



CITY OF HAYWARD
AGENDA REPORT

AGENDA DATE 03/08/05

AGENDA ITEM 5

WORK SESSION ITEM _____

TO: Mayor and City Council

FROM: Director of Public Works

SUBJECT: Authorization to Execute a Lease with the Federal Aviation Administration

RECOMMENDATION:

It is recommended that the City Council adopt the attached resolution authorizing the City Manager to execute a lease with the Federal Aviation Administration.

BACKGROUND:

In 1993, the Council approved execution of a land lease document for an "ASOS" facility between the City and the United States Department of Commerce, National Oceanic and Atmospheric Administration ("NOAA"). Recently, NOAA transferred operation and maintenance of all ASOS units to the FAA. Due to recent security revisions by the FAA regarding ASOS siting requirements it is necessary to relocate the ASOS. The ASOS is currently located adjacent to one of the City's long term FBO tenants. Upon completion of the required airspace analysis, FAA and staff have agreed upon a new ASOS site (see Exhibit "A"). This leasehold is located at mid-field on the Airport directly between the City's two runways.

The FAA is requiring a ground lease with the City providing for approximately 20 years (until September 30, 2023). The agreement, essentially a continuation of the City's current lease with NOAA, will permit the FAA to continue the required support and maintenance of this important weather reporting aid. In preparation for relocating the ASOS equipment, the City has allocated funding in the Airport's Capital Improvement Project budget. As soon as the City executes this new ground lease, the FAA will authorize relocating the ASOS.

The ASOS is operated at no cost to the City and benefits all pilots operating at Hayward. This equipment greatly improves the operational capabilities and safety concerns associated with providing current weather to anyone accessing the ASOS via radio broadcast or telephone. This is particularly helpful to pilots during periods of fog and/or low visibility at the Airport.

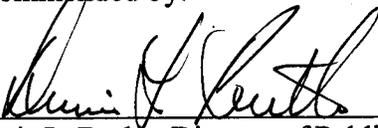
Provisions contained within the new lease have not substantially changed from the lease originally executed in 1993. However, the language contained in the lease has been updated to comply with current practices.

Prepared by:



Brent S. Shiner, Airport Manager

Recommended by:



Dennis L. Butler, Director of Public Works

Approved by:



Jesús Armas, City Manager

Attachment

Exhibit A: Site Location

**DUE TO THE LENGTH OR COLOR
OF THE REFERENCED EXHIBIT,
IT HAS BEEN ATTACHED AS A
SEPARATE LINK.**

DRAFT

HAYWARD CITY COUNCIL

RESOLUTION NO. 05-

Introduced by Council Member _____

**RESOLUTION AUTHORIZING THE CITY MANAGER
TO EXECUTE A LAND LEASE AGREEMENT
BETWEEN THE CITY OF HAYWARD AND THE
FEDERAL AVIATION ADMINISTRATION**

BE IT RESOLVED by the City Council of the City of Hayward that the City Manager is hereby authorized and directed to negotiate and execute on behalf of the City of Hayward a land lease agreement and all related documents to continue operation, maintenance and support of an Automated Surface Observing System (ASOS), between the City of Hayward and the Federal Aviation Administration (FAA), in a form approved by the City Attorney, copies of which are on file in the office of the City Clerk

IN COUNCIL, HAYWARD, CALIFORNIA _____, 2005

ADOPTED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBERS:
MAYOR:

NOES: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

ATTEST: _____
City Clerk of the City of Hayward

APPROVED AS TO FORM:

City Attorney of the City of Hayward