

RESOLUTION NUMBER R- 300368

ADOPTED ON MAY 03 2005

WHEREAS, the United States of America, Department of Transportation, Federal Aviation Administration [FAA] has continuously, since 1961, installed and maintained a VORTAC air navigational device on the man-made island in Mission Bay known as Ski Island, for the benefit of local air traffic, under a prior lease which lease is currently on holdover; and

WHEREAS, the FAA would now like to enter into a new lease with the City of San Diego; which lease shall have an initial term beginning October 1, 2001, and ending September 30, 2005, with the additional right, at the FAA's option, to renew the lease annually on a year-to-year basis, provided that no renewal shall extend beyond September 30, 2021; and

WHEREAS, Section 47107(a)(12) of Title 49 of the United States Code provides in part that the airport owner or operator will provide, without cost to the U. S. Government, property interests of the sponsor in land or water areas or buildings that the U.S. Government decides are desirable for, or that will be used for, constructing at the U.S. Government's expense, facilities for carrying out activities related to air traffic control or navigation; and

WHEREAS, the consideration for the lease is the FAA's operation and maintenance of the VORTAC facility and its benefits to the City and regional airport air traffic safety. The FAA has paid the City of San Diego's processing fee for the new lease agreement; NOW,

THEREFORE,

BE IT RESOLVED, by the San Diego City Council, that the City Manager is authorized to execute, for and on behalf of the City of San Diego, a new lease agreement with the FAA, for

the purpose of maintaining the VORTAC air navigational device on Ski Island for the benefit of local air traffic, which lease will have a term beginning October 1, 2001, and ending September 20, 2005, with the additional right, at the FAA's option, to renew the lease annually on a year-to-year basis, provided that no renewal shall extend beyond September 30, 2021.

BE IT FUTHER RESOLVED, by the San Diego City Council, the consideration for the lease is the FAA's operation and maintenance of the VORTAC facility and its benefits to the City and regional airport air traffic safety. The FAA has paid the City of San Diego's \$3,970.00 processing fee for the new lease agreement.

APPROVED: MICHAEL J. AGUIRRE, City Attorney

Lease Agreement between the City of San Diego and the United States of America on file as Document RR-300368.

By

  
Debra L. Bevier  
Deputy City Attorney

DJB:mm  
04/14/05  
Or.Dept:READ  
Aud.Cert:N/A  
R-2005-1067  
MMS#1790