

# Board of County Commissioners

## Agenda Request

Date of Meeting: September 17, 2018

Date Submitted: September 12, 2018

To: Honorable Chairman and Members of the Board

From: David Edwards, County Administrator  
Heather Encinosa, County Attorney

Subject: Request Board Approval to Seek the Creation of the Wakulla County Airport Authority and Transfer of the Wakulla County Airport to the Wakulla County Airport Authority

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### **Statement of Issue:**

This agenda item requests Board approval to seek the creation of the Wakulla County Airport Authority and transfer of the Wakulla County Airport to the Wakulla County Airport Authority.

### **Background:**

On November 6, 2017 the BOCC considered an agenda item regarding compliance with recent legislative changes to Chapter 333, Florida Statutes, regarding airport zoning. The BOCC directed staff to make no changes to the current Wakulla County Code of Ordinances and instead work with the Tarpine HOA and DOT to begin discussions to transition the airport to the Tarpine HOA, which is the entity that owns the reverter interest in the airport.

The County Administrator and the County Attorney have both had discussions with members of the Tarpine HOA and their legal counsel, the airport heirs' legal counsel, and FDOT representatives regarding the pending transition. Pursuant to these discussions, the Tarpine HOA made clear that they wish for the County to continue to own and operate the airport, but in the event that is not feasible, they were concerned with (i) the HOA being ineligible for FDOT grants to make airport improvements; and (ii) the HOA becoming responsible for airport ownership and management.

### **Analysis:**

Based on these concerns, the County Attorney researched options to facilitate an amicable and efficient transition of airport ownership and operations that would set the airport up for success while minimizing the County's future risk and long-term financial responsibility for the airport. The best alternative identified was the creation of an independent special district to own and operate the airport. The County Attorney drafted a proposed special act to create an independent special district to be known as the Wakulla County Airport Authority. This special act would create a separate unit of local government to own and operate the airport. There are numerous airport special districts that already exist in the state of Florida.

If created, the Wakulla County Airport Authority would be governed by a separate board of directors, not the Tarpine HOA, and as a special purpose local government would be eligible to receive future grant funds. The Airport Authority will also be able to sue and be sued, to levy non-ad valorem assessments and other rates, fees, and charges, and to prescribe rules and regulations governing the airport. Upon the successful creation and transfer of the airport to the new Airport Authority, Wakulla County would no longer be responsible for airport operations or ownership.

A copy of the proposed special act to create the Airport Authority was provided to the attorney representing the HOA and other interested airport users for review and comment. The County Administrator and the County Attorney met with them on September 7 and there was general agreement in support of the Airport Authority. A copy of the proposed special act is attached as attachment #1.

The HOA and other interested airport users also were seeking interim assistance from the County to facilitate transition and their efforts to begin airport operations. They requested that the County consider entering into an interlocal agreement with the new Airport Authority, once created, to provide for the following:

(A) Procedures for advice and coordination between the County and the Airport Authority regarding land development and construction within the District and any substantive modifications to Article II, Chapter 4 of the Wakulla County Code of Ordinances, entitled Airport Zoning.

(B) Financial support from the County to the Airport Authority for a period of no more than two years to enable the Airport Authority to initially cover, in whole or in part, expenses related to utilities, property and liability insurance, and routine maintenance expenses in an amount no greater than the County's historical expenditures for these purposes.

(C) County assistance in seeking to transfer existing Airport licenses, plans, and grant agreements from the County to the Airport Authority.

(D) Terms and conditions for County assistance during disasters impacting the Airport.

For purposes of information with regard to item (B), the following is the County's most recent actual and current budget regarding the Airport. These funds are currently provided by contractual fee payments from airport stakeholders.

<b>Wakulla County FY2018/2019 Proposed Budget</b>		
<b>Wakulla Airport</b>	<b>FY17/18</b>	
<b>Object #</b>	<b>Actual thru 5/31</b>	<b>Final Budget</b>
344110-AIRPORT FEES	1,355	4,050
<b>Airport Department Revenue</b>	<b>1,355</b>	<b>4,050</b>
543000-UTILITIES - ELECTRIC	176	500
545000-PROPERTY INSURANCE	1,750	1,850
546000-MAINTENANCE & REPAIR	25	1,500
552100-FUEL	-	200
<b>Airport Department Expense</b>	<b>1,951</b>	<b>4,050</b>
<b>Net Profit (Loss)</b>	<b>(596)</b>	<b>-</b>

In order to move this process forward, the Board would need to approve the Resolution attached as Attachment 2, which approves the proposed special act in substantial form and directs staff to work with the legislative delegation on the special act and also directs staff to negotiate an interlocal with the future special district to cover the matters specified above. A legal description and a survey of the District area need to be prepared for inclusion in the special act. A proposal for this work is attached as Attachment 3. Once finalized, County officials and staff will need to meet with our legislative delegation on the proposed special act and request that it be filed for the 2019 legislative session with additions and deletions as deemed necessary. Thereafter, the County would need to transfer ownership of the Airport to the Authority and provide any agreed-upon ongoing assistance pursuant to subsequent interlocal agreement.

**Budgetary Impact:**

The County will need engage a surveyor to map the district area and create the necessary legal description for the District Special Act. The proposed cost for these services is \$15,000. The County will also need to dedicate staff time to addressing any questions and to lend support for the special act passage as it moves through the legislative process.

There will be additional costs associated with the transfer of the Airport property, but these costs are not known at this time. They are not expected to be significant.

Any future financial arrangements with the proposed Airport Authority would be subject to negotiation of the future interlocal agreement, as discussed above.

Request Board Approval to Seek the Creation of the Wakulla County Airport Authority and Transfer of the Wakulla County Airport to the Wakulla County Airport Authority

September 17, 2018

Page 4

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**Options:**

1. Approve the Resolution and the proposed Special Act in substantial form to move forward with the Special Act to create the Wakulla County Airport Authority.
2. Do not approve the Resolution or the proposed Special Act in substantial form and do not move forward with the Special Act to create the Wakulla County Airport Authority.
3. Board direction.

**Recommendation:**

Option #1.

**Attachments:**

1. Proposed Special Act for the Wakulla County Airport Authority
2. Proposed Resolution
3. Surveying Proposal

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ORIGINAL

YEAR

1                                   A bill to be entitled  
 2           An act relating to the creation of the Wakulla County  
 3           Airport Authority; providing legislative findings;  
 4           creating the Authority and providing for its purpose and  
 5           classification as an independent special district;  
 6           providing for membership of the governing board;  
 7           providing powers of the Authority; providing for the  
 8           annual adoption of a budget and reporting and audit  
 9           requirements; prohibiting the Authority's levy of ad  
 10          valorem taxes; and providing an effective date.

11  
 12   Be It Enacted by the Legislature of the State of Florida:

13  
 14   Section 1.           Short Title.

15  
 16   This Act may be cited as the "Wakulla County Airport Authority  
 17   Act."

18  
 19   Section 2.           Legislative Findings.

20  
 21   The Legislature finds and declares that:

22  
 23   (1) The purpose of this Act is to provide for the creation of a  
 24   special district to be known as the "Wakulla County Airport  
 25   Authority" ("Authority"), for the purpose of owning, operating,  
 26   maintaining, and improving certain real property and associated  
 27   improvements and facilities collectively comprising the Wakulla  
 28   County Airport, contingent upon the transfer of the same to the

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29 Authority. The Authority is created as an independent special  
 30 district under the special district classification system  
 31 established in chapter 189, Florida Statutes.

32  
 33 (2) There is a particular need to implement a specialized and  
 34 limited purpose independent special district unit of local  
 35 government to provide for the ownership, operation, financing,  
 36 maintenance, and improvement of the Airport and appurtenant  
 37 "Airport Facilities," as defined herein.

38  
 39 (3) The best alternative for creating the Authority is by special  
 40 act of the Legislature creating a single independent special  
 41 district meeting the requirements of chapter 189, Florida  
 42 Statutes. The Airport currently consists of a small, unmanned  
 43 landing strip that is primarily utilized by residents of  
 44 surrounding residential communities and nearby businesses, but is  
 45 also utilized during storms, catastrophic events, and other  
 46 emergencies and is appropriate for future growth and expansion.  
 47 The Airport is currently owned and operated by the County as a  
 48 public-use airport. The establishment of the Authority as an  
 49 independent special district will allow for the Airport to be  
 50 owned, operated, financed, maintained, and improved by an entity  
 51 whose governing body will consist of, and be elected directly by,  
 52 the Airport's primary stakeholders. The Airport shall continue to  
 53 be operated as a public-use airport and shall continue to benefit  
 54 and promote the public health, safety and welfare of the citizens  
 55 of Wakulla County and the State of Florida, which is a public and  
 56 county purpose, and the Act shall be liberally construed to effect

BILL ORIGINAL YEAR

57 such purpose. The exercise of the powers granted by this Act are  
 58 for the benefit of the citizens of Wakulla County and the State of  
 59 Florida in order to improve public health and safety and enhance  
 60 industry, employment, economic development and tourism, all of  
 61 which constitute essential public functions.

62  
 63 (4) A statement and resolution has been submitted to the  
 64 Legislature by the Board of County Commissioners of Wakulla County,  
 65 Florida, in accordance with section 189.031(2)(e), Florida  
 66 Statutes, which resolution states the purpose and authority of the  
 67 proposed Authority, an explanation of why the Authority is the  
 68 best alternative, and that creation of the Authority is consistent  
 69 with the approved local government plans of the County and that  
 70 the Board of County Commissioners supports the creation and  
 71 continued existence and funding of the Authority.

72  
 73 (5) It is the legislative intent and purpose that no debt or  
 74 obligation of the Authority shall constitute a debt or obligation  
 75 of Wakulla County or any local general purpose government without  
 76 its consent.

77  
 78 (6) The Authority, which is a government of special purpose, shall  
 79 have the authority to exercise all of the powers described herein  
 80 and otherwise provided by general law for the express purpose of  
 81 owning, operating, maintaining, and improving the "Airport  
 82 Facilities," as defined in this Act.

83

BILL ORIGINAL YEAR

84 (7) This Act, which shall also constitute the Authority's charter,  
 85 may be amended, in whole or in part, only by subsequent special  
 86 act of the Legislature. However, the Members of the Governing  
 87 Board of the Authority shall have the authority to expand or  
 88 contract the Airport through the acquisition or disposal of real  
 89 or personal property, which shall not require a charter amendment  
 90 or special act of the Legislature.

91

92 Section 3. Definitions.

93

94 As used in this Act:

95

96 (1) "Airport" means the real property comprising the Wakulla County  
 97 Airport, as described by the legal description below, and as  
 98 expanded or contracted from time to time through the acquisition  
 99 or disposal of property by the Members of the Governing Board of  
 100 the Authority, which property is designed, used, or suitable for  
 101 the public use of landing and takeoff of aircraft, along with any  
 102 areas designed, used, or suitable for the shelter, servicing, or  
 103 repair of aircraft and the receiving and discharging of passenger  
 104 and cargo, and all appurtenant areas designed, used, or suitable  
 105 for access to Airport Facilities, buildings, and all rights-of-  
 106 way.

107

108 From the Government Meander Corner #261, set at mean High Tide on  
 109 the North Shore of the Ochlocknee Bay at the West boundary of  
 110 Section 1, Township 6 South, Range 2 West, run thence N 00° 23'  
 111 39" W along the West boundary of said Section 1 the distance of



BILL ORIGINAL YEAR

112 781 feet to the Point of Beginning. From the Point of Beginning  
 113 thence run W 89° 36' 21" E, the distance of 200 feet; thence run  
 114 Northerly and parallel to the West boundary of said Section 1, to  
 115 the West R/W line of U.S. Highway No. 98; thence Northerly along  
 116 the West R/W line of said highway, to the West boundary line of  
 117 said Section 1; thence Southerly along the West boundary of said  
 118 Section 1 to the Point of Beginning; and being situate in said  
 119 Section 1, Township 6 South, Range 2 West, and containing 15 acres,  
 120 more or less.

121  
 122 (2) "Airport Facilities" means airport facilities of all kinds  
 123 including, but not limited to, runways, taxiways, landing fields,  
 124 hangars, warehouses, shops, terminals, buildings, lighting, and  
 125 all other facilities and equipment necessary or desirable for the  
 126 landing, taking off, operating, servicing, repairing, and parking  
 127 of aircraft, and the unloading and handling of passengers, cargo,  
 128 mail, express, and freight, together with all necessary  
 129 appurtenances and equipment and all properties, rights, easements,  
 130 and franchises relating thereto and deemed necessary or convenient  
 131 by the Authority in connection therewith.

132  
 133 (3) "Authority" means the Wakulla County Airport Authority, the  
 134 unit of special purpose local government created by this Act.

135  
 136 (4) "Authority Area" means the geographic area comprising the  
 137 Authority, as defined in section 4 of this Act.

138  
 139 (5) "County" means Wakulla County, Florida.

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YEAR

140  
141 (6) "Fiscal Year" means the period of October 1 to September 30  
142 each year.

143  
144 (7) "Governing Board" means the Governing body of the Authority  
145 whose members are selected as provided in Section 5 of this Act.

146  
147 (8) "Initial Member" means a Member appointed to the Governing  
148 Board in accordance with Section 6 of this Act, which Member shall  
149 serve on the Governing Board until such time as the results of the  
150 inaugural election of Members to the Governing Board have been  
151 certified.

152  
153 (9) "Member" means a member of the Governing Board.

154  
155 Section 4. Creation; Establishment; Boundaries of the Authority  
156 Area.

157  
158 (1) The Authority is created as an independent special district  
159 under chapter 189, part III, Florida Statutes. All notices for the  
160 enactment by the Legislature of this special act have been provided  
161 pursuant to the State Constitution, laws of the state, and the  
162 Rules of the Florida House of Representatives and of the Florida  
163 Senate.

164  
165 (2) The boundaries of the Authority Area shall be as follows:  
166 [INSERT LEGAL DESCRIPTION OF AIRPORT, TARPINE, ANY ADDITIONAL  
167 PROPERTY TO BE INCLUDED]

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ORIGINAL

YEAR

168  
 169 (3) The charter of the Authority, as provided in this Act, may be  
 170 amended, terminated, or repealed only by special act of the  
 171 Legislature. However, the Members of the Governing Board of the  
 172 Authority shall have the authority to expand or contract the  
 173 Airport through the acquisition or disposal of real or personal  
 174 property, which shall not require a charter amendment or special  
 175 act of the Legislature.

176  
 177 Section 5. Governing Board; Meetings; Organization; Duties;  
 178 Terms of Office.

179  
 180 (1) The Governing Board shall exercise the powers granted to the  
 181 Authority pursuant to this Act.

182  
 183 (2) The Governing Board shall be composed of five voting Members.

184  
 185 (3) Not later than 30 days after the effective date of this Act,  
 186 and annually thereafter during January of each year, the Governing  
 187 Board shall hold an organizational meeting at which they shall  
 188 elect one Member to serve as Chair, one Member to serve as Vice-  
 189 Chair, and one Member to serve as Secretary-Treasurer.

190  
 191 (4) When any vacancy on the Governing Board shall occur, the  
 192 remaining Members shall elect a new Member to serve for the  
 193 remainder of the unexpired term of office. A vacancy shall occur  
 194 if a Member voluntarily resigns, no longer qualifies for  
 195 membership, or is removed by an affirmative vote of a majority of

BILL ORIGINAL YEAR

196 the Members at a meeting of the Governing Board due to misfeasance,  
 197 malfeasance, or neglect of duty, where excessive absences from  
 198 meetings of the Governing Board, as defined in the bylaws, shall  
 199 constitute neglect of duty.

200  
 201 (5) No Member shall be entitled to any compensation for his or her  
 202 services; provided, however, each Member shall be entitled to  
 203 receive travel and per diem expenses as set forth in section  
 204 112.061, Florida Statutes.

205  
 206 (6) Unless specified otherwise herein, notice for and the conduct  
 207 of the Governing Board's meetings shall be pursuant to and in  
 208 accordance with section 189.015 and chapter 286, Florida Statutes.

209  
 210 (7) At any meeting of the Governing Board, a majority of the  
 211 Members constitutes a quorum for the purposes of conducting its  
 212 business and exercising its powers and for all other purposes.  
 213 Action taken by the Authority shall be upon a vote of a majority  
 214 of the Members present unless general law requires a greater  
 215 number.

216  
 217 (8) The Governing Board shall keep the permanent records of the  
 218 Authority which shall include but not be limited to the recorded  
 219 minutes of all meetings, resolutions, proceedings, certificates,  
 220 and any and all written documentation of official actions of the  
 221 Authority. The Authority records shall at reasonable times be  
 222 opened to inspection in the same manner as municipal records  
 223 pursuant to chapter 119, Florida Statutes. The Authority records

BILL ORIGINAL YEAR

224 shall be kept at the office or other regular place of business  
 225 maintained by the Governing Board in a designated location in the  
 226 County.

227  
 228 (9) Members shall annually file a statement of financial interest  
 229 pursuant to chapter 112, Florida Statutes, and any other financial  
 230 disclosures required by general law for elected officer serving on  
 231 the governing body of an independent special district.

232  
 233 (10) The Authority and its Members, employees, and agents shall be  
 234 entitled to sovereign immunity as set forth in section 768.28,  
 235 Florida Statutes.

236  
 237 Section 6. Elections; Electors; Qualifying; Initial  
 238 Membership of Governing Board.

239  
 240 (1) All elections of Members to the Governing Board shall be  
 241 conducted on a non-partisan basis without designation of political  
 242 party affiliation. All elections shall be conducted through the  
 243 Wakulla County Supervisor of Elections, in the manner provided by  
 244 general law.

245  
 246 (2) Any person who is a resident of the Authority Area, who has  
 247 qualified as an elector of this state, and who registers as  
 248 prescribed by law, shall be an elector of the Authority.

249  
 250 (3) Each candidate for Governing Board Member must be a qualified  
 251 elector of the Authority. Any elector of the Authority who wishes

BILL ORIGINAL YEAR

252 to become a candidate for Governing Board Member shall qualify  
 253 with the Supervisor of Elections of Wakulla County for the initial  
 254 election and for each election thereafter. The qualifying period  
 255 for candidates shall be set forth by the Wakulla County Supervisor  
 256 of Elections.

257  
 258 (4) For the inaugural election of Members to the Governing Board,  
 259 two Members shall be elected to serve an initial term of two years  
 260 each. Three Members shall be elected to serve an initial term of  
 261 four years each. Thereafter, each Member shall be elected for a  
 262 four-year term. There shall be no limitations on the ability of  
 263 any Member to serve consecutive or multiple terms.

264  
 265 (5) The inaugural election of Members to the Governing Board shall  
 266 be held within 90 days of the effective date of this Act, unless  
 267 this date is required to be changed to a date concurrent with any  
 268 countywide or statewide election. The candidates receiving the  
 269 highest number of votes in the election shall be elected. The term  
 270 of office for an elected Member shall begin immediately after  
 271 official certification of the results of the election and shall  
 272 expire upon the assumption of office by his or her successor.

273  
 274 (6) Beginning on the effective date of this Act, the Authority  
 275 shall initially be governed by a Governing Board consisting of the  
 276 following Initial Members:

277  
 278 (a) [TO COME]  
 279

BILL ORIGINAL YEAR

280 (b) [TO COME]

281

282 (c) [TO COME]

283

284 (d) [TO COME]

285

286 (e) [TO COME]

287

288 Each Initial Member shall serve on the Governing Board until his  
289 or her successor assumes office following the certification of the  
290 results of the inaugural election of Governing Board Members, as  
291 described in subsection (5) hereof, at which time the term of  
292 office of the Initial Members shall automatically terminate. There  
293 shall be no limitation on the ability of the Initial Members to  
294 qualify as candidates for the inaugural election of Members to the  
295 Governing Board.

296

297 Section 7. Powers of the Authority.

298

299 (1) The Authority, through the Governing Board, is hereby  
300 authorized and empowered to:

301

302 (a) Adopt bylaws consistent with this Act for the regulation of  
303 its affairs and the conduct of its business.

304

305 (b) Adopt an official seal.

306

307 (c) Maintain an office at such place or places as it may designate.

BILL ORIGINAL YEAR

308  
 309 (d) Acquire by purchase, gift, devise, or otherwise, lease as  
 310 leasee or lessor, and dispose of real property or any estate  
 311 therein within the boundaries of the Authority Area in order to  
 312 expand or contract the Airport or otherwise in furtherance of the  
 313 Authority's purpose set forth herein. The Authority shall have  
 314 the power to acquire property by eminent domain in order to expand  
 315 the Airport to execute the Authority's Airport master plan or meet  
 316 regulatory requirements for the operation of a public-use airport  
 317 and to remove obstructions and otherwise comply with applicable  
 318 state and federal regulatory requirements for an airport.

319  
 320 (e) Acquire, own, lease as lessee or lessor, plan for, construct,  
 321 reconstruct, improve, extend, enlarge, equip, repair, maintain,  
 322 and operate such Airport Facilities within the boundaries of the  
 323 Authority Area as the Authority shall determine to be convenient  
 324 and proper in the performance of the duties and purposes of this  
 325 Act.

326  
 327 (f) Establish by resolution and collect rates, fees, and other  
 328 charges for the use of any Airport Facilities.

329  
 330 (g) Impose by resolution and collect non-ad valorem special  
 331 assessments pursuant to the Uniform Assessment Collection Act  
 332 provided in Sections 197.3631-197.3635, for services and  
 333 improvements that provide a special benefit to real property within  
 334 the Authority Area.

335



BILL ORIGINAL YEAR

336 (h) Make and enter all contracts and agreements necessary or  
 337 incidental to the performance of its duties and the execution of  
 338 its powers under this Act, and to employ such consulting and other  
 339 engineers, superintendents, managers, construction and financial  
 340 experts, accountants, and attorneys, and such other employees and  
 341 agents as may, in the judgment of the Authority, be deemed  
 342 necessary and to fix their compensation, provided, however, that  
 343 all such expenses shall be payable solely from funds made available  
 344 under the provisions of this Act.

345  
 346 (i) Apply for and accept grants of money, materials, or property  
 347 of any kind for the Airport and any Airport Facilities and any  
 348 other development of land as the Authority shall determine to be  
 349 convenient and proper in the performance of the duties and purposes  
 350 of this Act from any Federal or State agency, political  
 351 subdivision, municipality, or other public body, or from any other  
 352 persons.

353  
 354 (j) Enter into interlocal agreements or join with any other  
 355 general or special purpose local governments, public agencies, or  
 356 authorities in the exercise of common powers.

357  
 358 (k) Sue and be sued in the name of the Authority and to  
 359 participate as a party in any civil, administrative, or other  
 360 action.

361  
 362 (l) Issue bonds, revenue certificates, and other certificates of  
 363 indebtedness payable from revenues of the Authority, which power

BILL ORIGINAL YEAR

364 shall be exercised in such manner and subject to such limitations  
 365 as are provided by law for the authorization of debt by a  
 366 municipality and section 189.501, Florida Statutes.

367  
 368 (m) Exercise all of the powers relating to aviation conferred  
 369 upon municipalities by general law, including the provisions of  
 370 chapter 332, Florida Statutes, except as otherwise provided  
 371 herein.

372  
 373 (n) Do all other acts and things necessary or convenient to carry  
 374 out the powers granted by this Act.

375  
 376 Section 8. Adoption of Budget; Annual Reporting; Audits.

377  
 378 (1) The Authority shall annually adopt a budget each Fiscal Year  
 379 in accordance with Section 189.016 and other applicable general  
 380 law and have the authority to appropriate and expend revenue in  
 381 accordance with that budget. Any excess funds from any prior fiscal  
 382 year shall be carried over into the subsequent budget year, as  
 383 generally provided by law.

384  
 385 (2) The Authority shall comply with all reporting, financial  
 386 reporting, and audit requirements for independent special  
 387 districts provided in Section 189.016, Florida Statutes, and other  
 388 applicable general law.

389  
 390 Section 9. Prohibition on Authority Levy of Taxes; Liens;  
 391 Exemption from Taxation.

BILL

ORIGINAL

YEAR

392  
 393 (1) The Authority shall not have the power or authority to levy  
 394 or impose an ad valorem tax on real estate or tangible personal  
 395 property or any other form of tax except as provided by general  
 396 law.

397  
 398 (2) The Authority shall not have the power or authority to impose  
 399 liens on real or personal property, except as expressly provided  
 400 by general law and liens for non-ad valorem assessments collected  
 401 in accordance with the Uniform Assessment Collection Act, Section  
 402 197.3631-197.3635, Florida Statutes.

403  
 404 (3) The accomplishment of the authorized purposes of the  
 405 Authority is in all respects for the benefit of the people of  
 406 Wakulla County and the state, for the increase of their commerce  
 407 and prosperity, and for the improvement of the state's aviation  
 408 system. Since the Authority will perform essential governmental  
 409 functions for the public health, safety, and welfare in  
 410 accomplishing its purposes, the Authority is not required to pay  
 411 any taxes of any kind whatsoever on its property acquired or used  
 412 by it for such purposes or upon any revenues at any time received  
 413 by it. Further, the bonds, notes, and other obligations of the  
 414 Authority, their transfer, and the income therefrom, including any  
 415 profits made on the sale thereof, are at all times free from  
 416 taxation of any kind by the state or any political subdivision or  
 417 other agency or instrumentality thereof. The Authority is entitled  
 418 to the treatment of special districts provided in Section 189.055,

BILL ORIGINAL YEAR

419 Florida Statutes, for purpose of Section 196.199, Florida  
 420 Statutes.

421

422 Section 10. Wakulla County Participation.

423

424 (1) The Authority shall coordinate with the County to ensure that  
 425 the Authority's Airport master plan and any other land uses within  
 426 the Authority Area contemplated or adopted by the Authority are  
 427 consistent with the County's comprehensive plan and land  
 428 development code.

429

430 (2) The County shall cooperate with the Authority in the  
 431 transition of the Airport to Authority control and operation in  
 432 furtherance of the purposes of this Act. In the County's sole  
 433 discretion, the County is authorized, but not required, to expend  
 434 County funds to pay the expenses of the Authority and costs  
 435 associated with the purposes of this Act, and the expenditure of  
 436 County funds for such purposes constitutes a proper county and  
 437 public purpose. In the County's sole discretion, the County is  
 438 authorized, but not required, to use County personnel and equipment  
 439 to perform any acts necessary or convenient to carry out the  
 440 purposes of this Act, and the use of County personnel and equipment  
 441 for such purposes constitutes a proper county and public purpose.

442

443 Section 11. Authority Acquisition of Airport.

444

445 Nothing contained within this Act shall be construed as  
 446 transferring the Airport or any Airport Facilities to the Authority

BILL

ORIGINAL

YEAR

447 or requiring that the County or any other entity transfer the  
448 Airport or any Airport Facilities to the Authority. The legislative  
449 intent of this Act is to establish an independent special district  
450 that is authorized and empowered to own, operate, finance,  
451 maintain, and improve the Airport and the Airport Facilities as  
452 set forth herein, contingent upon the transfer of the same to the  
453 Authority.

454

455 Section 12. Effective Date.

456

457 This Act shall take effect upon becoming a law.

458

459

RESOLUTION NO. 2018-\_\_\_\_\_

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF WAKULLA COUNTY, FLORIDA, IN SUPPORT OF A SPECIAL ACT TO CREATE THE WAKULLA COUNTY AIRPORT AUTHORITY AS AN INDEPENDENT SPECIAL DISTRICT; PROVIDING FINDINGS; PROVIDING DIRECTION TO THE COUNTY ADMINISTRATOR AND ATTORNEY; AND PROVIDING AN EFFECTIVE DATE**

**WHEREAS**, Wakulla County (the “County”) is a Florida charter county and political subdivision of the State of Florida, which currently owns and operates the Wakulla County Airport (the “Airport”) as a public-use airport; and

**WHEREAS**, the Airport currently consists of a small, unmanned landing strip that is primarily utilized by residents of surrounding residential communities and nearby businesses, but is also utilized during storms, catastrophic events, and other emergencies and is appropriate for future growth and expansion; and

**WHEREAS**, the County is a general purpose unit of government with wide ranging responsibilities to its citizens for a variety of essential public services and facilities and the County’s limited resources are prioritized toward providing its essential public services and facilities; and

**WHEREAS**, the Board of County Commissioners of Wakulla County have determined that the ownership, operation, financing, maintenance, and improvement of the Airport can best be accomplished by a special district unit of local government governed by the Airport’s primary stakeholders with a vested interest in the Airport’s improvement and success; and

**WHEREAS**, the creation of the Wakulla County Airport Authority, as set forth in the proposed special act attached hereto and incorporated herein by reference (the “Special Act”), is the best alternative for accomplishing the purposes set forth therein; and

**WHEREAS**, the Airport will continue to be operated as a public-use airport and continue to benefit and promote the public health, safety, and welfare of the citizens of Wakulla County and serve as an important component of the state aviation system; and

**WHEREAS**, the creation of the Wakulla County Airport Authority, as set forth in the Special Act, is consistent with the County’s approved comprehensive plan and the current master plan for the Airport; and

**WHEREAS**, the Board of County Commissioners supports the creation of the Wakulla County Airport Authority as set forth in substantial form in the Special Act; and

**WHEREAS**, this resolution is intended to satisfy the requirements of Section 189.031(2)(e)4., Florida Statutes.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF WAKULLA COUNTY, FLORIDA, THAT:**

**SECTION 1. RECITALS.** The above recitals are true and correct and are hereby incorporated herein by reference.

**SECTION 2. DIRECTION TO COUNTY ADMINISTRATOR AND ATTORNEY.**

(A) The County Administrator, County Attorney and other members of County staff, as designated by the County Administrator, are hereby directed to provide this resolution and the finalized Special Act to the Wakulla County legislative delegation and request that filing of the Special Act as a bill for the 2019 Florida Legislative session.

(B) The County Administrator, County Attorney, and other members of County staff, as designated by the County Administrator, are authorized to do all things necessary to assist in the consideration and passage of the Special Act in substantial form as included herewith.

**SECTION 3. COOPERATIVE TRANSFER AND ASSISTANCE.** The County Administrator, County Attorney, and other members of County staff, as designated by the County Administrator, are also directed to work with the Airport stakeholders to prepare for and assist in the cooperative transfer of the Airport to the Airport Authority, pending successful adoption of the Special Act. In this regard, the County Administrator and other members of County staff are directed to negotiate an interlocal agreement with the Airport stakeholders for consideration by the Board and the future Airport Authority board, which shall include the following:

(A) Procedures for advice and coordination between the County and the Airport Authority regarding land development and construction within the District and any substantive modifications to Article II, Chapter 4 of the Wakulla County Code of Ordinances, entitled Airport Zoning.

(B) Financial support from the County to the Airport Authority for a period of no more than two years to enable the Airport Authority to initially cover, in whole or in part, expenses related to utilities, property and liability insurance, and routine maintenance expenses in an amount no greater than the County's historical expenditures for these purposes.

(C) County assistance in seeking to transfer existing Airport licenses, plans, and grant agreements from the County to the Airport Authority.

(D) Terms and conditions for County assistance during disasters impacting the Airport.

(E) Terms and conditions under which the County will provide continued support and assistance with funding opportunities through grants and similar funding sources.

**SECTION 4. EFFECTIVE DATE.** This Resolution shall take effect upon its approval.

**PASSED AND DULY ADOPTED,** by the Board of County Commissioners of Wakulla County, Florida, in regular session with a quorum present and voting, this \_\_\_\_ day of \_\_\_\_\_ 2018.

**BOARD OF COUNTY COMMISSIONERS  
OF WAKULLA COUNTY, FLORIDA**

(SEAL)

\_\_\_\_\_  
Ralph Thomas, Chair

ATTEST:

\_\_\_\_\_  
Brent X. Thurmond, County Clerk

**APPROVED AS TO FORM ONLY:**

\_\_\_\_\_  
Heather J. Encinosa, County Attorney



**Edwin G. Brown**  
**& Associates, Inc.**  
SURVEYORS \* MAPPERS \* ENGINEERS

September 12, 2018

David Edwards  
County Administrator  
3093 Crawfordville Highway  
Crawfordville FL 32327  
850-926-4620  
850-926-0919 ext. 402  
dedwards@mywakulla.com

RE: Wakulla County Airport District

Airport district will include the following properties.

All of Tarpine Subdivision as Recorded in Plat Book 2, Page 36, in the public Records of Wakulla County, Florida.

Wakulla County Parcel ID#02-6S-02W-000-03616-000  
Wakulla County Parcel ID#01-6S-02W-000-03588-001  
Wakulla County Parcel ID#01-6S-02W-000-03570-000  
Wakulla County Parcel ID#01-6S-02W-147-03576-F33  
Wakulla County Parcel ID#01-6S-02W-034-03591-000  
Wakulla County Parcel ID#01-6S-02W-034-03590-000  
Wakulla County Parcel ID#01-6S-02W-034-03590-001  
Wakulla County Parcel ID#01-6S-02W-000-03585-000  
Wakulla County Parcel ID#01-6S-02W-034-03600-008  
Wakulla County Parcel ID#01-6S-02W-034-03597-000  
Wakulla County Parcel ID#01-6S-02W-034-03592-001

Mr. Edwards,

This proposal addresses the cost of surveying services associated with the above referenced property.


- Perform a boundary survey to create an exterior boundary combining all above described parcel's as one entity.
- The only improvements that will be located on the survey is the airport runway, hangers abutting the runway and the commercial building located on the North end of the runway adjacent to U.S Highway #98. (other improvements can be located per your request).
- Preparation of the boundary plat (combining all parcels).
- Preparation of one legal description (combining all parcels).
- Provide electronic and signed and sealed copies.

The anticipated time of completion will be approximately five weeks from Notice to proceed.

**Total Estimate: \$15,000.00**

This estimate does not include any federal, state or local fees, nor any services not listed. Additional services can be performed at the client's discretion when agreed upon by both parties. If you have any questions or need additional information, please contact us at your earliest convenience.

Sincerely,



Wade G. Brown

Authorized by

Date

2813 Crawfordville Hwy \* P.O. Box 625 \* Crawfordville, Florida 32326  
(850) 926-3016 \* FAX (850) 926-8180