

**C-12**

September 13, 2022

HONORABLE MAYOR AND CITY COUNCIL  
City of Long Beach  
California

**RECOMMENDATION:**

Authorize the City Manager, or designee, to execute any and all documents necessary for a License Agreement with GCC Long Beach, a Delaware limited liability company, for the short-term use of the private access road known as Koz Way, located at the eastern boundary of 2401 East Wardlow Road, for the Plane Pull and Festival of Flight events at the Long Beach Airport; and,

Authorize the City Manager, or designee, to execute any and all documents necessary for Release and Indemnification Agreements with any tenants of the Long Beach Airport, granting the City of Long Beach use of their ground service equipment, or other personal property, in connection with the Festival of Flight. (Districts 4, 5)

**DISCUSSION**

The Long Beach Airport (Airport), in partnership with the Special Olympics of Southern California (SOSC), will be hosting the return of the Plane Pull event on September 24, 2022. The Plane Pull is a friendly team competition that determines which team of 25 can pull a 124,000-pound airplane the farthest. This year, 60 teams are anticipated to participate. Charitable proceeds are used in support of SOSC activities.

The Airport will also be celebrating its annual Festival of Flight (Festival) on Saturday, October 29, 2022. This event occurs on the airfield and provides the public with the opportunity to meet with airport tenants, fixed-base operators, pilot shops, and flying schools. The Festival will feature aviation static displays, activities for kids, gourmet food trucks, refreshments, and live entertainment.

Public parking for these special events is provided on an Airport-restricted parking lot located at the corner of Wardlow Road and Globemaster Way, immediately adjacent to the airfield. A private access road owned by GCC Long Beach (Goodman Group) is located on the west side of the parking lot. In a collaborative effort with the Airport to support these special events and ensure safe and efficient traffic flow, the Goodman Group is providing complimentary use of Koz Way during these special events.

Negotiations between the parties have resulted in a proposed License Agreement containing the following major terms and conditions:

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- Licensors: GCC Long Beach, a Delaware limited liability company.
- Licensee: City of Long Beach (City), a municipal corporation.
- Licensed Premises: The non-exclusive use of the private access road known as Kos Way located at the eastern boundary of 2401 East Wardlow Road.
- Term: The term of the Agreement is for two separate periods from September 23, 2022 through September 25, 2022, and from October 28, 2022, through October 30, 2022.
- License Fee: The use of the Licensed Premises shall be at no charge to the Licensee.
- Condition of Licensed Premises: Licensors shall grant use of the Licensed Premises to Licensee in its "as-is, where-is" condition and Licensee shall be responsible for performing any necessary routine maintenance prior to the events and for returning the Licensed Premises free of debris and trash at the end of the events.
- Insurance and Indemnification: The Licensee shall provide Licensors evidence of public liability self-insurance and indemnify and hold harmless Licensors during the term of the agreement.

In addition, tenants have historically offered the use of their private ground service equipment, including air stairs, to enable the public to board aircraft on display at the Festival. Tenants are willing to grant the City use of their equipment at no charge, provided the City indemnifies and releases them from liability associated with the public's use. City Council approval is also requested for the City to enter into Release and Indemnification Agreements with various Airport tenants for the use of equipment for the Festival.

This matter was reviewed by Deputy City Attorney Richard F. Anthony on August 23, 2022 and by Budget Analysis Officer Greg Sorensen on August 24, 2022.

#### TIMING CONSIDERATIONS

City Council action is requested on September 13, 2022, to allow for the License Agreement to be executed by the parties prior to the date of the Plane Pull event on September 24, 2022.

#### FISCAL IMPACT

This recommendation has no staffing impact beyond the normal budgeted scope of duties and is consistent with existing City Council priorities. There is no fiscal or local job impact associated with this recommendation.

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SUGGESTED ACTION:

Approve recommendation.

Respectfully submitted,



CYNTHIA GUIDRY  
DIRECTOR, LONG BEACH AIRPORT

APPROVED:



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THOMAS B. MODICA  
CITY MANAGER