

ENROLLED ORDINANCE 175-29

PETITION SECRETARY OF TRANSPORTATION FOR AIRPORT IMPROVEMENT AID
AND AUTHORIZE AGENCY AGREEMENT EXECUTION

WHEREAS, Waukesha County, being a municipal body of the State of Wisconsin, is authorized by Wis. Stat. §114.11, to acquire, establish, construct, own, control, lease, equip, improve, maintain, and operate an airport, and

WHEREAS, Waukesha County, as sponsor, desires to develop or improve the Waukesha County Airport, and

WHEREAS, the Federal Aviation Administration (FAA) and the State of Wisconsin require airport sponsors to petition the Wisconsin Secretary of Transportation for Airport Improvement Aid to receive State and Federal financial aid to complete eligible Capital Projects, and

WHEREAS, airport users have been consulted in formulation of the improvements included in this petition, and

WHEREAS, a public hearing was held prior to the adoption of this petition in accordance with Wis. Stat. §114.33(2) as amended, and a transcript of the hearing shall be transmitted with this petition, and

WHEREAS, a list of eligible potential projects has been developed in coordination with the FAA's Chicago Airport District Office and the Wisconsin Bureau of Aeronautics, and

WHEREAS, it is recognized that the improvements petitioned for as listed below will be funded individually or collectively as funds are available, with specific project costs to be approved as work is authorized, the proportionate cost of the airport development projects described below which are to be paid by Waukesha County to the Secretary of the Wisconsin Department of Transportation (hereinafter referred to as the Secretary) to be held in trust for the purposes of the project; any unneeded and unspent balance after the project is completed is to be returned to the sponsor by the Secretary; the sponsor will make available any additional monies that may be found necessary, upon request of the Secretary, to complete the project as described above; the Secretary shall have the right to suspend or discontinue the project at any time additional monies are found to be necessary by the Secretary, and the sponsor does not provide the same; in the event the sponsor unilaterally terminates the project, all reasonable federal and state expenditures related to the project shall be paid by the sponsor; and

WHEREAS, Waukesha County, as sponsor, is required by Wis. Stat. §114.32(5) to designate the Secretary as its agent to accept, receive, receipt for and disburse any funds granted by the United States under the Federal Airport and Airway Improvement Act, and is authorized by law to designate the Secretary as its agent for other purposes.

THE COUNTY BOARD OF SUPERVISORS OF THE COUNTY OF WAUKESHA ORDAINS that Waukesha County as petitioner, desiring to sponsor an airport development project with federal and state aid or state aid only, in accordance with the applicable state and federal laws, respectfully represents and states:

1. That the airport, which it is desired to develop, should generally conform to the requirements for a general aviation type airport as defined by the Federal Aviation Administration.
2. The character, extent, and kind of improvements desired under the project are as follows: Land acquisition in runway approaches and runway safety areas; Clear runway approaches; Construct/rehab/reconstruct hangars; Conduct boundary survey; Construct snow removal equipment building; Runway 10 and Runway 28 safety area improvements, including road relocations; Repair/replace runway lighting and guide signs; Master Plan update; Redesign the Height Limitation Zoning Ordinance map, including land and easement acquisitions; Extend/improve perimeter roads; Expand/extend terminal building parking lot; Conduct wildlife site visit; Reconstruct/rehab apron pavements; Reconstruct pavements around south east hangars; Reconstruct airside access roads; Replace regulator circuits; Replace airfield emergency generators; Replace airport control tower beacon; Replace air traffic control tower windows; Reconstruct and partial relocate parallel taxiway 18/36 with Medium Intensity Taxiway Lights (MITL); Rehabilitate/add Taxiway C lighting; Rehabilitate and repair Taxiway B; Rehabilitate and repair Taxiway C; Crack seal and sealcoat airport pavements; Paint airfield markings; Extend sanitary sewer in corporate hangar area; Construct Corporate Hangar Area; Construct connector taxiway between Taxiway A and ramp; Expand West Ramp; Purchase snow removal and mowing equipment, and any necessary related work.
3. That the airport project, which your petitioner desires to sponsor, is necessary for the following reasons: to meet the existing and future needs of the airport.

BE IT FURTHER ORDAINED that that the Secretary is hereby designated as Waukesha County's agent and is requested to agree to act as such, in matters relating to the airport development project described above, and is hereby authorized as its agent to make all arrangements for the development and final acceptance of the completed project whether by contract, agreement, force account or otherwise; and particularly, to accept, receive, receipt for and disburse federal monies or other monies, either public or private, for the acquisition, construction, improvement, maintenance and operation of the airport; and, to acquire property or interests in property by purchase, gift, lease, or eminent domain under Wis. Stat. §32 .02; and, to supervise the work of any engineer, appraiser, negotiator, contractor or other person employed by the Secretary; and, to execute any assurances or other documents required or requested by any agency of the federal government and to comply with all federal and state laws, rules, and regulations relating to airport development projects.

BE IT FURTHER ORDAINED that Waukesha County requests that the Secretary provide, per Wis. Stat. §114.33(8)(a), that the Waukesha County may acquire certain parts of the required land or interests in land that the Secretary shall find necessary to complete the aforesaid project.

BE IT FURTHER ORDAINED that Waukesha County agrees to maintain and operate the airport in accordance with certain conditions established in Wis. Admin. Code Trans §55, or in accordance with sponsor assurances enumerated in a federal grant agreement.

BE IT FURTHER ORDAINED that the Director of Public Works is authorized to sign the Agency Agreement and Federal Block Grant Owner Assurances on behalf of Waukesha County authorized by this ordinance and on file with the Department of Public Works.

FISCAL NOTE

APPROVE RESOLUTION PETITIONING THE SECRETARY OF TRANSPORTATION FOR
AIRPORT IMPROVEMENT AID

This ordinance approves a resolution petitioning the Secretary of Transportation for Airport Improvement Aid, and authorizes the Waukesha County Director of Public Works to sign the petition on the county's behalf. According to Public Works management, this ordinance allows the county to petition for potential state and federal funding for airport improvement projects, but does not obligate the county to commit to any specific project. Any acceptance of funds or project expenditure authority would still be subject to County Board approval through the annual capital and operating budgeting processes or separate ordinance budget modification.


William Duckwitz


William Duckwitz
Budget Manager
8/5/2020


APPROVE RESOLUTION PETITIONING THE SECRETARY OF
TRANSPORTATION FOR AIRPORT IMPROVEMENT AID

Presented by:
Public Works Committee


Approved by:
Finance Committee



David W. Swan, Chair


James A. Heinrich, Chair


James Batzko



Tyler J. Foti


Keith Hammitt


Joel R. Gaughan

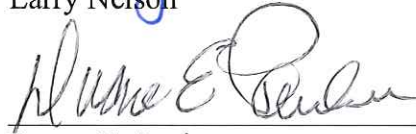

Christine M. Howard


Thomas A. Michalski


Darlene M. Johnson

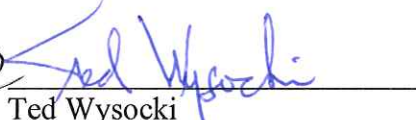

Larry Nelson


Chris Mommaerts



Duane E. Paulson



Thomas J. Schellinger


Ted Wysocki

The foregoing legislation adopted by the County Board of Supervisors of Waukesha County, Wisconsin, was presented to the County Executive on:

Date: 8/31/2020, 
Margaret Wartman, County Clerk

The foregoing legislation adopted by the County Board of Supervisors of Waukesha County, Wisconsin, is hereby:

Approved: X

Vetoed: _____

Date: 8/31/2020, 
Paul Farrow, County Executive

**AGENCY AGREEMENT AND
FEDERAL BLOCK GRANT OWNER ASSURANCES**

**Department of Transportation
Bureau of Aeronautics
Madison, Wisconsin**

WHEREAS, Waukesha County, Wisconsin, hereinafter referred to as the sponsor, desires to sponsor an airport development project to be constructed with federal aid and/or state aid, specifically, the Waukesha County Airport project to:

Land acquisition in runway approaches and runway safety areas; Clear runway approaches; Construct/rehab/reconstruct hangars; Conduct boundary survey; Construct snow removal equipment building; Runway 10 and Runway 28 safety area improvements, including road relocations; Repair/replace runway lighting and guide signs; Master Plan update; Redesign the Height Limitation Zoning Ordinance map, including land and easement acquisitions; Extend/improve perimeter roads; Expand/extend terminal building parking lot; Conduct wildlife site visit; Reconstruct/rehab apron pavements; Reconstruct pavements around south east hangars; Reconstruct airside access roads; Replace regulator circuits; Replace airfield emergency generators; Replace airport control tower beacon; Replace air traffic control tower windows; Reconstruct and partial relocate parallel taxiway 18/36 with Medium Intensity Taxiway Lights (MITL); Rehabilitate/add Taxiway C lighting; Rehabilitate and repair Taxiway B; Rehabilitate and repair Taxiway C; Crack seal and sealcoat airport pavements; Paint airfield markings; Extend sanitary sewer in corporate hangar area; Construct Corporate Hangar Area; Construct connector taxiway between Taxiway A and ramp; Expand West Ramp; Purchase snow removal and mowing equipment, and any necessary related work.

WHEREAS, the sponsor adopted a resolution on _____, 20____, a copy of which is attached and the prescribed terms and conditions of which are fully incorporated into this agreement, designating the Secretary as its agent and requesting the Secretary to act as such as set forth in the resolution, and agreeing to maintain and operate the airport in accordance with certain conditions; and

AGENCY AGREEMENT.....

WHEREAS, upon such request, the Secretary is authorized by law to act as agent for the sponsor until financial closing of this project;

NOW THEREFORE, the sponsor and the Secretary do mutually agree that the Secretary shall act as the sponsor's agent in the matter of the airport development as provided by law and as set forth in the referenced resolution; provided, however, that the Secretary is not required to provide legal services to the sponsor.

By: SECRETARY OF TRANSPORTATION

David M. Greene, Director (Date)
Bureau of Aeronautics

FEDERAL BLOCK GRANT OWNER ASSURANCES.....

WHEREAS, the sponsor does agree to the conditions established in Wis. Admin. Code Trans §55, and for projects receiving federal aid, to the attached federal sponsor assurances, which are a condition of a federal grant of funds.

The federal block grant owner assurances shall remain in full force and effect throughout the useful life of the facilities developed under this project, but in any event not to exceed twenty (20) years from the date of the finding (except for land projects, which shall run in perpetuity);

Acceptance: The sponsor does hereby accept the agency agreement and the federal block grant owner assurances.

Sponsor: Waukesha County, Wisconsin

Name

Title

Date

Name

Title

Date

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