

1 [Administrative Code - Aviation Support Services/Airport Leases]

2

3 **Ordinance amending the San Francisco Administrative Code Section 2A.173 to**
4 **authorize the Airport Commission to enter into leases with entities providing aviation**
5 **support services without competitive bidding for a term not to exceed 10 years.**

6 NOTE: Additions are *single-underline italics Times New Roman*;
7 deletions are ~~*strike-through italics Times New Roman*~~.
8 Board amendment additions are double-underlined;
9 Board amendment deletions are ~~strikethrough normal~~.

9 Be it ordained by the People of the City and County of San Francisco:

10 Section 1. The San Francisco Administrative Code is hereby amended by Section
11 2A.173, to read as follows:

12 **SEC. 2A.173. LEASES AND CONCESSIONS ON AIRPORT PROPERTY.**

13 The Airport Commission shall have power to negotiate and execute leases of airport
14 lands and space in airport buildings, without necessity for competitive bidding, to any person,
15 firm, or corporation engaged in air transportation, aviation support services, or the provision of
16 utility services to the public (including, but not limited to, the provision of: telecommunications,
17 electricity, water, gas or sewerage), or to any agency of government, for such purposes only;
18 provided, that the original term of any such lease shall not exceed 50 years, nor shall any
19 extension of such lease exceed a period of 50 years, except that a lease for aviation support
20 services shall not exceed 10 years. Aviation support service leases shall be granted only to those
21 entities performing a service which the Airport Commission determines is necessary to provide direct
22 support to one or more air transportation providers. Such services include but are not limited to:
23 servicing, cleaning and provisioning of aircraft; handling, transfer and temporary storage of cargo and
24 mail; inspection, maintenance and repair of aircraft and ground service equipment; handling of
25 passengers and baggage; operations support and crew administration; loading and unloading of

1 passengers, baggage and cargo; fueling of aircraft and other ramp support services; and/or checkpoint
2 screening and perimeter control. Construction, demolition, or development shall not be considered an
3 aviation support service. The Commission shall also have sole power, subject to a competitive
4 process and award to the highest or best responsible bidder or proposer to lease out any
5 concession wherein the concessionaire is to be given an exclusive right to occupy space on or
6 in airport lands or buildings. There shall be no requirement for a competitive process in the
7 award by the Commission of any concession in an instance where no exclusive right is given
8 the concessionaire to occupy space on or in airport lands or buildings.

9 The Airport Commission shall also have exclusive power to lease lands now devoted to
10 airport purposes or lands that may hereafter be acquired and devoted to airport purposes for a
11 period not to exceed 50 years. Section 23.6-3 of this Code shall not be applicable to leases
12 referred to in this paragraph; provided, however, that no lease of airport lands or agreement
13 which divests the City and County of the right to manage, operate or control the aircraft
14 landing field, the entire part of the airport not devoted to the aircraft landing field, or the entire
15 airport shall be made without the approval of the Board of Supervisors by ordinance and
16 referral and submission to a vote of the electors of the City and County at the election next
17 ensuing not less than 60 days after the adoption of such ordinance, and such ordinance shall
18 not go into effect until ratified by a majority of voters voting thereon.

19
20
21 APPROVED AS TO FORM:
22 DENNIS J. HERRERA, City Attorney

23 By: _____
24 Sheryl L. Bregman
25 Deputy City Attorney