redirect \$140,000 in grant funding from the FDOT for 100% of the project costs for Airport Security Improvements at Executive Airport with no matching funds from the City.

Motion made by Dr. Alexander, seconded by Ms. VanValkenburgh, to approve the staff recommendation. In a voice vote, Board unanimously approved.

Walk-on Item

Supplemental Joint Participation Agreement Number 2 with Florida Department of Transportation for the Rehabilitation of Taxiway Bravo – Project 11134

Mr. Blanco reminded the Board that during their October 25, 2007 meeting, the Board had unanimously endorsed staff's recommendation to approve a Joint participation Agreement with FDOT in the amount of \$400,000 to provide up to 50% of the funding to help rehabilitate Taxiway Bravo and widen the entrances to the tenants ramps. At the January 24, 2008 meeting, the Board had also endorsed staff's recommendation to approve a supplemental JPA with FDOT in the amount of \$801,650 to provide for additional funding for the rehabilitation of Taxiway Bravo. The City Commission had approved of this recommendation at their meeting on February 19, 2008.

Mr. Blanco said the estimated total cost for this project was approximately \$4,300,000. FDOT had indicated that they would provide additional funding for up to 80% reimbursement of project costs through future supplemental JPAs. As part of that additional funding, FDOT had initiated a second Supplemental Joint Participation Agreement (SJPA) in the amount of \$610,000 to provide a total of \$1,811,650 or up to 80% of the funding to rehabilitate Taxiway Bravo.

Staff Recommendation

The staff recommends the Supplemental Joint Participation Agreement Number 2 be approved for the City to accept the additional \$610,000 from FDOT for a total of \$1,811,650 or up to 80% of the project cost for the rehabilitation of Taxiway Bravo.

Dr. Alexander asked if this project would immediately follow the Taxiway Alpha project. Mr. Cervasio said they intended to begin this project after they completed Alpha, but this was probably a year away. Mr. Blanco said this was scheduled for late 2009.

Motion made by Mr. Scerbo, seconded by Mr. Calvo, to approve the staff recommendation. In a voice vote, Board unanimously approved.

UPDATE ITEMS

A. Noise Compatibility Program

Ms. Straugh introduced James Foster, programs aide, who would assist in the noise office and with programs.

Review of the Noise Compatibility Program (NCP) Implementation

Ms. Straugh informed the Board that the Review of the Noise Compatibility Program Implementation was about to conclude. The only items left to present to the Board would be the slogan and the graphic for the promotional posters and T-shirts. She stated they planned to unveil the promotional poster at the annual Open House and ACE Awards Event, which was tentatively scheduled for Wednesday, December 3, 2008.

Winter and Peak-Season Months – Expected Increase in Traffic

Ms. Straugh anticipated an increase in air traffic in the winter and spring months, accompanied by an increase in noise reports. She explained that the increase in noise reports was also caused by changes in the weather patterns with strong winds from the west requiring aircraft to arrive from the east and depart to the west. Ms. Straugh announced that as part of their pro-active effort, they would be contacting jets operators to remind them of noise abatement procedures and to request that they be conscientious of noise sensitive communities.

Noise Monitor Calibration

Ms. Straugh announced that as part of the Airport's yearly maintenance contract, Southeast Acoustical Services had conducted the annual calibration of the noise monitors.

Nighttime and I-95 Turn

Ms. Straugh reported that in August 2008, there were no noise events over 80 dB between 10:00 p.m. and 7:00 a.m. Nineteen (19) jets had flown the I-95 Turn between 10:00 p.m. and 7:00 a.m., and three (3) of these jets were stage-two aircraft.

Noise Abatement Program Statistics

The noise program statistics for August 2008 were included in the Board's packet.

B. Development and Construction

Taxiway Alpha Relocation Project # 10802

Ms. Carhart reported that Ranger Construction had completed work on phase 11 and was now working on phase 10 of the project. Runway 8-26 would be closed for one night from Tuesday, September 23, 2008 at 10:00 pm until Wednesday, September 24, at 6:00 am. In the event of rain, the alternate date would be from September 24 at 10:00 pm until September 25 at 6:00 am. Ms. Carhart stated a notice had been faxed to remind Airport tenants of the Runway closure and a Notice To Airmen (NOTAM) would also be issued to inform pilots of the closure.

Airport Tenant Security Meeting

Ms. Carhart informed the Board that an Airport Tenant Security Meeting was scheduled for September 30, 2007 at the Airport Administration building from 1:30 p.m. to 3:00 p.m. for all Airport tenants. Fort Lauderdale Police Department (FLPD) would be in attendance to provide tenants with statistics on theft around the Airport and recommendations for improving security at their places of business.

Ms. Carhart gave a PowerPoint presentation on FXE Operations.

Ms. Bennett confirmed for Dr. Alexander that the Airport received a percentage of the price of gasoline pumped on the premises. She explained that even though the price of gas had increased significantly, the amount of gas pumped had decreased by hundreds of thousands of gallons, and she expected an overall decrease in revenue. She stated they tended to budget very conservatively regarding this revenue and interest revenue because of the unpredictability of these items. Mr. Scerbo asked to see a chart illustrating the actual revenue from gasoline for the past couple of years.

Ms. Bennett estimated the Airport took in approximately \$1 million in gasoline revenue per year. She agreed with Dr. Alexander that since the Airport budgeted so conservatively, their real concern was the impact the decrease in fuel consumption was having on their tenants.

C. Arrearages

Ms. Bennett reported that one tenant was in arrears last month and the same tenant was in arrears this month. There were no fuel flow arrearages for August.

D. FLL Update

Ms. Straugh reported the FLL Noise Abatement Committee meeting had been rescheduled for October 20 at 6 p.m.

E. Other items and announcements

There being no further business before the Board, the meeting adjourned at 2:52 p.m.

- Next scheduled meeting date: Thursday – October 23, 2008 – 1:30 PM



Bunney Breneman, 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.