



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, FEBRUARY 25, 2010 1:30 P.M.**

Board Members	Attendance	Cumulative Attendance 7/09 through 6/10	
		Present	Absent
Bunney Brenneman, Chair	P	5	0
Deborah VanValkenburgh, Vice Chair	P	5	0
Lee Alexander	P	4	1
Gloria Brown	A	2	2
Linda Iversen	P	5	0
Jackie Kaht	A	4	1
Bruce Larkin	P	4	1
Steven Stella	P	2	0
Pamela Bushnell, Commissioner, City of Tamarac [non-voting]	P	2	2
Anthony Niedwiecki, Commissioner, City of Oakland Park [non-voting]	A	1	1

Airport/City Staff

- Clara Bennett, Airport Manager
- Mark Cervasio, Assistant Airport Manager
- Florence Straugh, Noise Abatement Officer
- James Foster, Airport Program Aide
- Rufus A. James, Airport Operations Supervisor
- Debra Donato, Administrative Assistant
- Leslie Carhart, Administrative Assistant
- Fernando Blanco, Airport Engineer
- Sharon Dreesen, Airport Administrative Aide
- Scott Kohut, Airport Operations Aide
- Jason Robinson, Airport Operations Aide
- Victoria Minard, Assistant City Attorney
- Cate McCaffrey, Director Business Enterprises
- J. Opperlee, Recording Secretary, Prototype Services

Communications to the City Commission

None

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Call to Order

Chair Brenneman called the meeting to order at 1:32 p.m. She announced Ms. Brown's daughter had been taken ill and therefore Ms. Brown could not attend the meeting.

1. Approve Minutes of January 2010 Meeting

Motion made by Dr. Alexander, seconded by Ms. VanValkenburgh, to approve the minutes of the Board's January 2010 meeting. In a voice vote, motion passed unanimously.

2. Southern Facilities Development Leases for Industrial Airpark Parcels B, C, and D

Ms. Bennett reminded the Board that at their June 19, 2009 meeting, staff had made a recommendation to amend the leases for Southern Facilities Development (SFD) parcels B, C and D in light of recent developments with Broward County. Pursuant to negotiations, staff wanted to update the Board and get their concurrence on the final version of the agreement before it was presented to the City Commission in March.

Ms. Bennett explained that the reason that some parcels had not been developed was because there were environmental designations on portions of the properties. Parcels B, C and D contained areas identified with Natural Resource Areas (NRA) and/or wetland designations, and therefore required Environmental Resource Permits, Storm Water Permits, and tree removal licenses from Broward County, South Florida Water Management District, and the Army Corps of Engineers.

Ms. Bennett stated SFD had agreed to enter into multiple on-site and off-site mitigation agreements and conservation totaling 2.85 acres on Parcel B and 2.6 acres on Parcel D, allowing the remaining acreage to be developed. In addition, SFD had agreed to provide off-site mitigation and enhancement for the Parcels on an 11-acre parcel at Mills Pond Park, subject to the terms of a Tri Party Agreement among SFD, Broward County and the City of Fort Lauderdale. This Agreement would allow Parcel C to be developed in its entirety.

Ms. Bennett said the original leases allowed for abatement of rent and credits associated with mitigation while they were negotiating with Broward County. In anticipation of legal action, staff had included a provision to abate the rent further in the event of legal action against the County. The rent would begin again once the action was settled, and the abated rent, minus all eligible credits for the lease and lease amendment would begin once the permits were obtained, improvements were built and the Certificates of Occupancy were issued for the parcels.

Ms. Bennett said Broward County had issued the permits on December 21, 2007, subject to certain conditions. Because of the delay, costs had increased, and staff had included an amendment that the rent re-start dates would be 18 months, 24 months and 30 months. SFD would decide which parcel had which start date. Staff had also taken into account costs associated with Mills Pond and given all credits for which they were eligible. The credits had reduced the accrued rent from \$3.5 million to \$1.1 million that would be paid back.

Per the first amendment, Ms. Bennett stated SFD had five years to pay back the rent once the Certificates of Occupancy were obtained; under the new amendment, FXE would receive the accrued rent a bit faster. At the request of the lessee, staff was proposing to adjust the rent commencement schedule from 18/24/30 months from the effective date of the new lease to 18/30/42 months to be more in line with the timing for obtaining permits. FXE would also require that all construction must be completed and all Certificates of Occupancy must be obtained within 72 months of the effective date.

Ms. Bennett explained that staff planned to recommend to the Commission on March 16 that the City enter into this amended and restated lease with an effective date of 90 days after the Commission approved it. During that period, all agreements must be executed. If they were not, this agreement would go away and they would revert to the agreements already in place: the original lease as amended.

Ms. Bennett reminded the Board that the Conservation Easements and Amended and Restated Lease were subject to FAA approval.

Staff Recommendation

We recommend execution of the following agreements related to the Leases with Southern Facilities Development for Parcels B, C and D:

1. An Amended and Restated Lease for the Parcels B, C, and D providing for the repayment of abated rent including rent credits totaling \$1,101,546.11; establishing a schedule for rent commencement; and establishing a schedule for completing the construction and mitigation plan, obtaining City permits, providing necessary financial assurances, and execution of all development agreements;
2. A Mills Pond Park Tri-Party Agreement among the City of Fort Lauderdale, Broward County, and SFD providing for the planting of approved wetlands vegetation; and
3. Conservation Easements for 2.85 acres on Parcel B and 2.6 acres on Parcel D to be conveyed by the City and SFD to Broward County.

Commissioner Bushnell congratulated staff on their foresight, and asked what would happen if SFD did not meet the 72-month deadline. Ms. Bennett said if this occurred, FXE would begin the default process.

Mr. Larkin did not understand the benefit the City would realize by further delaying the rent commencement schedule. Ms. Bennett said they originally entered into the agreement because costs for mitigation had increased from an estimated \$400,000 to \$2 million. In consideration of this, as well as the lengthy process the developer must go through with the County, FXE had decided to allow additional time to effect the mitigation plan and get the properties ready to develop before the rent began accruing.

Mr. Corey Winsett, SFD LLC, explained that they needed the staggered rent re-starts because there was a lot of predevelopment work and mitigation work that required cash outlay and staggering would allow them to handle it financially. If the agreement were not approved, Mr. Winsett was uncertain if they would develop the property, and noted this would present a financial hindrance.

Motion made by Ms. Iversen, seconded by Mr. Stella, to approve the staff recommendations. In a voice vote, motion passed 4 – 2 with Ms. VanValkenburgh and Mr. Larkin opposed.

3. Taxiway Golf Relocation – Project 11453 – Federal Aviation Administration (FAA) Grant Application

Mr. Blanco stated the separation distances between Taxiway Golf and Runway 13-31 met the standards listed in FAA Advisory Circular 150/5300-13 for B-II aircraft approach categories, but Taxiway Golf was frequently used by larger aircraft. In the future, Taxiway Golf would be also be used for aircraft traffic taxiing into the proposed new U.S. Customs and Border Protection facility. These aircraft were in the Design Group III category with wingspans in excess of 79 feet, exceeding the Design Group Standard for this Runway.

Mr. Blanco informed the Board that the current Airport Layout Plan (ALP), recommended increasing the runway-taxiway centerline separation for the section of Taxiway Golf between Taxiway Charlie and Runway 31 from 250 feet to 300 feet to conform to Group III standards for aircraft in approach categories A and B. This relocation would eliminate the separation issue and bring Taxiway Golf into conformance with current FAA standards.

Mr. Blanco said based on the recommendations in the ALP, staff had initiated a project to design and construct the relocation of the southern 1,000 feet of Taxiway Golf. The FAA had agreed to provide funding for the design portion of the project through a grant for 95% reimbursement of the design process.

Staff Recommendation

Staff recommends that the City apply for and accept, a Grant Application from the Federal Aviation Administration for a maximum of \$164,920 or 95% of the total cost for design of the Taxiway Golf project, and that the City execute the grant when offered.

Mr. Blanco drew Board members' attention to a sketch in their packet describing the section to be moved.

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

UPDATE ITEMS

A. Noise Compatibility Program

AOPA Air Safety Foundation:

Mr. Foster announced that on Thursday, February 11, 2010, the Airport hosted an AOPA Pilot Safety Seminar at the War Memorial Auditorium, which 225 pilots had attended.

Noise Abatement Workshop - Jet Pilots

Mr. Foster reported that on March 3, 2010 at 4:00 p.m., the Noise Abatement Office would present a Noise Abatement Workshop for jet pilots. The purpose of the workshop was to provide jet pilots with information about the Noise Abatement Program and to receive feedback on the current program.

Nighttime and I-95 Turn

Mr. Foster reported that for January 2010, there were no noise events over 80 dB at nighttime. Forty-nine (49) jets had flown the I-95 Turn at night (11:00 p.m. and 7:00 a.m.) and all were stage-three aircraft. Also, during the month of January at night, one hundred fifty-seven (157) jets had departed Runway 26.

Mr. Foster said during January 2010, 64% of jet departures and 52% of jet arrivals used Runway 26.

Mr. Foster informed the board that of the ninety-three (93) jet noise reports received during the month of January, 54% of the calls were associated with jet arrivals on Runway 26.

Super Bowl Activity Report

Mr. Foster stated they had experienced a significant increase in activity due to the Super Bowl. During the Super Bowl, there had been no jet noise events over 80 dB, and they had experienced a 105% increase in jet activity.

Noise Abatement Program Statistics

Noise Abatement Program statistics for January 2010 were included in the Board's packet.

B. Development and Construction

Airport Projects In Development

Taxiway Bravo Pavement Rehabilitation Project # 11134

Mr. James stated the Taxiway Bravo project was well under way and on schedule despite the Super Bowl event. The contractor intended to work over the upcoming weekend to complete Phase 3 and move on to Phase 4 the following week. Phase 4 was expected to last 22 days, and Mr. James looked forward to reporting completion of phase 4 at the Board's next meeting. Mr. James described where the work was being done on an aerial photo.

In the January statistics, Mr. James drew the Board's attention to the customs count, and noted that January 2010 had seen a 50% increase over January 2009. He attributed the majority of this to Haiti relief efforts.

C. Arrearages

Ms. Bennett reported there were no rent or fuel flow arrearages for January 2010.

D. Communications to the City Commission

None

E. FLL Update

Ms. Straugh announced that FLL would hold their Airport Noise Abatement Committee meeting on March 8 at 6 p.m. at the airport administration building. She reminded everyone that FLL would have the 60-day closure of their main runway and use of the crosswind runway from April through June.

Ms. Straugh said the FLL Noise Mitigation Program was still delayed; Dania Beach had expressed objection to the program.

Ms. Straugh stated the FLL expansion project was projected to be completed in the second quarter of 2014.

F. Super Bowl XLIV Airport Operations Update

Mr. Cervasio explained that FXE staff had worked with South Florida law enforcement agencies regarding the Temporary Flight Restrictions [TFR] for the Super Bowl. He explained that the TFR was set up as a 10-mile and 30-mile radius from the stadium. Within the 10-mile radius, only law enforcement, military and airline flights to and from FLL airline could fly. From the 10-mile to 30-mile radius, general aviation flight was allowed, with certain restrictions and FXE sits just outside the 10-mile ring.

Staff had also consulted with tenants to determine how much activity they anticipated in order to develop a plan to accommodate the additional aircraft. He described the plan they had devised to create additional parking. Mr. Cervasio estimated 260 additional aircraft had visited the Airport for the Super Bow, almost 300,000 gallons of fuel was sold and we averaged over 500 operations per day from Thursday February 4th through Monday February 8th. He displayed photos showing where the additional planes were parked. Mr. Cervasio thanked the tenants who had worked hard to make this a successful event, ATC for relinquishing control of pavements around the Airport to facilitate the ground movements of aircraft and vehicles, Weekley Asphalt for adjusting their paving schedule to allow for the full length of Taxiway Bravo to be open and Airport staff for all their help being at the airport from noon on Sunday until 3:30AM Monday morning.

Mr. Don Campion, Banyan Air, remarked how the plan had succeeded because they had all worked together as a team.

Other items and announcements

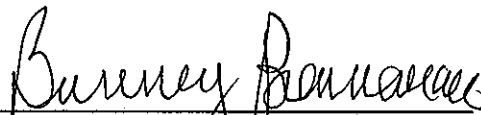
Commissioner Bushnell said a resident of Tamarac had informed her of an incident the previous Sunday when a plane flew over her home and dumped sewage. Ms. Bennett said most planes that used FXE did not have lavatories, let alone the ability to dump them mid-flight. She said Ms. Straugh would look into this.

Mr. Larkin asked Ms. McCaffrey for an update regarding the stadium. Ms. McCaffrey said a couple of groups had suggested uses for the stadium. One suggestion was to convert it to a soccer field, which included some public use,

which the Commission liked, but the FAA informed the City they should get fair market value for the property, and this was probably 100 times the amount offered by the soccer group. Ms. McCaffrey would return to the Commission on March 16 with the correspondence from the FAA to ask for the Commission's direction.

There being no further business before the Board, the meeting adjourned at 2:37 p.m.

- Next scheduled meeting date: Thursday – March 25, 2010 – 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.