

**PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS
AGENDA ITEM SUMMARY**

=====

Meeting Date: September 15, 2026	☐ Consent	☒ Regular
	☐ Workshop	☐ Public Hearing

Department: County Attorney

=====

I. EXECUTIVE BRIEF

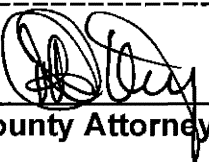
Motion and Title: Staff requests Board direction: regarding the Palm Beach County, et al., v. Federal Aviation Administration (FAA) lawsuit, challenging the FAA's October 2025 establishment of the National Defense Airspace around Mar-a-Lago and the subsequent redesign of the arrival and departure procedures that the FAA adopted to avoid that restricted airspace.

Summary: On September 1, 2026, subsequent to an Attorney-Client session to discuss litigation strategy related to litigation expenses in the Palm Beach County, et al., v. Federal Aviation Administration litigation, the Board of County Commissioners (BCC) gave the County Attorney direction to bring an item to the BCC for discussion as to the next steps to be taken in the lawsuit. The County initiated litigation against the FAA in December 2025, due to the Temporary Flight Restrictions (TFR) that were implemented over Mar-a-Lago in October 2025, and the resulting redesign of the arrival and departure procedures at the President Donald J. Trump International Airport (DJT). On September 1, 2026 the County received notice of the FAA's September 2, 2026 "Notice of Proposed Rulemaking" proposing to establish a permanent Special Flight Rules Area ("SFRA") around Mar-a-Lago, which would replace the current flight restriction at issue in the County's current lawsuit. The County is represented by outside counsel Kaplan Kirsch, LLP in this litigation and the Town of Palm Beach and the City of West Palm Beach are joint Petitioners with the County. Countywide (DO)

Background and Policy Issues: On October 20, 2025, the FAA implemented a one-year TFR through October 2026, over Mar-a-Lago and subsequently published procedures regarding a redesign of the historical arrival and departure procedures to restrict aircraft flights over the restricted Mar-a-Lago airspace. In December, 2025, the County initiated suit in the United States Court of Appeals for the District of Columbia Circuit, challenging the TFR's and redesign of the arrival and departure procedures.

Attachments:
none

=====

Approved By: 	Date: <u>9.10.2026</u>
County Attorney	
Approved By: <u>N/A</u>	Date: _____
County Administrator	

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 ___ No X

Does this item include the use of federal funds? Yes ___ No X

Does this item include the use of state funds? Yes ___ No X

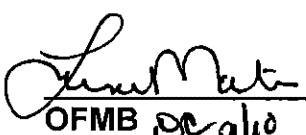
Budget Account No.: Fund ___ Dept ___ Unit ___ Rev Source _____

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

C. Departmental Fiscal Review: _____

III. REVIEW COMMENTS

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


OFMB *pc 9/10* *9/14/2022*
SW 9/10/22


Contract Development and Control *9/10/22*

B. Legal Sufficiency:



County Attorney

C. Other Department Review:

Department Director