

## AGENDA ITEM SUMMARY

**Submitted For:**

**Attachments:** Resolution

Date \_\_\_\_\_

## II. FISCAL IMPACT ANALYSIS

### A. Five Year Summary of Fiscal Impact:

FISCAL YEARS	2008	2009	2010	2011	2012
Capital Expenditures					
Operating Costs					
Operating Revenues					
Program Income (County)					
In-Kind Match (County)					
NET FISCAL IMPACT	<u>* SEE BELOW</u>				
# ADDITIONAL FTE POSITIONS (Cumulative)					

Is Item Included In Current Budget? Yes \_\_\_\_\_ No \_\_\_\_\_  
 Budget Account No.: Fund \_\_\_\_\_ Department \_\_\_\_\_ Unit \_\_\_\_\_ Object \_\_\_\_\_  
 Reporting Category \_\_\_\_\_

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

- \* This item represents no fiscal impact. Collections of GA landing fees will offset commercial airline landing fee revenue. It is estimated that GA users will pay \$1.2 million in fiscal year 2009 if approved. This revenue benefits commercial carriers by an estimated \$.22 per 1000 lb. unit or 19% savings in landing fees.

C. Departmental Fiscal Review: Michael Simon

## III. REVIEW COMMENTS

### A. OFMB Fiscal and/or Contract Dev. and Control Comments:

9/5/08 atwillhite 9.8.08 9/14/08 OFMB  
9/9/08 9/9/08 Contract Dev. and Control

### B. Legal Sufficiency:

Anne Delgent 9/8/08  
 Assistant County Attorney

### C. Other Department Review:

\_\_\_\_\_  
 Department Director

**Background and Justification: (Continued)**

The primary argument for the implementation of this fee is equity between GA and commercial users. FAA policy requires that fees be non-discriminatory; therefore, the GA fee structure should be similar to the current landing fee system. Commercial airlines argue that they are being overcharged because GA is not paying their fair share. The implementation of a GA landing fee at PBIA would reduce the amount commercial airlines pay, resulting in no net change in landing fee revenues to the Department of Airports.

Although the exact landing fee will be determined by the certified weight of each aircraft, landing fees will, in general, be as follows: piston engine, small turboprop and medium class turboprop aircraft will pay the minimum \$15 landing fee; large turboprop aircraft will pay an average of \$32; and turbojet aircraft will pay anywhere from \$17 to \$150 per landing. Commercial air carriers, by comparison, pay an average of \$135 per operation due to their heavier weight.

Based aircraft pay greater amounts to the airport through facility rentals and fuel purchases than transient or seasonal users. In recognition of this fact, staff recommends a based aircraft fee in lieu of landing fees. Based aircraft number approximately 116 at this time, accounting for 9% of GA operations.

**RESOLUTION NO. R-2008-**

**RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, ESTABLISHING LANDING FEES FOR GENERAL AVIATION OPERATIONS AT PALM BEACH INTERNATIONAL AIRPORT; ESTABLISHING A BASED AIRCRAFT FEE; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, Palm Beach International Airport ("PBIA") airfield landing operations are predominately from General Aviation users as compared to commercial air carrier companies; and

**WHEREAS**, the cost of operating and maintaining the PBIA airfield is predominately funded by commercial air carriers and the Federal Aviation Administration requires non-discriminatory fees at airports with Federal funding; and

**WHEREAS**, On March 11, 2008, the Board of County Commissioners (the "Board") approved the concept of assessing general aviation users a landing fee at PBIA to provide for a more equitable system of recovering PBIA airfield costs and furthermore directed Airport staff to develop such a policy; and

**WHEREAS**, Airport staff has consulted with the PBIA Fixed Base Operators ("FBOs") and an aviation consultant to develop the most fair and equitable method of charging general aviation users; and

**WHEREAS**, on July 17, 2008 Airport staff presented the proposed PBIA General Aviation Landing Fee policy to the Aviation and Airports Advisory Board ("AAAB") in an advertised and public meeting, allowing for public comment and AAAB member review; and

**WHEREAS**, the AAAB in the July 17, 2008 meeting approved the PBIA General Aviation Landing Fee policy presented in this Resolution.

**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 are expressly incorporated herein by reference and made a part hereof.

2. Board hereby establishes a landing fee payable by general aviation users at PBIA at a rate chargeable per 1000 pounds of maximum gross take off weight ("Landing Fee"). The rate of the Landing Fee shall be in amount equal to the rate charged to signatory air carriers as determined in accordance with the then current Airline-Airport Use and Lease Agreement, as adjusted each fiscal year.
3. The minimum Landing Fee payable by general aviation users will be Fifteen Dollars (\$15.00).
4. In recognition of the financial commitment to PBIA in terms of facility rental and fuel purchases, owners of Based Aircraft (as hereinafter defined) will be exempt from Landing Fees and instead will be charged a Based Aircraft Fee (as hereinafter defined). The Based Aircraft Fee shall be an equal amount to twelve (12) aircraft landings using the then current Landing Fee applicable to general aviation users with a minimum charge of One Hundred Eighty Dollars (\$180) per year. The Based Aircraft Fee may be charged in monthly, quarterly, or annual increments as determined by the Department of Airports ("Department"). For purposes of this Resolution, "Based Aircraft" means an aircraft owned or leased by an individual or entity leasing hangar or building facilities at PBIA for a term equal to one (1) year or more. Commercial, for profit operations, including, but not limited to, Air Taxi Service, Charter Service, or Flight Schools established to transport other persons or goods for compensation shall not be exempt and shall be subject to Landing Fees established in this Resolution.
5. Landing Fees and Based Aircraft Fees will be collected by the FBOs, with a fifteen percent (15%) commission to be retained by the FBOs. The FBOs will remit the remaining eighty five percent (85%) to the County on a monthly basis, including reports satisfactory to the Department, without consideration or deduction due to non-payment of aircraft owners. All collections and

landing data are subject to audit of the FBO records to insure accuracy and completeness of collection and remittance to the Department.

6. Military Aircraft shall be exempt from all Landing Fees and Based Aircraft Fees described in this resolution.
7. This Resolution shall become effective November 1, 2008.

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 Robert J. Kanjian	-
Commissioner Mary McCarty	-
Commissioner Burt Aaronson	-
Commissioner Jess R. Santamaria	-

The Chairperson thereupon declared the Resolution duly passed and adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2008.

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: Anne Delgant  
Assistant County Attorney