



CITY OF FORT LAUDERDALE

**AVIATION ADVISORY BOARD MEETING MINUTES
FORT LAUDERDALE EXECUTIVE AIRPORT
ADMINISTRATIVE OFFICE – MULTIPURPOSE ROOM
6000 NW 21 AVENUE, FORT LAUDERDALE, FLORIDA
THURSDAY, JANUARY 24, 2019 – 1:30 P.M.**

	Attendance	Cumulative Attendance 7/18 through 7/19	
		Present	Absent
Ed Kwoka, Chair	P	4	2
Edward Rebholz, Vice Chair	P	6	0
Louis Gavin	P	3	3
John Dool	P	4	0
Dana Pollitt	P	4	2
Wes Szymonik	P	1	0
Pierre Taschereau	P	2	0
John Watt	P	6	0
Cary Goldberg	P	2	0
Commissioner Marlon Bolton, City of Tamarac [non-voting]	P	3	3
Jeff Helyer, City of Oakland Park [non-voting]	P	6	0

Airport Staff

Rufus A. James, Airport Manager
Carlton Harrison, Assistant Airport Manager
Florence Straugh, Noise Abatement Officer
Mickaelle Bouchereau, Administrative Assistant
Angelia Basto, Administrative Assistant I
Marie Cine, Administrative Assistant
Valentina Messina, Airport intern
Valentina Rivera, Airport intern
Lisa Tayar, Recording Secretary, Prototype, Inc.

Guests

Chris Wilson, First Industrial Harrisburg

CALL TO ORDER

Chair Kwoka called the meeting to order at 1:36 p.m.

1. Roll Call

Roll was called, and self-introductions were made. New member Wes Szymonik gave a brief biography.

VOTING ITEMS

1. Approve Minutes of December 6, 2018 Meeting

Motion made by Mr. Dool, seconded by Mr. Pollitt, to approve the minutes of the December 6, 2018, with the correction as noted:

- Page 5: In the discussion about the pilot accident, remove the statement by Mr. James that the airport gave the pilot permission to return and land.

In a voice vote, the motion passed unanimously (9-0).

2. Fort Lauderdale Executive Airport Industrial Airpark – Lease Agreement with First Industrial Harrisburg, L.P., a Delaware Limited Partnership for Parcels B, C, and D

Mr. James recalled that at its September meeting, the board determined that First Industrial Harrisburg, L.P., a Delaware Limited Partnership (First Industrial) provided a favorable bid for the combined development of Parcels B, C, & D, which included economic terms that are advantageous to the City.

He reviewed the locations of the parcels, and showed aerials of the parcels. Parcel B has seven usable acres; Parcel C has ten acres; and Parcel D also has seven acres. Parcels B and D have a Natural Resource Area (NRA) designated by the County, of which the developers are aware.

The item received approval from the City Commission, allowing the Airport to move forward with negotiations, which are now concluded. When the lease is executed, the Airport will receive annual rental payments of \$738,381.62 (\$0.67 PSF), with annual Consumer Price Index (CPI) adjustments for a fifty-year term.

Five buildings will be constructed within five years, totaling 400,000 square feet; the properties are now just dirt. Upon buildout, the value of the improvements should be approximately \$38 million. Mr. James stated that the properties have been vacant for many years, and there are only two vacant properties left after that.

The project will be an enhancement to the Industrial Park, provide the best opportunity for increased Airport revenue and build-out of high quality improvements. Foreign trade zones will also benefit due to tenant rental.

Staff recommends the City enter into a Lease Agreement with First Industrial Harrisburg, L.P., a Delaware Limited Partnership for the development of Parcels B, C, and D in the Fort Lauderdale Executive Airport Industrial Airpark, and to include the following:

- A Lease term not to exceed fifty (50) years
- Annual rent totaling \$738,381.62 upon Lease commencement
- Consumer Price Index (CPI) adjustments annually

- Development consisting of 5 buildings totaling up to 400,000 square feet

Mr. James advised there were three proposals submitted to the RFP. He clarified that Parcel C was the Drive Shack property. Drive Shack wanted to put in an entertainment facility, but Midgard did not consider that appropriate for some of their tenants. Following some debate, Drive Shack moved on to another project.

Chair Kwoka asked why there was pushback on that project, but no pushback at this time. Mr. James explained that the parcel is zoned for restaurants/warehouse/office space, and the current proposal is for warehouse and office development. Mr. Goldberg said that it would meet the Uptown conditions.

Mr. Pollitt asked if there were renderings of the property and wanted First Industrial to become part of the economic development of the area.

Chair Kwoka invited the representative from First Industrial to share their plans for the property.

Chris Wilson, First Industrial, said they wish to build three buildings, one on each parcel, all at the same time. They anticipate groundbreaking on September 6, 2019. He did not have specific renderings available, but said the buildings would be similar to each other and be modern industrial space – “bulk warehouse facilities.” The clear height would probably be 28-32 feet high with lots of glass, parking, and landscaping.

Mr. Wilson added they intend the buildings to have a South Florida look in color, etc. They are not building to sell, but to own and operate it in a “first-class manner.”

Mr. James said that the developer would have the ability to modify their plans (for example, building a hotel) with the approval of the Planning and Zoning Board.

Mr. Wilson said the construction type will be concrete panel tilt-up buildings, which is a better quality than metal. The buildings will be different depths, each capable of handling various sized tenants from 8,000 square feet to 140,000 square feet. Typically, the tenants have five (5) to ten (10) percent office space in the front, with light manufacturing, assembly, or warehousing. They do not intend to include cold storage, but could do it if they knew before the start of construction.

Vice Chair Rebholz asked if they have other facilities in the area. Mr. Wilson said the company is expanding their portfolio, including two others in the entitlement process in Broward County and several other possibilities in Miami-Dade County. He said they own six older buildings south of the Airport. Butters Construction will be partnering on the new project.

Chair Kwoka remarked that this is the first time he has not seen a “roomful” of lawyers at a presentation and asked why this project is different. Mr. James gave historical background on the parcels. After a lease termination, the Airport completed the County’s

requirements for the parcels, clearing vegetation, establishing the NRA, and making the property presentable for a developer to come in without dealing with that work. The City's realtor assisted with marketing the parcels.

Mr. Goldberg inquired if the termination language in Paragraph 38 of the lease was standard, and Mr. James clarified that is a negotiated term. Rent will be paid from the inception of the lease. Mr. Goldberg confirmed they could terminate and stop paying rent on the unused portion of the parcels. Mr. James said he would have to check with the City Attorney to see if the construction bond was placed on the entire development, or on each parcel separately.

Vice Chair Rebholz confirmed that if they go five years without building anything, First Industrial could "walk away" and the Airport would have \$3.5 million.

Chair Kwoka asked for clarification on the Foreign Trade Zone (FTZ) in the lease. Mr. James advised that the Airport is a designated FTZ but, at this time, the developer is not planning on exercising that. In the future, that might be a possibility if a tenant comes in.

Mr. Wilson confirmed that the lease is not a joint venture partner other than Butter Construction.

Motion made by Mr. Pollitt, seconded by Mr. Watt, to approve the lease agreement. In a voice vote, the motion passed unanimously (9-0).

UPDATE ITEMS

A. Noise Compatibility Program

Ms. Straugh reported record low reports for the summer. There were 38 calls in November and 51 in December.

Ms. Straugh advised that annual operations peaked in 2000 over 250,000; the numbers bottomed out in 2009 with about 150,000 operations. Noise calls peaked in 2004, with nearly 7,600 calls in one month. Since 2012, the calls have been declining each year. The winter months present more noise calls with the increase in aircraft operations. The number of aircraft operations typically peak through March and April, during Spring Break.

Ms. Straugh said that most calls are associated with arrivals, since the departures are turned away from the neighborhoods to the east. When winds come out of the west, the winds are usually associated with a cold front, and the residents to the east experience nearly 100% of the arrivals, even though aircraft arrivals are typically quieter than departures.

Mr. Watt noted that arrivals are "low and slow," while departures are fast. One resident suggested to him that they scatter the arrivals, but Ms. Straugh said that the FAA will not

alter arrivals for aircraft safety, as this is one of the most critical phases of flight. Ms. Straugh explained that the aircraft have to operate into the wind for safety.

Mr. Watt commented the difference in departure noise has been phenomenal.

Ms. Straugh advised they have an online reporting form in addition to the Airport's 24-hour aircraft noise reporting line. The online flight tracking system is accessible to the public that shows noise, altitude, and flight path. Noise Exposure Maps are shown on the online flight tracking system, which indicated the annual average noise level. These maps are periodically updated. When the maps are compared, it shows that the noise contours have significantly shrunk over the past several decades.

Mr. Helyer noted that many residents have switched to impact windows, which significantly reduce noise.

Mr. Watt pointed out that the disparity between the number of people who call versus households who call can be attributed to the fact that there is nothing the Airport can do, resulting in a level of apathy in the residents. Mr. Dool said the Airport is internationally renowned for its noise abatement program, but there is a knowledge gap between people moving into the community and those already here and the gap needs to be closed.

Mr. Dool said it is easy to explain how the noise will be different when a cold front comes in or the wind changes, but it is harder to explain noise on a "nice day." Ms. Straugh stated that seasonal information is disseminated in the homeowner association newsletters in advance of the peak season for awareness.

Chair Kwoka asked Mr. Gavin what American Airlines' policy is. Mr. Gavin stated the following points:

- Runways use does not change because of noise, it is always about safety
- Controllers may give airplanes a heading to get them on course faster, but the pilots operate the airplane according to the flight manual unless there is a published noise abatement procedure. If not, there is always a power reduction at 1,000 feet.
- Landing results in less noise, but for a longer period of time.
- Newer airplanes are quieter.
- A lot more could be done here, as it is done in some foreign countries, such as a close-in takeoff
 - Jets have to be configured and stabilized by 1,000 feet in the United States. In some countries, the height is 1,500 feet.

Mr. James stated that the Airport is always open for residents to see the program and he goes to HOA meetings when requested to help close the knowledge gap. Comparing the web tracking program year by year is another method of educating residents. Informing tenants is also important.

B. Development and Construction

Mr. Harrison reported Phase One is progressing with restroom remodeling and the installation of drywall and HVAC systems. Once Phase One is completed, the contractor will move inside the Administration Building to begin the interior renovation. The project is progressing.

Mr. Harrison also reported on the West Perimeter Loop Road. The contractor started installing the loop road in Late November on the west end of the Airport. Stanford Construction is the contractor; it will take five months and the cost is slightly over \$800,000.

C. Arrearages

Mr. James reported that Lots 23 and 24 have paid partial rents for January and have received a default notice.

Fuel flowage fee is paid and has been resolved.

D. Uptown 5K on the Runway Press Release

Mr. James said the run/walk will be a partnership with Trustbridge Hospice. It is scheduled for April 13, 2019, from 8:30 a.m. to noon. The intersecting runway - #13 south of Alpha - will be closed.

The FAA required submittal of a full packet of impacts and several tenants were contacted. One tenant had suggested putting static aircraft on display at the intersections along the runway. Mr. James detailed the route of the 5K.

The Customs Office opens at 8:00 a.m., but Mr. James hoped there were no planned arrivals. If someone does come in, Airport staff will work with the Customs Office.

E. Walk-on Item: City Appointment of Law Firm of Kaplan Kirsch & Rockwell, LLP to Represent the City with Aviation Matters

Mr. James indicated there are instances of regulatory matters arising for which FXE will seek outside counsel, in lieu of using the City Attorney's office.

Kaplan Kirsch had previously been retained for a pilot payment in lieu of taxes matter which had come up several years ago. They are looking to continue to use Kaplan Kirsch for currently outstanding matters including the pilot payment in lieu of taxes as well as a Part 16 brought forward by an existing subtenant.

The FAA has provided a response to the Part 16 finding FXE in compliance; however, the FAA's decision is now under appeal by Southeast Turbines.

The City Attorney's office is also reaching out to Kaplan Kirsch to handle any issues that may arise from the Part 150 Noise Study for FLL.

Chair Kwoka noted that the City had proposed a resolution covering general legal interests for FXE, however, the Part 150 Study had been included. He questioned whether fees allocated to FXE were being used for the Part 150 Study being undertaken at FLL. Chair Kwoka also took issue with the \$125,000 in legal fees allocated to Kaplan Kirsch for FXE including language for the Part 150 Study.

Mr. James stated that because the Lauderdale Isles neighborhood northwest of FXE is included in the Study, the City wants to ensure they are kept apprised of events in that regard.

Chair Kwoka suggested that the City separate the language for legal services rendered for FXE and legal services for the Part 150 Study. He opposed spending staff resources and time on something they could not make any difference about, due to the language in the resolution.

Mr. James gave assurances that they have a process for verifying legitimate legal fees attributable to FXE.

F. Communication to the City Commission (not addressed)

Mr. James announced that, according to the 2019 Pilot's Choice Awards, Banyan Air Service was ranked as #2 of the top 50 FBOs in the United States. He also announced that the U.S. Customs and Border Protection facility located at FXE was designated as #1 in the country for activity and for customer service. In addition, the Air Traffic Control Tower was ranked #1 nationwide by pilots.

Regarding runway incursions, there were approximately eight instances in 2018, which is down from 10 in 2016. Mr. Harrison said they spent \$2.1 million in grant funds (with an Airport contribution of \$300,000) on loop road projects and other safety programs. Mr. James said they have sent notices to their tenants about wrong turns on taxiways, and tenants have been asked to escort their guests off the premises.

Chair Kwoka asked how many fuel or tow trucks had incursions, and Mr. James said there were none in the past year. Mr. James continued that pilots had complained about inconsistent signs and markings, which is now corrected.

Chair Kwoka commented that no pilot would taxi on a perimeter road, and he wondered if money was being spent wisely. Mr. James said that the FAA advised getting the tugs and fuel trucks off the taxiways once their job is done and onto a perimeter road.

Mr. Harrison said the Airport is not #1 anymore, and maybe not even in the top 10.

There were 112 helicopter landings in November, and Vice Chair Rebholz suggested that the heliport might be in the wrong place (for noise). Mr. James was not aware of any noise or nuisance complaints. Everything is video-recorded so the Airport staff could be aware if there is too much activity, such as touch-and-go activity.

Discussion ensued about use of the heliport, with it being noted that the Coast Guard, corporations, and individuals use it.

Mr. James announced the Challenge Air event, where physically challenged children can experience flight.

Mr. James introduced two new Airport interns, Valentina Messina and Tina Rivera, who will be at the Airport through the spring semester. They are paid internships, designed to fill a gap in the aviation industry.

The Airport Open House will be January 30, 2019, and the NBAA Forum will be February 6, 2019, in Palm Beach.

NEXT SCHEDULED MEETING DATE: Thursday, February 28, 2019 – 1:30 p.m.

There being no further business to come before the Board at this time, the meeting was adjourned at 3:00 p.m.

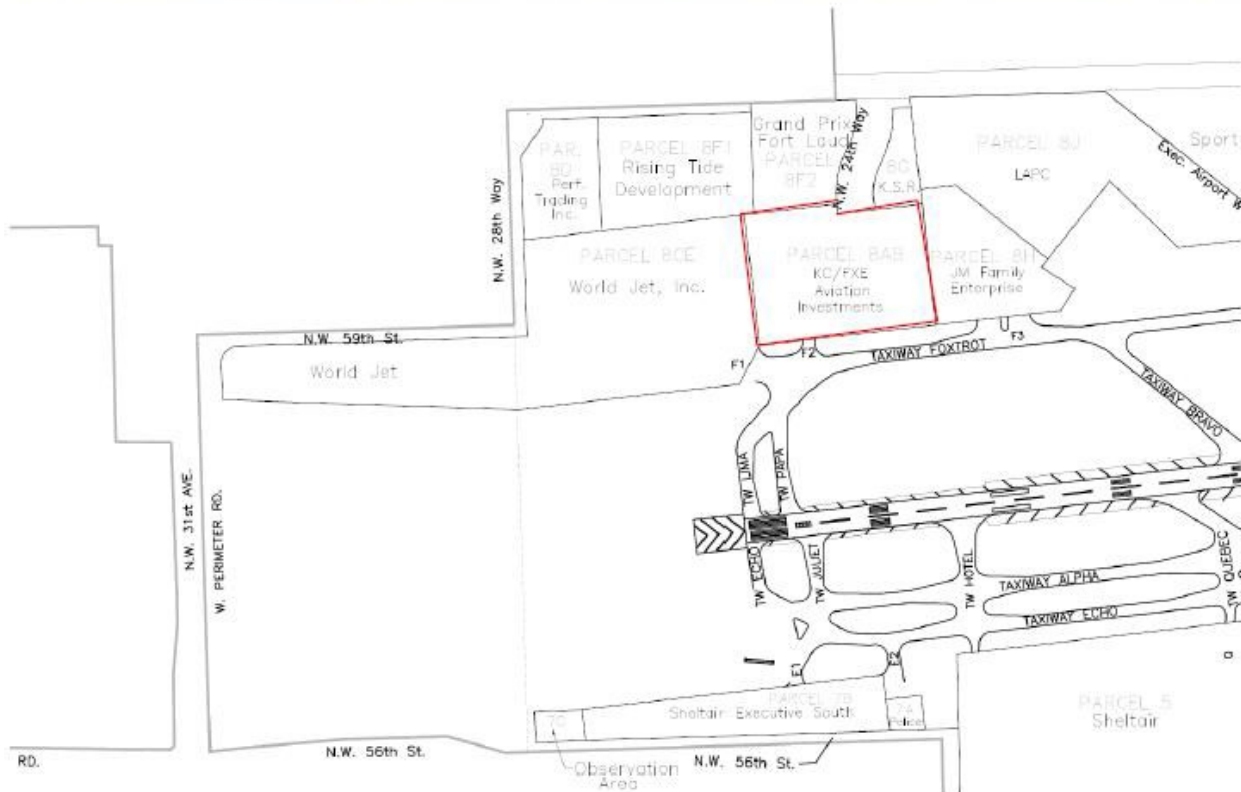
Any written public comments made 48 hours prior to the meeting regarding items discussed during the proceedings have been attached hereto.

[Minutes prepared by J. Rubin, Prototype, Inc.]

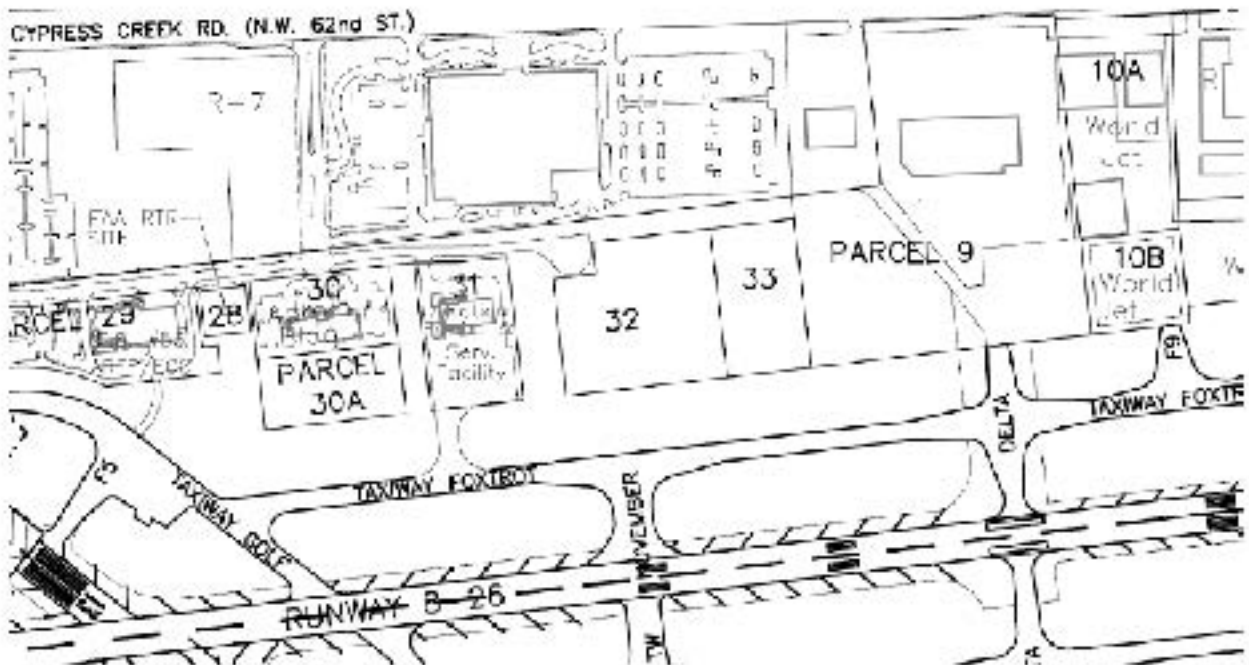
Attachments:

Aerial photos of Parcels B, C, and D – Rufus James
Graph of December jets – Florence Straugh

ITEM 1 EXHIBIT 1



ITEM 2
EXHIBIT 1



COOPERATIVE NOISE ABATEMENT EFFORT

Month of January

February 28, 2019

Percentage of Jet Departures Per Runway

