

#160676

McDermott, Sean M.

From: Mimms, Dean L.
Sent: Wednesday, June 14, 2017 3:10 PM
To: Lannon, Kurt M.
Cc: McDermott, Sean M.; Persons, Andrew W.; Allan Penksa ; Ben Chumley (BDChumley@alachuacounty.us)
Subject: City-signed Interlocal Agreement
Attachments: Final - Airport Protection Zoning Interlocal Agreement PDF.pdf

Hi Kurt,

If you can provide me copies of the Interlocal Agreement after it is [presumably] approved tomorrow night, I would be pleased to get them to the Airport's Allan Penksa and to County Growth Management's Ben Chumley so that they can get the needed signatures from, respectively, GACCRA, and, the County Commission.

Please advise if you have an alternative recommendation as to getting our signed copies to them.

Thank you,

Dean Mimms, AICP, Lead Planner
393-8688

**INTERLOCAL AGREEMENT
FOR AIRPORT ZONING REGULATIONS**

This Interlocal Agreement ("Agreement") is entered into by and between ALACHUA COUNTY, a charter county and political subdivision of Florida ("County"), the CITY OF GAINESVILLE, a municipal corporation ("City"), and the GAINESVILLE-ALACHUA COUNTY REGIONAL AIRPORT AUTHORITY, an independent special district ("GACRAA").

WITNESSETH

WHEREAS, per Chapter 2006-363, Laws of Florida, GACRAA has jurisdiction over the operation and maintenance of the Gainesville Regional Airport and any other airports in Alachua County except those owned, controlled, and operated by a private person; and

WHEREAS, the City owns title to the land of the Gainesville Regional Airport; and

WHEREAS, Section 333.03, Florida Statutes, requires every political subdivision having an airport hazard area, as defined in the statute, within its territorial limits to adopt, administer, and enforce, under the police power and in the manner and upon the conditions prescribed in the statute, airport protection zoning regulations for such airport hazard area; in addition, Section 333.03, Florida Statutes, requires political subdivisions to adopt, administer, and enforce airport land use compatibility zoning regulations (collectively "Airport Zoning Regulations"); and

WHEREAS, both the City and the County have adopted Airport Zoning Regulations in accordance with Chapter 333, Florida Statutes, which apply to the lands within their respective jurisdictions; and

WHEREAS, in addition, both the City and the County have an airport hazard area within their respective territorial limits upon which an obstruction may be constructed or altered that underlies a surface of the Gainesville Regional Airport as provided in 14 C.F.R part 77, subpart C, and therefore Section 333.03(1)(b), Florida Statutes, requires the County, City and GACRAA to enter into an interlocal agreement pursuant to that section; and

WHEREAS, the County, City and GACRAA are authorized by Section 163.01, Florida Statutes, to enter into interlocal agreements to cooperatively and efficiently use their powers to provide services that will advance the general health, safety and welfare of the public.

NOW THEREFORE, in consideration of the mutual promises and covenants contained herein, the parties agree as follows:

1. **Term and Recording.** This Agreement shall become effective on the date the last of the parties executes this Agreement as indicated below and shall remain in effect until terminated in accordance with Section 3 of this Agreement. Pursuant to Section 163.01(11), Florida Statutes, the County shall file a fully executed copy of this Agreement with the Clerk of the Circuit Court of Alachua County, Florida.

2. **Airport Zoning Regulations.** The parties agree that: 1) the City shall adopt or amend, as needed, administer, and enforce its Airport Zoning Regulations, pursuant to Chapter 333, Florida Statutes, to the applicable land within its jurisdiction; and 2) the County shall adopt or amend, as needed, administer, and enforce its Airport Zoning Regulations, adopted pursuant to Chapter 333, Florida Statutes, to the applicable land within its jurisdiction. In addition and in order to promote the public interest of the citizens of Alachua County as articulated by Section 333.02, Florida Statutes, the parties agree to work collaboratively and receive input from the other parties regarding the adoption of or amendment to their respective Airport Zoning Regulations that pertain to any airport hazard areas around Gainesville Regional Airport or any other airport under the authority of GACRAA.

3. **Termination.** Any party to this Agreement may terminate this Agreement with or without cause after first providing at least 30 days' written notice to each of the other parties.

IN WITNESS WHEREOF, the parties hereto have made and executed this Agreement on the respective dates beneath each signature.

ALACHUA COUNTY:

ATTEST:

 Jesse K. Irby, II, Clerk

By: _____
 Ken Cornell, Chair
 Board of County Commissioners

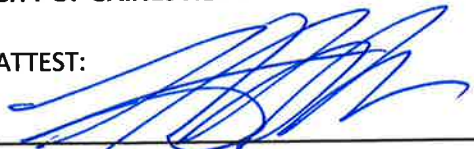
Date: _____

APPROVED AS TO FORM AND LEGALITY:


 Michele Lieberman, County Attorney

CITY OF GAINESVILLE:

ATTEST:



Kurt Lannon, Clerk of the Commission
City of Gainesville

By: 

Lauren Poe, Mayor
Date: 6/19/17

APPROVED AS TO FORM AND LEGALITY:



Nicolle M. Shalley, City Attorney

GAINESVILLE-ALACHUA COUNTY REGIONAL AIRPORT AUTHORITY:

ATTEST:

By: _____
Chair
Date: _____

APPROVED AS TO FORM AND LEGALITY:
