

**Lee County Board Of County Commissioners
Agenda Item Summary**

Blue Sheet No. 20050512

1. ACTION REQUESTED/PURPOSE:

Approve special event permit for the Southwest Florida Aviation Foundation to hold their Fort Myers Beach Airshow on May 12 through May 15, 2005.

2. WHAT ACTION ACCOMPLISHES:

Board approval is required for outdoor events where the expectancy is for 5,000 persons or more a day.

3. MANAGEMENT RECOMMENDATION: Approve

4. Departmental Category: 06

06g

5. Meeting Date: Date Critical
April 26, 2005

6. Agenda:
 Consent
 Administrative
 Appeals
 Public
 Walk-On

7. Requirement/Purpose: (specify)
 Statute
 Ordinance 91-26
 Admin. Code
 Other

8. Request Initiated:
 Commissioner _____
 Department _____
 Division Public Resources
 By: Libby Walker, Director

Background:

The Southwest Florida Aviation Foundation is seeking approval to hold the Fort Myers Beach Airshow, which is an over-water event designed to entertain with aerial performances, from May 12 through May 15, 2005. These acts have been approved by the Federal Aviation Administration for proficiency and safety. The acts performing in the 2005 Airshow will be representing both the private sector and military communities.

Ordinance 91-26 requires board approval for attendance of 5,000 persons or more a day. The expected attendance for this event is over 50,000 persons per day.

10. Review for Scheduling:

Department Director	Purchasing or Contracts	Human Resources	Other	County Attorney	Budget Services	Risk	Grants	Mgr.	County Manager/P.W. Director
<i>P</i>	N/A	N/A	N/A	<i>4/12/05</i>	<i>4/14/05</i>	<i>4/14/05</i>	<i>4/14/05</i>	<i>4/14/05</i>	<i>4/14/05</i>

11. Commission Action:

- Approved
- Deferred
- Denied
- Other

Rec. by County
 Date: *4-13-05*
 Time: *4:45*
 Forwarded To: _____

RECEIVED BY COUNTY ADMIN
4-14-05
 COUNTY ADMIN FORWARDED TO: *PP*
4-14-05
3:45 pm



LEE COUNTY
S O U T H W E S T F L O R I D A

SPECIAL EVENT PERMIT

APPLICATION

TO THE APPLICANT FOR A SPECIAL EVENTS PERMIT:

Ordinance #91-26 is attached which establishes the license requirements and application procedures to obtain a Special Events Permit. The following information is for your assistance in completing the application:

- (1) Complete the application form responding to each question. Attach a notarized statement from the owner of the premises indicating consent to hold the special event on the premises. Sign the application and turn it in to the Lee CARES Office **AT LEAST** 21 days prior to the scheduled event.
- (2) Attach a detailed site plan, including a STRAP number and your proposed parking accommodations.
- (3) Take your completed application and site plan to each one of the following agencies for review and approval. Each agency must complete **AND SIGN** the review form attached to the application.
 - (a) Lee County Sheriff's Department
14750 Six Mile Cypress Parkway
Phone: 477-1200
 - (b) Fire Department (the Fire Department in the area where the event is to be held)
 - (c) Lee County Emergency Medical Services
14752 Six Mile Cypress Parkway
Phone: 335-1602
 - (d) Department of Transportation
1500 Monroe Street
Phone: 479-8580
 - (e) Lee County Health Department / Environmental Health Section
3920 Michigan Avenue
Phone: 332-9556
(Please inform them that you are applying for a Lee County Special Event Permit)
 - (f) Department of Public Safety
14752 Six Mile Cypress Parkway
Phone: 335-1600
 - (g) Lee County Parks & Recreation
3410 Palm Beach Boulevard
Phone: 461-7400
 - (h) Lee County Risk Management
Courthouse Administration Building
Phone: 335-2221

- (4) In your meeting with Lee County Risk Management, the amount(s) of insurance coverage required for your event will be established. You must then obtain a Certificate of Insurance in the specified amount(s), naming **Lee County Board of County Commissioners as "additional insured"**.
- (5) After your application is COMPLETE WITH ALL NECESSARY SIGNATURES AND INSURANCE CERTIFICATE, submit the entire package, **along with the \$75.00 permit fee**, to the Public Resources Office, First Floor in the Administration Building, 2115 Second Street or mail to P.O. Box 398, Fort Myers, Florida 33902.
- (6) Your application will then be submitted to the County Manager for approval. As part of the approval process, the amount of the bond you are required to submit, if any, will be established.
- (7) If you have any questions, please call Public Resources Office at 335-2260.

If the event applied for involves any of the following:

1. Fireworks Display
2. Tent or Air Supported Structure
3. Carnival, Fair, Circus or Amusement Device

The applicant will need to obtain a Temporary Use Permit from:

Community Development & Public Works Building
Division of Codes & Building Services
1500 Monroe Street
Fort Myers, Florida 33901
(239) 479-8329

APPLICATION FOR A SPECIAL EVENT PERMIT

Name of Applicant: SW FLORIDA AVIATION FOUNDATION

Address of Applicant: 229 SW 38th TERR
CAPE CORAL FL 33914

Phone Number of Applicant: _____

Name of Contact Person: JIM NYGAARD

Phone Number of Contact Person: _____

Date/Dates of Event: MAY 13, 14 & 15, 2005

Hours of Operation: VARIOUS

Estimated/Anticipated Number of Person Per Day: 50,000 - 100,000

Type of Event Planned:
◆ (Detailed Description, Including Each Activity, When Each Activity Takes Place, etc.):
SEE ATTACHED

Location of Event:
1400 ESTERO BLVD, FM BCH.

Strap Number of the Parcel: _____

Owner of the Premises where the Event is to be Held:
LEE CO. BOCC

◆ (Please Submit a Written Notarized Statement from Owner Indicating Consent to Have the Event on the Premises)
N/A

What is the Zoning Classification of the Premises? LEE COUNTY PARK

Please Submit a Sketch Plan of the Site with All Proposed Facilities and Activities Identified, Including All Parking Areas.

Type of Structure(s) at Site of Event: FORT MYERS BEACH

Are Any Temporary Structures to be Installed for Event? Yes No

Do You Have Appropriate Permits for Temporary Structure/Structures? Yes No

YOU MUST MEET WITH THE LEE COUNTY RISK MANAGER TO ESTABLISH THE AMOUNTS OF INSURANCE REQUIRED FOR YOUR EVENT. A CERTIFICATE OF INSURANCE IN THESE AMOUNTS, NAMING LEE COUNTY AS ADDITIONAL INSURED, SHALL BE ATTACHED TO YOUR APPLICATION.

Insurance Company Insuring the Event:

Policy Amounts of Liability Insurance: _____

Policy Amounts of Property Insurance: _____

Bonding Company Bonding this Event (Name and Address):

Will Vehicles be Used as Part of This Event? Yes No

◆ (If Yes, Automobile Coverage Shall be Included on the Certificate of Insurance)

Is Food Going to be Available at this Event? Yes No

◆ (If Yes, Products Liability Coverage Shall be Included on the Certificate of Insurance)

Name and Address of Organization Providing Food:

LANI KAI RESORT, 1400 ESTERO BLVD., FT. MYERS BEACH

Type of Food to be Served:

FOOD SERVED BY THE LAI KAI RESORT ONLY.

Alcoholic Beverages at Event: Yes No VIA LICENCED PROPERTY

NOTE: ANY SIGNS AND MARKINGS IN CONNECTION WITH THIS EVENT SHALL BE TEMPORARY AND REMOVABLE. PAINTINGS ON ROADWAYS, TREES OR ANY OTHER FIXED OBJECT IS STRICTLY PROHIBITED.

The applicant does acknowledge and hereby affirms that any and all information is accurate to the best of his knowledge. The applicant/permittee agrees to assume full responsibility and liability for and indemnify and save the County harmless from and against all liability, claims for damages, and suits for or by reason of any injury to any person or damages to any property of the parties hereto or of the third persons for any and all cause or causes whatsoever or in any way connected with the holding of said event or any act or omission or thing in any manner related to said event and its operation irrespective of negligence, actual or claimed, upon the part of the County, their agents or employees.

Shirley Casey
WITNESS

[Signature]
APPLICANT'S SIGNATURE
4/13/05
DATE

LEE COUNTY SHERIFF'S DEPARTMENT
14750 SIX MILE CYPRESS PARKWAY
FORT MYERS, FLORIDA 33912
(239) 477-1200

AFTER REVIEWING THE APPLICATION, PLEASE INDICATE BELOW WHAT ARRANGEMENTS YOUR ORGANIZATION WILL REQUIRE THE APPLICANT TO COMPLY WITH FOR THEIR EVENT.

Parking:

0

Deputies (How Many?):

(2) TWO DETAIL DEPUTIES 12p-6p

(2) C.O.P. DEPUTIES (NO COST) (3) UICILE PERSONNEL

Fee:

FUN (2) DETAIL DEPUTIES FOR 6 hrs per deputy.

Special Arrangements:

CALL KYRA GRANETT AT 477-1199 FOR DETAIL DEPUTIES.

CONTACT UICILE OFFICE LT BOWDEN FOR UICILE PERSONNEL

MAT POWELL

PRINT NAME of PERSON SIGNING

CAPTAIN [Signature]

SIGNATURE

CAPTAIN

TITLE

4/7/05

DATE

FIRE DEPARTMENT
(The Fire Department Serving The Area Where The Event Is To Be Held)
FOR FORT MYERS BEACH

AFTER REVIEWING THE APPLICATION, PLEASE INDICATE
BELOW WHAT ARRANGEMENTS YOUR ORGANIZATION WILL
REQUIRE THE APPLICANT TO COMPLY WITH FOR THEIR EVENT.

Fire Guards (How Many?): _____

Fee: _____

Flammable Vegetation: _____

First Aid Equipment: _____

Fire Extinguishing: _____

Special Arrangements: _____

PRINT NAME of PERSON SIGNING

SIGNATURE

TITLE

DATE

ALL ATTACHED

**FT. MYERS BEACH FIRE CONTROL DISTRICT
SPECIAL EVENT WORKSHEET**

EVENT Ft. Myers Beach Air Show

LOCATION Offshore in front of Ft. Myers Beach

DATE May 13, 14 & 15

FIRE PREVENTION

INSPECTION REQUIRED YES NO

INSPECTOR REQUIRED ON SITE YES NO

EQUIPMENT REQUIRED

OPERATIONS

ENGINE REQUIRED YES NO

AMBULANCE REQUIRED YES NO

ADDITIONAL EQUIPMENT None

ADMINISTRATION

ENGINE COST 6 hours @ \$45 an hour = \$270

AMBULANCE

6 hours @ \$21 an hour = \$126

INSPECTION

Tent Inspection \$25

PERSONNEL

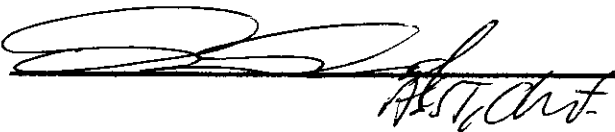
6 hrs, 1 Officer, 2 Paramedics, 3 EMTs = \$1,325.04

EQUIPMENT None

TOTAL

\$1,746.04

EVENT APPROVAL



DATE April 8, 2005

**EMERGENCY MEDICAL SERVICES
14752 SIX MILE CYPRESS PARKWAY
FORT MYERS, FLORIDA 33912
(239) 335-1602**

AFTER REVIEWING THE APPLICATION, PLEASE INDICATE BELOW WHAT ARRANGEMENTS YOUR ORGANIZATION WILL REQUIRE THE APPLICANT TO COMPLY WITH FOR THEIR EVENT.

Treatment Facilities: _____

Medical Personnel: _____

Medical Supplies/Equipment: _____

Special Arrangements: _____

Fee For Services: _____

PRINT NAME of PERSON SIGNING

SIGNATURE

TITLE

DATE

*N/A
FT. MYERS BEACH FIRE
CONTROL DISTRICT*

DEPARTMENT OF TRANSPORTATION
1500 MONROE STREET
FORT MYERS, FL 33901
(239) 479-8580

* TOWN OF FT. MYERS BEACH

AFTER REVIEWING THE APPLICATION, PLEASE INDICATE
BELOW WHAT ARRANGEMENTS YOUR ORGANIZATION WILL
REQUIRE THE APPLICANT TO COMPLY WITH FOR THEIR EVENT.

Parking: _____

Ingress and Egress: _____

Special Arrangements: _____

PRINT NAME of PERSON SIGNING

SIGNATURE

TITLE

DATE

LEE COUNTY HEALTH DEPARTMENT
ENVIRONMENTAL HEALTH SECTION
3920 MICHIGAN AVENUE
FORT MYERS, FLORIDA 33916
(239) 332-9556

❖ Please inform them that you are applying for a LEE COUNTY SPECIAL EVENT PERMIT

AFTER REVIEWING THE APPLICATION, PLEASE INDICATE
BELOW WHAT ARRANGEMENTS YOUR ORGANIZATION WILL
REQUIRE THE APPLICANT TO COMPLY WITH FOR THEIR EVENT.

Water: NA

Wastewater Disposal: _____

Food Concessions: _____

Special Arrangements: _____

PRINT NAME of PERSON SIGNING

SIGNATURE

TITLE

DATE

**PUBLIC SAFETY
14752 SIX MILE CYPRESS PARKWAY
FORT MYERS, FLORIDA 33912
(239) 335-1600**

AFTER REVIEWING THE APPLICATION, PLEASE INDICATE BELOW WHAT ARRANGEMENTS YOUR ORGANIZATION WILL REQUIRE THE APPLICANT TO COMPLY WITH FOR THEIR EVENT.

Safety Requirements: N/A

Comments:

PRINT NAME of PERSON SIGNING

SIGNATURE

TITLE

DATE

LEE COUNTY PARKS AND RECREATION
3410 PALM BEACH BOULEVARD
FORT MYERS, FLORIDA 33916
(239) 461-7400

SKIP
~~FRANK~~ Franklin
229-1599
FRANK LJW@LeeGov.com

AFTER REVIEWING THE APPLICATION, PLEASE INDICATE
BELOW WHAT ARRANGEMENTS YOUR ORGANIZATION WILL
REQUIRE THE APPLICANT TO COMPLY WITH FOR THEIR EVENT.

Illumination: N/A

Parking Areas: N/A

Other: May close down pier from
just past concession to absolute end
on Fri 5/13, Sat 5/14 + Sun 5/15/05
May also use grass area of large
field at Bay Oaks Park to land Helo.

James W. Franklin II
PRINT NAME of PERSON SIGNING

James W. Franklin II
SIGNATURE

Bsr. Supv. LCPR
TITLE

4/13/05
DATE

LEE COUNTY RISK MANAGEMENT
COURTHOUSE ADMINISTRATION BUILDING
2115 SECOND STREET
FORT MYERS, FLORIDA 33901
(239) 335-2221

AFTER REVIEWING THE APPLICATION, PLEASE INDICATE BELOW WHAT ARRANGEMENTS YOUR ORGANIZATION WILL REQUIRE THE APPLICANT TO COMPLY WITH FOR THEIR EVENT.

Insurance Requirements:

G/L limits of 2,000,000

* LEE County Board of County Commissioners shall be additional insured & Certificate holder

Special Arrangements:

Mike Figueroa

PRINT NAME of PERSON SIGNING

Mike Figueroa

SIGNATURE

Risk Management Generalist

TITLE

April 8, 2005

DATE

LEE COUNTY ORDINANCE NO. 91-26

AN ORDINANCE CREATING THE LEE COUNTY SPECIAL EVENTS ORDINANCE REGULATING OUTDOOR ENTERTAINMENT EVENTS; PROVIDING FOR REPEALER; DEFINING OUTDOOR ENTERTAINMENT EVENTS; ESTABLISHING LICENSE REQUIREMENTS AND APPLICATION PROCEDURES; REQUIRING PROOF OF INSURANCE AND PROOF OF A BOND; PROVIDING FOR THE FILING OF COMPLAINTS; PROVIDING FOR REVOCATION OF LICENSES; PROVIDING FOR ENFORCEMENT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF LEE COUNTY, FLORIDA, AS FOLLOWS:

SECTION ONE REPEALER

The Lee County Ordinance #81-48 is hereby repealed and declared null and void and of no effect.

SECTION TWO DEFINITION OF OUTDOOR CONCERT OR SPECIAL EVENT

An outdoor concert or special event is any musical, theatrical, or like event at which entertainment is provided in a permanent structure not constructed for such purposes, a temporary structure, or outdoors, to which persons are invited or admitted. This definition does not include functions put on by any County agency on County property or functions in structures which have been issued a certificate of occupancy as being utilized as an exhibition building. This ordinance specifically applies only to those events in which attendance is expected to exceed 1,000 persons per day.

SECTION THREE LICENSE REQUIREMENTS

No person, corporation, partnership, or other organization shall advertise, conduct, maintain, or sell or furnish tickets for an outdoor concert or event in the County of Lee unless and until that person or entity has obtained a license from Lee County to conduct such concert or event.

SECTION FOUR LICENSE APPLICATION

An application shall be made on a standard application form, approved by the County Administrator, for an outdoor concert or special event license. The application form may be obtained from the Lee Cares Office. At least twenty-one (21) days prior to the scheduled commencement of the event, the completed application with descriptive plans for all arrangements must be submitted to the Lee Cares Office along with the applicable fee. The applicant shall comply with any and all conditions set forth in the application and as required by the County Administrator, including but not limited to contacting and making sufficient and acceptable arrangements with the following agencies:

- (a) Lee County Sheriff's Department.
- (b) Fire Department serving the area where the event is to be held.
- (c) Lee County Emergency Medical Services.
- (d) Lee County Department of Transportation and Engineering.
- (e) Lee County Health Department.
- (f) Lee County Department of Public Safety.
- (g) Lee County Risk Manager.

Pursuant to these provisions, the County Administrator is provided authority to prepare said application form and revise same from time to time as needed.

SECTION FIVE INSURANCE

The applicant shall obtain adequate liability and property insurance for the event based upon guidelines which will be established in the application form packet by the Risk Manager and subject to periodic revisions. A Certificate of Insurance shall be included with the application and Lee County shall be name as "Additional Insured" on the Certificate.

SECTION SIX BOND

At its discretion, subject to other applicable laws or ordinances, Lee County may require an indemnity and/or performance security bond for the event, and the amount of the bond shall be set by the County Administrator. The bond shall be with a corporate bonding company authorized to do business in the State of Florida, or a cash bond in the form of a cashier's check payable to the Board of Lee County Commissioners. The bond shall totally indemnify the County of Lee, its agents or employees against and all claims arising out of the preparations, conduct or aftermath of the concert or event.

SECTION SEVEN MISCELLANEOUS

Any applicant may be required to meet any other condition reasonably imposed prior to receiving a license to conduct a concert or event which the County Administrator deems necessary to protect the health, safety, and welfare of the property and citizens of Lee County.

SECTION EIGHT PROCESSING APPLICATION

Upon receipt of the completed application with all required attachments, the County Administrator shall review same and make the final determination on all applications. The County Administrator shall make the final determination in those applications indicating an expectancy of less than 5,000 persons a day. The County Administrator shall submit the applications and set for hearing all those applications for a license where the expectancy is for 5,000 persons or more a day. The Board, in its discretion may hear any application of less than 5,000 persons per day.

SECTION NINE CONSIDERATION OF APPLICATION

The County Administrator shall approve applications when all conditions have been met. Should the application be denied, it must be in writing and for good cause. Good cause would be, but not limited to, failure to comply with the necessary arrangements dictated by the agencies listed in Section Four, conviction of a felony that indicates low moral character by the applicant or principal, or an event which would create a severe and actual nuisance to the surrounding community. The reason(s) for the denial must be succinctly stated in the denial. Denial should be without prejudice if the basis for the denial is a factor that can be corrected or changed. A copy of the denial should be sent to the applicant within fourteen (14) days of said action.

Upon written approval of the County Administrator, a license for the event will be issued.

SECTION TEN COMPLAINTS

Any person may petition the County Administrator to conduct a hearing concerning the denial or revocation of the license of any licensee. All petitions must be accompanied by an affidavit setting forth a factual basis for the petition and assurances that the action is being taken in good faith.

SECTION ELEVEN REVOCATION OF LICENSE

The County Administrator of Lee County, Florida shall have the power to revoke a license where the licensee fails to comply with any conditions required for operation of a concert or event, ordinances of Lee County, Florida, laws of the State of Florida, or otherwise places persons or property in jeopardy or serious harm or injury.

SECTION TWELVE REVOCATION HEARING

All parties to the revocation hearing shall be sent proper notice, in writing, of the hearing and the reason for the hearing in accordance with due process. The County Administrator shall hear all interested parties and may revoke a license only for good cause; good cause would be a violation of any of the conditions of operation, violation of the laws of the United States, Florida, or Lee County, or the nuisance to the surrounding community is excessive.

SECTION THIRTEEN VIOLATIONS: REMEDIES OF THE COUNTY

Outdoor concerts or special events which are subject to this ordinance and are being held without having obtained a license as provided in this ordinance are prohibited. Should the licensee, his agents or employees violate the terms of the agreement by which the license is granted, any ordinance of Lee County, or any law of the State of Florida or the United States, or knowingly allow those laws to be violated, such violation shall constitute a violation of this ordinance. Any violation shall be punished as provided by law. Lee County also retains any and all civil remedies which may be available.

SECTION FOURTEEN SEVERABILITY

The provisions of this Ordinance are severable, and it is the intention to confer the whole or any part of the powers herein provided for. If any of the provisions of this Ordinance shall be held unconstitutional by any court of competent jurisdiction, the decision of such court shall not affect or impair any remaining provisions of this Ordinance. It is hereby declared to be the legislative intent that this Ordinance would have been adopted had such unconstitutional provision not been included therein.

SECTION FIFTEEN

EFFECTIVE DATE

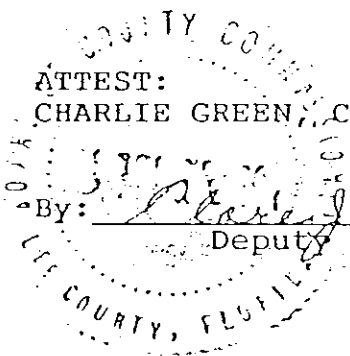
This Ordinance shall become effective immediately upon receipt of official acknowledgment of the Office of Secretary of State of Florida that this Ordinance has been filed with said office.

THE FOREGOING ORDINANCE was offered by Commissioner Manning, who moved its adoption. The motion was seconded by Commissioner Judah and, being put to a vote, the vote was as follows:

DOUGH ST. CERNY	<u>aye</u>
VICKI LOPEZ-WOLFE	<u>absent</u>
JOHN E. MANNING	<u>aye</u>
RAY JUDAH	<u>aye</u>
DONALD SLISHER	<u>absent</u>

DONE AND ADOPTED this 4th day of September, 1991.

ATTEST:
CHARLIE GREEN, CLERK
By: *Charlie Green*
Deputy Clerk



BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA
By: *[Signature]*
Chairman

APPROVED AS TO FORM:
By: *[Signature]*
Office of County Attorney



To whom it may concern,

AIRSHOW:

The *Fort Myers Beach Airshow* is an over-water event designed to entertain with aerial performances. These “acts” have been approved by the Federal Aviation Administration (FAA) for proficiency and safety. The acts performing in the 2005 Airshow will be representing both the private sector and military communities.

The various acts from the civilian community include single and multiple aircraft which are noted in our web-site (fmbairshow.org). The military acts will be representatives of the United States Navy and Air Force which can also be viewed on our web-site. The acts will be performed in a designated “air box” which is located over the water, in front of Fort Myers Beach. The air box measures 8,000 feet long and 3,000 feet deep. Per FAA safety regulations, the closest point of the air box will be 500 feet from the shoreline of Fort Myers Beach. To ensure the finest air show for the citizenry of Lee County and Fort Myers Beach, the pier at Lynn Hall Park must be closed prior to and during the air show practice (Friday) and the flying event on Saturday and Sunday (5/13-15/ 2005). The center of the air box on Fort Myers Beach will be located above 1400 Estero Blvd or the Lani Kai Resort. During the air show various aircraft noises will be above normal levels due to low flying jet and propeller driven aircraft from civilian and military planes.

Emergency and security personnel have been arranged in preparation for any unusual occurrence.

The following are the activities planned by date during the *Fort Myers Beach Airshow* for May 2005.

May 12, 2005, **THURSDAY:** Aircraft and flight crew arrival. Because of this, expect higher than normal flight activity over the beach as crews will view the beach and “Show Center / Air box” on their way into SW FL International Airport. A welcome gathering is planned during the evening at the hotel where the majority of pilots and their crew are staying. They are staying at the *Holiday Inn Select*, located at 13051 Bell Tower Drive (FM).

May 13, 2005, **FRIDAY:** Aircraft and flight crew arrival. So aircraft can be acclimated to the “show site”, aircrafts will be performing practice runs on Fort Myers Beach at various times from approximately 10:00am until 5:00pm. This will require the closing of all or a portion of the Fort Myers Beach Pier located in Lynn Hall (Lee) County Park. During the evening hours, a party near Times Square at *Cabascas* will

allow the public to meet the pilots flight crews, support staff and welcome them to our community.

May 14, 2005, SATURDAY: With a portion of the Lynn Hall Park **PIER** closed to pedestrian traffic at approximately 09:00am, the pier within the Park will be closed until the air show is over (approximately 3:30pm) this is to ensure that the aircraft can fly safely and as close to the beach by FAA regulations. (*FAA Regulations state that the performing aircraft must be 500 feet from the closest spectator. By closing the pier, the public can better view the air show.*)

The Fort Myers Beach Airshow will begin approximately at 11:30am and last until approximately 3:30pm. Military and civilian aircraft will perform various aerobatic maneuvers offshore. The show center and operations center will be located at the Lani Kai Resort. The United States Military Special Forces (USSCOM) Parachute Team will perform several times; parachuting into a 200 ft by 200 ft cleared area next to and south of the Lani Kai.

During the evening hours, a party may be held on Fort Myers Beach (*location pending*) to allow the Public to meet the flight crews of the performing aircraft.

May 15, 2005, SUNDAY: With a portion of the Lynn Hall Park **PIER** closed to pedestrian traffic at approximately 09:00am, the pier within the park will be closed until the air show is over (approximately 3:30pm) to allow the aircraft to fly safely and as close to the beach by FAA regulations.

The Fort Myers Beach Airshow will begin approximately at 11:30am and last until approximately 3:30pm. Military and civilian aircraft will perform various aerobatic maneuvers offshore. Show center and operations center will be the Lani Kai Resort. United States Military Special Forces (USSCOM) Parachute Team will perform several times parachuting into a 200 ft by 200 ft cleared area next to and south of the Lani Kai.

At 5:00pm an Appreciation and Awards Ceremony will be held at the *Bridge Restaurant* located at 708 Fisherman's Warf on Fort Myers Beach.

NOTE:

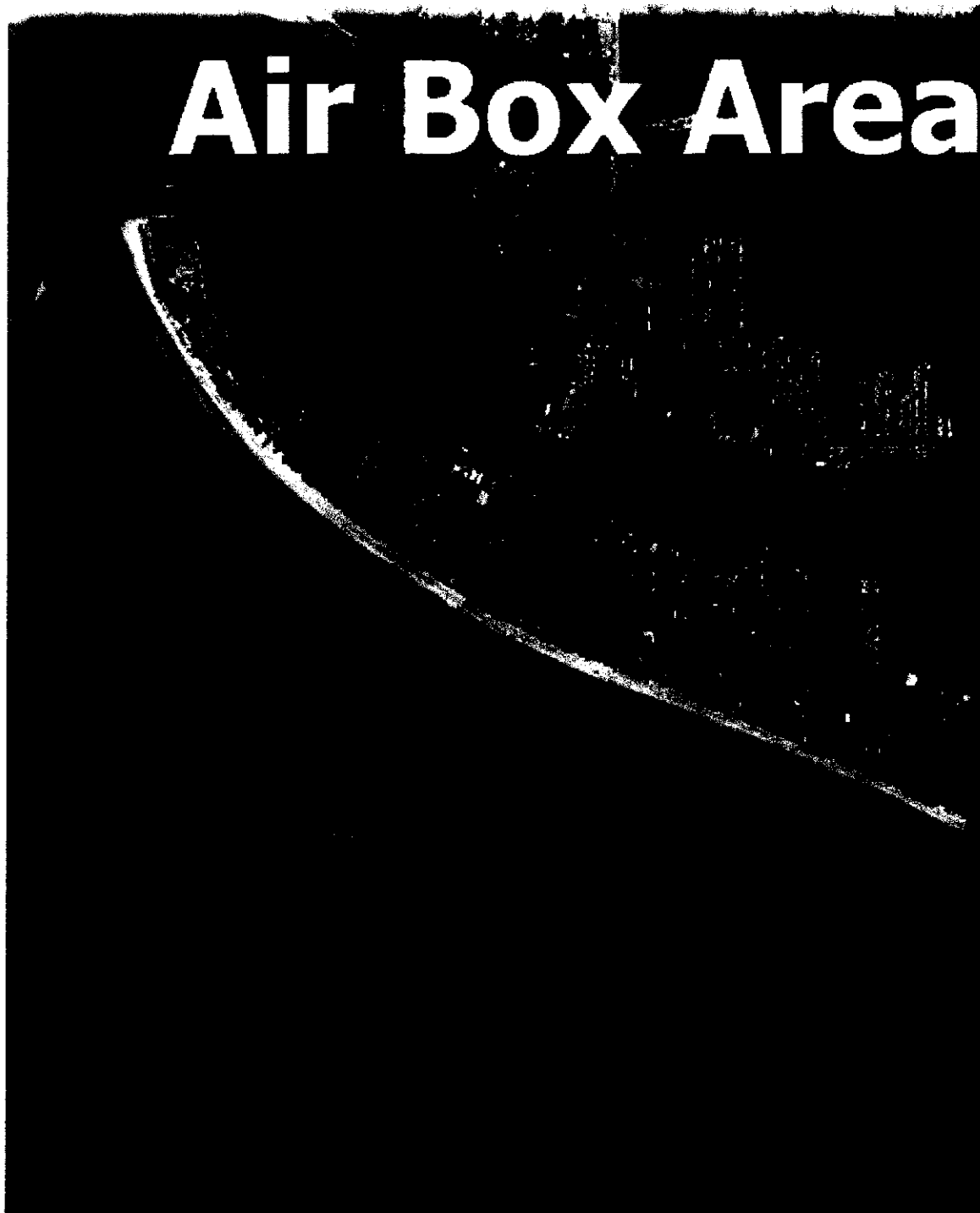
- All appropriate United States Coast Guard permits were completed and approved.
- All appropriate Federal Aviation Administration (FAA) permits were approved.
- All notification, waivers were coordinated with SW FL Regional Airport in order to re-route air traffic during the three day event.

Should you need any further communication, please contact:

Chris Moskal, President
Fort Myers Beach Airshow

James Nygaard, Vice President
Fort Myers Beach Airshow

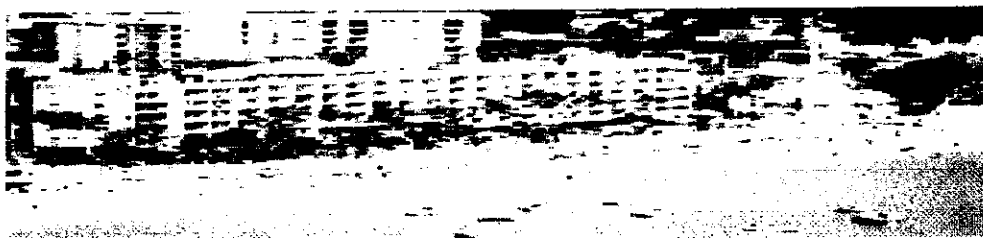
Air Box Area



Above is the "Air Box". The red area designated where the aircraft will perform. The blue area is the mooring area for spectator boats. In the center of the blue area, is a yellow strip designating the egress area for security and rescue personnel should they be needed. NOTE: THE CENTER OF THE "AIRBOX" HAS BEEN MOVED AND COVERAGE WILL CENTER AT 1400 ESTERO BLVD (LANI KAI RESORT).

Sound System Coverage

Above is in yellow is the area where a 2,500 ft public address system will be placed. In red is the anticipated coverage area so the Narrator can keep the public informed during the Airshow. Also, an AM radio simulcast will be provided Airshow information to the spectator fleet and others outside the *sound system coverage*. NOTE: THE CENTER OF THE "SOUND COVERAGE WILL CENTER AT 1400 ESTERO BLVD (LANI KAI RESORT).



LANI KAI Island Resort

1400 Estero Boulevard
Fort Myers Beach, FL 33931
TELE: (239) 463-3111 **FAX:** (239) 463-2986

April 6, 2005

To the Town of Fort Myers Beach:

The Fort Myers Beach Airshow may use the Lani Kai as headquarters for the May 14 & 15, 2005 air show.

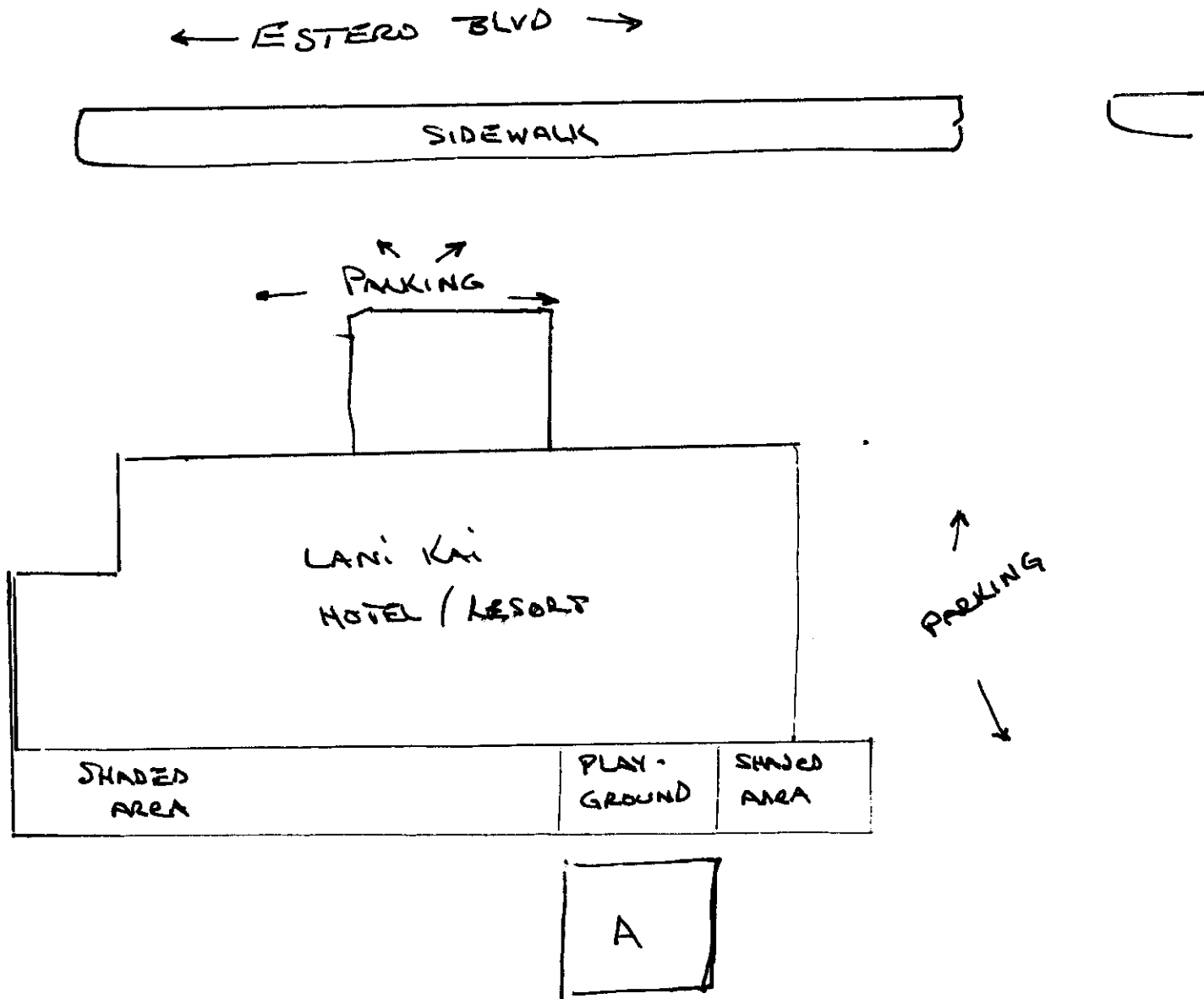
Yours truly,

A handwritten signature in black ink, appearing to read "Ken Conidaris". The signature is stylized and written in a cursive-like font.

Ken Conidaris

LANI KAI RESORT
1400 ESTERO BLVD

DRAWING OF GROUNDS (NOT TO SCALE)



← BEACH →

(A: AREA FOR DISPLAYS FROM SPONSORS & MILITARY RECRUITERS)

MILITARY
PARACHUTE
"DROP ZONE"
APPROX 200FT X
200 FT

WATER / SHORE LINE

04/11/2005 14:43 3015854098

INSURANCE TECH&P

PAGE 03

Certificate of Insurance

Date: April 11, 2005

Named Insured: Southwest Florida Aviation Foundation, Inc.
Company: U.S. Specialty Insurance Co
Policy Number: AS00146453-038
Effective Date: 12:01 AM 05/12/2005
Expiration Date: 12:01 AM 05/17/2005

	Coverages	Limits of Liability	
A I R C R A F T	A - Bodily Injury Liability, Excluding Passengers	\$	each occurrence
	B - Passenger Bodily Injury Liability	\$	each occurrence
	C - Property Damage Liability	\$	each person*
	D - Single Limit Bodily Injury and Property Damage Liability including passengers	\$	each occurrence
H U L L	F - All Risks While Not in Motion	\$	\$ deductible
	G - All Risks While in Motion	\$	\$ deductible

Loss, if any, under Coverages F and G is payable as interest may appear to the Named Insured and

(Absence of an entry means "no exception")

AIRMEET LIABILITY:

Single Limit Bodily Injury and Property Damage Liability: \$2,000,000. Per Occurrence

Additional Insured as Respects this Event: Lee County Board of County Commissioners

with whom we agree, if possible, to notify 30 days before date of cancellation if policy should be cancelled, but the Company shall not be liable in any way for failure to give such notice.

U.S. Specialty Insurance Company
18415 Addison Road, 9th Floor
Addison, TX 76001

Suzanne [Signature]
Authorized Representative

on MF 4/14/05