

 <p style="text-align: center;"><b>Council Communication</b> Office of the City Manager</p>	<b>Date:</b> May 23, 2011
	<b>Agenda Item No.</b> 35 <b>Roll Call No.</b> <u>11-898</u> <b>Communication No.</b> <u>11-294</u> <b>Submitted by:</b> Don Smithey, Aviation Director and Jeb E. Brewer, P.E., City Engineer

**AGENDA HEADING:**

Approving and Authorizing the Execution of Federal Aviation Administration AIP Grant Agreement, Project Number 3-19-0027-55, Airport Runway 13R-31L Land Acquisition.

**SYNOPSIS:**

Recommend the City Council approve the anticipated FAA Grant and authorize the Mayor to execute a Federal Aviation Administration (FAA) Airport Improvement Program (AIP) Grant 55 in a 95% Federal share amount of \$2,303,272 along with City acceptance and ratification of all associated grant assurances, warranties, covenants, and agreements contained in the project application for the funding of the Airport Runway 13R-31L Land Acquisition. Grant 3-19-0027-55 provides Federal reimbursement for the acquisition of Tracts 2002-029a, 2002-029b and 2002-029c that have been already purchased.

**FISCAL IMPACT:**

Amount: \$2,303,272 Grant Reimbursement (2,424,496.47 total land acquisition cost, including expenses)

Funding Source: 2011-2012 CIP, Page Airport-23, Runway 13R-31L – Land Acquisition AIR117, being \$2,303,272 (95%) in FAA funds through this AIP Grant 55 or any additional money that FAA may make available and \$121,224.47 (5%) in Passenger Facility Charge (PFC) funds included in approved PFC Application Number 9.

**ADDITIONAL INFORMATION:**

On July 29, 2003, the Federal Aviation Administration approved a Finding of No Significant Environmental Impact (FONSI) and Section 4(f) Determination for the proposed Runway 13R-31L construction. The acquisition of approximately 283 acres of property, including 22 residential properties, has now been completed for the proposed runway and its approaches, which is included in the finding.

The FAA Airport Improvement Program (AIP) process requires the Airport to acquire properties prior to their inclusion in a Federal Grant project. For this reason, Engineering, and Aviation Department staff work closely with FAA in an attempt to time the acquisitions to minimize the City’s carrying costs until 95% of the property expense can be reimbursed by an FAA AIP grant. An application for Grant 55, seeking reimbursement for the total acquisition costs for a parcel acquired from the General Manufacturing Company and Wittern Partnership, was submitted to FAA on April 19, 2011. Grant 55 is

eligible for a 95% cost share from the FAA; the Airport is responsible for the remaining 5%. It is anticipated the grant will be formally offered sometime in June 2011 with a two-week period for executing the grant and returning it to FAA. To ensure timely execution of the grant, approval of the anticipated grant is needed in advance of the grant award.

The City of Des Moines executed the first grant offer by Roll Call 05-1845 on August 3, 2005. Since that initial grant, seven subsequent offers for additional Runway 13R-31L property acquisition have been approved by Council in Roll Calls 05-2129, 06-1258, 07-1681, 08-1008, 08-1436, 09-296 and 09-1000. This final grant for land brings the total 95% Federal share amount of reimbursement for all acquired land to \$17,843,119.

#### **PREVIOUS COUNCIL ACTION(S):**

Date: April 25, 2011

Roll Call Number: 11-0664

Action: [Approval](#) of the Federal Aviation Administration certification of title for Grant 47, Grant Agreement Project Number 3-19-0027-47, and Grant 55, AIP Grant Agreement Project Number 3-19-0027-55 for the Airport Runway 13R/31L Project. Moved by Hensley to adopt. Motion Carried 7-0.

Date: March 7, 2005

Roll Call Number: 05-541

Action: Authorization to proceed with acquisition of the necessary right-of-way for the Airport Runway 13R/31L Project, (Estimated \$16,000,000). ([Council Communication No. 05-112](#)) Moved by Hensley to adopt. Motion Carried 7-0.

#### **BOARD/COMMISSION ACTION(S):**

Board: Airport Board

Date: March 1, 2005

Resolution Number: A05-42

Action: Recommendation that City Council Authorize City Manager to proceed with acquisition of properties by voluntary gift, purchase or condemnation where necessary for Runway 13R-31L

Board: Airport Board

Date: December 2, 2003

Resolution Number: A03-285

Action: Approving and Authorizing the Design of a Public Improvement Project to Construct 13R/31L and authorizing the City Manager to Proceed with the Acquisition of Agricultural Properties and Property Interests Required for Said Project

Board: Airport Board

Date: September 3, 2003

Resolution Number: A03-226

Action: Approving and Authorizing the development of a voluntary acquisition program on a hardship basis for properties needed for the future construction of the initial project phase of the 13R/31L Runway Project.

**ANTICIPATED ACTIONS AND FUTURE COMMITMENTS: NONE**

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