



CITY OF FORT LAUDERDALE

**AVIATION ADVISORY BOARD SPECIAL MEETING  
FORT LAUDERDALE EXECUTIVE AIRPORT  
ADMINISTRATIVE OFFICE – MULTIPURPOSE ROOM  
6000 NW 21 AVENUE, FORT LAUDERDALE, FLORIDA  
THURSDAY, SEPTEMBER 27, 2018 1:30 P.M.**

	Attendance	Cumulative Attendance 7/18 through 7/19	
		Present	Absent
Ed Kwoka, Chair	A	1	2
Edward Rebholz, Vice Chair	P	3	0
Louis Gavin	P	1	2
John Dool	P	1	0
Tom Moody (via phone)	P	1	2
Dana Pollitt	A	1	2
John Watt	P	3	0
Commissioner Marlon Bolton, City of Tamarac [non-voting]	P	1	2
Jeff Helyer, City of Oakland Park [non-voting]	P	3	0

**Airport Staff**

- Rufus A. James, Airport Manager
- Carlton M. Harrison, Assistant Airport Manager
- Florence Straugh, Noise Abatement Officer
- Fernando Blanco, Airport Engineer/Project Manager II
- Shari Wallen, Assistant City Attorney II
- Lynn Solomon, Assistant City Attorney II
- Angelia Basto, Administrative Assistant I
- Mickaelle Bouchereau, Administrative Aide
- Julie Leonard, Interim Director of Transportation & Mobility Department
- Lisa Tayar, Recording Secretary, Prototype, Inc.

**Guests**

- Bruce Green
- Don Whittington, World Jet
- Steven Wherry, KC FXE Aviation Investments, LLC

**CALL TO ORDER**

Vice Chair Rebholz called the meeting to order at 1:34 p.m.

Vice Chair Rebholz recognized Stephen O'Malley, former board member.

Vice Chair Rebholz also introduced new board member, John Dool, representing the Coral Ridge Isles Homeowner Association.

### **1. Roll Call**

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

### **VOTING ITEMS**

- 2. Approve Minutes of June 28, 2018 Meeting**
- 3. Approve Minutes of July 26, 2018 Meeting**
- 3. Approve Minutes of August 16, 2018 Meeting**

**Motion** made by Mr. Watt, seconded by Mr. Gavin, to approve the minutes of the June 28, July 26, and August 16, 2018 meetings as presented. In a voice vote, the **motion** passed unanimously.

The Board, Staff, and guests introduced themselves at this time.

### **4. Lots 18, 19 Assignment of Lease Agreement with BOF FL 2001 NW 64 LLC to Brock and Scott Holdings, Inc.**

Mr. James provided information on the item, noting that the lease has a 50-year term with an option to extend for an additional 25 years. It has been approved for construction of a first-class office building. He reviewed the current rent, which is adjusted every five years. BOF has requested to assign the ground lease for this property to FL LLC JPTMR Holdings, LLC. The current purchaser of the lessee's ground lease interest (Brock and Scott Holdings, Inc.) has assigned its interest in the contract for sale and purchase to the new holding company.

[Mr. Moody joined the meeting at this time via telephone.]

Mr. James stated that assignment is permitted under the terms of the lease subject to consent of the City, and staff recommends that the City consent to the request of the assignment of BOF FL 2001 NW 64 LLC for lots 18 and 19 to FL LLC JPTMR Holdings, LLC, subject to review by the City Attorney's office.

Mr. James advised that the new lessee plans to expand their footprint into the South Florida area by acquiring the lease. Staff is satisfied with the compatibility of the project with the Airport.

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

## 5. Minimum Annual Lease Rates and Real Estate Brokerage Commission

Mr. James provided the staff report. In accordance with the City Charter, the City Commission holds a public hearing every three years to review real estate rates and brokerage commissions for the Airport property. The City Commission established the current rates on November 20, 2015.

The current rate for is \$0.37 per square foot. Slack, Johnston & Magenheimer (SJM), real estate appraisers and consultants, prepared a current analysis of the fair market annual rental for aeronautical property at the Airport. They determined that the minimum initial aeronautical land rate should be \$0.40 per square foot for the next three years. There will be annual Consumer Price Index (CPI) adjustments, periodic fair market adjustments, and a maximum term of 30 years.

The Airport has six non-aeronautical parcels available for lease. Per the FAA, these leases are limited to 50 years with no options, and annual lease rates should be set at 8% to 12% of appraised value. Since the parcels have been vacant for some time, the Airport requested – and received permission from - the FAA to use the market rental rate approach, which comes to a 6% rate.

No real estate brokerage commissions will be paid by the City on aeronautical use property. The commission is currently 4% of the appraised value of the non-aeronautical use property, and is paid on the basis of one half of all amounts received by the City until the commission is paid in full.

Mr. James stated that staff recommends the following:

1. A minimum aviation lease rate of \$0.40 per square foot with annual escalations and a maximum term of 30 years.
2. A minimum lease rate for non-aviation property consistent with Federal Aviation Administration guidelines with escalations and a maximum term of 50 years, based on appraisal established within six months of the effective date of the Lease Agreement or such other time period as approved by the FAA.
3. No brokerage commission to be paid by the City on leases of aviation property.

The terms will become effective in December.

In response to a question by Mr. Watt, Mr. James said they did not discuss the raise with tenants, but there is generally a raise every three years. It affects new leases only; existing leases will stay the same with CPI increases.

**Motion** made by Mr. Watt, seconded by Mr. Gavin, to accept.

Bruce Green, representing a number of tenants in the airport, commented that none of his clients were consulted. They have not seen the study, and he asked that the matter be tabled to the next meeting so the materials can be reviewed by other airport tenants.

Mr. James did not see the need for tabling the matter, unless they are MAI appraisers. He advised they do this every three years, adding that they had a professional appraisal done and believed the tenants would find that acceptable.

Mr. Green, however, said his tenants wanted the opportunity to consult with an appraiser to check the amount for accuracy. While he understood the change would not affect current leases, one of his clients is in the process of negotiating a transfer of property which may involve negotiation and rewriting of leases.

Mr. Helyer pointed out the Airport does not consult tenants about setting the rates.

Mr. James explained the item will go before the City Commission for a public hearing on October 9, 2018, and then for a vote on October 23, 2018.

Don Whittington, World Jet, said his company is nearing the end of negotiations on a 40-acre parcel. He said they are comfortable paying the standard rate, but objected to having to pay a higher rate at the last minute.

Mr. James stated that the Board does this evaluation every three years (per Charter) by an outside independent vendor, and he advised Mr. Whittington and others to state their case at the Public Hearing before the City Commission. A packet was provided for their review.

In a voice vote, the **motion** to accept passed unanimously.

## **6. Solicitation for Bids on Vacant Properties – Parcels B, C, D, 8D, 12AB, and Lot 21**

Mr. James presented the staff report, noting that the Airport has had several vacant non-aeronautical properties available for development for several years. Due to this, the Airport decided to go out for bid for the aforementioned lots. He listed the permitted uses, per Broward County's Comprehensive Land Use Plan (BCCLUP).

Three proposals were submitted for the work, which were reviewed by the City's real estate broker, Colliers International. It was determined that First Industrial provided a favorable bid for the combined development of Parcels B, C, & D, which included economic terms that are more advantageous to the City.

Staff recommends commencing negotiations for a lease agreement with First Industrial Realty Trust from Tampa, FL for the development of parcels B, C, & D.

Mr. James elaborated that East Group and First Industrial bid on Parcels B, C, & D; and nobody bid on Lot 22. One entity bid on Parcel 12AB, and one on Parcel 8D; those

proposals are still being reviewed because of the terms they submitted with their proposals.

City staff, as well as Colliers, did the review of the bids. Regarding Parcel C, Drive Shack withdrew and is no longer interested.

**Motion** made by Mr. Watt, seconded by Mr. Gavin, to accept the staff recommendation. In a voice vote, the **motion** passed unanimously.

#### **7. Supplemental Joint Participation Agreement with FDOT for Airfield Electrical Vault Improvements**

Mr. Harrison provided the staff report, noting that the project includes repairs to the vault's lightning protection system, improvements to the work space, and equipment replacement including the Airport's rotating beacon and airfield constant current regulators. The City Commission has entered into several agreements with FDOT for expenses. FDOT has since provided a Supplemental Joint Participation Agreement (SJPA) in the amount of \$457,828 for approximately 80% of the eligible cost to fund additional associated construction costs.

Staff recommends the SJPA be approved for the City to accept \$457,828 from FDOT, for up to 80% of the costs for the Airfield Electrical Vault Improvements Project.

**Motion** made by Mr. Watt, seconded by Mr. Dool, to accept the staff recommendation.

Mr. Dool confirmed that the agreement is an adjustment to the prior agreements, and thus makes up for the shortfall.

In a voice vote, the **motion** passed unanimously.

#### **8. Supplemental Joint Participation Agreement with FDOT for Airport Administration Building Expansion**

Mr. Harrison provided the staff report, pointing out that the project calls for the addition of approximately 1,900 square feet of new construction and also entails replacing mechanical systems, carpet, lighting, and ceiling tiles throughout the building. More money is needed since the project bid proposals exceeded the original engineer's estimate and project budget.

Staff recommends the Supplemental Joint Participation Agreement (per the staff report) be approved for the City to accept \$129,995 from the Florida Department of Transportation, for up to 80% of the costs for the Administration Building Expansion Project.

Mr. Watt confirmed that the additional amount was satisfactory for the airport to bring the facility to the desired standards.

**Motion** made by Mr. Watt, seconded by Mr. Gavin, to accept the staff recommendation. In a voice vote, the **motion** passed unanimously.

#### **9. Contract Award for Taxiway Foxtrot Lighting Improvements Project to American Infrastructure Services, Inc.**

Mr. Blanco provided the staff report, noting that the last substantial upgrade to the lighting and signage equipment along the western section of Taxiway Foxtrot was completed in 2002. Since that time, the aviation industry has begun to replace and upgrade the airfield lighting and signage equipment using more current Light Emitting Diode (LED) technology as opposed to the existing quartz units.

Four bids were received for the work, and American Infrastructure Services, Inc. (AIS) was recommended for the award. Mr. Blanco said the Airport has used them before and feels confident about their work.

Staff recommends award of the contract to the low responsive bidder, American Infrastructure Services, Inc., in the amount of \$424,940 for the Executive Airport Taxiway Foxtrot Lighting Improvements project.

**Motion** made by Mr. Gavin, seconded by Mr. Dool, to approve the staff recommendation. In a voice vote, the **motion** passed unanimously.

#### **10. Contract Termination with Eastern Elevator Service, Inc. for Elevator Repair and Modernization at Downtown Helistop**

Mr. Blanco gave the staff report, explaining that the Airport prepared bid specifications in order to address the operational issues, as well as to modernize the elevator systems. Unfortunately, the contractor failed to perform. Various efforts have been made by City staff to provide the contractor with ample opportunity to correct the deficiencies. A Termination Letter was issued to the contractor on September 10, 2018, informing him of the City's decision to terminate this contract.

Staff recommends termination of the contract with Eastern Elevator Service, Inc. for the Elevator Repair and Modernization at the Downtown Helistop.

It was noted that the contractor had emailed the Procurement Department for payment for work associated with the job; that was submitted for payment and rejected. There has been no other communication from him, even though the Department sent him a letter in May of 2018.

All requirements of the contract as far as notice were fulfilled.

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

**11. Gopher Tortoise Donor Agreement for West Perimeter Loop Road Project**  
(walk-on item)

Mr. Blanco introduced the item, stating that it involves relocating gopher tortoises before work begins on the West Perimeter Loop Road area to a recipient donor site in the Florida Panhandle.

Staff recommends a gopher tortoise donor agreement for the West Perimeter Loop Road Project. The Agreement is between the recipient donor site and the City to allow for the relocation of the gopher tortoises. The City Attorney's Office reviewed the Agreement and has concurred with the terms.

Mr. Blanco said there are approximately 22 gopher tortoises with active and inactive burrows in the work area. One survey has been done, and another will be performed by a consultant to survey the burrows. Once they are documented, they will do the relocation on the active burrows.

The cost is \$750 per turtle, approximately \$30,000 total. Only the relocated tortoises will be paid for.

**Motion** made by Mr. Watt, seconded by Mr. Dool, to accept staff's recommendations to enter into a gopher tortoise agreement. In a voice vote, the **motion** passed unanimously.

**UPDATE ITEMS**

**A. Noise Compatibility Program**

Ms. Straugh reported there were not very many noise calls in the last month, but they had several callers who did not identify themselves. Only identified calls are entered into the system. She said people can call in or report online with key information as to dates and times.

Vice Chair Rebholz suggested adding information in their outgoing voice message explaining what is necessary in order for their complaint to be counted.

**B. Development and Construction**

Mr. Harrison reported on the construction of a vehicle service road around the south end of Runway 13-31. The project achieved substantial completion on September 17, 2018, with minor punch-list items remaining. The road should be open by the end of the year.

Mr. Harrison also stated that the renovations at the Administration Building are currently in Phase One: the slab is poured, some masonry walls are going up, and tie beams are being installed. They will transition to work on the interior of the building.

**C. Arrearages – None**

**D. Communications to the City Commission – None**

**E. FLL Update**

Ms. Straugh announced the next meeting of the Broward County Aviation Department, Airport Noise Abatement Committee will be on Monday, December 10, 2018.

Public Comments:

Mr. Steven Wherry, KC FXE Aviation Investments, LLC, reported on construction on Parcel 8AB. He said a revised schedule is putting their completion date back 3 ½ months; they had a longer than anticipated time during the permit review process for the sanitary sewer. They also have a pending review with the City for a special agreement between FP&L and the City in order to energize the site. Mr. Wheery said they are going through some exploratory work tied to the original contractors who installed the exfiltration system - this will cause a month's delay.

Their estimated completion date in February 21, 2019.

Mr. Wherry advised they are able to do some work while waiting for permits and have completed some items, such as water installation and ramp rock sooner than projected.

Mr. James stated that the update is acceptable to the Airport. They will meet in the next week to review details. The Airport has not yet received anything concerning the special agreement between FP&L and the City.

Commissioner Bolton announced the Taste of Tamarac event to be held October 13 at the Tamarac Community Center.

Mr. Watt extended an invitation to the Imperial Points Fall Harvest Picnic on October 20.

Mr. James announced a charity event hosted by the Airport: Fly Pink Walk with the Mayor on October 5 at noon.

**NEXT SCHEDULED MEETING DATE: Thursday, October 25, 2018 – 1:30 p.m.**

There being no further business to come before the Board at this time, the meeting was adjourned at 2:31 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 J. Rubin, Prototype, Inc.]