

HB 1675

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A bill to be entitled

An act relating to the Boca Raton Airport Authority; providing for a codified charter for the Boca Raton Airport Authority; creating the Boca Raton Airport Authority; providing for its membership, terms of office, officers, quorum, and meetings; defining the powers and duties of the authority; providing for reimbursement of travel expenses; providing for budgets; providing for transfer of funds; providing for an airport manager; defining the relationship between the authority, the City of Boca Raton, Palm Beach County, and the State of Florida; providing for continued vesting of title to the land comprising the Boca Raton Airport in the Board of Trustees of the Internal Improvement Trust Fund; providing the authority is liable for certain obligations and damages; declaring the authority to be an agency of the state; repealing chapters 82-259, 83-371, 91-381, and 99-421, Laws of Florida; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. In accordance with section 189.429, Florida Statutes, this act constitutes the codification of all special acts relating to the Boca Raton Airport Authority. It is the intent of the Legislature in enacting this law to provide a single, comprehensive special act charter for the district, including all current legislative authority granted to the district by its several legislative enactments and any additional authority granted by this act.

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30 Section 2. Chapters 82-259, 83-371, 91-381, and 99-421,
 31 Laws of Florida, are codified, reenacted, amended, and repealed
 32 as herein provided.

33 Section 1. Short title.--This act may be cited as the "Boca
 34 Raton Airport Authority Act."

35 Section 2. Definitions.--As used in this act:

36 (1) "Airport" means the state-owned land within the
 37 territorial limits of the City of Boca Raton now known as the
 38 Boca Raton Airport.

39 (2) "Authority" means the Boca Raton Airport Authority.

40 (3) "City" means the City of Boca Raton.

41 (4) "City council" means the governing body of the City of
 42 Boca Raton.

43 (5) "County" means Palm Beach County.

44 (6) "County commission" means the Board of County
 45 Commissioners of Palm Beach County.

46 (7) "Project" means and includes the acquisition,
 47 improvement, or maintenance of real or personal property within
 48 the boundaries of the Boca Raton Airport.

49 Section 3. Authority; creation and purpose.--There is
 50 hereby created a body politic and corporate to be known as the
 51 Boca Raton Airport Authority. The exercise by the authority of
 52 the powers conferred upon it by this act will be deemed to be for
 53 an essential and proper public purpose.

54 Section 4. Membership; terms of office; officers; quorum;
 55 meetings; removal.--

56 (1) The authority shall consist of seven members. As a
 57 condition of eligibility for appointment and to hold office, five
 58 members must reside within the municipality, and two members must

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59 reside within the Greater Boca Raton Reserve Area, as defined in
 60 chapter 67-1112, Laws of Florida. Of the five municipal
 61 residents, three must reside east of the airport, one must reside
 62 west of the airport, and one may reside anywhere in the
 63 municipality.

64 (2) The county commission shall appoint two members, each
 65 of whom must reside within the Greater Boca Raton Reserve Area.
 66 The city council shall appoint the five members who must reside
 67 within the limits of the municipality as specified in subsection
 68 (1).

69 (3) The term of office for each member shall be 2 years.
 70 Each term shall expire on June 1 in the year of expiration of the
 71 term. The county members' terms shall expire in odd years and the
 72 other members' terms shall expire in even years.

73 (4) A chair, vice chair, and secretary shall be chosen by
 74 and from the authority membership. The term of office for the
 75 chair, vice chair, and secretary shall be 1 year, and no member
 76 shall hold the same office for more than two consecutive terms.

77 (5) A quorum shall consist of four members, but the
 78 affirmative vote of not less than four members shall be necessary
 79 to take any action except to adjourn.

80 (6) The authority shall meet at least once each month at
 81 such times and places within the city as shall be determined by
 82 the authority.

83 (7) Any member may be removed by the commission or council
 84 which appointed that member, but only for grounds constituting
 85 misfeasance, malfeasance, or nonfeasance in office, or upon
 86 conviction of any crime. The unexcused failure to attend three
 87 consecutive regular meetings of the authority shall be deemed

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88 nonfeasance, without limiting the meaning of that term.

89 (8) Vacancies in office shall be filled by the appropriate
 90 appointing entity for the balance of the term. Each appointment
 91 to fill a vacancy shall be made from a list of nominees furnished
 92 by the entity which nominated the member who held the office. In
 93 such cases, the list of nominees shall be filed not later than 30
 94 days after notice of the vacancy has been given to the nominating
 95 entity.

96 Section 5. Powers and duties.--The authority shall have
 97 jurisdiction over the operation and maintenance of and
 98 improvements to the Boca Raton Airport. The authority shall have
 99 the following specific powers and duties:

100 (1) To enter into contracts and to sue and be sued in its
 101 own name.

102 (2) To acquire real and personal property.

103 (3) To let or lease the airport or any portion of the
 104 airport, including the buildings and hangars thereon, and to
 105 grant concessions upon such terms and conditions as it shall deem
 106 proper.

107 (4) To employ necessary personnel, including an airport
 108 manager, whose duties and salaries shall be prescribed by the
 109 authority.

110 (5) To accept revenues from the operation of the airport
 111 and to accept gifts, grants, and other revenues; but the
 112 authority shall not have the power to levy or collect ad valorem
 113 taxes.

114 (6) To adopt a budget annually, and to amend it during the
 115 fiscal year.

116 (7) To adopt rules for the regulation of its affairs and

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117 the conduct of its business, and rules for the operation of the
 118 airport and aircraft, including, but not limited to, safety and
 119 noise abatement rules, and to enforce and administer all such
 120 rules.

121 (8) To adopt and alter an official seal.

122 (9) To maintain an office within the city.

123 (10) To construct, reconstruct, improve, equip, repair,
 124 maintain, and operate the airport and such buildings, structures,
 125 roads, alleyways, and any other development of land as the
 126 authority shall determine to be necessary and proper in the
 127 performance of the duties and purposes of this act, within the
 128 boundaries of the airport.

129 (11) To issue revenue bonds or refunding bonds of the
 130 authority to pay the cost of such acquisition, construction,
 131 reconstruction, improvement, or equipment.

132 (12) To fix and revise from time to time and to collect
 133 rates, fees, and other charges for the use of or for the services
 134 and facilities furnished by or at the airport.

135 (13) To do all acts and things necessary or convenient to
 136 carry out the purposes of the authority.

137 Section 6. Compensation and travel expenses.--The members
 138 shall receive no salary or other compensation for their services
 139 as members of the authority except a fee of \$100 for attending
 140 each regular monthly meeting of the authority. Compensation of
 141 members shall be limited to \$1,200 per member per annum. The
 142 authority shall also have authority to pay reasonable costs and
 143 expenses necessarily incurred by the members in performance of
 144 their duties. The rate for travel expenses shall not exceed the
 145 rate for state employees.

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146 Section 7. Budget.--The authority shall during each fiscal
147 year prepare and adopt an annual budget for such revenue and
148 expense accounts as the authority shall prescribe for its
149 operations in the ensuing fiscal year. The fiscal year of the
150 authority shall be the same as that of the city. The budget shall
151 include all estimated revenues and all estimated expenditures for
152 the ensuing fiscal year.

153 Section 8. Airport manager.--The authority shall employ an
154 aviation-experienced airport manager to administer all airport
155 operations and to supervise all airport projects. The decision to
156 employ or terminate the employment of the airport manager shall
157 require the four-fifths vote of the members of the authority.

158 Section 9. Relationship between the authority, city,
159 county, and state.--The authority shall have the power and
160 responsibility to operate the airport in a manner consistent with
161 applicable federal and state law and the objectives of the county
162 and the city. The authority shall comply with appropriate police
163 powers of the county or of the city respecting the operation and
164 development of an airport. Applicable building codes of the city
165 shall apply to all construction upon the airport, except to the
166 extent that different state or federal requirements are expressly
167 applicable, and except to the extent that the authority or the
168 airport has been made exempt from any requirement of the city by
169 state or federal law. All construction upon the airport shall be
170 subject to inspection by the city on behalf of the state, and the
171 city inspectors may insure compliance with applicable state
172 regulations for such construction in addition to applicable city
173 regulations.

174 Section 10. Title to airport land.--The title to the land

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175 comprising the Boca Raton Airport shall continue to be vested in
 176 the Board of Trustees of the Internal Improvement Trust Fund of
 177 the state. The airport is leased to the authority by the Board of
 178 Trustees of the Internal Improvement Trust Fund. Nothing in this
 179 act shall be construed to impair the obligations of any agreement
 180 between the state or any of its agencies and the fixed base
 181 operator of the airport entered into as of effective date of this
 182 act.

183 Section 11. Liabilities.--The authority shall be liable for
 184 its obligations and for damages caused by the negligent acts or
 185 omissions of the authority. The authority shall be deemed to be
 186 an agency of the state for the purposes of section 768.28,
 187 Florida Statutes.

188 Section 3. Chapters 82-259, 83-371, 91-381, and 99-421,
 189 Laws of Florida, are repealed.

190 Section 4. This act shall take effect upon becoming a law.