



**CITY OF FORT LAUDERDALE
City Commission Agenda Memo
REGULAR MEETING**

#19-0101

TO: Honorable Mayor & Members of the
Fort Lauderdale City Commission

FROM: Alain E. Boileau, City Attorney

DATE: January 22, 2019

TITLE: Resolution appointing the law firm of Kaplan Kirsch & Rockwell, LLP as Special Counsel, to represent the City of Fort Lauderdale in connection with general airport matters pertaining to the Fort Lauderdale Executive Airport, and airport noise compatibility issues, 14 CFR Part 150 Airport Noise Compatibility Planning and Metroplex Studies pertaining to the Fort Lauderdale-Hollywood International Airport.

Recommendation

It is recommended that the City Commission adopt a resolution appointing the law firm of Kaplan Kirsch & Rockwell, LLP, as special counsel to represent the City of Fort Lauderdale in connection with general airport matters pertaining to the Fort Lauderdale Executive Airport, and airport noise compatibility issues, 14 CFR Part 150 Airport Noise Compatibility Planning and Metroplex Studies pertaining to the Fort Lauderdale-Hollywood International Airport.

Background

The Broward County Aviation Department (BCAD) has begun a study to evaluate aircraft noise compatibility of Fort Lauderdale-Hollywood International Airport (FLL) with the local communities. This study is called a "Part 150 Study" because it follows the process outlined in Title 14 of the Code of Federal Regulations (CFR) Part 150 (*Airport Noise Compatibility Planning*). This includes creating Noise Exposure Maps (NEMs) and a Noise Compatibility Program (NCP). The NEMs show community exposure to certain levels of existing and future airport noise and identify uses that are noncompatible with those levels. The NCP recommends ways to address or reduce those noncompatible uses while preserving aviation safety and airport operational abilities.

Part 150 is a voluntary process that airports can undertake to address aircraft noise concerns. BCAD completed the first Part 150 Study for FLL in 1987 and an update in 1994. The Update included twelve recommendations for improving compatibility. BCAD began another Part 150 Study Update in 2005, but suspended that Update due to the Runway 10R/28L Environmental Impact Statement (EIS) process. This Part 150 Study will reflect the new aircraft operational conditions resulting from the opening of Runway 10R/28L.

It is recommended that the City appoint special counsel to represent the City of Fort Lauderdale in connection with general airport matters pertaining to the Fort Lauderdale Executive Airport, and for representation in addressing airport noise abatement, ongoing 14 CFR Part 150 Airport Noise Compatibility Planning and Metroplex Studies pertaining to the Fort Lauderdale-Hollywood International Airport.

Resource Impact

Funds for this agreement in the amount of \$125,000 are available in the FY 2019 Budget in the accounts listed below:

<i>Funds available as of January 14, 2019</i>					
ACCOUNT NUMBER	INDEX NAME (Program)	CHARACTER CODE/ SUB- OBJECT NAME	AMENDED BUDGET (Character)	AVAILABLE BALANCE (Character)	AMOUNT
468-TAM070101-3119	Executive Airport	Services & Materials/ Legal Services	\$4,188,091	\$3,024,698	\$75,000
001-ATT010101-3119	City Attorney	Services & Materials/ Legal Services	\$675,020	\$371,926	\$50,000
TOTAL AMOUNT ►					\$125,000

Attachment

Exhibit 1 – Resolution

Prepared by: Tania Marie Amar, Assistant City Attorney

Charter Officer: Alain E. Boileau, City Attorney