

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	<u>2006</u>	<u>2007</u>	<u>2008</u>	<u>2009</u>	<u>2010</u>
Capital Expenditures	_____	_____	_____	_____	_____
Operating Costs	_____	_____	_____	_____	_____
Operating Revenues	<u>(0)</u>	<u>(27,000)</u>	<u>(27,000)</u>	<u>(27,000)</u>	<u>(27,000)</u>
Program Income (County)	_____	_____	_____	_____	_____
In-Kind Match (County)	_____	_____	_____	_____	_____
NET FISCAL IMPACT	<u>(0)</u>	<u>(27,000)</u>	<u>(27,000)</u>	<u>(27,000)</u>	<u>(27,000)</u>

ADDITIONAL FTE POSITIONS (Cumulative) _____

Is Item Included in Current Budget? Yes _____ No X
 Budget Account No: Fund 4100 Department 120 Unit 8230 Object 4406
 Reporting Category _____

B. Recommended Sources of Funds/Summary of Fiscal Impact:

50% of increased billed parking fees estimated at approximately \$27,000 per year to County based on the difference in current rates and new rates, using the 2005 average number of aircraft billed by Florida Airmotive at single engine rate.

C. Departmental Fiscal Review: CM Simon

III. REVIEW COMMENTS

A. OFMB Fiscal and/or Contract Development and Control Comments:

John D. ... 10-2-06
 OFMB
 9/28/2006
 10-2-06
 9-28-06

John J. Jewell 10/3/06
 Contract Dev. and Control
 10/3/06

B. Legal Sufficiency: Laura Berke
 Assistant County Attorney

C. Other Department Review:

 Department Director

RESOLUTION NO. 2006-

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA; REPEALING EXISTING AIRCRAFT PARKING FEES AT THE PALM BEACH COUNTY PARK AIRPORT; AUTHORIZING THE COUNTY ADMINISTRATOR OR HIS DESIGNEE TO ESTABLISH AIRCRAFT PARKING FEES FOR THE PALM BEACH COUNTY PARK AIRPORT; PROVIDING FOR REVIEW OF RATES BY THE AVIATION AND AIRPORTS ADVISORY BOARD; PROVIDING FOR NOTICE OF RATES; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF CONFLICTING RESOLUTIONS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Palm Beach County ("County"), by and through its Department of Airports ("Department"), owns and operates the Palm Beach County Park Airport ("Lantana Airport") located in Palm Beach County, Florida; and

WHEREAS, the County currently receives fifty percent (50%) of the revenues from aircraft parking fees collected by the Fixed Base Operator at the Lantana Airport; and

WHEREAS, aircraft parking areas are intended for the transient and monthly parking of aircraft rather than long-term storage; and

WHEREAS, long-term storage of non-operating aircraft within aircraft parking areas precludes use of the aircraft parking areas by operable aircraft and can pose a safety hazard during severe weather events such as hurricanes; and

WHEREAS, the Board of County Commissioners desires to allow the County Administrator or his designee to establish and modify aircraft parking fees applicable to operable and non-operating aircraft being parked or stored on the Lantana Airport within the parameters established herein.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, that:

Section 1. Recitals. The foregoing recitals are true and correct and are expressly incorporated herein by reference and made a part hereof.

Section 2. Repeal of Existing Aircraft Parking Existing Fees. The Board of County Commissioners hereby repeals the existing aircraft parking fee rates established for the Lantana Airport, which rates were approved by the Board of County Commissioners on September 7, 1982. Notwithstanding the foregoing, the existing aircraft parking fee rates shall continue to apply and remain in full force and effect until such time as the new aircraft parking fee rates have been established as provided for herein.

Section 3. Establishment of Aircraft Parking Fees. The Board of County Commissioners hereby authorizes the County Administrator or his designee (the Director of the Department of Airports) to establish fair, reasonable and nondiscriminatory aircraft parking fees applicable to operable and non-operating aircraft parked or stored at the Lantana Airport at rates not less than: (i) Eight Dollars (\$8.00) per day or Seventy Five Dollars (\$75.00) per month for single engine aircraft; (ii) Twelve Dollars per day or One Hundred Dollars (\$100.00) per month for a twin engine aircraft ("Base Rates"). Aircraft parking fee rates established by the County Administrator or his designee pursuant to this Resolution may be modified from time to time in accordance with the requirements of this Resolution. Aircraft parking fees for non-operating aircraft may be established in excess of the rates established for operating aircraft. For purposes of this Resolution, "non-operating aircraft" shall have the meaning provided to it in the Palm Beach County Airport Rules and Regulations (R-98-220), as amended, supplemented and superseded ("Airport Rules and Regulations"). Nothing in this Resolution shall be construed as: (i) authorizing non-operating aircraft to be parked or stored on the Lantana Airport in a

manner inconsistent with the Airport Rules and Regulations or other applicable laws; or (ii) precluding the Department or County from requiring the removal of non-operable aircraft from the Lantana Airport in accordance with the Airport Rules and Regulations and other applicable laws. Notwithstanding any provision of this Resolution to the contrary, aircraft parking fee rates shall not be increased without the prior approval of the Board of County Commissioners: (i) more than two times the amount of Base Rates for operable aircraft or (ii) more than three times the amount of Base Rates for non-operating aircraft.

Section 4. Review by AAAB. The Department shall provide the Aviation and Airports Advisory Board ("AAAB") a copy of any proposed aircraft parking fees for review and comment at a regularly scheduled meeting of the AAAB prior to the establishment or modification of aircraft parking fees pursuant to this Resolution.

Section 5. Notice of Rates. The Department shall provide to the then current Fixed Base Operator(s) (if any) operating at the Airport, by United States Certified mail with return receipt requested: (i) a copy of this Resolution, and (ii) a notice indicating the rates established pursuant to this Resolution by the County Administrator or his designee for operable and non-operating aircraft and the date such rates shall take effect, which shall not be sooner than sixty five (65) days from the date of the notice. Notice of any future modifications to the aircraft parking fee rates shall be likewise provided to all Fixed Based Operator(s), if any. The Department shall also file a copy of the rates established pursuant to this Resolution with the Board of County Commissioners, and any amendments or modifications thereto.

Section 6. Severability. If any section, sentence, clause, phrase, or word of this Resolution is held invalid or unconstitutional by a Court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this Resolution.

Section 7. Repeal of Conflicting Resolutions. All resolutions, which are in conflict with any provision of this Resolution, are hereby repealed to the extent of such conflict.

Section 8. Effective Date. This Resolution shall take effect upon adoption.

The foregoing Resolution was offered by Commissioner _____, who moved its adoption. The motion was seconded by Commissioner _____, and, being put to a vote, the vote was as follows:

Commissioner Tony Masilotti, Chairman
Commissioner Addie Greene, Vice Chairperson
Commissioner Karen T. Marcus
Commissioner Jeff Koons
Commissioner Warren H. Newell
Commissioner Mary McCarty
Commissioner Burt Aaronson

The Chairman thereupon declared the Resolution duly passed and adopted this _____ day of _____, 2006.

PALM BEACH COUNTY, FLORIDA,
BY ITS BOARD OF COUNTY
COMMISSIONERS

SHARON R. BOCK, CLERK
& COMPTROLLER

By: _____
Deputy Clerk

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY

By: Laura Bube
Assistant County Attorney

**Palm Beach County Park Airport
Aircraft Parking Fees
Rate Schedule**

Effective Date: _____

OPERABLE AIRCRAFT

Aircraft Type	Daily Base Rate	Monthly Base Rate
Single Engine	\$8.00	\$75.00
Twin Engine	\$12.00	\$100.00

NON-OPERATING AIRCRAFT

“non-operating aircraft” shall have the meaning provided to it in the Palm Beach County Airport Rules and Regulations (R-98-220), as amended, supplemented and superseded (“Airport Rules and Regulations”).

An increased rate for Non-Operating Aircraft of 3 times the amount of base rates effective immediately upon notification to owner, lessee, or controlling entity of Non-Operable Aircraft.

NOTE:

Nothing in this Rate Schedule shall be construed as: authorizing non-operating aircraft to be parked or stored on the Lantana Airport in a manner inconsistent with the Airport Rules and Regulations or other applicable laws; or precluding the Department or County from requiring the removal of non-operable aircraft from the Lantana Airport in accordance with the Airport Rules and Regulations and other applicable laws.