



CITY OF FORT LAUDERDALE

**AVIATION ADVISORY BOARD  
FORT LAUDERDALE EXECUTIVE AIRPORT  
ADMINISTRATIVE OFFICE – MULTIPURPOSE ROOM  
6000 NW 21 AVENUE, FORT LAUDERDALE, FLORIDA  
THURSDAY, APRIL 26, 2018 1:30 P.M.**

	Attendance	Cumulative Attendance 7/17 through 6/18	
		Present	Absent
Ed Kwoka, Chair	P	7	0
Ed Rebholz, Vice Chair	P	7	0
Louis Gavin	A	4	3
Joshua Kroon	A	3	4
Vacant			
Tom Moody	P	6	1
Stephen O'Malley	P	6	1
Dana Pollitt	P	6	1
Duke Siotkas	A	4	3
John Watt	P	7	0
Commissioner Marlon Bolton, City of Tamarac [non-voting]	P	6	1
Jeff Helyer, City of Oakland Park [non-voting]	P	6	1

**Airport Staff**

- Rufus A. James, Airport Manager
- Carlton M. Harrison, Assistant Airport Manager
- Spencer A. Thornton, Assistant Airport Manager
- Florence Straugh, Noise Abatement Officer
- Karen Reese, Business Outreach and FTZ Administrator
- Fernando Blanco, Airport Engineer/Project Manager II
- Candace Duff, Assistant City Attorney III
- Angelia Basto, Administrative Assistant I
- Mickaelle Bouchereau, Administrative Aide
- Michael Mitchel, Recording Secretary, Prototype, Inc.

**CALL TO ORDER**

Chair Kwoka called the meeting to order at 1:37 p.m.

**1. Roll Call**

The Board and Staff members present introduced themselves at this time.

Chair Kwoka advised that a presentation on the Master Plan was omitted from today's Agenda, and the Board will need to vote to amend the Agenda to include this Item.

## **VOTING ITEMS**

### **1. Approve Minutes of February 22, 2018 Meeting**

**Motion** made by Mr. O'Malley, seconded by Mr. Pollitt, to approve. In a voice vote, the **motion** passed unanimously.

### **2. Parcel 8AB Termination of Lease Agreement with KC FXE Aviation Investments, LLC**

Mr. James stated that KC FXE Aviation Investments, LLC currently leases Parcel 8AB. The property consists of 8.6 acres of aviation property and includes three small hangars of office space. Rental payments are \$192,309.80/year, with the next adjustment scheduled for November 1, 2018.

According to the terms of the lease, KC FXE is required to develop the parcel in three phases, totaling approximately \$5 million. Phase 1 included demolition of the existing building and was completed in 2012. Phase 2 consists of building two hangars totaling 44,680 sq. ft. with office space, an access roadway, automobile parking, and site improvements. Phase 3 consists of constructing a 23,340 sq. ft. hangar with office space and a 7,500 sq. ft. FBO terminal building.

In 2016, KC FXE requested a construction extension period, which resulted in a second lease amendment. The amendment was approved by the Aviation Advisory Board (AAB) as well as the City Commission. KC FXE was provided with an additional 332 days to construct the Phase 2 requirements; however, although a building permit was issued for this construction, this phase was not completed by the deadline.

In accordance with the lease, if Phase 2 improvements are not completed by the deadline, the construction insurance deposit will be forfeited and the lease will automatically be terminated. Based on a visual inspection of the site, Phase 2 has not been completed in its entirety. The City will exercise the lease termination clause as identified in paragraph 2A of the second lease amendment. Staff recommends termination of the Parcel 8AB lease for failure to complete Phase 2 improvements.

Steven Wherry, representing KC FXE Aviation Investments, LLC, requested that this item be deferred for one month so he may fully understand the issues and respond to concerns. He hoped for an opportunity to meet with Airport Staff to identify issues and come to a resolution that will be presented at the next meeting.

Chair Kwoka requested additional background information on this issue regarding the conditions leading up to the proposed termination. He observed that in the past, the

AAB has been open to working with tenants who experienced difficulties. He suggested that additional background information could be helpful to the Board's understanding of the issues.

Mr. James explained that the extension was granted in 2016 to complete work on Phase 2, but the permit expired without completion. While Staff noticed some work underway on the parcel, it slowed significantly over time, with 25% to 35% of the work yet to be done in February/March 2018. He was not aware of whether or not the expired permit has been renewed, although the City's Building Department does not reflect any new permit activity.

Chair Kwoka asked when the tenant was notified that Staff was exploring the possibility of termination. Mr. James replied that there is no requirement to place the tenant on notice, as the terms are stated clearly in the lease. A letter was sent to the tenant approximately 10 days ago, informing them that they had reached the end of their timeline and a response was required.

Mr. Watt asked if the tenant is current in rent payments. Mr. James advised that the tenant was in arrears regarding fuel and rent costs; however, Staff recently received checks for these items for the months of February and March 2018.

Mr. Wherry stated that he could provide confirmation showing that rent payment was wired on April 6, 2018, and confirmed that a check for fuel flowage has been tendered as well. He continued that a notice of lease default was issued by the City on April 13, 2018, and KC FXE responded to this notice prior to his involvement with the company. He will be able to provide an expected timeline for completion by next month's meeting. He added that a master permit application has been submitted, and the time frame for its review has not yet expired.

Mr. Watt asked if Staff had additional information to indicate the reason for the lack of communication between the tenant and the Airport. Mr. James stated that when a payment has not been made, the tenant is given 30 days' notice of default. If no response is received, Staff then sends a default letter. This provides the tenant with 60 days to address the default. There was no communication between the two parties in advance of the termination deadline.

Vice Chair Rebholz observed that the Board does not want a lack of communication to end in threat of termination. He cautioned that KC FXE should look closely at the individual charged with ensuring that permits are kept current. Mr. Wherry reiterated that rent and fuel flowage payments have been submitted, and that the permitting issue is a matter for legal analysis.

**Motion** made by Mr. Moody, seconded by Vice Chair Rebholz, to extend this issue to the next Board meeting. In a voice vote, the **motion** passed unanimously.

**Motion** made by Vice Chair Rebholz, seconded by Mr. Watt, to adjust the Agenda to allow for the 15-minute presentation about the Master Plan. In a voice vote, the **motion** passed unanimously.

### **3. Master Plan Presentation**

Sebastian Carreau, representing Ricondo and Associates, stated that the intent of the presentation is to discuss the status of the Master Plan for the Airport. The Master Plan was initiated in 2017 and its forecast extends through 2037. Three meetings have been held thus far over the course of the Master Plan, involving tenants, air traffic control, and Staff, to provide comments and feedback. When the Plan is complete, it will be submitted to the Federal Aviation Administration (FAA) for approval.

Mr. Carreau reviewed the Airport's requirements and needs, noting that one project identified in the previous Master Plan was the relocation of Taxiway Foxtrot in compliance with FAA requirements for runway and taxiway separation. The Master Plan recommends extending the runway by 1000 ft. and maintaining the existing runway threshold for landings, which means the extension would be a displaced threshold for departures only. The extension is requested in response to the needs of business jet operators, which may need to take weight penalties or refuel to reach their destination, particularly during the summer months.

The runway safety area will also need to be extended for Runway 13-31, which must be 150 ft. wide and extend 300 ft. beyond the end of the runway. Airfield signage improvements are also recommended. Mr. Carreau advised that some of the proposed airfield and taxiway improvements are intended to provide for better communication and prevent runway intrusions. The FAA has recently released new guidance for the planning and design of airfields, with a focus on identifying options to improve the Airport's layout. Key goals include eliminating "hot spots" by providing direct access to runways.

Mr. Carreau advised that the existing aircraft run-up areas occasionally fill up and block aircraft that are ready for departure. To counteract this, the FAA recommends increasing the size of the run-up area, as well as redesigning this area. He reviewed a map of the Airport to show where changes may be made, noting that a displaced threshold is also under consideration for Runway 9. The extension of this run-up area would be used only for takeoffs as well. Mr. Carreau emphasized that all drawings are conceptual at this point.

Chair Kwoka noted that some of the plans in today's presentation were distinctly different from the previous presentation, pointing out that there had been discussions of relocating and possibly developing the center field run-up area. Mr. Carreau recalled that feedback from both the tenants and the Board asked that the run-up area be protected, which led to the proposal for an extension.

Mr. Carreau continued that in order to avoid runway incursion, it is recommended that runway guard lights be installed at all intersections. The area that will be kept unavailable for development is located at midfield. He recalled that feedback from tenants included a request for larger hangars; in response, areas that may be repurposed for larger hangars have been identified.

Vice Chair Rebholz noted that a perimeter road was recently added to the east end of the Airport, and work on a western loop road is expected to begin later in 2018. Mr. Carreau pointed out that the runway extension will take approximately a year to design before work can begin; however, once the runway is extended, the service road will need to be relocated. Chair Kwoka requested a cost-benefit analysis on this project.

Mr. Carreau continued that the consultant team requested a letter from tenants documenting the weight penalties they incur. This provides a strong case for runway extension. Other projects already underway include the expansion of the administrative building by 2000 sq. ft. Next steps will include a public meeting in May or June 2018, with completion of the Master Plan anticipated later in the summer. Its completion will allow future Airport projects to be funded with FAA dollars.

#### **4. Parcel 17 Lease Agreement with United States of America, Army Reserve**

Mr. James reported that this 4.2 acre parcel is currently being used by the United States Army Reserve. The original lease dates back to 1961 and expired in November 2012. After 2012, the Army requested a five-year lease extension. They have requested another lease agreement for the term beginning June 1, 2018 through June 30, 2019, with options to extend annually but not beyond the date of June 30, 2022. The annual rent shall be \$170,000, which represents 8% of the appraised property value of \$2.1 million. The Army requests that the annual lease rate remain the same for the four-year period.

Staff has presented the proposed terms to the FAA, which does not object. Staff recommends that the City enter into the lease for Parcel 17 for the above time frame, with options to extend.

Mr. O'Malley asked how the proposed lease rates compare to general rates. Mr. James replied that the FAA typically accepts 8%-12% of fair market value, depending upon market conditions, type of operator, and other factors. The short-term lease does not interfere with any other development plans at this time.

**Motion** made by Mr. Watt, seconded by Mr. O'Malley, to approve. In a voice vote, the **motion** passed unanimously.

#### **5. Parcel 8H Fifth Amendment to Lease Agreement with Southeast Toyota Distributors, LLC**

Mr. James recalled that at the February 27, 2018 meeting, Staff recommended entering into an easement agreement for an entrance and exit lane to be reserved as alternate road access for Parcel 8H. This parcel consists of 5.1 acres and has been improved with two large hangars. The City Attorney's Office has recommended a lease amendment instead of the proposed easement, as construction and engineering specifications have not yet been established. Southeast Toyota, which leases this parcel, will have the option of an alternate access road in the event of any future development on adjacent parcel 8G. Staff recommends approval of the amendment.

**Motion** made by Mr. Moody, seconded by Vice Chair Rebholz, to approve. In a voice vote, the **motion** passed unanimously.

#### **6. Grant Application with Federal Aviation Administration for the Design of Taxiway Foxtrot Relocation**

Mr. Blanco stated that the FAA has determined the eastern portion of Taxiway Foxtrot does not meet runway/taxiway separation requirements of 400 ft. There are currently 305 ft. from the center line of Runway 9-27 to the center line of Taxiway Foxtrot. The FAA recommends that this portion be relocated to the 400 ft. separation distance in order to comply with current requirements.

The Airport has developed a project to address the above conditions. Design costs are estimated at \$390,002. Both the FAA and the Florida Department of Transportation (FDOT) have agreed to provide funding for 95% reimbursement of this project. Staff has prepared a grant application to the FAA in the amount of \$351,002, or 90% of the anticipated design costs. Staff recommends that the City be authorized to accept the grant from the FAA.

**Motion** made by Mr. Watt, seconded by Mr. Pollitt, to approve. In a voice vote, the **motion** passed unanimously.

#### **7. Joint Participation Agreement with Florida Department of Transportation for the Design of Taxiway Foxtrot Relocation Project**

Mr. Harrison advised that this Item was a follow-up to Item 6 and accepts funds provided by FDOT as their 5% contribution. Staff recommends approval of the joint participation agreement so the City may accept \$19,512 from FDOT toward design costs for the Taxiway Foxtrot relocation project.

**Motion** made by Mr. Pollitt, seconded by Mr. O'Malley, to approve. In a voice vote, the **motion** passed unanimously.

### **UPDATE ITEMS**

#### **1. Noise Compatibility Program**

Ms. Straugh reported that WebTrak was the leading Tweet for the month of February. She stated that a new enhancement was made to WebTrak-FXE that shows noise contours and demonstrated where to locate the feature using the online application. Ms. Straugh discussed that the noise contours are part of Noise Exposure Maps (NEM) that were conducted over the past decades. The noise metric used for the NEM is an annual average of noise called Day–Night Sound Level (DNL), as required by the Federal Aviation Administration (FAA). Ms. Straugh explained that the Airport uses Lmax, the maximum noise level for each noise event, which is a different metric than the one used by the FAA. The maps show shrinkage of noise levels over years. Also attached are statistics from February and March 2018.

Mr. Watt observed a huge increase in runway 9 jet departures and inquired if it was due to winds coming out of the west. Ms. Straugh confirmed that there was an increased in runway 27 jet departures that indicated strong west winds during the month of March. Ms. Straugh referred to the month of February typically having strong winds, but actually had unusually low number of runway 27 jet departures.

## **2. Development and Construction**

Mr. Thornton advised that there are currently two construction projects underway. The taxiway intersection improvement project is 99% complete and work is demobilizing. This project was completed ahead of schedule and on budget. The second project is the Taxiway Foxtrot pavement rehabilitation project, which encountered minor issues related to re-compacting the sub-base. Although this slowed progress, the issues have been remedied and paving is underway for Phases 2 and 3. He estimated this project is 35% complete.

## **3. Arrearages**

None.

## **4. Communication to the City Commission**

None.

## **5. FLL Update**

Ms. Straugh stated that a meeting was held on April 18, 2018 with Fort Lauderdale Vice Mayor Ben Sorensen and homeowners' associations that are affected by noise from the Fort Lauderdale-Hollywood International Airport (FLL). Plans to address these concerns will be brought forward to the City Commission. Vice Chair Rebholz commented that the FAA is conducting a Part 150 study, which is expected to be complete with formal recommendations in 2019. This study has two components: a noise exposure map and noise compatibility plan (NCP).

Mr. James showed a video from the recent Safety Expo, which had a good turnout. Its theme was Women in Aviation, and the discussion panel consisted of six women from the aviation industry. Earlier in April, the Airport hosted a STEMfest (Science, Technology, Engineering, and Mathematics) program to promote careers in aviation with approximately 700 attendees.

**NEXT SCHEDULED MEETING DATE: Thursday, May 24, 2018 – 1:30 p.m.**

There being no further business to come before the Board at this time, the meeting was adjourned at 2:45 p.m.

Any written public comments made 48 hours prior to the meeting regarding items discussed during the proceedings have been attached hereto.

[Minutes prepared by K. McGuire, Prototype, Inc.]