

RESOLUTION NO. C-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LONG BEACH ESTABLISHING RATES AND FEES TO BE CHARGED AT THE LONG BEACH AIRPORT AND RESCINDING RESOLUTION NO. C-28205

WHEREAS, Section 16.44.090 of the Long Beach Municipal Code provides that the rates and fees for the uses of or services rendered at the Long Beach Airport shall be established by resolution of the Long Beach City Council; and

WHEREAS, the schedules of the various rates and fees for uses of and services rendered at the Long Beach Airport which have been established pursuant to Municipal Code Section 16.44.090 are presently specified in Resolution No. C-28205 adopted by the Long Beach City Council on July 15, 2003; and

WHEREAS, the City Council desires to adjust the existing rates and fees and modify the application of certain rates and fees for the uses of or services rendered at the Long Beach Airport; and

WHEREAS, the definitions of terms used in this resolution are set out at Long Beach Municipal Code Chapter 16.43 and the Flight Allocation Resolution No. C-27843 of the City of Long Beach;

NOW, THEREFORE, the City Council of the City of Long Beach resolves as follows:

Section 1. The rates and fees for the uses of and services rendered at the Long Beach Airport as indicated herein are hereby fixed and established as follows, and said rates and fees shall be collected by the Airport Manager or designee:

A. LANDING FEES.

All aircraft certified under Federal Aviation Regulations (FAR) Part 121 or 125, or certified under FAR Part 135 (if such Part 135 operations are on a scheduled

Robert E. Shannon
City Attorney of Long Beach
333 West Ocean Boulevard
Long Beach, California 90802-4664
Telephone (562) 570-2200

Robert E. Shannon
City Attorney of Long Beach
333 West Ocean Boulevard
Long Beach, California 90802-4664
Telephone (562) 570-2200

1 basis of 5 or more landings per week) conducting commercial landings at Long Beach
2 Airport shall pay a landing fee based on the Gross Certified Landing Weight of the
3 aircraft. For purposes of this resolution, a commercial landing is defined as any landing
4 where an aircraft is carrying persons or cargo for hire, compensation or reward or will
5 do so in its next subsequent departure. The landing fees shall be as follows:

		<u>Effective:</u>
6		
7	Period 7:00 a.m. - 10:00 p.m.	\$1.55/1000 lbs. October 1, 2004
8		\$1.64/1000 lbs. January 1, 2005
9		\$1.73/1000 lbs. April 1, 2005
10	Period 10:00 p.m. - 7:00 a.m.	\$3.30/1000 lbs. October 1, 2004
11		\$3.49/1000 lbs. January 1, 2005
12		\$3.69/1000 lbs. April 1, 2005

13 Any scheduled commercial carrier diverted from landing at Long Beach
14 Airport between 10:00 p.m. and 7:00 a.m. shall be credited for incremental expenses
15 (over and above costs which would have been incurred at the Long Beach Airport)
16 incurred for aircraft handling, airport use and facility fees, and fees incurred in
17 transporting enplaning and deplaning passengers between Long Beach Airport and an
18 authorized alternate airport. In order to qualify such incremental costs for a credit
19 against Airport-related rents/fees owed the City of Long Beach, such expenditures must
20 be consistent with a schedule of rates/charges which has been pre-approved by the
21 Airport Manager. Passengers on any qualified scheduled commercial carrier diverted
22 from Long Beach Airport shall be eligible for a voucher for credit on their parking
23 charges at Long Beach Airport's parking lots.

24 B. TERMINAL BUILDING GATE USE FEE.

25 All aircraft using the Airport Terminal Building apron for the enplanement
26 or deplanement of passengers or cargo shall pay a fee as set out below for each flight
27 which makes use of said facilities:

28 //

1		<u>Effective:</u>
2	\$.47/1000 lbs. based on Gross Certified Landing Weight	October 1, 2004
3	\$.49/1000 lbs. based on Gross Certified Landing Weight	January 1, 2005
4	\$.51/1000 lbs. based on Gross Certified Landing Weight	April 1, 2005

5 C. TERMINAL BUILDING APRON PARKING FEE.

6 Any aircraft which is parked on the Terminal Building apron and not
 7 engaged in the enplanement or deplanement of passengers or cargo or which remains
 8 overnight, shall obtain prior approval and pay aircraft parking fees in accordance with
 9 the following schedule:

10	For each 24-hour period or portion thereof:	<u>Effective:</u>
11	\$.40/1000 lbs. based on Gross Certified Landing Weight	October 1, 2004
12	\$.42/1000 lbs. based on Gross Certified Landing Weight	January 1, 2005
13	\$.43/1000 lbs. based on Gross Certified Landing Weight	April 1, 2005

14 D. AIRCRAFT PARKING FEE - UNCOVERED.

15 The following rates shall be paid for the parking of aircraft on open areas
 16 of the Airport. Airport parking areas are designated by the Airport Manager and prior
 17 approval is required.

18	<u>Wing Span (feet)</u>	<u>Monthly Rate</u>	<u>Daily Rate</u>
19	0 - 35	\$ 95.00	\$ 4.75
20	36 - 40	\$105.00	\$ 5.25
21	41 - 45	\$130.00	\$ 6.50
22	46 - 50	\$200.00	\$10.00
23	51 - 75	\$380.00	\$19.00
24	76 - 100	\$640.00	\$32.00
25	101 - 125	\$760.00	\$38.00
26	126 - 150	\$900.00	\$45.00
27	Above 150	\$1,020.00	\$51.00

28 No parking charges for uncovered parking shall be assessed against

1 aircraft owned and operated by the United States of America, or any state, county, or
2 city while said aircraft is located at the Airport on documented official government
3 business.

4 E. SECURITY SURCHARGE.

5 Uses that require the presence of a Law Enforcement Officer (LEO) will
6 be charged a fee based on a cost recovery rate per hour, or portion thereof. Such uses
7 include ramp safety enforcement during enplaning and/or deplaning of passengers,
8 escorting of aircraft and vehicles between locations and standing by for filming and
9 special events.

10 F. COMMON USE CHARGES.

11 Common use areas include the boarding lounge, concourse, baggage
12 claim areas, and public area of terminal. The common use charge shall be computed
13 on the depreciation, utilities, custodial, and maintenance services for the common use
14 areas. Common use charges shall be assessed on all airlines which use the common
15 areas at a per enplaned passenger rate calculated by the Airport Manager. The
16 calculation shall be based on actual expenses for common use areas, and number of
17 airlines and flight activity at the Long Beach Airport. The per passenger rate per
18 enplaned passenger shall be applied as follows:

	<u>Effective:</u>
19	
20	\$1.10 per enplaned passenger October 1, 2004
21	\$1.15 per enplaned passenger January 1, 2005
22	\$1.20 per enplaned passenger April 1, 2005

23 Said rate may be modified at least annually to reflect changes in expenditures
24 and activities. The common use charges shall be paid to the Airport monthly.

25 G. TERMINAL SPACE CHARGES.

26 The Airport Manager, as designee of the City Manager, is hereby
27 authorized to issue Commercial Use Permits to any person or entity for use of
28 designated portions of the Airport Terminal in connection with the operation of an

Robert E. Shannon
City Attorney of Long Beach
333 West Ocean Boulevard
Long Beach, California 90802-4664
Telephone (562) 570-2200

1 approved service. The following rental rates shall be applied:

2	Ticket Counter Space plus utilities @	\$1.00 per sq.ft. per month \$0.30 per sq.ft. per month
3		
4	Terminal Back Office Space plus utilities @	\$0.833 per sq.ft. per month \$0.30 per sq.ft. per month
5		
6	Terminal Basement Space plus utilities @	\$0.25 per sq.ft. per month \$0.075 per sq.ft. per month
7		
8	Terminal Ramp Storage Space plus utilities @	\$0.025 per sq.ft. per month \$0.075 per sq.ft. per month
9		

10 H. FUEL FLOWAGE FEES.

11 For every gallon of fuel and lubricant accepted for delivery into fuel
12 facilities at the Long Beach Airport, the following fees shall be paid to the City by the
13 owner or operator of such facility:

14 1. \$0.06 per gallon of fuel used for any purpose whether on or off the
15 airfield. Upon submittal of substantiating documentation, the fuel flowage fee
16 may be waived only for the following activities:

17 a. Commercial Aviation, where commercial aviation activity is defined as
18 the carrying of persons or cargo for hire, compensation or reward and if such
19 activity results in the payment of landing fees for that activity;

20 b. Any aircraft operated by or for public agencies which is engaged in
21 documented official government business.

22 2. Upon submittal of substantiating documentation acceptable to the
23 Airport Manager, the fuel flowage fee shall be adjusted for those gallons sold to a single
24 entity in a calendar month as follows:

25	0 to 25,000 gals	fee is \$0.06 per gal.
26	25,001 gals to 50,000 gals	fee is \$0.02 per gal.
27	Over 50,000 gals	fee is \$0.01 per gal.

28 Fuel Flowage Reports and Fees must be submitted to Airport

1 Administration monthly, in accordance with the terms of the operative Lease, Permit or
2 Agreement. Fuel Flowage Reports must be submitted by both the supplier of fuel to the
3 Airport and by the operator of the fueling facility. Fuel Flowage Reports must designate
4 the party responsible for paying the Fuel Flowage Fee and the Fuel Flowage Fee must
5 accompany said report.

6 I. COMMERCIAL USE PERMIT.

7 The Airport Manager, as designee of the City Manager, is hereby
8 authorized to issue Commercial Use Permits to any person or entity for use of any
9 portion of the Airport in connection with the temporary use of Airport property.

10 1. For such purposes as filming of commercial motion pictures,
11 commercial still photography, or other uses requiring airfield or landside escort, there
12 shall be a \$300.00 permit fee which is non-refundable. In addition, the following fees
13 shall be applied:

14 a. Airport Personnel - Fee will vary depending on the job
15 classification of the employee required to perform the task. The fee will be
16 based on a full cost recovery basis per hour or portion thereof. For purposes of
17 security and escort, the Airport Manager shall determine the number of airport
18 personnel required.

19 b. Airport Vehicle - The fee will be based on a full cost recovery
20 basis per day or portion thereof. The Airport Manager shall determine the
21 number of vehicles required;

22 c. Streets and other public terminal areas - \$200.00 per hour or
23 portion thereof with an \$800.00 maximum per day.

24 d. Runways, taxiways and other operational areas - \$250.00 per
25 hour or portion thereof with an \$1,000.00 maximum per day.

26 e. Terminal Building Area - \$300.00 per hour or portion thereof for
27 off peak time periods; and \$500.00 per hour or portion thereof for peak time
28 periods as determined by the Airport Manager;

1 f. Off-Terminal Airport Property - \$50.00 per acre, per day
2 or portion thereof;

3 2. For such purposes as mobile food catering vehicles which offer
4 services to the public, the fee of \$250.00 per month per catering truck shall be applied.

5 3. For such purposes as mobile aircraft detailing or other aircraft services
6 provided by vehicles which offer the service to the public, the fee of \$100.00 per month
7 per vehicle shall be applied.

8 4. a. For such purposes as providing ongoing ground transportation
9 (automobile, van, bus, limousine or taxi for hire) the fee of \$1.75 per pick-up of
10 passengers shall be paid by the ground transportation provider (not by the passenger)
11 unless otherwise specified by contract.

12 b. For such purposes as providing single-incident ground
13 transportation (automobile, van, bus, limousine or taxi for hire), the fee of \$10.00 per
14 pick-up of passengers shall be paid by the ground transportation provider (not by the
15 passenger).

16 5. For such purposes as banner tow operations, a fee of \$600.00 per
17 fiscal year commencing October through September or any portion thereof.

18 6. For such purposes as airship/blimp operations, a fee of \$55.00 per day
19 or portion thereof. The airship/blimp mooring sites are available for those with
20 approved permits on a non-exclusive, first come-first served basis. A deposit, as stated
21 in the commercial use permit, is required.

22 7. For such purposes as commercial carrier operations which access the
23 terminal, terminal ramp areas or terminal gate areas, inclusive of scheduled flights,
24 unscheduled flights, charter flights or unused slot flights, a Commercial Use Permit is
25 also required.

26 J. COMMENCEMENT BONDS.

27 Each Air Carrier or Commuter Carrier, as defined by Long Beach
28 Municipal Code Chapter 16.43, shall post a bond, or other adequate security, as

1 approved as to sufficiency by the City Manager, or designee, and as to form by the City
2 Attorney, for each Flight Slot or for reservation of Flight Slots, in the amount specified:

3 1. Air Carrier Bond. The bond to be posted by direct and indirect
4 commercial air carriers for allocation of flights shall be \$5,000 per
5 Conditional Flight Slot, and \$10,000 per Final Flight Slot.

6 2. Commuter Carrier Bond. The bond to be posted by commuter
7 carriers for allocation of Final Flight Slots shall be an amount equal to
8 three times the projected monthly fees.

9 These bonds are intended to secure Air Carriers' and Commuter Carriers'
10 performance as required by the Flight Allocation Resolution of the City of Long Beach
11 and to assure continuation of Operations of each Final Flight Slot for at least six
12 months. Such security is in addition to bonds to indemnify the City against a failure on
13 the part of the Carrier to perform all obligations of the Carrier to the City under their
14 Permit to operate.

15 K. RESERVATION BOND. Any carrier wishing to reserve or use an
16 available "unused flight" as prescribed in the Flight Allocation Resolution of the City of
17 Long Beach must post an amount equal to three times the projected monthly fees, and
18 supply an executed Commercial Use Permit, in accordance with paragraph I.7. above.

19 L. VEHICLE PARKING FEES.

20 The fee for vehicle parking at the Airport shall be:

21 Parking Structure (Lot A)

22	First 20 minutes	Free
23	Each additional hour	\$ 1.00
24	Daily maximum—standard	\$15.00
25	---handicapped	\$ 6.00
26	"Parking Special" rate	Not less than \$9.00 daily maximum
27	Oversized vehicles that require more than one space shall pay the equivalent rate for	
28	the number of spaces occupied.	

Robert E. Shannon
City Attorney of Long Beach
333 West Ocean Boulevard
Long Beach, California 90802-4664
Telephone (562) 570-2200

1 Close-in Surface Lot (Lot B)

2	First 20 minutes	Free
3	Each additional hour	\$ 1.00
4	Daily maximum—standard	\$12.00
5	---handicapped	\$ 6.00
6	“Parking Special” rate	Not less than \$6.00 daily maximum
7	Oversized vehicles that require more than one space shall pay the equivalent	
8	rate for the number of spaces occupied.	

10 Remote Lot (Lot C)

11	First 20 minutes	Free
12	Each additional hour	\$ 1.00
13	Daily maximum—standard	\$ 9.00
14	---handicapped	\$ 6.00
15	“Parking Special” rate	Not less than \$3.00 daily maximum
16	Oversized vehicles that require more than one space shall pay the equivalent	
17	rate for the number of spaces occupied.	

18 Park and Ride Lot (Lot D)

19	First 20 minutes	Free
20	Each additional hour	\$ 1.00
21	Daily maximum—standard	\$ 6.00
22	---handicapped	\$ 6.00
23	“Parking Special” rate	Not less than \$3.00 daily maximum
24	Oversized vehicles that require more than one space shall pay the equivalent	
25	rate for the number of spaces occupied.	

26 Monthly Permit Parking

27	Tenant employee, per space per month, fewer than 50 spaces	\$31.50
28	Tenant employee, per space per month, 50 or more spaces	\$ 7.50

1 Oversized vehicles that require more than one space shall pay the equivalent
2 rate for the number of spaces occupied.

3 A day is 24 hours from the time of entry; a partial day is charged at the
4 daily rate or portion thereof whichever is less. The City Manager is authorized to
5 establish from time to time a "Parking Special" in order to provide discounted parking
6 rates in accordance with the vehicle parking fee schedule established by this resolution.
7 Whether to institute or discontinue the "Parking Special" program is within the discretion
8 of the City Manager based on the effectiveness, usage, parking demand, and available
9 capacity.

10 M. SECURITY IDENTIFICATION BADGES.

11 The Long Beach Airport is required under the Transportation Security
12 Administration (TSA) to maintain a security access control system to prevent entry of
13 unauthorized persons into restricted areas. Therefore, a \$50.00 fee per unaccounted
14 for access control media shall be assessed the user of the system to recover the cost
15 for replacement of the first access control media, a \$75.00 fee for the second, and a
16 \$100.00 fee for the third unaccounted for access control media. Access control media
17 includes identification badge, gate card, airfield decal, and access key. A \$50.00
18 reimbursement will be issued for returned access control media.

19 N. CONTRACTED AIRPORT SERVICES.

20 Fees for other services which may lawfully be contracted from the Airport
21 Bureau shall be determined by the Airport Manager on a time, equipment, and
22 materials used basis, unless otherwise specified by City Council approved contract.

23 O. CONTRACT PROCESSING FEE.

24 Fees for attorney's services rendered in connection with document
25 preparation, review, negotiations, meetings, correspondence and other miscellaneous
26 activities may be charged and shall be determined by the Airport Manager on a time
27 and overhead basis, unless otherwise specified by City Council.

28 P. AIRFIELD CONSTRUCTION PERMIT FEE.

Robert E. Shannon
City Attorney of Long Beach
333 West Ocean Boulevard
Long Beach, California 90802-4664
Telephone (562) 570-2200

1 A permit for engineering and inspection services rendered in connection
2 with any design, construction, repair, improvement, materials testing and other
3 miscellaneous activities on airfield property must be obtained prior to commencement
4 of any project. The fee for said services shall be determined by the Airport Manager on
5 a time and overhead basis and must be paid at time permit is issued.

6 Q. PASSENGER FACILITY CHARGE.

7 A Passenger Facility Charge ("PFC") of \$3.00 per enplaned passenger
8 shall be assessed, collected, remitted, and accounted for in accordance with the
9 provisions of Title 14, Part 158 of the Code of Federal Regulations, or any successor
10 regulation thereto.

11 Sec. 2. The City Manager or the Airport Manager shall be authorized to
12 exempt an aircraft, airport user, and/or special event from any of the rates or fees
13 specified herein when such aircraft or event has come to the Airport to participate in a
14 non-profit event co-sponsored by the City/Airport to participate in an airport promotional
15 event, or the owner or event is a governmental entity on documented official
16 government business.

17 Sec. 3. If any provision or clause of this resolution or the application
18 thereof to any person or circumstances is held to be unconstitutional or otherwise
19 invalid by any court of competent jurisdiction, such invalidity shall not affect other
20 ordinance provisions or clauses or applications thereof which can be implemented
21 without the invalid provision, clause of application, and to this end the provisions and
22 clauses of this resolution are declared to be severable.

23 Sec. 4. That Resolution No. C-28205 is hereby rescinded and
24 superseded by this resolution.

25 Sec. 5. This resolution shall become effective on October 1, 2004, and
26 the City Council shall certify the vote adopting this resolution.

27 I hereby certify that the foregoing resolution was adopted by the City
28 Council of the City of Long Beach at its meeting of _____, 2004, by the

Robert E. Shannon
City Attorney of Long Beach
333 West Ocean Boulevard
Long Beach, California 90802-4664
Telephone (562) 570-2200

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following vote:

Ayes: Councilmembers:

Noes: Councilmembers:

Absent: Councilmembers:

City Clerk

MJM:KJM 8/10/04 #04-03170
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