



Agenda Item:

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COUNCIL COMMUNICATION City Manager's Office

GENERAL INFORMATION

Agenda Date: March 7, 2005

Communication

No.: 05-112

Agenda Item Type: Resolution

Roll Call

No.:

Submitted by: Robert L. Hagener, Airport Director

SUBJECT—

Approval for the City Manager to Proceed to Acquire Properties by Gift, Sale, or Eminent Domain which are needed for the Future Runway 13R/31L.

SYNOPSIS—

On December 2, 2003, by Resolution No. A03-285, the Airport Board approved and authorized the design of a public improvement project to construct Runway 13R/31L and authorized the City Manager to proceed with the acquisition of properties needed for the project by purchase or gift, or to proceed to the City Council for approval to acquire by eminent domain when appropriate and needed.

On March 1, 2005, by Resolution No. A05-42, the Airport Board approved the recommendation to the City Council to authorize the City Manager to proceed with the acquisition of the remaining properties by gift, sale, or eminent domain which are needed for the future Runway 13R/31L.

FISCAL IMPACT—

The estimated cost of the total project is approximately \$42 million. The cost of the property acquisitions and associated relocation expenses is estimated at \$16 million. This project is 95% federally funded through Airport Improvement Program (AIP) Grants over several federal fiscal years, and the 5% local share match will be funded from Passenger Facility Charges.

RECOMMENDATION—

The Airport is near completion with the property acquisition on a hardship and voluntary basis and now is the appropriate time to begin the acquisition process for the remaining properties needed for the construction of Runway 13R/31L. City Council is required to approve the acquisition of the remaining properties by gift, sale, or eminent domain.

BACKGROUND—

On February 6, 2001, the Airport Board received and filed the Runway 13R/31L Implementation Plan as the first step in confirming the purpose and need for the future construction of a 5,500-foot long parallel runway. On July 29, 2003, the Federal Aviation Administration approved a Finding of No Significant Impact / Record of Decision (FONSI) and Section 4(f) Determination for the proposed runway construction. The Federal Aviation Administration's approval of the FONSI and Section 4(f) Determination constitutes the Federal approval for the actions identified and any subsequent actions approving a grant of federal funds for the project.

The FONSI approval provided the environmental approval for the project to proceed. The acquisition of approximately 283 acres of property, including 22 residential properties, needed for the proposed runway and its approaches is included in the finding. The FONSI specifies, and Federal Regulations require, that acquisition of residences and farmland must conform to the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970. Land acquisition as well as the construction of the new runway and taxiways will depend upon the availability of federal and Airport funds.

On January 6, 2004, by Resolution No. A04-16, the Airport Board approved the voluntary acquisition program on a hardship basis for properties needed for the future construction of Runway 13R/31L. The Environmental Assessment (EA), and subsequent FONSI approval, identified the acquisition of approximately 283 acres of property, including a minimum of 22 residential properties needed for the proposed runway and its approaches. Twenty-two residential properties are required for the construction of future Runway 13R/31L. All the affected property owners were notified of the public hearing conducted on December 2, 2003, the Airport Board meeting on January 6, 2004, and the informational meeting held on January 15, 2004.

On June 1, 2004, by Resolution No. A04-103, the Airport Board approved extending the Acquisition Program to include properties solely of a voluntary basis for the properties needed for the Runway 13R-31L Project. To date the Airport has taken possession, negotiated settlements, or are in negotiation, with the owners of 13 residential properties. Two other residential property owners recently volunteered and are currently in the appraisal process.

There are seven residential property owners that have not volunteered for acquisition. Additionally, there are three farmland property owners, with varying sized parcels, which have not volunteered for acquisition. These remaining properties along McKinley Avenue and Southwest 56th Street are required because they fall within the initial construction corridor for the Runway 13R/31L Project. It is anticipated that the acquisition of these properties may take 2-3 years on a non-volunteer basis. Airport staff, in consultation with the City Engineering and Real

Estate Divisions believes that the time is now appropriate to proceed with the acquisition of the remaining properties needed for the project.