

**MEMORANDUM
CITY OF ST. PETERSBURG**

City Council Meeting of November 9, 2021

TO: The Honorable Ed Montanari, Chair, and Members of City Council

FROM: Chris Ballestra, Managing Director, City Development Administration

SUBJECT: An Ordinance in accordance with Section 1.02(c)(5)B., St. Petersburg City Charter, authorizing the restrictions contained in the Florida Department of Transportation Public Transit Grant Agreement for the planning and design phases of the Airport Fuel Farm Replacement Project (18633), which include but are not limited to the requirement that the City keep Albert Whitted Airport available to the public and in good repair; authorizing the Mayor or his designee to accept such grant and to execute all documents necessary to effectuate this Ordinance; approving a supplemental appropriation in the amount of \$70,000 from the increase in the unappropriated balance of the Airport Capital Projects Fund (4033), resulting from these grant funds, to the Airport Fuel Farm Replacement Project (18633); 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 current Airport Fuel Farm was installed in the early 1990s. It contains three (3), 10,000-gallon, above ground tanks in addition to associated dispensing equipment and other infrastructure. Given its age and constant exposure to the weather and salt-air corrosion, maintaining the current equipment and tanks is becoming futile. Accordingly, the Airport is looking to replace the existing fuel farm. The basic scope of this project includes planning, design, permitting, equipment procurement, construction, and demo/removal of the old fuel farm. Based on initial discussions with the FBO and considering the future demand, preliminary recommendations for the new fuel farm include a two (2) 20,000 gallon, above-ground, double-walled tank system. One tank would

be used for Avgas and the other for Jet Fuel. Other improvements including site and containment infrastructure will also be included within the scope. The funding secured through this ordinance is intended for the planning and design phases of the project only. The total design budget is \$190,000.

FDOT (80%)	City (20%)	Total
\$152,000	\$38,000	\$190,000

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.

The first reading of the ordinance was held on November 4, 2021.

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 Florida Department of Transportation Public Transit Grant Agreement for the planning and design phases of the Airport Fuel Farm Replacement Project (18633), which include but are not limited to the requirement that the City keep Albert Whitted Airport available to the public and in good repair; authorizing the Mayor or his designee to accept such grant and to execute all documents necessary to effectuate this Ordinance; approving a supplemental appropriation in the amount of \$70,000 from the increase in the unappropriated balance of the Airport Capital Projects Fund (4033), resulting from these grant funds, to the Airport Fuel Farm Replacement Project (18633); providing an effective date; and providing for expiration.

COST/FUNDING INFORMATION: Revenues of up to \$152,000 are to be received from the Florida Department of Transportation (FDOT) and deposited into the Airport Capital Projects Fund (4033). The revenue will be used to cover eighty percent (80%) of the design costs for the Airport Fuel Farm Replacement Project (18633). The City's twenty percent (20%) match requirement is \$38,000, providing a total project budget of \$190,000. A portion of the funding (\$120,000) was previously appropriated in the Airport Capital Projects Fund (4033), Airport Fuel Farm Replacement Project (18633) based on early project estimates. Additional funding will be available after the approval of a supplemental appropriation in the amount of \$70,000 from the increase in the unappropriated balance of the Airport Capital Projects Fund (4033), resulting from these additional grant funds, to the Airport Fuel Farm Replacement Project (18633).

APPROVALS:

Administration: /s/ Chris Ballestra for Alan DeLisle Budget: /s/ Lance Stanford

Ordinance No. _____

AN ORDINANCE IN ACCORDANCE WITH SECTION 1.02(C)(5)B., ST. PETERSBURG CITY CHARTER, AUTHORIZING THE RESTRICTIONS CONTAINED IN THE FLORIDA DEPARTMENT OF TRANSPORTATION PUBLIC TRANSIT GRANT AGREEMENT FOR THE PLANNING AND DESIGN PHASES OF THE AIRPORT FUEL FARM REPLACEMENT PROJECT (18633), WHICH INCLUDE BUT ARE NOT LIMITED TO THE REQUIREMENT THAT THE CITY KEEP ALBERT WHITTED AIRPORT AVAILABLE TO THE PUBLIC AND IN GOOD REPAIR; AUTHORIZING THE MAYOR OR HIS DESIGNEE TO ACCEPT SUCH GRANT AND TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE THIS ORDINANCE; APPROVING A SUPPLEMENTAL APPROPRIATION IN THE AMOUNT OF \$70,000 FROM THE INCREASE IN THE UNAPPROPRIATED BALANCE OF THE AIRPORT CAPITAL PROJECTS FUND (4033), RESULTING FROM THESE GRANT FUNDS, TO THE AIRPORT FUEL FARM REPLACEMENT PROJECT (18633); 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 offered the City a grant toward the design phase of the Airport Fuel Farm Replacement Project (18633).

Section 3. The grant documents to be executed by the City as a requirement for receipt of the FDOT grant, in an amount not to exceed \$152,000 and for the project described in Section Two of this ordinance, require, among other assurances, that the City make Albert Whitted Municipal Airport ("Airport") available as an airport for public use on fair and reasonable terms, maintain the project facilities and equipment in good working order for the useful life of said facilities or equipment, and 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 the 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 \$152,000.

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 2022:

<u>Airport Capital Projects Fund (4033)</u>	
Airport Fuel Farm Replacement Project (18633)	\$70,000

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 grants as set forth in Section Two, above, within one year of the effective date of this ordinance, this ordinance shall expire.

Approvals:

Legal: /s/ Bradley Tennant Administration: Chris Ballisto for Alan DeLisle

Budget: E Makofske

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