

PROPOSED

RESOLUTION NO. 2014-

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, PERTAINING TO WORKING STANDARDS AT FORT LAUDERDALE-HOLLYWOOD INTERNATIONAL AIRPORT ("AIRPORT"); AMENDING CHAPTER 26 OF THE BROWARD COUNTY ADMINISTRATIVE CODE TO AMEND PART V PERTAINING TO AIRPORT WORKER STANDARDS; PROVIDING FOR DEFINITIONS AND ENSURING UNINTERRUPTED SERVICE; AND PROVIDING FOR SEVERABILITY, INCLUSION IN THE BROWARD COUNTY ADMINISTRATIVE CODE, AND AN EFFECTIVE DATE.

WHEREAS, the Broward County Board of County Commissioners (the "Board") finds that the Fort Lauderdale-Hollywood International Airport (the "Airport") generates significant revenue to Broward County, and that the smooth and continuous operation of airport services is crucial to the viability and growth of the Airport; and

WHEREAS, Broward County has a proprietary interest in ensuring that airport services are not disrupted because such disruption would disserve the public and would be expected to result in a substantial loss of Airport revenue; and

WHEREAS, this amendment to the Administrative Code serves to protect the public health, safety, and welfare, NOW, THEREFORE,

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

Section 1. Part V, Chapter 26 of the Broward County Administrative Code, is hereby amended to read:

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

1 **26.40. Definitions.**

2 As used in this Part, the term:

3 ...

4 (c) *Contract* means any airline-airport lease and use agreement, signatory
5 building lease agreement, license, service agreement, operating agreement, Terminal
6 Services Permit, or other written instrument pursuant to which a Contractor or
7 Subcontractor engages in commercial activity at the Airport.

8 ...

9 **26.42. Ensuring Uninterrupted Service.**

10 (a) This section shall apply only to those Contractors and Subcontractors
11 covered by Section 26.41.

12 (b) To ensure uninterrupted services, every Terminal Services Permit issued
13 pursuant to Section 26.37 shall include a requirement that each permitted Contractor
14 and Subcontractor shall demonstrate in writing what measures it will take to provide
15 uninterrupted services at the Airport during the term of its Terminal Services Permit. In
16 the event of cessation or interruption in services because of a work stoppage or other
17 protest by a Contractor's or Subcontractor's employees, the County shall have the right,
18 to the full extent permissible under applicable law, to revoke the Terminal Services
19 Permit.

20 **26.42 26.43. Applicability.**

21 (a) The requirements of this Part shall not apply where and to the extent state
22 or federal law or regulations preclude their applicability.

23 (b) ~~All of t~~The provisions of this Part may, by a collective bargaining
24 agreement, provide that the collective bargaining agreement supersedes the

1 ~~requirements of this Part~~ Section 26.41 shall not apply to the extent they are
2 superseded by a collective bargaining agreement.

3 (c) The provisions of ~~this Part~~ Section 26.41 shall apply to Contracts effective,
4 ~~amended, renewed, or extended after the Effective Date of this Part entered into or~~
5 amended after the Effective Date of Section 26.41. The provisions of Section 26.42
6 shall apply to Terminal Services Permits entered into or amended after the Effective
7 Date of Section 26.42.

8
9 Section 2. SEVERABILITY.

10 If any portion of this Resolution is determined by any Court to be invalid, the
11 invalid portion shall be stricken, and such striking shall not affect the validity of the
12 remainder of this Resolution. If any Court determines that this Resolution, or any
13 portion hereof, cannot be legally applied to any individual(s), group(s), entity(ies),
14 property(ies), or circumstance(s), such determination shall not affect the applicability
15 hereof to any other individual, group, entity, property, or circumstance.

16
17 Section 3. INCLUSION IN THE ADMINISTRATIVE CODE.

18 It is the intention of the Board of County Commissioners that the provisions of
19 this Resolution shall become and be made a part of the Broward County Administrative
20 Code; and that the sections of this Resolution be renumbered or relettered and the word
21 "resolution" may be changed to "section," "article," or such other appropriate word or
22 phrase in order to accomplish such intentions.

1 Section 4. EFFECTIVE DATE.

2 This Resolution shall become effective upon adoption.

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5 ADOPTED this day of , 2014.

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8 Approved as to form and legal sufficiency:
9 Joni Armstrong Coffey, County Attorney

10 By /s/Adam M. Katzman 06/05/14
11 Adam M. Katzman (date)
12 Assistant County Attorney

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