

RESOLUTION NO. R-2007-

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, AUTHORIZING THE COUNTY ADMINISTRATOR OR HIS DESIGNEE TO APPROVE ADJUSTMENTS TO RENTAL RATES FOR PROPERTIES WITHIN COUNTY'S AIRPORTS SYSTEM; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, in accordance with Federal Aviation Administration ("FAA") guidelines, the Board of County Commissioners ("Board") approved a rental escalation policy whereby the rental rates for all properties within Palm Beach County's Airports System ("Airport Properties") would be subject to adjustment every three (3) years; and

WHEREAS, lease agreements for Airport Properties generally provide that the rental rates are subject to adjustment every three (3) years based on the percentage change in the Consumer Price Index and/or the fair market rental as determined by appraisal; and

WHEREAS, the Department of Airports obtains an appraisal of all Airport Properties every three (3) years as required by the majority of lease agreements for Airport Properties; and

WHEREAS, the next rental rate adjustment for Airport Properties will occur on October 1, 2007; and

WHEREAS, a number of the older lease agreements for Airport Properties require rental rate adjustments to be effectuated by appropriate action of the Board even though the method for determining the amount of the adjustment is provided for in the lease agreement; and

WHEREAS, the Board desires to authorize the County Administrator or his designee to adjust rental rates for Airport Properties.

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

1. The foregoing recitals are true and correct and incorporated herein.
2. The Board hereby authorizes the County Administrator or his designee, the Director of the Department of Airports, to approve adjustments to rental rates for Airport Properties in accordance with the applicable provisions of any lease agreement approved by the Board or executed by the County Administrator or his designee pursuant to a

delegation of authority granted by the Board. A summary of the new rental rates approved pursuant to this Resolution shall be received and filed with the Clerk of the Board within ninety (90) days of approval.

3. 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.

4. This Resolution shall become effective immediately upon adoption.

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

- Commissioner Addie L. Greene, Chairperson -
- Commissioner John F. Koons, Vice Chair -
- Commissioner Karen T. Marcus -
- Commissioner _____ -
- Commissioner Mary McCarty -
- Commissioner Burt Aaronson -
- Commissioner Jess R. Santamaria -

The Chairperson thereupon declared the Resolution duly passed and adopted this _____ day of _____, 2007.

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: _____
Assistant County Attorney