



## Legislation Text

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**File #:** 10-0609, **Version:** 1

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Recommendation to authorize City Manager to execute all documents necessary for a Memorandum of Agreement and any amendments between the City of Long Beach and the United States of America, Department of Transportation, Federal Aviation Administration, for the use of City-owned property for the construction, operation and maintenance of navigation, communication and weather aids for the support of air traffic operations at the Long Beach Airport. (District 5)

In order to operate, the Long Beach Airport requires Federal Aviation Administration (FAA) facilities and equipment (Facilities) for navigation, communication and weather aid to support air traffic operations. Customarily, individual leases for the Facilities are executed and modified on an as-needed basis. The City provides the land for the Facilities at "no fee" in exchange for the construction, operation and maintenance of the Facilities by the FAA. In addition, standard FAA grant conditions for the annual receipt of federal funding require a "no fee" use of property for purposes of aeronautical support. There are approximately 11 leases for Facilities at the Airport.

In an effort to consolidate Facilities under one agreement, the FAA has developed a Memorandum of Agreement (MOA). The MOA will supersede leases for Facilities and will be amended as Facilities are added, removed or modified. An individual lease will remain in effect for the FAA Control Tower, which under FAA policy cannot be incorporated into the MOA.

The Memorandum of Agreement will contain the following major terms and provisions:

- **Term:** The commencement date of the MOA shall be retroactive to March 1, 2010, and shall continue through September 30, 2030.
- **Termination Option:** The FAA may terminate the MOA in whole or in part at any time by providing the City with GO-days prior notification.
- **Consideration:** The FAA shall pay the City no monetary consideration. It is mutually agreed that the rights extended to the FAA are in consideration of the obligations assumed by the FAA in its establishment, operation and maintenance of the Facilities at the Airport.
- **Facilities:** The MOA shall supersede approximately 10 individual leases with the FAA authorized by the City Council during the period of 1995-2004.

This letter was reviewed by Deputy City Attorney Richard F. Anthony on April 28, 2010 and Budget Management Officer Victoria Bell on May 14, 2010.

City Council action is requested on June 15, 2010, in order to execute the Memorandum of Agreement in a timely fashion.

There is no fiscal impact to the City relative to this item. There is no impact to local jobs.

Approve recommendation.

MARIO RODRIGUEZ  
DIRECTOR, LONG BEACH AIRPORT

NAME  
TITLE

APPROVED:

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PATRICK H. WEST  
CITY MANAGER