

MEMORANDUM
CITY OF ST. PETERSBURG

City Council Meeting of July 23, 2009

TO: The Honorable Jeff Danner, Chair, and Members of City Council

FROM: Chris Ballestra, Director, Downtown Enterprise Facilities Department

SUBJECT: An Ordinance in accordance with Section 1.02(c)(5)B., St. Petersburg City Charter, authorizing the restrictions contained in Assurances ("Grant Assurances") which are set forth in the Grant Documents to be executed by the City, as a requirement for receipt of the Federal Aviation Administration ("FAA") Grant ("Grant") in the estimated amount of \$118,750 which require that the City will not sell, lease, encumber or otherwise transfer or dispose of any part of the City's right, title, or other interests in Albert Whitted Airport ("Airport"), nor cause or permit any activity or action on the Airport which would interfere with its use for airport purposes, for a period not to exceed 20 years from the date of acceptance of the grant; authorizing the Mayor or his designee to apply for and accept the Grant in the estimated amount of \$118,750; authorizing the Mayor or his designee to execute all documents necessary to effectuate this Ordinance; approving supplemental appropriations from the increase in the unappropriated balance of the Airport Capital Improvement Fund (4033) resulting from these additional revenues in the amount of \$125,000 to the Airport – South Ramp/Tie-Down Improvements: Phase I – Design (Project # TBD); providing an effective date; and providing for expiration;

EXPLANATION: Ordinance 617-G was passed by City Council on September 18, 2003 and approved by the voters in a referendum held on November 4, 2003. Ordinance 617-G authorized City Council, by ordinance ("Ordinance"), after a public hearing, to permit the recording of encumbrances on Albert Whitted Airport as follows:

Encumbrances or restrictions of up to twenty years for that property or portions of that property generally known as Albert Whitted Airport which would restrict the use of that property, or portions of that property, to airport uses each time such a restriction is executed. The Albert Whitted property is generally described as:

All of Block 1, Albert Whitted Airport Second Replat and Additions as recorded in Plat Book 112 Pages 23 and 24, Public Records of Pinellas County, Florida

The need for based and transient aircraft parking, particularly during the busy times of the year, has always been an issue on the Airport. During the Grand Prix race and annual air show, this issue becomes exacerbated due to the temporary closure of specific areas on the north and west sides of the airport. In addition, many of the existing aircraft parking areas currently available consist of a mix of grass, sand and/or crushed asphalt. While

these surfaces are currently used to park aircraft on, they are not ideal. This project will be the design phase to expand aircraft parking capacity by adding new ramp and tie-down areas as well as improving current parking areas on the south side of the airport.

The City has confirmed the availability of "Entitlement" funds in the FAA's Airport Improvement Program (AIP). Under the AIP, the FAA will fund a ninety-five-percent (95%) match against the total cost of each project with the City of St. Petersburg ("Sponsor") responsible for the remaining five-percent (5%). The total estimated cost for this project is \$125,000, of which \$118,750 (95%) would be funded through the FAA and the remaining \$6,250 (5%) would be funded through a City match.

Acceptance of any grants requires the City to meet certain grant assurances, including a 20-year commitment to keep the Albert Whitted Airport property as an operating airport.


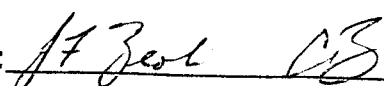
Each ordinance may only address one encumbrance and requires the affirmative vote of six Council Members for adoption.

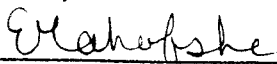
City Council held a First Reading of this Ordinance on July 9, 2009.

RECOMMENDATION: The Administration recommends adoption of the Ordinance in accordance with Section 1.02(c)(5)B., St. Petersburg City Charter, authorizing the restrictions contained in Assurances ("Grant Assurances") which are set forth in the Grant Documents to be executed by the City, as a requirement for receipt of the Federal Aviation Administration ("FAA") Grant ("Grant") in the estimated amount of \$118,750 which require that the City will not sell, lease, encumber or otherwise transfer or dispose of any part of the City's right, title, or other interests in Albert Whitted Airport ("Airport"), nor cause or permit any activity or action on the Airport which would interfere with its use for airport purposes, for a period not to exceed 20 years from the date of acceptance of the grant; authorizing the Mayor or his designee to apply for and accept the Grant in the estimated amount of \$118,750; authorizing the Mayor or his designee to execute all documents necessary to effectuate this Ordinance; approving supplemental appropriations from the increase in the unappropriated balance of the Airport Capital Improvement Fund (4033) resulting from these additional revenues in the amount of \$125,000 to the Airport – South Ramp/Tie-Down Improvements: Phase I – Design (Project # TBD); providing an effective date; and providing for expiration;

COST/FFUNDING/ASSESSMENT INFORMATION: Funding will be available after supplemental appropriations from the increase in the unappropriated balance of the Airport Capital Improvement Fund (4033) resulting from these additional revenues in the amount of \$125,000 to the Airport - South Ramp/Tie-Down Improvements: Phase I - Design (Project # TBD).

Approvals:

Legal:  Administration: 

Budget: 

Legal: 00109281.doc v. 2

Ordinance No. _____

An Ordinance in accordance with Section 1.02(c)(5)B., St. Petersburg City Charter, authorizing the restrictions contained in Assurances ("Grant Assurances") which are set forth in the Grant Documents to be executed by the City, as a requirement for receipt of the Federal Aviation Administration ("FAA") Grant ("Grant") in the estimated amount of \$118,750 which require that the City will not sell, lease, encumber or otherwise transfer or dispose of any part of the City's right, title, or other interests in Albert Whitted Airport ("Airport"), nor cause or permit any activity or action on the Airport which would interfere with its use for airport purposes, for a period not to exceed 20 years from the date of acceptance of the grant; authorizing the Mayor or his designee to apply for and accept the Grant in the estimated amount of \$118,750; authorizing the Mayor or his designee to execute all documents necessary to effectuate this Ordinance; approving a supplemental appropriation from the unappropriated balance of the Airport Capital Improvement Fund (4033) including the increase resulting from these additional revenues in the amount of \$125,000 to the Airport – South Ramp/Tie-Down Improvements: Phase I – Design (Project # TBD); providing an effective date; and providing for expiration;

THE CITY OF ST. PETERSBURG DOES ORDAIN:

Section One. Albert Whitted Municipal Airport is defined by the City of St. Petersburg, Florida, City Charter Section 1.02(c)(5) B. as: All of Block 1, Albert Whitted Airport Second Replat and Additions as recorded in Plat Book 112 Pages 23 and 24, Public Records of Pinellas County, Florida.

Section Two. The Federal Aviation Administration ("FAA") is expected to offer the City a grant in the estimated amount of \$118,750 ("Grant"). The Grant is to be used for the following project on the airport: South Ramp/Tie-down improvements: Phase I - Design. The total estimated cost of the project is \$125,000. The Grant will provide 95% (\$118,750) of the total cost of the project. The City of St Petersburg must provide the remaining 5% (\$6,250) of project costs. The FAA requires that the City provide certain assurances as a requirement for receipt of the Grant.

Section Three. The restrictions contained in assurances ("Grant Assurances") which are set forth in the grant documents to be executed by the City, as a requirement for receipt of the FAA grant in the estimated amount of \$118,750, for projects described in Section Two of this ordinance, which require that the City will not sell, lease, encumber or otherwise transfer or dispose of any part of the City's right, title or other interests in Albert Whitted Municipal Airport ("Airport"), nor cause or permit any activity or action on the Airport which would interfere with its use for airport purposes for a period not to exceed 20 years from the date of acceptance of the grant are authorized.

Section Four. The Mayor or his designee is authorized to accept a grant from the FAA in the estimated amount of \$118,750.

Section Five. The Mayor or his designee is authorized to execute all documents necessary to effectuate this ordinance.

Section Six. There is hereby approved from the unappropriated balance of the Airport Capital Improvement Fund (4033) including the increase resulting from these additional revenues, the following supplemental appropriation for the Fiscal Year 2009:

Airport Capital Improvement Fund (4033)

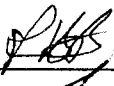
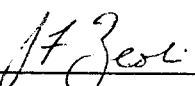

South Ramp/Tie-Down Improvements: Phase I Design Project (TBD) \$125,000

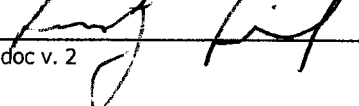
Section Seven. Severability. The provisions of this ordinance shall be deemed to be severable. If any portion of this ordinance is deemed unconstitutional, it shall not affect the constitutionality of any other portion of this ordinance.

Section Eight. Effective date. In the event this ordinance is not vetoed by the Mayor in accordance with the City Charter, it shall become effective upon the expiration of the fifth business day after adoption unless the Mayor notifies the City Council through written notice filed with the City Clerk that the Mayor will not veto the ordinance, in which case the ordinance shall become effective immediately upon filing such written notice with the City Clerk. In the event this ordinance is vetoed by the Mayor in accordance with the City Charter, it shall not become effective unless and until the City Council overrides the veto in accordance with the City Charter, in which case it shall become effective immediately upon a successful vote to override the veto.

Section Nine. Expiration. In the event the FAA fails to award the grant set forth in Section Two, above, within one year of the effective date of this ordinance, this ordinance shall expire.

Approvals:

Legal:  Administration:  

Budget: 
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