

Summary of Discussion
Broward County Charter Review Commission
Transportation Subcommittee Meeting No. 2
Wednesday, April 18, 2007- 10:00 AM - 11:30 AM
115 S. Andrews Avenue, Annex - Room A-200
Fort Lauderdale, FL 33301

Members Present:

Michael Buckner, Esq., Chair
David Esack
Petey Kaletta
Bruce Rogow
Jodi Jeffreys-Tanner

Members Absent:

Ted Mena, Vice Chair

Others Attending:

David Andittoni, Port Everglades
Bob Bielek, Interim-Director, Broward County Aviation Department
Chedley Etienne, Administrative Assistant, CRC
Yolanda Grooms, Administrative Specialist, CRC
Maria Gross, Assistant Director, CRC
Mr. Mark Ketcham, Board Member, CRC
Phyllis A. King, Transcriber, PKING Consulting
Ms. Lisa Vondrak, News-Abstracts.com
Patricia G. West, Executive Director, CRC

(A copy of the sign-in sheets identifying those present is filed with the supplemental papers to the summary of this Subcommittee Meeting.)

A meeting of the Broward County Charter Review Transportation Subcommittee "Committee, Subcommittee, or TSC", was held at 10:00 a.m. on Wednesday, April 18th, 2007 at the Broward County Governmental Center Annex – Room A-200, Fort Lauderdale, FL.

I Call to Order/Roll Call

Chair Michael Buckner, Esq. called the meeting to order at 10:08 a.m. The Chair requested the roll call by Phyllis A. King, PKING Consulting, Inc. Upon completion of the role, the Chair recognized the presence of a quorum for the record.

II Review and Approve Summary of Discussion from TSC Meeting of April 5, 2007

The Chair opened the floor for change / revision requests to the Summary of Discussion.

Ms. Tanner MOTIONED to accept with a few minor correction requests which affected pages 2, 6, and 16. Revisions were accepted. The motion was SECONDED by Mr. Esack and passed unanimously. Ms. West advised that the revisions will be corrected and updated on the website.

The Chair welcomed Acting Director, Robert Bielek of the Broward County Aviation Department (BCAD) and thanked him for being present today.

III Presentation: Robert Bielek, Acting Director, Aviation Department [10:11a – 11:38a]

Mr. Bielek distributed a set of *Alternative* slides from the *Federal Aviation Administration (FAA) Draft Environmental Impact Statement*, which he explained are a portion of a presentation made by the FAA during the County Commission Workshop and Public Information Sessions with the intention of bringing the TSC up to date on where BCAD is in the Environmental process for Airport Expansion.

Ms. West advised the dais that she has the document electronically and will distribute it electronically. Mr. Bielek advised that it is also available for download from BCAD's website under FAA Presentation.

Bielek provided an overview of the Master Plan Alternatives since they were not included in the handout. He stated that where they are today is, on March 30, 2007 the FAA issued a Draft Environmental Impact Statement (DEIS) based on the proposal that the County Commissioners made in December of 2003. He advised that in September of 2005 the FAA changed standards which led to Alternatives B1b/B1c, B4, B5, C1, D1, and D2 which are provided in the handout.

A discussion ensued during which Mr. Bielek provided description breakdowns for each of the Alternatives during which the following questions and answers took place:

Alternative B5 - Ms. Tanner asked Mr. Bielek if the South runway would move South 300 ft. Mr. Bielek responded yes, and B4 would move the centerline of the runway North 320 ft. from the existing runway.

Alternative C1 – Ms. Tanner asked if 27R is the primary runway. Mr. Bielek responded that 9L/27R is the primary which is the North runway. He then advised that the number on runways is the bearing of the runway with a zero dropped (i.e. 9 = 90°) which gives you the runway heading. He advised that Left and Right are when you are facing that end.

Mr. Esack asked if there are any advantages on Alternative C1. Mr. Bielek advised that a number of the Alternatives were carried because of community complaints and requests by Commissioners to look at various alternatives. He advised that the FAA went through and really bent over backwards to keep a number of Alternatives in play and to be analyzed to the end.

Mr. Bielek explained that once the Alternatives go beyond the year 2020, FLL begins to run out of capacity again, where delays start bounding over the 6 to 10 minute window. He stated that he has heard people question this delay window, asking what the difference is between 6 and 10 minutes and he explained that this is the average delay for each operation and when there are 350,000 operations, 4 minutes means 1.4 million minutes or 20,000 hours of delay which is a lot of fuel burning, emissions put into the atmosphere, and a lot of cost incurred by the airlines. He explained that this led the FAA to look into Alternative combinations to determine the most that can be done with the site.

Alternative D1 = B1& C1 combined

Alternative D2 = B4 & C1 combined

Mr. Bielek explained that the **Summary of Analysis (Page 30)** shows what kind of payoff and how long payoffs can be obtained when looking at each Alternative as an investment decision. He explained that the graphic is essentially the number of operations per year at 6 minutes of

delay as currently forecasted in the latest terminal area forecast by the FAA. He advised that they reduced their forecast substantially from what had been done before, which is what led to the 90 day delay in the original Draft Environmental Impact Statement (DEIS) schedule from December to March.

Mr. Bielek explained that in 2005 FLL led the nation in delay which backed up traffic all the way up the East coast into Canada which declined after hurricane Wilma. He explained that at the same time the FAA went back and looked at the forecasts for both MIA and FLL because there was concern of double-cutting, which was found to be true therefore, the FAA looked at whether the overlap meant much because there was a thought that some of the traffic could go to MIA. This enabled them to find specific niches that the 2 airports served. Mr. Bielek informed the dais that FLL is an origin-destination (O&D) airport for South Florida, which is not just for Broward County, but for MIA, Broward and southern Palm Beach County. He stated however, that Palm Beach Airport is far enough away that there is no real overlap, because it is outside of the market area for Fort Lauderdale. Mr. Bielek advised that FLL has double the O&D passengers as MIA; even though MIA's total number of passengers is higher because MIA is a major transfer operation, a gateway international hub servicing Africa, Europe and Deep South America and, as a result there are very few O&D passengers by comparison at MIA, as compared to FLL. Mr. Bielek advised that the studies conducted by Landrum & Brown indicate that this is not going to change because MIA's costs per airplane passenger are getting so high that it is almost impossible for MIA to be competitive with fares to FLL. He explained that fares to FLL are substantially lower than at MIA, which is simply a matter that the airlines have to pay a lot more to take passengers to MIA than they do to FLL which is unlikely to change.

Mr. Bielek explained that based on the Summary in 2008, FLL will be back at 6 minutes average annual delay. He described the white bars at years 2012 and 2020, explaining that 2012 is the earliest year FLL is likely to have additional capacity on the ground, and 2020 being the horizon year. He stated that Alternative B4 is subject to pilot refusals because it is only 6,000 feet. He explained that in the Aviation Industry, the County can control to some degree what happens on the ground, but it is federally preempted that the FAA owns the airspace, and the County has no ability to control what happens once the wheels are off the ground. He stated that the FAA has limited authority as well, and the final authority on any aircraft operation rests with the power in command. He advised that whether the FAA assigns a particular runway or not, a pilot can

refuse that runway, and it is not uncommon for pilots to refuse short runways when long runways are available, even if they have to take delays. He explained that Landrum & Brown looked at Sensitivity Analysis based on pilot refusal of the short runway, and what was found in low-case with Alternative B4, is that you are back at 6 minutes of delay by 2016 (4 years post opening).

Mr. Bielek explained the **Summary of Analysis (Noise Impacts) (page 31)**, which he stated is a hotbed of contention in any location.

Mr. Esack inquired which runway was the 8,000 ft. runway.

Mr. Bielek responded that this would be either B1b or B1c, which are the same physical runway. He explained that B1c includes the Interlocal Agreements that exist between Broward County and the Cities of Dania Beach, Hollywood and Fort Lauderdale. He explained that B1b is unrestricted use of the South runway and balanced.

Mr. Bielek explained the Noise Impacts to the residential dwellings based on each alternative. He explained that what was decided in the EIS was that by 2020, since the FAA is not a party to the Interlocals that, they would need full use of the runway, and would use it anyway, or that Broward County would mitigate in accordance with the Interlocals and the Interlocals themselves would melt away. He stated that the Interlocals have a melt away provision if FLL mitigates to the 65 at any stage, then we can move on to that stage. He advised that because of the numbers involved, it really is not outside the realm of possibility to mitigate 652 residences by the time the runway opens in 2012, nor is it outside the realm of possibility to mitigate 1,000 residences by 2020. He then advised that B5 has the most impact in 2020, which is roughly 2100th of 1% of the County's population within the 65 DNL contour. Mr. Bielek advised that the Noise Impacts Analysis does not mean that the number of people who live there aren't affected; he stated, that it means from a County standpoint the number of people affected is relatively small and from an FAA standpoint in looking at Land Use, it is not as much of a significant impact.

Mr. Bielek advised of Land Use effects across all other Alternatives. He also stated that there are some associated costs that were not included in the impacts, and advised that with Land Use and Zoning Changes, the County has done a very good job, but municipalities have not, as far as zoning compatibility with the airport. He advised that he was Chief of Planning for the FAA in the 70s and early 80s and he completed the 1st Noise and Land Use Compatibility Study for FLL. Mr. Bielek advised that with the County Comprehensive Plan, and with the fact that there is no vacant land to zone, there are no changes needed in the County's Comprehensive Plan. He advised that there will never be any residential use within the 70 DNL. He advised that within the 65 DNL, it is typically addressed with soundproofing, or possibly a guaranteed purchase option, which are the both being considered in the Part 150 Study.

Ms. Tanner asked with regard to the Noise Contour Study current vs. future with expansion of the runway.

Mr. Bielek advised that there are no noise sensitive facilities, Schools, Churches, Libraries, Nursing Homes within the 65 DNL contours, which is the Federal level of significance.

Ms. Kaletta asked if MIA has noise sensitive facilities within the 65 DNL.

Mr. Bielek advised that they have quite a few.

Ms. Kaletta asked how they get by with it.

Mr. Bielek advised that a Part 150 Study is voluntary, so if you don't get involved, you don't have to do anything about it, unless someone sees it. He advised that FLL has always been ahead of the game and that the first Part 150 Study was done back in 1987.

Ms. Kaletta asked Mr. Bielek about Air Quality Standards and the EPA.

Mr. Bielek stated that the Air Quality Standards are the EPA Standards Order 5050.4b. They are the Standards established for Fish and Wildlife Standards that are adopted, and all

incorporated into the Order. He stated that the Airport currently uses best management practices on all drainage systems etc. as it pertains to Water Quality Standards and that Wetland Mitigation is occurring in conjunction with Port Everglades in Westlake Park.

Ms. Tanner inquired as to whether the Wetlands are Environmentally Sensitive Lands (ESLs).

Mr. Bielek replied no.

Mr. Bielek advised the dais that with Wildlife, an Agency comment was received from Fish and Wildlife, advising that a nest of Wood Storks are located 14 miles northeast of the Airport. He advised that they have a published foraging range of 18.6 miles, and they've asked FLL to be concerned about this as the mitigation plans are developed. He advised that great lengths are taken to discourage birds, falcons, owls, including using canons to scare them, and cutting grass only at night.

Mr. Bielek advised that there are 2 Public Information Sessions remaining in Pembroke Pines tonight and at the Library at 1300 East Sunrise tomorrow night.

Mr. Bielek advised that in 2002, Leigh Fisher measured the economic impact of FLL at \$2.2 Billion and 30,000 jobs. They forecast that with capacity improvements, by 2015 it would increase to \$5.8 Billion and 55,000 jobs. He stated that this shows that the Airport, like the Port, is a major cylinder in the economic engine of Broward County. He advised that the actual Public Hearing will be held on May 1st, where a workshop will take place and the public will be allowed to provide comments;. there will not be an exchange, because the FAA will address each comment received (they will lump similar comments together) in the Final EIS. Mr. Bielek advised that the next Board meeting is scheduled for June 5th at 6pm in room 422. He advised that the Final Environmental Impact Statement is expected from the FAA by the end of the year. He advised that we could have a Record of Decision (ROD) at about the same time, and it is highly unlikely that anyone will be able to get an injunction to stop what is going on, or to overturn the FAA finding on appeal. The FAA has never lost an appeal on an EIS where they followed their own procedures.

Ms. Tanner asked if federal funding is ready.

Mr. Bielek replied that federal funding is questionable, as FLL has not been counting on it, other than in the passenger facility charges, because the FAA's Airport Improvement Program ends on September 30, 2007. He stated there is talk of renewing it, or coming up with a new funding source, but there is much controversy because the FAA is trying to institute a rates and charges policy for Air Traffic Control Services. Mr. Bielek advised that they do however, expect the reauthorization based on the old FAA AIP bill for a year to carry over until next year, but advised that they are not counting on anything beyond PFC funds in their financial planning.

Ms. Tanner inquired as to the cost of each Alternative.

Mr. Bielek provided the following range of costs per proposed Alternative:

B1 - \$694 Million he advised that this estimate has a lot of internal contingencies and 20% a contingency on the end. He stated that it is probably good for a 3 to 4 year escalation.

B4 - \$525 Million - Skeptical of it, because terminal reconstruction is not included in the plan.

C1 - \$450 - \$475 Million (facility locations required)

D1 - \$1.2 Billion

D2 - \$950 Million

A discussion ensued with regard to Cost per plane passenger at \$6 in comparison to the range around the Country. Mr. Bielek advised that \$11.00 PPP would put FLL at the mid-point in comparison to the rest of the Country for a large Hub. He advised that FLL will be a category X Hub by year's end.

Mr. Bielek advised that there are other issues, such as with the Terminal Complex – Board that will have to make a decision on 4 Unit Terminals, which is not necessarily a problem, but does create Transportation problems. One alternative is to convert the Palm Garage into a landside processor into the building with parking on top. He stated that the existing terminals can be converted into post-security concession space, which FLL is currently devoid of. He advised that relatively inexpensive concourses can be built via remodeling at that time. Then traffic and other improvements can be made.

With regard to Cruise Passengers, Mr. Bielek suggested that separating passengers and their bags. ??????

Mr. David Anderton, Planning Manager of Port Everglades stated that the Port concurs with this suggestion. He advised that he works with Phil Allen and he was sent to attend today's TSC meeting on Mr. Allen's behalf. Mr. Bielek stated that FLL is working closely with the Port and will be working with the Cruise Lines and Airlines to try to separate their bags at the Port. He advised if this can be done, then passengers who currently have to sit at the airport waiting with their baggage, can now be sent on excursions to Las Olas or at the Sawgrass Mills.

Ms. Kaletta asked if the baggage handling would also be done in reverse, if the people are going from the Cruise line to the Airport.

Mr. Bielek advised that this is the next step. It is being done at Disney and in other places currently, and it will really simplify the exchange between the Port and the Airport. He stated that excursions could be sold the same as cruise stop excursions are sold. He advised that the place to perform the bag screening is the existing Facilities Maintenance Building which would be converted. The dais asked a series of questions with regard to the length of time before it happens, funding and other issues with regard to baggage handling. The conversation then moved to funding.

Ms. Tanner asked if major airlines kick in funding toward airport improvements.

Mr. Bielek responded that they can until 2011. He stated that the current Lease and Use Agreement is a complete residual agreement which he explained means revenues are generated from other sources and federal funds, and then airlines are asked permission to do individual projects. He stated that what happens then is that they are on the hook for anything BCAD does not have the money to cover. Airlines are obligated through their rates and charges to come up with the money. He advised that the agreement with the Airlines expires in 2011, and BCAD is looking to start negotiating how it will operate after that time. He stated that many airports have moved to Strict Compensatory Agreements, where the airlines are charged

“whatever”. He advised that many agreements are being updated due to their 30 year cycles, and many are going ¾ of the way between Residual and Compensatory Agreements, which are closer to compensatory, but still gives the Airlines some say, but can obligate them for longer periods of time. Mr. Bielek then provided examples of the compensatory, and a discussion ensued.

Mr. Rogow asked Mr. Bielek what the Charter Review Commission can do to improve the situation of the Airport.

Mr. Bielek suggested that the CRC should recognize what is possible with the synergy between the Port and the Airport. He advised that across the Country, most Port Authorities that have had both Ports and Airports over the past few years have pulled them apart rather than put them together. He advised that this is because of something that FLL does not have, called “Diversion of Funds”. He stated that BCAD through agreements with the FAA is not permitted to spend enterprise funds (Airport revenue) for anything other than development of the airport. He advised that this makes it very difficult as you put functions together; you get into where you have to keep a ridiculous amount of records on each, because when Federal Auditors audit, they will ask for repayment of what they believe to be unreasonable. He advised that BCAD has a lot of vulnerability, then provided examples and discussion continued.

Mr. Bielek informed the subcommittee that the Port and the Airport have a lot of things that the two agencies can work on together; but trying to be together as one entity, he stated, would not think works very well.

Ms. Tanner added, but to continue to work under the provisions of the County Charter.?

Mr. Bielek replied yes and said that he believes that the way it is set today works quite well with both being Departments and working together.

Mr. Rogow asked how many passengers go through the Airport and Seaport.

Mr. Bielek responded approximately 22 million for the Airport, and Mr. Anderton responded approximately 7 million Cruise passengers.

Mr. Rogow asked if there is a way to place a surcharge on each ticket that would go directly to the Airport.

Mr. Bielek advised that there is currently a passenger facility charge of \$4.50 collected on every ticket for every departing passenger at the airport. \$1.50 of which goes to a fund set aside for noise mitigation, and the other \$3.00 goes to funding projects or paying the debt service on bonds that are PFC eligible. He advised that there is discussion about raising the ceiling on the facility charge to \$7.00.

Mr. Rogow asked how this compares nationally.

Mr. Bielek responded that it is the same nationally. But the reason this is inequitable, is because most cost deals with O&D passengers, most require parking, curbside, security screening, baggage screening, none of which is associated with a transfer passenger. He also advised that parking structures are not eligible for any federal participation - Hangars, Parking Lots or Parking Garages have been ineligible for PFC or any federal assistance since 1946. A discussion ensued with regard to state matching funds and parking fees.

Mr. Bielek suggested that the TSC can also help in the area of parking. He advised that BCAD plans to go to the County Commission in the coming months to request under Chapter 39 to raise rates and charges including employee parking, remote parking and parking in the garages. He advised that FLL rates are among the lowest in the nation, at any large airport. He advised that employee parking is subsidized and they are losing money. He advised that with the two new garages just built they barely break even on the parking in the main garages themselves.

Mr. Buckner asked Mr. Bielek if he would be in favor of creating an Authority Board as it relates to the Charter, similar to that of the City of Jacksonville.

Mr. Bielek advised that Authorities can get things done that typically local boards cannot. He stated that it is much more difficult for single member districts to get above the influence of small interest groups, which makes it very difficult to manage a large hub airport. He advised that

virtually anything would be an improvement from what we have now. A discussion ensued with regard to similar Authorities and their success / unsuccessful rates.

Ms. Kaletta asked Mr. Bielek if the Airport is self- sustaining with its funding. Mr. Bielek advised that both entities are self- sustaining.

Mr. Bielek advised that the Airport and the Seaport are working well together as offices of the County. He stated that it is very difficult to manage the constant changes that occur within the industry. He stated that there are some authorities combined that still work, such as Seattle, and they can levy taxes to the Port. *Mr. Bielek stated that he would be comfortable with any change that reduced the influence of small groups.*

Mr. Rogow asked Mr. Bielek, in his experience, which is the best Airport Authority that he has seen. Mr. Bielek responded Tampa International, because they have made a conscious decision to establish real policies and not to get involved in operational decisions. As a result, the staff has been able to develop the expertise and ability to conduct day to day operations, and develop a system that they can keep the board advised of where they are going, what is happening, when policy decisions are coming up, and are going to be needed. He stated that they have developed a system that works very well in this respect. He advised if he were going to model himself after anyone it would be after Tampa.

Mr. Rogow asked how many members are on Tampa's Airport Authority Board.

Mr. Bielek replied 5, including the Mayor of Tampa, the Chairman of Hillsboro County. The other three are appointed by the Governor. He reported that most of the Airport Authorities in Florida are State Authorities, and the only one that is odd, is Sarasota/Manatee, which has two from Sarasota County, two from Manatee County.

Ms. West asked if they have Strong Mayors or Elected Mayors in those areas.

Mr. Bielek expressed concern for his job, and advised the dais that he could not suggest an Authority. However, he stated that the point is that Authorities have more ability to respond to the dynamic situations, than both Seaports and Airports have.

Mr. Buckner responded that they're businesses, and you have to be able to react quickly to the changing business environment.

Mr. Bielek agreed, stating that if you are going to operate on a business model, you have to have that ability.

Mr. Rogow asked if any of them are appointed.

Mr. Bielek advised that typically it is, for example in Orlando, the Mayor of Orlando and a representative of the Board of County Commissioners. So, in some cases, it may be the Chairman and whoever the board appoints to it, and then there are three additional appointed members.

Ms. Kaletta asked if Tampa also has an Authority for their Port which is set up the same way.

Mr. Anderton advised that they do have a Port Authority.

Ms. Tanner inquired as to Taxing Districts.

Mr. Bielek advised that there are none, and FLL has the 3rd highest Bond rating of any airport in the Country; only Seattle and Las Vegas have higher ratings. Las Vegas because of the activity and growth, and Seattle because they can issue taxes.

Ms. Kaletta asked why FLL is so high.

Mr. Bielek responded because we have been very frugal over the years which are part of the problem. He advised that we have not built the facilities, we've overtaxed our facilities, we've not done the R&R work that needs to be done, and the airport is showing it.

Ms. Tanner asked Mr. Bielek if he has any idea of the economic impact with regards to the Airport Expansion with larger planes and international market etc.

Mr. Bielek advised that he does not think the International Market will change that much. He advised that our International Market will be primarily Canada, the Islands, Central and South America. He stated that we may stretch further into South America than is done today.

Mr. Rogow asked if the Executive Airport is useable in any way.

Mr. Bielek advised that the Executive Airport is pretty much at Capacity, but they did extend their hours of Customs and Boarder Protection Installation in the evenings. He stated that North Perry Airport's runways are too short. He advised that Palm Beach at 54 miles, with the difficulty of North/South traffic, there is no overlap. He again advised that FLL's market area actually extends into the South part of Palm Beach County.

The dais thanked Mr. Bielek for his presentation and informed him that he, or whoever the new Aviation Director is, will be invited back.

Mr. Rogow expressed interest in seeing information on the Tampa Port Authority.

Ms. West advised that she will obtain information and a link if possible. She then suggested that Ms. Kaletta provide information to the dais regarding what the MESC had in mind, because they found efficiencies that could be made in terms of operations, at both the Airport and the Seaport. She advised that this might be a good idea, since the dais has heard that it is not a good idea to put them together.

Ms. Kaletta explained that Commissioner Lieberman and Commissioner Ritter were the driving forces that were onboard to thinking that promotions and marketing could be done together between the Port and Airport because of how they work. She also advised that there were internal areas such as Human Resources and Purchasing that could be combined which would make it more efficient. She then suggested that the TSC looked at this from the original MESC ideas and put into place ???whether it will be more record keeping and keeping track of how

the monies are spent. Following discussion it was agreed that Ms. West will request information from the separate entities regarding enterprise funds.

Mr. Rogow made note that the matters are not Charter matters and suggested the dais stay focused.

Mr. Buckner concurred, stating that the Charter is the outline and he feels that government Charters have become cluttered with more operational and micromanaging type items. He suggested that the TSC look at things that make the Airport and Seaport more efficient.

Ms West advised the Chair that there was a need to entertain a motion to extend the meeting. Mr. Rogow made the **MOTION** to extend the meeting. Ms. Jeffreys-Tanner **SECONDED** the MOTION.

Mr. Buckner continued and advised that he'd like to provide the Airport and Seaport the resources and the operational support in order to do what they need to do. A general discussion ensued through the dais with regard to the Airport and Seaport being a major County asset, and the process of making any Charter Amendment. Following discussion, it was agreed that more information would be obtained in an attempt to address any potential issues, it was also decided that a review of the reports by Mr. Mel Wilson from the MESC, with regard to other Ports would be examined.

Ms. West advised that the report is also available on the MESC website. Mr. Buckner reminded the dais that they have until September 1st to work out all issues.

IV Old Business

None

V New Business

None

VI Public Comment

None

VIII ADJOURNMENT

There being no further discussion and no additional comments Mr. Rogow **MOTIONED** for Adjournment and Ms. Tanner **SECONDED**.

The next meeting of the TSC is scheduled for May 3, 2007 at which time Mr. Roger Delrio of the MPO will be guest speaker. The meeting was adjourned at 11:50AM.

The minutes of this meeting are recorded on CRC-TSC CD # 4.18.07 (BCGV CTR)