



MEMORANDUM

Office of the City Attorney

Legistar No. 001889

Phone: 334-5011/Fax 334-2229
Box 46

TO: Mayor and City Commission

DATE: September 24, 2001
RESOLUTION

FROM: City Attorney

SUBJECT: Airport Improvement Program Grant
A resolution of the City of Gainesville, Florida, accepting grant offer from Department of Transportation, Federal Aviation Administration, and authorizing execution by the Mayor and Clerk of the Commission on behalf of the City of Gainesville; and providing an immediate effective date.

Recommendation: The City Commission adopt the proposed resolution, as revised.

The Federal Aviation Administration increased the federal share for the proposed projects from \$3,899,692 to \$3,921,372, in order to fully encumber all of the Airport's 2001-2002 entitlement funds.

Prepared by:

Charles L. Hauck,
Sr. Assistant City Attorney

Approved and
Submitted by:

Marion J. Radson,
City Attorney

MJR:CLH:sw

RESOLUTION NO. 01-006
EFFECTIVE SEPTEMBER 21, 2001

**RESOLUTION ACCEPTING GRANT OFFER FROM DEPARTMENT OF
TRANSPORTATION, FEDERAL AVIATION ADMINISTRATION AND
AUTHORIZING EXECUTION BY THE APPROPRIATE OFFICIALS ON
BEHALF OF THE GAINESVILLE-ALACHUA COUNTY REGIONAL AIRPORT
AUTHORITY**

WHEREAS, The Gainesville-Alachua County Regional Airport Authority has previously submitted a Project Application to the Department of Transportation, Federal Aviation Administration of the United States of America, for improvement projects at the Gainesville Regional Airport, and

WHEREAS, the said Federal Aviation Administration (FAA) has submitted a Grant Agreement which constitutes an Offer to the City of Gainesville and the Gainesville-Alachua County Regional Airport Authority to be executed by the appropriate officials which, when so accepted, will constitute a Grant Agreement by which the United States Government will participate in the allowable costs of the project with the Federal Share to be \$ 3,921,372.

WHEREAS, for the purpose of receiving Federal Grant funds, the FAA requires that the City of Gainesville and the Gainesville-Alachua County Regional Airport Authority both approve the Offer and the Gainesville-Alachua County Regional Airport Authority hereby requests that the City of Gainesville approve said Offer.

NOW, THEREFORE,

BE RESOLVED BY THE GAINESVILLE-ALACHUA COUNTY REGIONAL AIRPORT AUTHORITY, as follows:

Section 1. That the Gainesville-Alachua County Regional Airport Authority shall enter into a Grant Agreement for the purpose of obtaining Federal aid in the development of the Gainesville Regional Airport under Project No. 3-12-0028-1701 that is to be implemented, constructed, and operated by the Gainesville-Alachua County Regional Airport Authority in accordance with Chapter 95-457, Laws of Florida, and that such Grant Agreement shall be hereby made a part hereof.

Section 2. The Gainesville-Alachua County Regional Airport Authority does hereby ratify and adopt all statements, representations, warranties, covenants, and agreements contained in said Offer, and by such acceptance agrees to abide by all of the terms and conditions of the Grant Agreement.

Section 3. That Patrick J. Bainter, Chair, is hereby authorized and directed to execute the said Grant Agreement on behalf of the Gainesville-Alachua County Regional Airport Authority and T. James Gallagher, Secretary/Treasurer is hereby authorized and directed to impress the official seal of the Gainesville-Alachua County Regional Airport Authority and to attest said execution.

EFFECTIVE this 24th day of September, 2001.

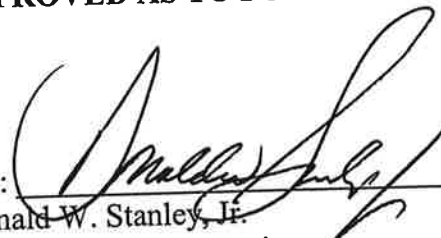
**GAINESVILLE-ALACHUA COUNTY
REGIONAL AIRPORT AUTHORITY**


Patrick J. Bainter, Chair

ATTEST:


T. James Gallagher
Secretary/Treasurer

APPROVED AS TO FORM AND LEGALITY

BY: 
Donald W. Stanley, Jr.
Attorney for the Authority



GRANT AGREEMENT

U. S. Department
of Transportation
Federal Aviation
Administration

Date of Offer: September 21, 2001

Project Number: 3-12-0028-1701

Contract Number: DTFA 06-01-A-80300

Recipient: City of Gainesville and Gainesville – Alachua County Regional Airport Authority (Herein called Sponsor)

Airport: Gainesville Regional Airport

OFFER

THE FEDERAL AVIATION ADMINISTRATION, FOR AND ON BEHALF OF THE UNITED STATES, HEREBY OFFERS AND AGREES to pay, as the United States' share, ninety percent (90%) of the allowable costs incurred in accomplishing the project consisting of the following:

"Rehabilitate general aviation aprons ($\pm 108,500$ SY); install perimeter fencing (8 FT x $\pm 19,250$ LF); rehabilitate taxiways (repaint hold lines to FAA standards at 11 locations); rehabilitate high intensity runway lights (HIRL) Runway 10/28 ($\pm 7,500$ LF); rehabilitate medium intensity taxiway lights (MITL) (Taxiways C, E, and E1 through E5); rehabilitate six distance-to-go signs Runway 10/28; rehabilitate airfield signage (38 signs); install rotating beacon (± 80 FT); install touchdown zone (TDZ) runway visual range (RVR) on Runway 28; rehabilitate runway (electrical vault); Conduct environmental assessment (Runway 10 MALSR); Prepare plans and specifications for the installation of Runway 10 visual guidance system (MALSR)."

as more particularly described in the Project Application dated September 20, 2001.

The maximum obligation of the United States payable under this Offer shall be \$3,911,218 for airport development, and \$10,154 for planning.

This offer is made in accordance with and for the purpose of carrying out the provisions of Title 49, United States Code, herein called Title 49 U.S.C. Acceptance and execution of this offer shall comprise a Grant Agreement, as provided by Title 49 U.S.C., constituting the contractual obligations and rights of the United States and the Sponsor.

UNITED STATES OF AMERICA
FEDERAL AVIATION ADMINISTRATION


Acting Manager, Airports District Office

ACCEPTANCE (CITY)

The Sponsor agrees to accomplish the project in compliance with the terms and conditions contained herein and in the document "Terms and Conditions of Accepting Airport Improvement Program Grants" dated September 1, 1999.

Project No.: 3-12-0028-1701

Date of Grant Offer: September 21, 2001

ACCEPTANCE (AUTHORITY)

The Sponsor agrees to accomplish the project in compliance with the terms and conditions contained herein and in the document "Terms and Conditions of Accepting Airport Improvement Program Grants" dated September 1, 1999.

Executed this 24 day of September 2001 Gainesville-Alachua County Regional Airport
 (Seal) [Signature] Name of Sponsor Authority
 Attest [Signature] Signature of Sponsor's Designated Official Representative
Sec Chair
 Title Title

CERTIFICATE OF SPONSOR'S ATTORNEY (AUTHORITY)

I, Donald W. Stanley, Jr., acting as Attorney for the Sponsor do hereby certify:

That in my opinion the Sponsor is empowered to enter into the foregoing Grant Agreement under the laws of the State of Florida. Further, I have examined the foregoing Grant Agreement, and the actions taken by said Sponsor relating thereto, and find that the acceptance thereof by said Sponsor and Sponsor's official representative has been duly authorized and that the execution thereof is in all respects due and proper and in accordance with the laws of the said State and Title 49 U.S.C. In addition, for grants involving projects to be carried out on property not owned by the Sponsor, there are no legal impediments that will prevent full performance by the Sponsor. Further, it is my opinion that the said Grant Agreement constitutes a legal and binding obligation of the Sponsor in accordance with the terms thereof.

[Signature] Signature of Sponsor's Attorney 9-24-01 Date

001889



September 24, 2001

Mayor and City Commissioners
City Manager
City Attorney
City of Gainesville
P.O. Box 490
Gainesville, FL 32602

RE: Resolution Accepting Grant Offer from
Department of Transportation,
Federal Aviation Administration
in the amount of \$3,921,372.00

Ladies and Gentlemen:

I am the duly appointed Interim Director of Aviation of the Gainesville-Alachua County Regional Airport Authority (the "Authority"). In this capacity, I have personally reviewed the statements, representations, warranties, covenants, and agreements contained in the Offer to the Authority in connection with a Grant Agreement by which the United States Government with the Federal share to be \$3,921,372.00.

In this connection, I have reviewed such records, certificates, and other documents as necessary or appropriate. Based upon such review and relevant facts, I can represent to you that the said statements, representations, warranties, covenants, and agreements contained in the offer are true and correct, and that the Authority is not in default of any covenant or agreement referenced therein. You may rely on this letter in adopting your Resolution and in ratifying and adopting all statements, representations, warranties, covenants, and agreements contained in the Project Application.

Sincerely yours,

A handwritten signature in black ink that reads "Tatom A. Fisher". The signature is written in a cursive, flowing style.

Tatom A. Fisher
Interim Director of Aviation

Fly Easy. Fly Gainesville.



GRANT AGREEMENT

U. S. Department
of Transportation
Federal Aviation
Administration

Date of Offer: September 21, 2001

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Contract Number: DTFA 06-01-A-80300

Recipient: City of Gainesville and Gainesville - Alachua County Regional Airport Authority (Herein called Sponsor)

Airport: Gainesville Regional Airport

OFFER

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UNITED STATES OF AMERICA
FEDERAL AVIATION ADMINISTRATION


Acting Manager, Airports District Office

ACCEPTANCE (CITY)

The Sponsor agrees to accomplish the project in compliance with the terms and conditions contained herein and in the document "Terms and Conditions of Accepting Airport Improvement Program Grants" dated September 1, 1999.

Executed this ___ day of _____, 20____
(Seal)

Name of Sponsor

Attest _____

Signature of Sponsor's Designated Official Representative

Title _____

Title

CERTIFICATE OF SPONSOR'S ATTORNEY (CITY)

I, _____, acting as Attorney for the Sponsor do hereby certify:

That in my opinion the Sponsor is empowered to enter into the foregoing Grant Agreement under the laws of the State of Florida. Further, I have examined the foregoing Grant Agreement, and the actions taken by said Sponsor relating thereto, and find that the acceptance thereof by said Sponsor and Sponsor's official representative has been duly authorized and that the execution thereof is in all respects due and proper and in accordance with the laws of the said State and Title 49 U.S.C. In addition, for grants involving projects to be carried out on property not owned by the Sponsor, there are no legal impediments that will prevent full performance by the Sponsor. Further, it is my opinion that the said Grant Agreement constitutes a legal and binding obligation of the Sponsor in accordance with the terms thereof.

Signature of Sponsor's Attorney

Date

Project No.: 3-12-0028-1701

Date of Grant Offer: September 21, 2001

ACCEPTANCE (AUTHORITY)

The Sponsor agrees to accomplish the project in compliance with the terms and conditions contained herein and in the document "Terms and Conditions of Accepting Airport Improvement Program Grants" dated September 1, 1999.

Executed this ___ day of _____, 20____
(Seal)

Name of Sponsor

Attest

Signature of Sponsor's Designated Official Representative

Title

Title

CERTIFICATE OF SPONSOR'S ATTORNEY (AUTHORITY)

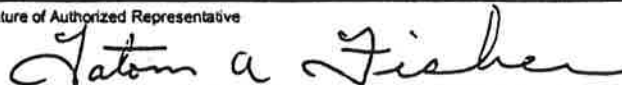
I, _____, acting as Attorney for the Sponsor do hereby certify:

That in my opinion the Sponsor is empowered to enter into the foregoing Grant Agreement under the laws of _____ the State of Florida. Further, I have examined the foregoing Grant Agreement, and the actions taken by said Sponsor relating thereto, and find that the acceptance thereof by said Sponsor and Sponsor's official representative has been duly authorized and that the execution thereof is in all respects due and proper and in accordance with the laws of the said State and Title 49 U.S.C. In addition, for grants involving projects to be carried out on property not owned by the Sponsor, there are no legal impediments that will prevent full performance by the Sponsor. Further, it is my opinion that the said Grant Agreement constitutes a legal and binding obligation of the Sponsor in accordance with the terms thereof.

Signature of Sponsor's Attorney

Date

**APPLICATION FOR
FEDERAL ASSISTANCE**

1. TYPE OF SUBMISSION <i>Application</i> <input checked="" type="checkbox"/> Construction <input type="checkbox"/> Non-Construction		<i>Preapplication</i> <input type="checkbox"/> Construction <input type="checkbox"/> Non-Construction	2. DATE SUBMITTED September 20, 2001	Applicant Identifier 2900346008														
			3. DATE RECEIVED BY STATE	State Applicant Identifier														
			4. DATE RECEIVED BY FEDERAL AGENCY	Federal Identifier														
5. APPLICANT INFORMATION																		
Legal Name: City of Gainesville and Gainesville-Alachua County Regional Airport Authority		Organizational Unit: City of Gainesville and Gainesville-Alachua County Regional Airport Authority																
Address (give city, county, state, and zip code): 3880 NE 39 th Avenue, Suite A Alachua County Gainesville, FL 32609		Name and telephone number of the person to be contacted on matters involving this application (give area code) Technical: Craig R. Hedgecock, 352-373-0249 Budgetary: Gordon Rowell, 352-373-0249 Contractual: Tatom A. Fisher, 352-373-0249																
6. EMPLOYER IDENTIFICATION NUMBER (EIN): 5 9 - 2 7 7 4 8 4 3		7. TYPE OF APPLICANT: (enter appropriate letter in box) G																
8. TYPE OF APPLICATION: <input checked="" type="checkbox"/> New <input type="checkbox"/> Continuation <input type="checkbox"/> Revision If Revision, enter appropriate letter(s) in box(es): A. Increase Award B. Decrease Award C. Increase Duration D. Decrease Duration Other (specify): _____		<table border="0" style="width:100%;"> <tr> <td>A. State</td> <td>H. Independent School Dist.</td> </tr> <tr> <td>B. County</td> <td>I. State Controlled Institution of Higher Learning</td> </tr> <tr> <td>C. Municipal</td> <td>J. Private University</td> </tr> <tr> <td>D. Township</td> <td>K. Indian Tribe</td> </tr> <tr> <td>E. Interstate</td> <td>L. Individual</td> </tr> <tr> <td>F. Intermunicipal</td> <td>M. Profit Organization</td> </tr> <tr> <td>G. Special District</td> <td>N. Other (Specify) _____</td> </tr> </table>			A. State	H. Independent School Dist.	B. County	I. State Controlled Institution of Higher Learning	C. Municipal	J. Private University	D. Township	K. Indian Tribe	E. Interstate	L. Individual	F. Intermunicipal	M. Profit Organization	G. Special District	N. Other (Specify) _____
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F. Intermunicipal	M. Profit Organization																	
G. Special District	N. Other (Specify) _____																	
		9. NAME OF FEDERAL AGENCY: Federal Aviation Administration, Airports District Office																
10. CATALOG OF FEDERAL DOMESTIC ASSISTANCE NUMBER: 2 0 . 1 0 6		11. DESCRIPTIVE TITLE OF APPLICANT'S PROJECT: A. Airfield Lighting Improvements B. Rehabilitate General Aviation Apron Pavements C. Upgrade Perimeter Fencing D. Repaint "Hold-Short" Lines																
12. AREAS AFFECTED BY PROJECT (cities, counties, states, etc.): Alachua, Bradford, Columbia, Gilchrest, LaFayette, Levy, Putnam, Marion, Union Counties																		
13. PROPOSED PROJECT:		14. CONGRESSIONAL DISTRICTS OF:																
Start Date 10/01/01	Ending Date 9/30/02	<table border="0" style="width:100%;"> <tr> <td>a. Applicant</td> <td>b. Project</td> </tr> <tr> <td style="text-align:center;">Fifth District</td> <td style="text-align:center;">Fifth District</td> </tr> </table>			a. Applicant	b. Project	Fifth District	Fifth District										
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Fifth District	Fifth District																	
15. ESTIMATED FUNDING:		16. IS APPLICATION SUBJECT TO REVIEW BY STATE EXECUTIVE ORDER 12372 PROCESS?																
a. Federal	\$ 3,899,692.00	a. YES. THIS PREAPPLICATION/APPLICATION WAS MADE AVAILABLE TO THE STATE EXECUTIVE ORDER 12372 PROCESS FOR REVIEW ON:																
b. Applicant	\$ 433,306.00	DATE <u>September 10, 2001</u>																
c. State	\$.00	b. NO. <input type="checkbox"/> PROGRAM IS NOT COVERED BY E.O. 12372																
d. Local	\$.00	<input type="checkbox"/> OR PROGRAM HAS NOT BEEN SELECTED BY STATE FOR REVIEW																
e. Other	\$.00																	
f. Program Income	\$.00	17. IS THE APPLICANT DELINQUENT ON ANY FEDERAL DEBT?																
g. TOTAL	\$ 4,332,998.00	<input type="checkbox"/> Yes If "Yes," attach an explanation. <input checked="" type="checkbox"/> No																
18. TO THE BEST OF MY KNOWLEDGE AND BELIEF, ALL DATA IN THIS APPLICATION/PREAPPLICATION ARE TRUE AND CORRECT. THE DOCUMENT HAS BEEN DULY AUTHORIZED BY THE GOVERNING BODY OF THE APPLICANT AND THE APPLICANT WILL COMPLY WITH THE ATTACHED ASSURANCES IF THE ASSISTANCE IS AWARDED.																		
a. Typed Name of Authorized Representative Tatom A. Fisher		b. Title Interim Director of Aviation		c. Telephone number 353-373-0249														
d. Signature of Authorized Representative 			e. Date Signed 9/20/01															