

**RESOLUTION NO. 2011-02**

**SARASOTA MANATEE AIRPORT AUTHORITY  
RESOLUTION ADOPTING FISCAL YEAR 2012 BUDGET AND ESTABLISHING AIRLINE RENTALS, FEES AND  
CHARGES, DESIGNATING EMPLOYEE PROMOTION INCREASES AND CONTRIBUTIONS TO EMPLOYEE  
DEFINED CONTRIBUTION RETIREMENT PLAN**

**WHEREAS**, the SARASOTA MANATEE AIRPORT AUTHORITY (hereinafter called "Authority"), is a body politic and corporate, created by Chapter 2003-309, Laws of Florida, and is the owner and operator of the Sarasota Bradenton International Airport (hereinafter called "Airport"); and

**WHEREAS**, THE Airport Authority Enabling Act, authorizes and empowers the Authority to fix and revise from time to time and collect rates, fees, and other charges for the use of or for the services furnished by any Airport facilities; and

**WHEREAS**, heretofore Resolution No. 2008-07, passed September 15, 2008, established a methodology and process for determining landing fees for all airlines using the Airport facilities and it is the intent of the Authority to replace that resolution in the manner identified herein below; and

**WHEREAS**, pursuant to terms of the Scheduled Airline Operating Agreement and Terminal Building Lease (hereinafter referred to as the Agreement), the Authority is obligated to annually review and recalculate rates, fees, landing fees, and other charges applicable to users and tenants of the Airport; and

**WHEREAS**, the Authority held a public hearing, after the publication of a notice of such hearing in a newspaper of general circulation in Sarasota and Manatee Counties at least one time not less than ten days nor more than twenty five days prior to such hearing to consider the revision of said rates or fees that will be charged to persons who use the said Airport facilities; and

**WHEREAS**, Section III.C.3. of the Authority's Personnel Policy requires the annual designation of a percentage salary increase when an employee is promoted to a higher salary grade; and

**WHEREAS**, Section IV.J. of the Authority's Personnel Policy requires an annual designation of the level of the Authority's contribution to each eligible employee's Defined Contribution (401(a)) plan; and

**NOW, THEREFORE, BE IT RESOLVED:**

SECTION I. The proposed budget for the fiscal year commencing October 1, 2011 and ending September 30, 2012 is hereby approved and adopted as presented below:

|                      |    |                     |
|----------------------|----|---------------------|
| Total Revenues:      |    |                     |
| Airline Revenues     | \$ | 8,122,873.          |
| Non-airline Revenues |    | <u>13,062,871.</u>  |
|                      | \$ | 21,185,744.         |
| <br>                 |    |                     |
| Total Requirement:   |    |                     |
| Utilities            | \$ | 788,900.            |
| Personnel            |    | 10,231,028.         |
| Administration       |    | 2,472,965.          |
| Operations           |    | 1,581,530.          |
| Supplies             |    | 326,850.            |
| Capital Equipment    |    | 866,670.            |
| Capital Projects     |    | 5,733,000.          |
| Debt Service         |    | 3,285,542.          |
| Marketing            |    | <u>285,000.</u>     |
| Total                | \$ | 25,571,485.         |
| Less: O/S funding    |    | <u>(6,253,000).</u> |
| Net Budget           | \$ | <u>19,318,485.</u>  |

**SECTION 2.** The proposed Airline Rentals Fees and Charges for the fiscal year commencing **October 1, 2011 and ending September 30, 2012**, are hereby approved and adopted as presented below:

|   | Signatory<br>Airline | Non-<br>Signatory<br>Airline |
|---|----------------------|------------------------------|
| Terminal Building Space Rental (per square foot per year)               | \$ 62.74             | \$ 69.01                     |
| Preferential Apron Area Fee (per linear foot per year)                  | \$ 229.60            | \$ 252.56                    |
| Non-Signatory Gate Use Fee (per turn)                                   |                      |                              |
| Aircraft seating capacity (all classes):                                |                      |                              |
| 50 seats or less  | N/A                  | \$ 240.00                    |
| 51 to 70 seats  | N/A                  | \$ 400.00                    |
| 71 to 100 seats   | N/A                  | \$ 450.00                    |
| 101 to 149 seats  | N/A                  | \$ 490.00                    |
| 150 seats and more  | N/A                  | \$ 680.00                    |
| Non-Signatory Terminal Use Fee (per 4 hours):                           |                      |                              |
| All aircraft:   | N/A                  | \$ 63.00                     |
| Landing Fee (per 1,000 pounds maximum gross certificated landed weight) | \$ 0.69              | \$ 0.76                      |

**SECTION 3.** When an employee is promoted or appointed to an interim position at a higher salary grade, s/he shall receive a salary increase of 5% per salary grade, to a maximum increase of 15%. Such increase shall be subject to the provisions of Section III.C.3. of the Authority's Personnel Policy.

**SECTION 4.** For each employee enrolled in the Sarasota Manatee Airport Authority Defined Contribution (401a.) Plan, the Authority will contribute six percent (6%) of such employee's annual earnings, and will match the employee's annual contribution to his/her 457 Deferred Compensation Plan up to two percent (2%) of the employee's annual earnings.

**Provisions and definitions:**

1. Except as expressly exempted herein, this Resolution shall apply to all operators of any aircraft landing at the Airport and having a maximum gross certificated landing weight of more than 25,000 pounds.

2. Signatory Airlines shall pay a Terminal Building Space Rental rate, Preferential Apron Area Fee, Non-Preferential Gate Use Fee, and Landing Fee for all revenue flight landings, in the foregoing amounts which have been calculated annually in accordance with Article 6 of the Scheduled Airline Operating Agreement and Terminal Building Lease (Agreement). Non-Signatory Airlines, whether charter or scheduled airlines, shall pay a Terminal Building Space Rental rate and Preferential Apron Area Fee in the foregoing amounts which are 110% of the rates and charges to be paid by the Signatory Airlines for these same categories. Non-Signatory Airlines, whether charter or scheduled airlines, shall pay a Landing Fee in the foregoing amount for all revenue flight landings.

3. An exemption from liability for fuel flowage fee is hereby granted for any aircraft which is subject to landing fees as established herein and an exemption from liability for landing fees is hereby granted to any aircraft paying fuel flowage fees via a Fixed Base Operator or airport lease agreement.

4. For any charter or scheduled Non-Signatory Airline handled by a Fixed Base Operator at the Airport, the FBO shall be responsible for reporting the activity, notifying the operator of the charges, and collecting and remitting the charges required under this resolution.

5. The term "maximum gross certificated landing weight" as used herein, shall mean the maximum weight, in thousand (1,000) pound units, at which each aircraft is certificated by the Federal Aviation Administration (or its successor) to land at the Airport.

6. The term "revenue flight landing" shall mean any aircraft arrival at the Airport by an aircraft operator; provided, however, that "revenue flight landing" shall not include any flight that returns to the Airport because of mechanical, meteorological, or other precautionary reason.

7. The term "Signatory Airline" shall mean an airline that has signed the Agreement.

8. The term "Non-Signatory Airline" shall mean all scheduled airlines and charter airlines that are not a Signatory Airline.

9. The flowage fees for all non-scheduled airlines, regardless of maximum gross certificated landing weight, operating at the Sarasota Bradenton International Airport shall be six cents per gallon on all aviation fuel dispensed and six cents per quart on all aviation motor oils dispensed.

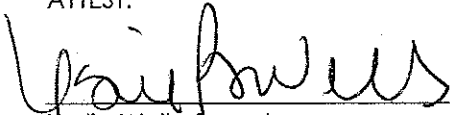
10. The provisions of this Resolution are severable, and if any court of competent jurisdiction shall hold any of its provisions unconstitutional, the decision of such court shall not affect or impair any of the remaining provisions.

Adopted this 26<sup>th</sup> day of September, 2011

SARASOTA MANATEE AIRPORT AUTHORITY

  
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Robert Waechter, Chairman

ATTEST:

  
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Leslie Wells, Secretary