

# **ITEM #34**

(Replacement Exhibit 1 - Revised Resolution Amending Section 39.2)

# **ADDITIONAL MATERIAL**

## **Public Hearing**

**SEPTEMBER 22, 2020**

**SUBMITTED AT THE REQUEST OF**

**AVIATION DEPARTMENT**

## PROPOSED

RESOLUTION NO. 2020-

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, PERTAINING TO RATES, FEES, AND CHARGES AT FORT LAUDERDALE-HOLLYWOOD INTERNATIONAL AIRPORT; AMENDING SECTION 39.2 AND EXHIBIT 39.A OF THE BROWARD COUNTY ADMINISTRATIVE CODE ("ADMINISTRATIVE CODE"), TO REFLECT CHANGES TO RATES, FEES, AND CHARGES; AND PROVIDING FOR SEVERABILITY, INCLUSION IN THE ADMINISTRATIVE CODE, AND AN EFFECTIVE DATE.

WHEREAS, as required by Section 2-3 of the Broward County Code of Ordinances, the Broward County Board of County Commissioners ("Board") fixes and establishes, through the adoption of a resolution, the rates, fees, and charges for the services and facilities provided at Broward County's Fort Lauderdale-Hollywood International Airport;

WHEREAS, the rates, fees, and charges established by resolution are included in Chapter 39 of the Broward County Administrative Code; and

WHEREAS, the Board desires to amend certain provisions of Chapter 39 in order to revise the schedule of rates, fees, and charges, NOW, THEREFORE,

BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA:

Section 1. Section 39.2 of the Broward County Administrative Code is hereby amended to read as follows:

**39.2. Rates, Fees, and Charges—Fort Lauderdale-Hollywood International Airport.**

1 a. Terminal Rates and Charges:

2 1. Signatory Airlines:

3 (a) Type 1 Space, per square foot, per annum: ~~\$179.00~~ 217.70

4 210.65

5 (b) Type 2 Space, per square foot, per annum: ~~\$166.47~~ 202.46

6 195.90

7 (c) Type 3 Space, per square foot, per annum: ~~\$128.88~~ 156.74

8 151.66

9 (d) Type 4 Space, per square foot, per annum: \$1.00

10 2. All Others:

11 (a) Type 1 Space, per square foot, per annum: ~~\$232.70~~ 283.01

12 273.84

13 (b) Type 2 Space, per square foot, per annum: ~~\$216.41~~ 263.20

14 254.67

15 (c) Type 3 Space, per square foot, per annum: ~~\$167.55~~ 203.76

16 197.16

17 (d) Type 4 Space, per square foot, per annum: \$1.00

18 b. Landing Fee:

19 1. Signatory Airlines:

20 (a) Rate of ~~one dollar and forty-one cents (\$1.41)~~ ~~two dollars and~~

21 ~~sixteen cents (\$2.16)~~ one dollar and ninety-nine cents (\$1.99) per

22 one thousand (1,000) pounds of nominal gross landed weight, as  
23 determined by the Aviation Department, for each revenue arrival.

24 (A revenue arrival is a plane that arrives at the airport which

Coding: Words in ~~struck through~~ type are deletions from existing text. Words in  
underscored type are additions.

1 generates business from that arrival or departure from the  
2 airport.)

3 ...

4 2. Non-Wholly Owned Affiliated Airlines:

5 (a) Rate of ~~one dollar and seventy cents (\$1.70)~~ two dollars and  
6 sixteen cents (\$2.16) two dollars and thirty-nine cents (\$2.39) per  
7 one thousand (1,000) pounds of nominal gross landed weight, as  
8 determined by the Aviation Department, for each revenue arrival.  
9 (A revenue arrival is a plane that arrives at the airport which  
10 generates business from that arrival or departure from the  
11 airport.)

12 ...

13 3. All Others:

14 (a) Rate of ~~one dollar and eighty-four cents (\$1.84)~~ two dollars and  
15 eighty-one cents (\$2.81) two dollars and fifty-nine cents (\$2.59)  
16 per one thousand (1,000) pounds of nominal gross landed  
17 weight, as determined by the Aviation Department, for each  
18 revenue and non-revenue arrival by a plane.

19 ...

20 Section 2. Exhibit 39.A of the Broward County Administrative Code is hereby  
21 amended to read as follows:

22  
23  
24  
Coding: Words in ~~struck-through~~ type are deletions from existing text. Words in  
underscored type are additions.

**EXHIBIT 39.A**

**BROWARD COUNTY AVIATION DEPARTMENT**

**I. PER USE GATE CHARGES.**

a. Signatory Airlines and Affiliates:

|                       | Class | Arrival or<br>Departure <sup>(1) (8)</sup> | Turn <sup>(1) (8)</sup> | Overtime<br><sup>(1) (2) (8)</sup> | Overnight <sup>(3) (8)</sup> |
|-----------------------|-------|--|-------------------------|------------------------------------|------------------------------|
| B-747, B-777,<br>A340 | 1     | <del>\$221.50</del>                        | <del>\$443.00</del>     | <del>\$155.00</del>                | <del>\$354.00</del>          |
|                       |       | <u>\$271.50</u>                            | <u>\$543.00</u>         | <u>\$190.00</u>                    | <u>\$434.00</u>              |
|                       |       | <u>\$262.50</u>                            | <u>\$525.00</u>         | <u>\$184.00</u>                    | <u>\$420.00</u>              |
| Wide Body             | 2     | <del>\$190.00</del>                        | <del>\$380.00</del>     | <del>\$133.00</del>                | <del>\$304.00</del>          |
|                       |       | <u>\$232.50</u>                            | <u>\$465.00</u>         | <u>\$163.00</u>                    | <u>\$372.00</u>              |
|                       |       | <u>\$225.00</u>                            | <u>\$450.00</u>         | <u>\$158.00</u>                    | <u>\$360.00</u>              |
| Narrow Body           | 3     | <del>\$126.50</del>                        | <del>\$253.00</del>     | <del>\$ 89.00</del>                | <del>\$202.00</del>          |
|                       |       | <u>\$155.00</u>                            | <u>\$310.00</u>         | <u>\$109.00</u>                    | <u>\$248.00</u>              |
|                       |       | <u>\$150.00</u>                            | <u>\$300.00</u>         | <u>\$105.00</u>                    | <u>\$240.00</u>              |
| 20—50 Passenger       | 4     | <del>\$ 63.50</del>                        | <del>\$127.00</del>     | <del>\$ 44.00</del>                | <del>\$102.00</del>          |
|                       |       | <u>\$ 77.50</u>                            | <u>\$155.00</u>         | <u>\$ 54.00</u>                    | <u>\$124.00</u>              |
|                       |       | <u>\$ 75.00</u>                            | <u>\$150.00</u>         | <u>\$ 53.00</u>                    | <u>\$120.00</u>              |
| 1—19 Passenger        | 5     | <del>\$ 31.50</del>                        | <del>\$ 63.00</del>     | <del>\$ 22.00</del>                | <del>\$ 50.00</del>          |
|                       |       | <u>\$ 39.00</u>                            | <u>\$ 78.00</u>         | <u>\$ 27.00</u>                    | <u>\$ 62.00</u>              |

Coding: Words in ~~struck through~~ type are deletions from existing text. Words in underscored type are additions.

|    |                 |       |  |                         |                                    |                              |
|----|-----------------|-------|--|-------------------------|------------------------------------|------------------------------|
| 1  |                 |       | <u>\$ 37.50</u>                            | <u>\$ 75.00</u>         | <u>\$ 26.00</u>                    | <u>\$ 60.00</u>              |
| 2  | b. All Others:  |       |  |                         |                                    |                              |
| 3  |                 |       |  |                         |                                    |                              |
| 4  |                 | Class | Arrival or<br>Departure <sup>(1) (8)</sup> | Turn <sup>(1) (8)</sup> | Overtime<br><sub>(1) (2) (8)</sub> | Overnight <sup>(3) (8)</sup> |
| 5  |                 |       |  |                         |                                    |                              |
| 6  |                 |       |  |                         |                                    |                              |
| 7  | B-747, B-777,   | 1     | <del>\$288.00</del>                        | <del>\$576.00</del>     | <del>\$202.00</del>                | <del>\$461.00</del>          |
| 8  | A340            |       | <del>\$353.00</del>                        | <del>\$706.00</del>     | <del>\$247.00</del>                | <del>\$565.00</del>          |
| 9  |                 |       | <u>\$341.00</u>                            | <u>\$683.00</u>         | <u>\$239.00</u>                    | <u>\$546.00</u>              |
| 10 |                 |       |  |                         |                                    |                              |
| 11 | Wide Body       | 2     | <del>\$247.00</del>                        | <del>\$494.00</del>     | <del>\$173.00</del>                | <del>\$395.00</del>          |
| 12 |                 |       | <del>\$302.50</del>                        | <del>\$605.00</del>     | <del>\$212.00</del>                | <del>\$484.00</del>          |
| 13 |                 |       | <u>\$292.50</u>                            | <u>\$585.00</u>         | <u>\$205.00</u>                    | <u>\$468.00</u>              |
| 14 |                 |       |  |                         |                                    |                              |
| 15 | Narrow Body     | 3     | <del>\$164.50</del>                        | <del>\$329.00</del>     | <del>\$115.00</del>                | <del>\$263.00</del>          |
| 16 |                 |       | <del>\$201.50</del>                        | <del>\$403.00</del>     | <del>\$141.00</del>                | <del>\$322.00</del>          |
| 17 |                 |       | <u>\$195.00</u>                            | <u>\$390.00</u>         | <u>\$137.00</u>                    | <u>\$312.00</u>              |
| 18 | 20—50 Passenger | 4     | <del>\$ 82.50</del>                        | <del>\$165.00</del>     | <del>\$ 58.00</del>                | <del>\$132.00</del>          |
| 19 |                 |       | <del>\$101.00</del>                        | <del>\$202.00</del>     | <del>\$ 71.00</del>                | <del>\$162.00</del>          |
| 20 |                 |       | <u>\$ 97.50</u>                            | <u>\$195.00</u>         | <u>\$ 68.00</u>                    | <u>\$156.00</u>              |
| 21 | 1—19 Passenger  | 5     | <del>\$ 41.00</del>                        | <del>\$ 82.00</del>     | <del>\$ 29.00</del>                | <del>\$ 66.00</del>          |
| 22 |                 |       | <del>\$ 50.50</del>                        | <del>\$101.00</del>     | <del>\$ 35.00</del>                | <del>\$ 81.00</del>          |
| 23 |                 |       | <u>\$ 49.00</u>                            | <u>\$ 98.00</u>         | <u>\$ 34.00</u>                    | <u>\$ 78.00</u>              |
| 24 |                 |       |  |                         |                                    |                              |

Coding: Words in ~~struck through~~ type are deletions from existing text. Words in underscored type are additions.

1 **II. PER USE FACILITIES CHARGES.**

2 PASSENGER CHECK-IN FACILITIES <sup>(4)</sup>:

|  |  |
|--|--|
| 3 Signatory Airlines                       | \$ <del>21.00</del> <u>36.00</u> per hour per ticket counter position <sup>(5)</sup> |
| 4 All Others                               | \$ <del>27.00</del> <u>47.00</u> per hour per ticket counter position <sup>(5)</sup> |
| 5 Bag make-up facilities <sup>(6)</sup>    | \$ <del>0.30</del> <u>0.70</u> <u>0.60</u> per enplaned passenger                    |
| 6 Bag make claim facilities <sup>(7)</sup> | \$ <del>0.90</del> <u>1.70</u> per deplaned passenger                                |

7 . . .  
8  
9 **NOTES:**

10 . . .  
11 (5) All passenger check-in facilities must be reserved in advance, with the approval of  
12 the Aviation Department. Passenger check-in facilities charges shall be applied at  
13 the rate of ~~twenty-one dollars (\$21.00)~~ thirty-six dollars (\$36.00) per hour, or any  
14 part thereof, for Signatory Carriers, and ~~twenty-seven dollars (\$27.00)~~ forty-seven  
15 dollars (\$47.00) per hour, or any part thereof, for all other carriers, per ticket  
16 counter position for any passenger check-in facility reserved, whether utilized or  
17 not. Signatory Carriers will not be charged, on a monthly basis, for per use  
18 passenger check-in facilities in an amount greater than would otherwise be  
19 charged to that carrier for a monthly preferential lease of equivalent ticket counter  
20 space.

21 . . .  
22 (8) Signatory Carriers using a per use gate shall not be charged more than the  
23 following amounts for Gate Charges for that gate, per month:  
24

Coding: Words in ~~struck-through~~ type are deletions from existing text. Words in  
underscoring type are additions.

|   |             |                        |                        |                        |
|---|-------------|------------------------|------------------------|------------------------|
| 1 | Concourse A | <del>\$71,347.00</del> | <del>\$86,771.87</del> | <del>\$83,961.00</del> |
| 2 | Concourse B | <del>\$32,864.00</del> | <del>\$39,969.04</del> | <del>\$38,674.00</del> |
| 3 | Concourse C | <del>\$33,715.00</del> | <del>\$41,004.02</del> | <del>\$39,676.00</del> |
| 4 | Concourse D | <del>\$38,779.00</del> | <del>\$47,162.83</del> | <del>\$45,635.00</del> |
| 5 | Concourse E | <del>\$29,119.00</del> | <del>\$35,414.39</del> | <del>\$34,267.00</del> |
| 6 | Concourse F | <del>\$25,082.00</del> | <del>\$30,504.61</del> | <del>\$29,516.00</del> |
| 7 | Concourse G | <del>\$36,124.00</del> | <del>\$43,933.83</del> | <del>\$42,511.00</del> |

8  
9 Section 3. Severability.

10 If any portion of this Administrative Code Resolution is determined by any court to  
11 be invalid, the invalid portion will be stricken, and such striking will not affect the validity  
12 of the remainder of this Administrative Code Resolution. If any court determines that this  
13 Administrative Code Resolution, in whole or in part, cannot be legally applied to any  
14 individual, group, entity, property, or circumstance, such determination will not affect the  
15 applicability of this Administrative Code Resolution to any other individual, group, entity,  
16 property, or circumstance.

17 Section 4. Inclusion in the Broward County Administrative Code.

18 It is the intention of the Board of County Commissioners that the provisions of this  
19 Administrative Code Resolution become part of the Broward County Administrative Code  
20 as of the effective date. The sections of this Administrative Code Resolution may be  
21 renumbered or relettered and the word "resolution" may be changed to "section," "article,"  
22 or such other appropriate word or phrase to the extent necessary in order to accomplish  
23 such intention.

24  
Coding: Words in ~~struck-through~~ type are deletions from existing text. Words in  
underscored type are additions.



1 Section 5. Effective Date.

2 This Administrative Code Resolution is effective on October 1, 2020.

3  
4 ADOPTED this                  day of                  , 2020.

5  
6 Approved as to form and legal sufficiency:  
7 Andrew J. Meyers, County Attorney

8 By /s/ Carlos Rodriguez-Cabarrocas                  09/14/2020  
9 Carlos Rodriguez-Cabarrocas                  (date)  
Assistant County Attorney

**PROPOSED**

10 By /s/ Alexander J. Williams                  09/14/2020  
11 Alexander J. Williams                  (date)  
12 Senior Assistant County Attorney

13  
14  
15  
16  
17  
18  
19  
20  
21  
22 CRC/ch  
23 Admin Code Reso – Chapter 39 Airline Fees  
09/14/2020  
24 43000.0001

Coding: Words in ~~struck-through~~ type are deletions from existing text. Words in underscoring type are additions.