

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2013**

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**SENATE BILL 81
Rules and Operations of the Senate Committee Substitute Adopted 2/20/13
Corrected Copy 2/21/13
Finance Committee Substitute Adopted 2/27/13
Fifth Edition Engrossed 3/12/13
Corrected Copy 3/13/13
Corrected Copy 3/14/13
House Committee Substitute Favorable 6/4/13
House Committee Substitute #2 Favorable 7/10/13**

Short Title: Charlotte Douglas International Airport.

(Local)

Sponsors:

Referred to:

February 14, 2013

1 A BILL TO BE ENTITLED
2 AN ACT TO CREATE THE CHARLOTTE DOUGLAS INTERNATIONAL AIRPORT
3 AUTHORITY.

4 The General Assembly of North Carolina enacts:

5 **SECTION 1.** This act shall be known and may be cited as the "Charlotte Douglas
6 International Airport Authority Act."

7 **SECTION 2.** There is hereby created the Charlotte Douglas International Airport
8 Authority, which shall be a body corporate and politic, having the powers, authority, and
9 jurisdiction hereinafter enumerated and such other and additional powers and authority as shall
10 be conferred upon it by future acts of the General Assembly.

11 **SECTION 3.** Unless the context requires otherwise, the following definitions apply
12 throughout this act to the defined words and phrases and their cognates:

- 13 (1) "Airport" means Charlotte Douglas International Airport in Mecklenburg
14 County.
- 15 (2) "Airport Facilities" means airport facilities of all kinds, including, but not
16 limited to, landing fields, hangars, fixed base operations, shops, restaurants
17 and catering facilities, terminals, buildings, automobile parking facilities,
18 and all other facilities necessary, beneficial, and/or helpful for the landing,
19 taking off, operating, servicing, repairing, and parking of aircraft, the
20 loading, unloading, and handling of cargo and mail, express and freight, and
21 the accommodation, convenience, and comfort of crews and passengers,
22 together with related transportation facilities, all necessary, beneficial,
23 and/or helpful appurtenances, machinery, and equipment, and all lands,
24 properties, rights, easements, and franchises relating thereto and considered
25 necessary, beneficial, and/or helpful by the Authority in connection
26 therewith.
- 27 (3) "Airport Property" means all the real property and improvements thereto
28 designated as airport property on the Airport Layout Plan or Airport



1 Development Plan of the Airport conditionally approved by the FAA on
2 February 13, 2013.

3 (4) "Appointing Authorities" means the entities described in Section 4(a) of this
4 act who are empowered to appoint Members of the Authority and referred to
5 collectively as "Appointing Authorities" and individually as "Appointing
6 Authority."

7 (5) "Authority" means the Charlotte Douglas International Airport Authority
8 created by this act or, if such Authority is abolished or otherwise ceases to
9 exist, the authority, board, body, commission, or other entity succeeding to
10 the principal functions thereof.

11 (6) "FAA" means the Federal Aviation Administration or any successor agency.

12 (7) "Member" means an individual who is appointed to the Authority, as
13 provided by this act.

14 (8) "Servants" means accountants, auditors, agents, contractors, design
15 professionals, attorneys, and other persons and entities whose services may
16 from time to time be deemed by the Authority to be necessary, beneficial, or
17 helpful.

18 **SECTION 4.(a)** The Authority shall consist of 11 members appointed as follows:

19 (1) Two registered voters of the City of Charlotte appointed by the Mayor, at
20 least one of whom shall be a resident of the west side of the City of
21 Charlotte.

22 (2) Two registered voters of the City of Charlotte appointed by the City Council,
23 at least one of whom shall be a resident of the west side of the City of
24 Charlotte.

25 (3) One registered voter of Mecklenburg County appointed by the Mecklenburg
26 County Board of Commissioners.

27 (4) One registered voter of Cabarrus County appointed by the Cabarrus County
28 Board of Commissioners.

29 (5) One registered voter of Gaston County appointed by the Gaston County
30 Board of Commissioners.

31 (6) One registered voter of Iredell County appointed by the Iredell County
32 Board of Commissioners.

33 (7) One registered voter of Lincoln County appointed by the Lincoln County
34 Board of Commissioners.

35 (8) One registered voter of Union County appointed by the Union County Board
36 of Commissioners.

37 (9) One member appointed by the other 10 members.

38 The Appointing Authorities shall appoint initial members no later than October 1,
39 2013. All initial terms of office commence October 1, 2013. The Authority shall appoint the
40 11th member no later than December 1, 2013. Members, when practical, shall have experience
41 in aviation, logistics, construction and/or facilities management, law, accounting, and/or
42 finance.

43 **SECTION 4.(a1)** No person may be appointed as a member who:

44 (1) Is employed by a Servant of the Authority as defined in Section 3 of this act;

45 (2) Is a tenant or employee of a tenant of an airport owned, operated, or
46 controlled by the Authority, or other commercial user or employee of a
47 commercial user of any airport operated by the Authority; or

48 (3) Has been convicted of a felony or a crime of moral turpitude.

49 **SECTION 4.(b)** Members shall serve four-year terms and may serve up to a total
50 of two successive four-year terms. A member who has reached this limit may not be
51 reappointed to the Authority except after a lapse of four years following the most recent term

1 served. In the event a member is appointed to fill an unexpired term, and at least two years of
2 the unexpired term remain to be served, such appointment shall be counted in applying the
3 two-term limit; otherwise, it shall not be counted. In order to ensure that the terms of all members
4 of the Authority do not expire at the same time, the initial terms of the members of the
5 Authority, appointed by the Counties of Cabarrus, Gaston, Iredell, Lincoln, Mecklenburg, and
6 Union, shall be for two years. All initial four-year terms expire December 31, 2017, and all
7 initial two-year terms expire December 31, 2015.

8 **SECTION 4.(c)** Any vacancy occurring among the membership of the Authority
9 shall be filled within 60 days after notice thereof by the appointment of a successor by the
10 Appointing Authority of the previous member. Such successor member shall serve for the
11 remainder of the unexpired term.

12 **SECTION 4.(d)** Members and their successors shall take and subscribe to an oath
13 of office before an officer authorized to administer oaths, which oath shall be filed with the
14 Authority.

15 **SECTION 4.(e)** Any member may be suspended or removed from office by that
16 member's Appointing Authority or a majority vote of the other members for cause affecting
17 that member's duties and responsibilities as a member; for misfeasance, malfeasance, or
18 nonfeasance in office; or for conduct tending to undermine any decisions of the Authority, or
19 for conduct exposing the Authority to liability for damages.

20 **SECTION 4.(f)** Except for malfeasance, members shall not be personally liable, in
21 any manner, for their acts or omissions as members.

22 **SECTION 4.(g)** Each member may continue to serve until a successor has been
23 duly appointed and qualified, but not for more than 60 days beyond the end of the term.

24 **SECTION 5.(a)** The organization and business of the Authority shall be conducted
25 as provided in this act.

26 **SECTION 5.(b)** Members shall constitute the governing board of the Authority
27 and may, among other things and from time to time, adopt suitable bylaws not inconsistent with
28 the provisions of this act.

29 **SECTION 5.(c)** The Authority shall appoint from its members a chair, vice-chair,
30 and such other officers as it may from time to time deem necessary, beneficial, and/or helpful
31 for the orderly conduct of its business. The term of office of the chair and vice-chair is one
32 year.

33 **SECTION 5.(d)** Each member, including the chair, shall have one vote. A majority
34 of the members in office shall constitute a quorum, and, unless otherwise provided in this act,
35 all actions of the Authority shall be determined by a majority vote of the members present and
36 voting in a duly called meeting at which a quorum is present.

37 **SECTION 5.(e)** The Authority shall hold meetings at least monthly at such times
38 and places as it from time to time may designate and at such other times on the call of the chair
39 or by seven members of the Authority; provided a monthly meeting need not be held if it is
40 determined by the chair or seven members that such meeting is not required. Notice of
41 meetings shall be provided as required by Article 33C of Chapter 143 of the General Statutes.

42 **SECTION 5.(f)** Members may receive payment or reimbursement for travel,
43 lodging, and meal expenses incurred in transacting business on behalf of the Authority.
44 Members may also receive free parking at any airport owned, leased, subleased, or controlled
45 by the Authority, which members may use for official purposes during the respective member's
46 term of office.

47 **SECTION 5.(g)** The fiscal year of the Authority shall begin on July 1 and end on
48 June 30. On or before May 15 of each year, the Authority shall prepare and adopt a proposed
49 budget for the next ensuing fiscal year and deliver copies of such proposed budget to the
50 Cabarrus, Gaston, Iredell, Lincoln, Mecklenburg, and Union County Boards of Commissioners
51 and the Charlotte City Council. In order to effectuate a seamless transfer of the Airport from the

1 ownership and operation by the City of Charlotte to the ownership and operation by the
2 Authority, the initial budget of the Authority shall be the budget established by the City
3 Council of the City of Charlotte for the Airport for the period July 1, 2013, through June 30,
4 2014, until the initial budget shall be revised by the Authority. The financial affairs of the
5 Authority shall be governed by the Local Government Finance Act.

6 **SECTION 5.(h)** All meetings and closed sessions of the Authority shall be
7 conducted in accordance with Article 33C of Chapter 143 of the General Statutes as it may be
8 amended or in accordance with any successor statute.

9 **SECTION 6.(a)** The Authority shall constitute a body, both corporate and politic,
10 and shall have the power and authority to do the following:

- 11 (1) Adopt and from time to time revise an official seal.
- 12 (2) Maintain an office or offices at such place or places as it may designate
13 within Mecklenburg County only.
- 14 (3) Purchase, acquire, develop, establish, construct, own, control, lease, equip,
15 improve, administer, maintain, operate, and/or regulate airports and/or
16 landing fields for the use of airplanes and other aircraft and all facilities
17 incidental thereto, within the limits of Mecklenburg County; and for any of
18 such purposes, purchase, acquire, own, develop, hold, lease, sublease, and
19 operate real and/or personal property comprising such airports.
- 20 (4) Purchase real and personal property.
- 21 (5) Sue and be sued in the name of the Authority.
- 22 (6) In addition to the powers granted by subdivision (3) of this subsection, (i)
23 upon the consent of the governing bodies of such airports, to acquire by
24 purchase or otherwise and to hold lands for the purpose of constructing,
25 maintaining, and/or operating existing airports in Cabarrus, Gaston, Iredell,
26 Lincoln, and Union Counties and (ii) upon the consent and agreement of the
27 Board of county commissioners of Cabarrus, Gaston, Iredell, Lincoln, and
28 Union Counties, to acquire land and construct, make improvement,
29 extension, enlargement, or equipping of future airport facilities in such
30 counties.
- 31 (7) Charge and collect fees, royalties, rents, and/or other charges, including fuel
32 flowage fees, for the use and/or occupancy by persons of the airports and
33 other property owned, leased, subleased or controlled by the Authority or for
34 services rendered in the operation thereof.
- 35 (8) Make all reasonable rules and regulations, and policies as it may from time
36 to time deem to be necessary, beneficial or helpful for the proper
37 maintenance, use, occupancy, operation and/or control of any airport or
38 airport facility owned, leased, subleased, or controlled by the Authority and
39 provide and enforce civil and criminal penalties for the violation of such
40 rules, regulations and/or policies; provided that such rules, regulations,
41 policies, and penalties are not in conflict with any applicable law, rules or
42 regulation of the State of North Carolina, the United States, or any agency,
43 department, or subdivision of either of them, including the rules and
44 regulations of the FAA or the Transportation Security Administration.
- 45 (9) Sell, exchange, lease, sublease, or otherwise dispose of any property, real or
46 personal, belonging to the Authority and not needed by the Authority to
47 operate any airport owned or operated by it or to generate revenues to pay
48 debt obligations of the Authority, or grant easements over, through, under, or
49 across any real property belonging to the Authority, or donate to another
50 governmental entity within North Carolina or to the United States any
51 surplus, obsolete, or unused personal property; provided Article 12 of

- 1 Chapter 160A of the General Statutes does not apply and is not applicable to
2 any such sale, exchange, lease, sublease, grant, donation, or other
3 disposition.
- 4 (10) Purchase such insurance and insurance coverages as the Authority may from
5 time to time deem to be necessary, beneficial, or helpful.
- 6 (11) Deposit, invest, and/or reinvest any of its funds as provided by the Local
7 Government Finance Act for the deposit or investment of unit funds.
- 8 (12) Issue revenue bonds and/or refunding revenue bonds pursuant to the State
9 and Local Government Revenue Bond Act, Article 5 of Chapter 159 of the
10 General Statutes.
- 11 (13) Purchase any of its outstanding bonds or notes.
- 12 (14) Operate, own, lease, sublease, control, regulate, and/or grant to others the
13 right to operate on any airport premises owned, operated, or controlled by
14 the Authority, general aviation terminal and fixed base operations, aircraft
15 deicing equipments and systems, restaurants, snack bars and vending
16 machines, food and beverage dispensing outlets, rental car services, catering
17 services, novelty shops insurance sales, advertising media, merchandise
18 outlets, motels, hotels, barber shops, automobile parking and storage
19 facilities, automobile service stations, garage service facilities, motion
20 picture shows, personal service establishments, and/or all other types of
21 facilities, activities, and enterprises as may be directly or indirectly related to
22 the maintenance and/or furnishing of public commercial service and/or
23 general aviation airport facilities.
- 24 (15) Accept grants of money and/or materials or property of any kind for any
25 existing or future airport facilities from the State of North Carolina, the
26 United States, or any agency, department or subdivision of either of them,
27 including the FAA or from any private agency, entity, or individual, upon
28 such terms and conditions as may be imposed, and enter into contracts and
29 grant agreements with the FAA and/or with the State of North Carolina or
30 any of its agencies, departments or subdivisions, in the capacity of sponsor
31 or cosponsor of any airport development project involving the acquisition,
32 construction, development, reconstruction, improvement, extension,
33 enlargement, or equipping of any existing or future airport facilities.
- 34 (16) Employ and fix the compensation of an Executive Director, who shall serve
35 at the pleasure of the Authority or pursuant to the terms of an employment
36 contract awarded by the Authority and who shall manage the affairs of the
37 Authority under the supervision of the Authority.
- 38 (17) Employ, or provide for the employment of such employees, including law
39 enforcement officers, as the Authority may from time to time deem to be
40 necessary, beneficial, or helpful. All such employees shall be employees at
41 will, and no such employee shall have a defined or definite term of
42 employment, an expectation of continued employment, or an expectation of
43 continued indefinite employment.
- 44 (18) Employ, hire, retain, or contract with such Servants whose services may
45 from time to time be deemed by the Authority to be necessary, beneficial, or
46 helpful. In order to effectuate a seamless transfer of the Airport from the
47 ownership and operation by the City of Charlotte to the ownership and
48 operation by the Authority, the Authority will honor and be bound by all
49 existing contracts between the City and such Servants as presently are
50 engaged to assist the City with respect to the Airport.

- 1 (19) Make or cause to be made such surveys, investigations, studies, borings,
2 maps, plans, drawings, and/or estimates of cost and revenues as the
3 Authority may from time to time deem necessary, beneficial, or helpful and
4 prepare and adopt a comprehensive plan or plans for the location,
5 construction, improvement, and development of any project.
- 6 (20) Undertake and/or enter into leases, subleases, agreements, easements, and
7 contracts, and/or grant concessions, with respect to alternative energy,
8 energy conservation, energy reduction, and/or renewable energy activities,
9 programs, projects, and/or ventures, and the administration, construction,
10 development, enlargement, equipment, improvement, maintenance,
11 management, operation, regulation, and/or repair thereof.
- 12 (21) Exercise the power of eminent domain, pursuant to Article 3 of Chapter 40A
13 of the General Statutes to expand the boundaries of an airport already
14 owned, operated, or controlled by the Authority or to comply with the
15 requirements of the United States and the FAA with respect to such airport,
16 but only for public use as a public airport purpose. For the purposes of
17 Chapter 40A of the General Statutes, the Authority is a public condemnor
18 under G.S. 40A-3(c). In the exercise of its authority of eminent domain for
19 the acquisition of property to be used for public airports, the authority is
20 authorized to use the procedure and authority prescribed in Article 9 of
21 Chapter 136 of the General Statutes, as now written or hereafter amended.
22 For the purposes of this paragraph, whenever a reference is made in Article 9
23 of Chapter 136 of the General statutes to an official of the State of North
24 Carolina, the Executive Director of the Authority shall be deemed to be such
25 an official. The exercise of the power of eminent domain of the authority
26 shall be restricted as follows:
- 27 a. No such power of eminent domain shall exist except as to property
28 that is contiguous to property of an airport already owned, operated,
29 or controlled by the Authority; provided that the contiguity of such
30 property to existing airport property shall not be deemed to be
31 interrupted by a railroad or public roadway or waterway running with
32 or adjacent to the boundary of such existing airport property;
- 33 b. No such power of eminent domain shall be used for a purpose that is
34 not necessary for the operation or expansion or to comply with FAA
35 regulations or requirements for or provide protection from or to
36 ameliorate noncompatible land uses of property that is contiguous to
37 property of an airport already owned, operated, or controlled by the
38 Authority;
- 39 c. No such power of eminent domain shall exist to condemn property
40 for such uses as hotels, motels, restaurants, or industrial parks; and
- 41 d. No such power of eminent domain shall exist with respect to
42 property already publically owned and dedicated to public use.
- 43 (22) Exercise all of the powers conferred by Chapter 63 of the General Statutes or
44 any successor Chapter or law.

45 **SECTION 6.(b)** The Authority has the same exemptions with respect to payment
46 of taxes and license fees as provided for municipal corporations by the laws of the State of
47 North Carolina.

48 **SECTION 7.(a)** The Authority may acquire from the County of Mecklenburg and
49 the City of Charlotte, by agreement therewith, and such County and City may grant and
50 convey, either by gift or for such consideration as allowed by federal law and as it may be
51 deemed wise, any real and/or personal property which it now owns or may hereafter acquire,

1 and which may be necessary, beneficial, or helpful for the construction, development,
2 operation, and/or maintenance of any airport or facilities of same located in the County of
3 Mecklenburg. If any such airport ceases to operate or if the Authority is dissolved or otherwise
4 ceases to exist, any applicable real property of the County of Mecklenburg or the City of
5 Charlotte conveyed or transferred to the Authority under this act shall revert to the grantor.

6 **SECTION 7.(b1)** All right, title, and interest of the City of Charlotte in and to the
7 Airport Property, Airport Facilities, and Charlotte Douglas International Airport shall be
8 deemed to have been transferred to the Authority as a matter of law on January 1, 2014, and no
9 action by the City shall be necessary to effect such transfer nor be effective to prevent such
10 transfer. Thereafter, this act shall serve as evidence of chain of title of the Authority to such
11 Airport Property and Airport Facilities. The transfer is deemed to include the Airport Property,
12 Airport Facilities, and all other property held or owned by the City of Charlotte with respect to
13 the Airport, real or personal, tangible or intangible, and includes all cash and cash equivalents
14 and checking, investment, and demand deposit bank accounts held by the City pertaining to or
15 generated from revenues of the Airport, including, without limiting the generality hereof,
16 amounts on deposit in or with respect to the Discretionary Fund, the Cannon Fund, the Revenue
17 Fund, the Operating Fund, the Bond Funds, the Debt Service Funds, the Construction Funds,
18 the Capital Projects Funds, the Discretionary Fund, Passenger Facility Charges, Contract
19 Facility Charges, and all other funds and accounts of the City with respect to the Airport. Upon
20 such transfer from the City to the Authority, the Authority will be and is hereby deemed to have
21 assumed and become successor to the City of Charlotte, and is hereby deemed to have assumed
22 and become successor to the City with respect to the FAA Part 139 Certificate, the FAA
23 Sponsor's Assurances entered into by the City with the FAA, and all liabilities of the City with
24 respect to and arising out of its ownership and operation of the Airport, including the City's
25 obligations to servants and employees of the Authority and bondholders of the City's General
26 Airport Revenue Bonds, and including, without limiting the generality hereof, the obligations
27 under the Revenue Bond Order adopted November 18, 1985, and all Series Resolutions issued
28 under the Bond Order, the Special Facility Bond Order adopted May 11, 1987, and all Series
29 Resolutions adopted under the Special Facility Bond Order, and the Taxable Special Facility
30 Revenue Bonds (Consolidated Car Rental Facilities Project) Series 2011 General Trust
31 Indenture and the Series Indenture, Number 1, both dated November 1, 2011, and all
32 agreements and understandings with respect to trustee(s) or paying agent(s) of the City's airport
33 revenue bonds, letters of credit or other credit facilities of the City with respect to airport
34 revenue bonds, and all leases, licenses, options to purchase, and other encumbrances on the
35 Airport Property and Airport Facilities, whether or not those encumbrances are recorded. Upon
36 transfer of the Airport Property and Airport Facilities, the Authority assumes and becomes the
37 successor to the City of Charlotte with respect to all rights, duties, and obligations of the City
38 of Charlotte in any commercial or development agreements pertaining to or related to the
39 Airport Property and Airport Facilities that are in effect at the time of the transfer.

40 **SECTION 7.(b2)** In order to effectuate a seamless transfer of the Airport from the
41 ownership and operation by the City of Charlotte to the ownership and operation by the
42 Authority, the Authority shall initially:

- 43 (1) Honor and be bound by all pending or executory land or real property
44 purchase contracts by the City of Charlotte with respect to property and
45 lands to be acquired for and in connection with the Airport.
- 46 (2) Honor and be bound by all existing rules and regulations of the Aviation
47 Department of the City of Charlotte with respect to the Airport, including the
48 Airport Security Plan, until such rules and regulations shall be amended by
49 the Authority in accordance with the provisions of this act.

- 1 (3) Honor and be bound by all existing contracts of the City of Charlotte with
2 third-party concessionaires and management contractors with respect to the
3 Airport.
- 4 (4) Honor and be bound by all existing contracts and grant agreements of the
5 City of Charlotte with respect to the Airport.
- 6 (5) Be deemed as a matter of law to have appointed effective January 1, 2014, as
7 its initial Executive Director the Aviation Director of the City of Charlotte as
8 of February 14, 2013, with initial compensation and benefits of the initial
9 Executive Director, being the same compensation as was being received
10 from the City of Charlotte on February 14, 2013, and the initial Executive
11 Director shall be entitled as a matter of law to the continuation of the rights
12 and benefits extended to him under the existing retirement system of the City
13 of Charlotte.
- 14 (6) Be deemed as a matter of law to have employed effective January 1, 2014, as
15 the initial employees of the Authority the employees of the City of Charlotte
16 assigned to the City's Aviation Department and under the supervision of the
17 Aviation Director as of the date of enactment of this act, and the initial
18 compensation and benefits of the initial employees of the Authority shall be
19 the compensation and benefits they were receiving from the City of
20 Charlotte as of the date hereof; and the initial employees shall be entitled as
21 a matter of law to the continuation of the rights and benefits extended to
22 them under the existing retirement system of the City of Charlotte.
- 23 (7) Be deemed as a matter of law to have adopted initially the employment and
24 human resources policies of the Authority, such policies of the City of
25 Charlotte as they apply to employees of the Airport, and the Authority shall
26 be deemed to have adopted the current employee handbook of the City of
27 Charlotte applicable to the Airport until the Authority adopt different
28 policies or a different employee handbook.
- 29 (8) Honor and be bound by all existing contracts of the City with respect to the
30 matters described in subdivision (20) of subsection (a) of Section 6 of this
31 act.

32 **SECTION 7.(b3)** Upon the request of the Executive Director of the Authority, the
33 City of Charlotte shall continue to provide such administrative services to the Authority as it
34 currently provides and shall receive as compensation therefor from the Authority such amount
35 as is appropriate for such services as provided by OMB Circular A-87 until the Authority shall
36 direct the City to terminate such services.

37 **SECTION 7.(c)** Property needed by the Authority for any airport, landing field, or
38 facility may be acquired by the Authority by gift, devise, or purchase. Aviation easements
39 needed by the Authority for any airport, landing field, or facility may likewise be acquired by
40 gift, devise, or purchase.

41 **SECTION 7.(d)** Any lands acquired, owned, controlled, or occupied by the
42 Authority shall and/or are hereby declared to be acquired, owned, controlled, and occupied for
43 a public purpose.

44 **SECTION 7.(e)** The Authority is not authorized to levy any tax.

45 **SECTION 7.(f)** In consideration of the transfer of the Airport Property and Airport
46 assets and liabilities to the Authority pursuant to Section 7(b) of this act, and subject to the
47 approval of the FAA, the Authority shall agree to pay to the City as compensation therefor, the
48 amount equal to the unreimbursed or unrecovered cost to the City of acquiring the Airport
49 Property that was not ultimately paid with Airport revenues or funds or the proceeds of federal,
50 State, or private grants. Any amount to be paid by the Authority to the City pursuant to this
51 subsection shall be paid from future revenues from the operation of the Airport by the

1 Authority remaining after payment by the Authority in the year of such payment all costs and
2 expenses of the Airport including the payment of principal installments and interest on all
3 bonds outstanding and other indebtedness of the Authority with respect to the Airport. Upon
4 entering into such agreement by the Authority any claim by the City of Charlotte on account of
5 transfer of property to the Authority pursuant to Section 7(b) of this act or otherwise, is hereby
6 extinguished.

7 **SECTION 8.** The Authority shall make annual reports to the Cabarrus, Gaston,
8 Iredell, Lincoln, Mecklenburg, and Union County Boards of Commissioners and the Charlotte
9 City Council setting forth a summary of its general operations and transactions conducted by it
10 pursuant to this act.

11 **SECTION 9.** All rights, powers, and authority given to the counties and/or
12 municipalities by the statutes of North Carolina, which may now be in effect, or which may be
13 enacted in the future, relating to the development, operation, maintenance, regulation, and/or
14 control of municipal or other governmental airports and the regulations of aircraft are hereby
15 vested in the Authority.

16 **SECTION 10.** The Authority is hereby expressly authorized to make and enter into
17 contracts, leases, subleases, conveyances, and other agreements with any political subdivision,
18 agency, department, or instrumentality of this State; any agency, department, or subdivision of
19 the United States; or any other legal entity or person for the purpose of carrying out the
20 provisions of this act.

21 **SECTION 11.** The powers of the Authority created by this act shall be construed
22 liberally in favor of the Authority. No listing of powers included in this act is intended to be
23 exclusive or restrictive, and the specific mention of, or failure to mention, particular powers in
24 this act shall not be construed as limiting in any way the general powers of the Authority as
25 stated in Section 6(a) of this act. It is the intent of this act to grant the Authority full power and
26 right to exercise all authority necessary for the effective operation and conduct of the
27 Authority. It is further intended that the Authority should have all implied powers necessary or
28 incidental to carrying out the expressed powers and the expressed purposes for which the
29 Authority is created. The fact that this act specifically states that the Authority possesses a
30 certain power does not mean that the Authority must exercise such power unless this act
31 specifically so requires.

32 **SECTION 12.** G.S. 66-58(a) shall not apply to the Authority or a lessee or
33 sublessee of it.

34 **SECTION 13.** In its initial decisions, the Authority shall consider the consultant
35 recommendations made to the City of Charlotte in 2013 concerning governance of the Airport.

36 **SECTION 14.** The Authority may make recommendations to the 2013 General
37 Assembly prior to its reconvening in 2014 concerning amendments to this act as it deems
38 advisable, and such recommendations shall be eligible for consideration as if it were a
39 committee or commission.

40 **SECTION 15.** During the period from October 1, 2013, through December 31,
41 2013, the interim period beginning the time the terms of the Authority begins and ending the
42 day before the Authority begins to operate the Airport, the City of Charlotte shall make
43 available to the Authority as needed the services of officers and employees of the City that this
44 act transfers to the Authority under subsection (b2) of Section 7 of this act.

45 **SECTION 16.** If any provision of this act or its application is held invalid, the
46 invalidity does not affect other provisions or applications of this act that can be given effect
47 without the invalid provisions or application, and to this end the provisions of this act are
48 severable.

49 **SECTION 17.** This act is effective when it becomes law.