


MEMORANDUM
CITY OF ST. PETERSBURG

City Council Meeting of December 5, 2019

TO: The Honorable Charlie Gerdes, Chair, and Members of City Council

FROM: Chris Ballestra, Director, Enterprise Facilities Department 

SUBJECT: An Ordinance in accordance with Section 1.02(c)(5)B., St. Petersburg City Charter, authorizing the restrictions contained in the Public Transit Grant Agreement ("PTGA") for the Taxiway D5 Replacement Project (17559), to be executed by the City, as a requirement for receipt of Florida Department of Transportation ("FDOT") funds ("Grant") including but not limited to the Aviation Program Assurances ("Grant Assurances"), which, *inter alia*, require, among other assurances, that the City make Albert Whitted Airport available as an airport for public use on fair and reasonable terms, and maintain the project facilities and equipment in good working order for the useful life of said facilities or equipment, not to exceed 20 years from the effective date of the PTGA; authorizing the Mayor or his designee to accept the Grant in an amount not to exceed \$160,000; authorizing the Mayor or his designee to execute all documents necessary to effectuate this Ordinance; approving a supplemental appropriation in the amount of \$200,000 from the increase in the unappropriated balance of the Airport Capital Projects Fund (4033), resulting from these grant funds, to the Airport Capital Projects Fund (4033), Taxiway D5 Replacement Project (17559); providing an effective date; and providing for expiration.

EXPLANATION: Section 1.02 (c) (5) B of the St. Petersburg City Code authorizes City Council, by a single ordinance dealing with only a single encumbrance, receiving a public hearing and receiving an affirmative vote for at least six (6) members of City Council, 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 funding secured through this ordinance is intended for the Florida Department of Transportation's ("FDOT") participation in the completion of the replacement of Taxiway D5 at Albert Whitted Airport. Taxiway D5 has been experiencing pavement sinking in certain sections. The City has attempted multiple repairs, but these have not corrected the issue, with the pavement sinking re-occurring. This impact has even spread to near the Runway 7/25 edge to include areas that were repaved as part of the Runway 7/25 Rehab project completed in 2016. In 2018, the City's Airport Engineering Consultant completed an evaluation of the area to include survey and ground penetrating radar to try and determine the cause(s). Based on their findings the most certain way to determine and address the issue will be to "open cut" and replace the pavement, including addressing any subsurface issues identified.

The FDOT will provide up to eighty percent (80%) of the eligible project costs, with the City providing the twenty percent (20%) local match. The total cost breakdown would be as follows:

FDOT (80%)	\$ 160,000
City (20%)	<u>\$ 40,000</u>
Total	<u>\$ 200,000</u>

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.

A first reading of the ordinance was held on November 14, 2019.

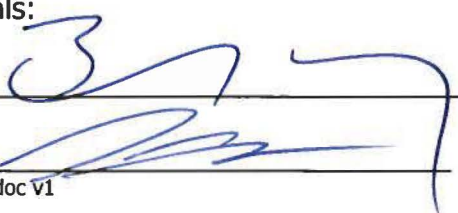
RECOMMENDATION: Administration recommends that City Council adopt the attached Ordinance in accordance with Section 1.02(c)(5)B., St. Petersburg City Charter, authorizing the restrictions contained in the Public Transit Grant Agreement ("PTGA") for the Taxiway D5 Replacement Project (17559), to be executed by the City, as a requirement for receipt of Florida Department of Transportation ("FDOT") funds ("Grant") including but not limited to the Aviation Program Assurances ("Grant Assurances"), which, *inter alia*, require, among other assurances, that the City make Albert Whitted Airport available as an airport for public use on fair and reasonable terms, and maintain the project facilities and equipment in good working order for the useful life of said facilities or equipment, not to exceed 20 years from the effective date of the PTGA; authorizing the Mayor or his designee to accept the Grant in an amount not to exceed \$160,000; authorizing the Mayor or his designee to execute all documents necessary to effectuate this Ordinance; approving a supplemental appropriation in the amount of \$200,000 from the increase in the unappropriated balance of the Airport Capital Projects Fund (4033), resulting from these grant funds, to the Airport Capital

Projects Fund (4033), Taxiway D5 Replacement Project (17559); providing an effective date; and providing for expiration.

Cost/Funding/Assessment Information: Revenues of up to \$160,000 are to be received from the Florida Department of Transportation (FDOT) which will be used to cover up to eighty percent (80%) of the total eligible costs of the Taxiway D5 Replacement Project (17559). The City's twenty percent (20%) match of \$40,000 will come from the unappropriated balance of the Airport Capital Fund (4033). Funding for the grant and city match will be available once a supplemental appropriation in the amount of \$200,000, from the increase in the unappropriated balance of the Airport Capital Projects Fund (4033), resulting from these grant funds, to the Airport Capital Projects Fund (4033), Taxiway D5 Replacement Project (17559) is approved.

Approvals:

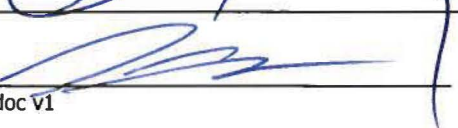
Legal:



Administration:



Budget:



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Ordinance No. _____

AN ORDINANCE IN ACCORDANCE WITH SECTION 1.02(C)(5)B., ST. PETERSBURG CITY CHARTER, AUTHORIZING THE RESTRICTIONS CONTAINED IN THE PUBLIC TRANSIT GRANT AGREEMENT ("PTGA") FOR THE TAXIWAY D5 REPLACEMENT PROJECT (17559), TO BE EXECUTED BY THE CITY, AS A REQUIREMENT FOR RECEIPT OF FLORIDA DEPARTMENT OF TRANSPORTATION ("FDOT") FUNDS ("GRANT") INCLUDING BUT NOT LIMITED TO THE AVIATION PROGRAM ASSURANCES ("GRANT ASSURANCES"), WHICH, *INTER ALIA*, REQUIRE, AMONG OTHER ASSURANCES, THAT THE CITY MAKE ALBERT WHITTED AIRPORT AVAILABLE AS AN AIRPORT FOR PUBLIC USE ON FAIR AND REASONABLE TERMS, AND MAINTAIN THE PROJECT FACILITIES AND EQUIPMENT IN GOOD WORKING ORDER FOR THE USEFUL LIFE OF SAID FACILITIES OR EQUIPMENT, NOT TO EXCEED 20 YEARS FROM THE EFFECTIVE DATE OF THE PTGA; AUTHORIZING THE MAYOR OR HIS DESIGNEE TO ACCEPT THE GRANT IN AN AMOUNT NOT TO EXCEED \$160,000; AUTHORIZING THE MAYOR OR HIS DESIGNEE TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE THIS ORDINANCE; APPROVING A SUPPLEMENTAL APPROPRIATION IN THE AMOUNT OF \$200,000 FROM THE INCREASE IN THE UNAPPROPRIATED BALANCE OF THE AIRPORT CAPITAL PROJECTS FUND (4033), RESULTING FROM THESE GRANT FUNDS, TO THE AIRPORT CAPITAL PROJECTS FUND (4033), TAXIWAY D5 REPLACEMENT PROJECT (17559); PROVIDING AN EFFECTIVE DATE; AND PROVIDING FOR EXPIRATION.

THE CITY OF ST. PETERSBURG DOES ORDAIN:

Section 1. 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 2. The Florida Department of Transportation ("FDOT") has indicated funding is available to provide up to eighty percent (80%) of the total costs for the Taxiway D5 Replacement project (17559).

Section 3. 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 FDOT grants in an amount not to exceed \$160,000, for projects described in Section Two of this ordinance, which require, among other assurances, that the City make available as an airport for public use on fair and reasonable terms, and maintain the project facilities and equipment in good working order for the useful life of said

facilities or equipment, 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") for non-airport compatible purposes, 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 4. The Mayor or his designee is authorized to accept the grant from the FDOT for additional funding in an amount not to exceed \$160,000.

Section 5. The Mayor or his designee is authorized to execute all documents necessary to effectuate this ordinance.

Section 6. There is hereby approved from the increase in the unappropriated balance of the Airport Capital Improvement Fund (4033), resulting from these additional revenues, the following supplemental appropriation for the Fiscal Year 2020:

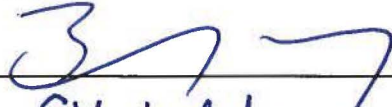

<u>Airport Capital Projects Fund (4033)</u>	
Taxiway D5 Replacement Project (17559)	\$200,000


Section 7. 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 8. 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 9. Expiration. In the event the FDOT 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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