

3F2

Submitted By: Department of Airports

Motion and Title: Staff recommends motion to adopt: a Resolution amending Resolution R2020-1017, as amended, providing for clarification of delegation of authority for modifications to existing grant agreements; providing for severability; and providing for an effective date.

Background and Justification: Resolution R2020-1017, as amended by Resolution R2025-1015, currently authorizes the execution of FAA and FDOT grant applications and agreements by the County Administrator or designee. This Resolution clarifies and aligns existing administrative practices with the authority previously granted.

1. Resolution (1)
2. Resolution R2020-1017

Recommended By: Lana Bube 9/10/26
Department Director Date

Approved By: [Signature] 9/16/26
Chief Deputy County Administrator Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	<u>2027</u>	<u>2028</u>	<u>2029</u>	<u>2030</u>	<u>2031</u>
Capital Expenditures	_____	_____	_____	_____	_____
Operating Costs	_____	_____	_____	_____	_____
External Revenues (Grants)	_____	_____	_____	_____	_____
Program Income (County)	_____	_____	_____	_____	_____
In-Kind Match (County)	_____	_____	_____	_____	_____
NET FISCAL IMPACT	_____	_____	_____	_____	_____

ADDITIONAL FTE
POSITIONS (Cumulative) _____

Is Item Included in Current Budget? Yes _____ No _____
Does this item include the use of federal funds? Yes _____ No _____
Does this item include the use of state funds? Yes _____ No _____

Budget Account No: Fund _____ Department _____ Unit _____ Object _____

Reporting Category _____

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

This item has no fiscal impact.

C. Departmental Fiscal Review: Debbie Munson

III. REVIEW COMMENTS

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

Lara Mute 9/11/2026
OFMB QA 9/11
MO 9/11

Shirley Muth 9/11/26
Contract Dev. and Control

B. Legal Sufficiency:

Dee Bures 9/14/26
Assistant County Attorney

C. Other Department Review:

Department Director

REVISED 11/17
(THIS SUMMARY IS NOT TO BE USED AS A BASIS FOR PAYMENT)

RESOLUTION NO. 2026-_____

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, AMENDING RESOLUTION R2020-1017, AS AMENDED; PROVIDING FOR CLARIFICATION OF DELEGATION OF AUTHORITY FOR MODIFICATIONS TO EXISTING GRANT AGREEMENTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Palm Beach County ("County"), by and through its Department of Airports ("Department"), owns and operates the President Donald J. Trump International Airport, North Palm Beach County General Aviation Airport, Palm Beach County Park Airport and Palm Beach County Glades Airport ("Airport System"); and

WHEREAS, the Board of County Commissioners ("Board") authorized the County Administrator or designee, which includes the Director of the Department, to execute standard form Federal Aviation Administration (FAA) and Florida Department of Transportation (FDOT) grant agreements pursuant to Resolution R2020-1017; and

WHEREAS, Resolution R2020-1017 was amended by Resolution R2025-1015, replacing Exhibit "A" to Resolution R2020-1017 with an updated FAA grant template; and

WHEREAS, the Board desires to further clarify the delegation of authority granted by Resolution R2020-1017, as amended; and

WHEREAS, the delegation to the County Administrator or designee to execute grant applications, agreements and amendments eliminates delays and potential loss of grant opportunities caused by requiring such items to be brought before the Board for approval and would therefore be consistent with the goals of the Board to streamline the agenda process and to maximize the use of available grant funding sources.

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 incorporated herein. For purposes of this Resolution, the term "Resolution" shall mean Resolution R2020-1017, as now or hereafter amended.

2. Paragraph 5 of Resolution R2020-1017 is hereby amended to add the following:

The County Administrator or designee is hereby authorized to execute, on behalf of the Board, amendments to existing grant agreements entered into pursuant to the delegated authority provided for in this Resolution, as amended to ensure compliance with current law or grant program requirements, to increase or decrease funding amounts and allocations, based on project needs and subject to available funding, and/or to modify or update a project description.

3. Paragraph 6 of Resolution R2020-1017 is hereby deleted in its entirety and replaced with the following:

6. The County Administrator or designee shall not execute a grant agreement or amendment pursuant to this Resolution unless sufficient airport funds are available to satisfy local match requirements, if any, and the grant agreements have been reviewed approved by the County Attorney's office as to form and legal sufficiency prior to execution by the County Administrator or designee. It is the intention of the Board of County Commissioners that this delegation shall be limited to the parameters set forth herein. In the event there is a material deviation from the delegation set forth in this Resolution, or a substantial change to the obligations or rights of the County under a grant agreement not contemplated by this Resolution, which would constitute discretion of the County Administrator or designee relative thereto, then the approval of the Board of County Commissioners shall be required. The deletion of inapplicable provisions, exhibits or assurances based on specific grant program requirements shall not be considered a material deviation. The County Administrator's designee for purposes of this Resolution shall include the Director of the Department of Airports.

4. Any grant application, agreement, or amendment entered into pursuant to the authority provided in Resolution R2020-1017, as amended by Resolution R2025-1015 and this Resolution, shall be deemed approved and ratified by the Board upon execution, consistent with the authority conferred herein, irrespective of the time of such execution.

5. 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.

6. 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 SARA BAXTER, MAYOR	-
COMMISSIONER MARCI WOODWARD, VICE MAYOR	-
COMMISSIONER MARIA G. MARINO	-
COMMISSIONER GREGG K. WEISS	-
COMMISSIONER JOEL G. FLORES	-
COMMISSIONER MARIA SACHS	-
COMMISSIONER BOBBY POWELL JR.	-

Then the Mayor thereupon declared this Resolution duly passed and adopted this ____ day of _____, 20__.

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

SHANNON RAMSEY-CHESSMAN
CLERK of the CIRCUIT COURT & COMPTROLLER AD INTERIM

By: _____
Deputy Clerk

**APPROVED AS TO FORM AND
LEGAL SUFFICIENCY**

By: 
County Attorney

RESOLUTION NO. 2020- 1017

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, DELEGATING AUTHORITY TO THE COUNTY ADMINISTRATOR OR DESIGNEE TO EXECUTE GRANT APPLICATIONS AND AGREEMENTS FOR THE BENEFIT OF THE COUNTY'S AIRPORT SYSTEM, AND CERTAIN MODIFICATIONS TO GRANT AGREEMENTS ENTERED INTO PURSUANT TO DELEGATED AUTHORITY; PROVIDING FOR REPEAL OF RESOLUTION 2006-2086 TO THE EXTENT OF ANY CONFLICT; PROVIDING FOR SEVERABILITY; 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 International Airport, North Palm Beach County General Aviation Airport, Palm Beach County Park Airport and Palm Beach County Glades Airport ("Airport System"); and

WHEREAS, the United States of America, by and through its Department of Transportation and the Federal Aviation Administration (hereinafter collectively referred to as the "FAA"), provides grant funding through standard form grant agreements for eligible airport projects, which are required to be executed in order to receive federal funding; and

WHEREAS, the FAA uses the Airport Improvement Program ("AIP"), established pursuant to Title 49, U.S.C, Subtitle VII, as now or hereafter amended, as the primary means of distributing funding to airports; and

WHEREAS, the Board of County Commissioners authorized the County Administrator or designee to execute standard form FAA grant agreements pursuant to Resolution 93-801, which was repealed and replaced by Resolution 2006-2086; and

WHEREAS, pursuant to Resolution 2006-2086, the Board of County Commissioners authorized the County Administrator or designee to execute standard FAA AIP grant agreement forms; and

WHEREAS, pursuant to Agenda Item 3F3 on September 23, 2008, the Board of County Commissioners authorized the County Administrator or designee to execute administrative amendments to Florida Department of Transportation ("FDOT") grant agreements known as Joint Participation Agreements ("JPA") to include modifications to the language that may be required to bring JPAs into compliance with state laws; and

WHEREAS, pursuant to Agenda Item 3F11 on October 18, 2011, the Board of County Commissioners authorized the County Administrator or designee to sign extensions of time and approve minor changes to Joint Participation Agreements with FDOT ; and

WHEREAS, the Coronavirus Aid, Relief, and Economic Security (CARES) Act (H.R. 748, Public Law 116-136), signed into law on March 27, 2020, included \$10 billion in funds to be awarded as economic relief to eligible airports affected by the prevention of, preparation for, and response to the COVID-19 pandemic; and

WHEREAS, the FAA offered approximately \$37 million in CARES Act funding to the County to be used for the benefit of the Airport System for any lawful purpose for which airport revenues may be used, utilizing a simplified standard AIP grant agreement form; and

WHEREAS, the agencies typically require acceptance of grant offers to occur within a specified period of time; and

WHEREAS, the form of the various grant agreements are updated from time to time by the agencies providing grants and are not subject to modification or negotiation by the grantee; and

WHEREAS, the Board of County Commissioners desires to simplify and consolidate the previous delegations of authority related to execution of grant applications and agreements for the benefit of the Airport System; and

WHEREAS, the delegation to the County Administrator or designee to execute aviation grant applications and agreements consistent with the provisions of this Resolution will eliminate delays and potential loss of grant opportunities caused by requiring such items to be brought before the Board of County Commissioners for approval and would therefore be consistent with the goals of the Board of County Commissioners to streamline the agenda process and to maximize the use of available grant funding sources.

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 incorporated herein.
2. The County Administrator or designee is hereby authorized to execute, on behalf of the Board of County Commissioners, grant applications for programs established to provide funding for airport planning and development projects, acquisition of property or property interests, reimbursement or direct payment of airport operating, maintenance or capital costs, and any other lawful aviation or airport purpose; provided that the application does not become an agreement or obligation prior to acceptance of the grant offer by the County.
3. The County Administrator or designee is hereby authorized to execute, on behalf of the Board of County Commissioners, standard form grant agreements issued by the FAA: (a) under the AIP in substantially the form of the agreements attached hereto and incorporated herein as Exhibit A, as may be amended by the FAA to ensure compliance with current law and grant program requirements; and (b) any other FAA program established to provide funding for airport planning and development projects, acquisition of property or property interests, reimbursement or direct payment of airport operating, maintenance or capital costs, or any other lawful aviation or airport purpose; provided that the terms and conditions of the grant agreement are substantially similar to grant agreements issued under the AIP, which shall include grants issued by the FAA under the CARES Act and other similar programs.
4. The County Administrator or designee is hereby authorized to execute, on behalf of the Board of County Commissioners, standard form Public Transportation Grant Agreements ("PTGA") issued by FDOT in substantially the form attached hereto and incorporated herein as Exhibit "B", as may be amended by FDOT to ensure compliance with current law and grant program requirements.

5. The County Administrator or designee is hereby authorized to execute, on behalf of the Board of County Commissioners, the following modifications to grant agreements entered into pursuant to this Resolution: (a) amendments required to ensure compliance with current law and grant program requirements or that include nonmaterial changes; (b) time extensions to grant agreements; and (c) terminations of grant agreements. For purposes of this Resolution, "nonmaterial changes" mean changes that do not modify the substantive obligations of the County and includes changes to correct scrivener's errors. Any application or grant agreement entered into in accordance with the provisions of this Resolution prior to the effective date of this Resolution is hereby approved and ratified by the Board of County Commissioners, including, but not limited to, FAA CARES Act Airport Grant Agreement Numbers 3-12-0085-065-2020, 3-12-0013-019-2020, 3-12-0086-018-2020, and 3-12-0060-008-2020.

6. The County Administrator or designee shall not execute a grant agreement pursuant to the delegation of authority granted pursuant to this Resolution unless sufficient airport funds are available to satisfy local match requirements, if any, and the grant agreements have been reviewed and approved by the County Attorney's office as to form and legal sufficiency prior to execution by the County Administrator or designee. It is the intention of the Board of County Commissioners that this delegation shall be limited to the parameters set forth herein. In the event there is a material deviation from the delegation set forth in this Resolution, which would constitute discretion of the County Administrator or designee relative thereto, then the approval of the Board of County Commissioners shall be required. The deletion of inapplicable provisions, exhibits or assurances based on specific grant program requirements shall not be considered a material deviation. The County Administrator's designee for purposes of this Resolution shall include the Director of the Department of Airports.

7. Resolution 2006-2086 is hereby repealed to the extent of any conflict with this Resolution; provided, however, this Resolution shall not have any effect on the validity of any agreements entered into pursuant to Resolution 2006-2086 including, but not limited to, FAA CARES Act Airport Grant Agreement Numbers 3-12-0085-065-2020, 3-12-0013-019-2020, 3-12-0086-018-2020, and 3-12-0060-008-2020.

8. 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.

9. This Resolution shall become effective immediately upon adoption.

(Remainder of page intentionally left blank)

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

COMMISSIONER DAVE KERNER, MAYOR	-	Aye
COMMISSIONER ROBERT S. WEINROTH, VICE MAYOR	-	Aye
COMMISSIONER HAL R. VALECHE	-	Aye
COMMISSIONER GREGG WEISS	-	Aye
COMMISSIONER MARY LOU BERGER	-	Aye
COMMISSIONER MELISSA MCKINLAY	-	Aye
COMMISSIONER MACK BERNARD	-	Aye

Then the Mayor thereupon declared this Resolution duly passed and adopted this 25th day of August, 2020.

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

Sharon R. Bock, Clerk & Comptroller

By: Nancy Penner
Deputy Clerk



APPROVED AS TO FORM AND
LEGAL SUFFICIENCY

By: Anne Delgant
County Attorney