

1 [Waiver of Municipal Code Requirements for Airport Agreement with the Federal Aviation  
Administration]

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3 **Ordinance exempting from requirements of the Administrative Code and the**  
4 **Environment Code the Reimbursable Agreement between the San Francisco**  
5 **International Airport and the Federal Aviation Administration for services to**  
6 **commission a Ground Based Augmentation System at the Airport; and affirming the**  
7 **Planning Department’s determination under the California Environmental Quality Act.**

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

10 Section 1. Environmental Findings.

11 The Planning Department has determined that the actions contemplated in this  
12 ordinance comply with the California Environmental Quality Act (California Public Resources  
13 Code Sections 21000 et seq.). The determination is on file with the Clerk of the Board of  
14 Supervisors in File No. 201343 and is incorporated by reference. The Board affirms the  
15 determination.

16 Section 2. Background and Findings.

17 (a) The Ground Based Augmentation System (“GBAS”) Project (“Project”) would  
18 enhance aircraft approach and landing operations at the San Francisco International Airport  
19 (“Airport”) by allowing aircraft to fly satellite-based approaches. Among the potential benefits  
20 of the Project, GBAS-enabled flight procedures may provide community noise reduction,  
21 enable more efficient approaches, increase safety, and reduce delays during low-visibility  
22 weather conditions.

23 (b) To implement the Project, the Federal Aviation Administration (“FAA”) must certify,  
24 oversee, and operate the GBAS in coordination with aircraft pilots. The FAA would provide

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1 technical oversight, perform flight inspections, commission the GBAS, and train FAA technical  
2 operations personnel.

3 (c) The FAA is requiring the Airport to enter into the Reimbursable Agreement  
4 (“Agreement”) between FAA and the Airport to pay for the FAA’s services and does not allow  
5 modifications to its form of agreement, including the addition of contract language normally  
6 required by the Municipal Code.

7 (d) On December 1, 2020, by Resolution No. 20-0233, the Airport Commission  
8 authorized the Airport Director (1) to enter into the Agreement, in the amount of \$235,846 and  
9 with a duration of five years, subject to obtaining appropriate waivers of Administrative Code  
10 and Environment Code requirements from the Board of Supervisors and (2) to seek such  
11 waivers. Resolution No. 20-0233 is on file with the Clerk of the Board of Supervisors in File  
12 No. 201343.

13 Section 3. Waiver of Administrative Code and Environment Code Requirements.

14 The Board of Supervisors hereby exempts the Agreement from all otherwise applicable  
15 sections of the Administrative Code and Environment Code.

16 Section 4. Effective Date.

17 This ordinance shall become effective 30 days after enactment. Enactment occurs  
18 when the Mayor signs the ordinance, the Mayor returns the ordinance unsigned or does not  
19 sign the ordinance within ten days of receiving it, or the Board of Supervisors overrides the  
20 Mayor’s veto of the ordinance.

21 Section 5. Filing of Executed Agreement

22 Within 30 days of the Agreement being fully executed by all parties, the Airport shall  
23 provide a copy of the Agreement to the Clerk of the Board of Supervisors for inclusion into the  
24 file.

