

PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS

AGENDA ITEM SUMMARY

Meeting Date: December 9, 2025 [] Consent [X] Regular
[] Ordinance [] Public Hearing

Department: County Attorney

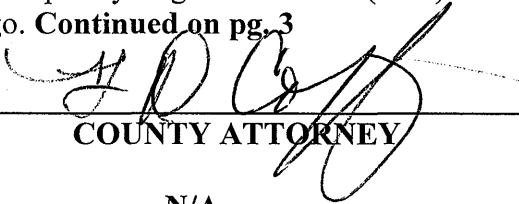
I. EXECUTIVE BRIEF

Motion and Title: Staff requests direction: on which legal option to proceed with, relative to the flight restrictions implemented by the Federal Aviation Administration (FAA) on October 20, 2025, at Palm Beach International Airport (PBI).

Summary: On November 18, 2025, during the Board of County Commissioners (BCC) meeting, Commissioner Weiss directed the County Attorney’s Office (CAO) to provide legal options relative to the recently implemented flight restrictions at PBI. Effective October 20, 2025, the FAA prohibited all operations within a one (1)-mile radius of Mar-A-Lago below 2,000 feet at all times, except where authorized by air traffic control. This restriction remains in effect 24 hours a day, 365 days a year, through October 20, 2026. As a result of the restriction, all departures from PBI to the east are being directed to turn toward the northeast upon departure to avoid the restricted airspace over Mar-A-Lago. This has resulted in a substantial increase in overflights experienced by residents of El Cid, Flamingo Park, and the Town of Palm Beach.

Staff requests direction as to which legal option the BCC would like to proceed with relative to the flight restrictions. The first option would be to commence formal legal challenge against the FAA by filing a petition for review, which must be filed by December 12, 2025. However, staff would still attempt to engage the FAA in conversations under this scenario. The second option, would be to continue to request discussions with the FAA and United States Secret Service (USSS) regarding potential modifications to the flight restrictions without initiating formal legal action. This option would result in the County losing any opportunity to file a formal legal challenge to the flight restrictions if there are no opportunities for conversation with the FAA and/or USSS or if the conversations are not fruitful. Countywide (DO)

Background and Policy Issues: This item is requesting direction on which legal option the BCC would like to move forward with regarding the flight restrictions that were implemented by the FAA at PBI. Mar-A-Lago lies approximately 2.5 miles east of PBI. During the first Trump Administration and up until recently, the FAA would occasionally establish a Temporary Flight Restriction (TFR) at times when the President and/or other VIPs were in residence at Mar-A-Lago. Continued on pg. 3

Recommended By: 
COUNTY ATTORNEY Date

Approved By: N/A
COUNTY ADMINISTRATOR Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2026	2027	2028	2029	2030
Capital Expenditures					
Operating Costs					
External Revenues					
Program Income (County)					
In-Kind Match (County)					
NET FISCAL IMPACT					
# ADDITIONAL FTE POSITIONS (Cumulative)					

Is Item Included in Current Budget:	Yes	<u> X </u>	No	<u> </u>
Is this item using Federal Funds:	Yes	<u> </u>	No	<u> X </u>
Is this item using State Funds:	Yes	<u> </u>	No	<u> X </u>

Budget Account No:

Fund	Dept	Unit	Revenue Source
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B. Recommended Sources of Funds/Summary of Fiscal Impact:

This item carries no fiscal impact.

C. Departmental Fiscal Review:

III. REVIEW COMMENTS

A. OFMB Fiscal and/or Contract Development Comments:

OFMB

Contract Development and Control

B. Legal Sufficiency:

Anne Helms 12-2-25
Assistant County Attorney

C. Other Department Review:

Department Director

This summary is not to be used as a basis for payment.

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Background and Policy Issues: Neither such TFR nor any other airspace restriction was active over Mar-A-Lago when the President was not in residence. The FAA recently established a new flight restriction that prohibits all operations within a one (1) mile radius of Mar-A-Lago below 2,000 feet at all times except as authorized by air traffic control, even when the President is not in residence. As a result of this new restriction, all departures from PBI to the east are being directed to turn toward the northeast upon departure. This has resulted in a substantial increase in overflights experienced by residents of El Cid, Flamingo Park, and the Town of Palm Beach. Staff has outlined the legal options available to the BCC regarding the flight restrictions. If the Board chooses the first option, authorizing staff to file a petition for review prior to the deadline to preserve the County's rights to pursue litigation against the FAA regarding the flight restriction, the petition for review must be filed by December 12, 2025. The second option would be to continue to request discussions with the FAA and USSS regarding potential modifications to the flight restrictions without initiating formal legal action. This option would result in the County losing any opportunity to file a formal legal challenge to the flight restrictions if conversations are not fruitful. Regardless of the option selected, staff recommends continued outreach to the FAA and USSS to discuss potential modifications to the flight restrictions to address community concerns.