

ORDINANCE 1271

AN ORDINANCE OF THE CITY OF TRACY, CALIFORNIA, AMENDING SECTION 2.28.470 OF THE TRACY MUNICIPAL CODE REGARDING LEASES OF CITY-OWNED AIRPORT HANGARS AND GROUND LEASES AT TRACY MUNICIPAL AIRPORT AND NEW JERUSALEM AIRPORT

WHEREAS, Section 2.28.470 of the Tracy Municipal Code, which regulates the Tracy Municipal Airport and New Jerusalem Airport, requires an amendment that will clarify the authority to execute City-owned hangar rental agreements and ground leases for privately owned hangars at the airports, and

WHEREAS, The City Council desires to update its ordinance to delegate authority to execute City-owned hangar rental agreements to the City Manager or designee and to delegate authority to the City Manager to execute ground leases for privately owned hangars at the airports;

NOW, THEREFORE, The City Council of the City of Tracy hereby ordains as follows:

SECTION 1: Amendment of the Tracy Municipal Code. Section 2.28.470 of Article 6 of Chapter 2.28 of Title 2 is amended to read as follows:

Chapter 2.28 – TRACY MUNICIPAL AIRPORT AND NEW JERUSALEM AIRPORT

Article 6- Hangars

2.28.470

(a) City-owned hangars at its airports may be leased pursuant to a lease agreement. Leases of hangar space shall be issued using a City form provided. The City Manager or designee may execute leases of hangar space and at his/her discretion may include in the lease a charge, in addition to any applicable rates and charges set by this chapter. Tenants who have entered into a lease with the City shall abide by its terms and this chapter, as it may be amended from time to time. Leases shall be issued on a month-to-month basis and shall be subject to termination as specified in the lease. Tenants shall provide adequate insurance as specified by the City's Risk Management, and shall be subject to all applicable federal, state, and local laws, policies, and regulations.

(b) Land at City airports may be leased pursuant to a ground lease agreement for privately owned hangars using the City form provided. Notwithstanding any provision in subsection (a) of Section 2.20.280 of this Code, the City Manager may execute ground leases at the City's airports for privately owned hangars in accordance with Government Code Section 37389 and FAA regulations. At the City Manager's discretion, he/she may include in the lease a charge, in addition to any applicable rates and charges set by this chapter. Tenants who have entered into a lease with the City shall abide by its terms and this chapter, as it may be amended from time to time. Leases shall be subject to termination as stated in the agreement. Tenants shall provide adequate insurance as specified by the City's Risk Management, and shall be subject to all applicable, federal, state, and local laws, policies, and regulations.

SECTION 2: Title, chapter, and section headings contained herein shall not be deemed to govern, limit, modify, or in any manner affect the scope, meaning or intent of the provisions of any title, chapter, or section hereof.

SECTION 3: Except as herein added or changed, the remaining sections of the Tracy Municipal Code not set forth above, shall remain in full force.

SECTION 4: If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this Ordinance.

SECTION 5: This Ordinance shall take effect thirty (30) days after its final passage and adoption.

SECTION 6: This Ordinance shall either (1) be published once in a newspaper of general circulation, within 15 days after its final adoption, or (2) be published in summary form and posted in the City Clerk's office at least five days before the Ordinance is adopted and within 15 days after adoption, with the names of the Council Members voting for and against the Ordinance. (Govt. Code § 36933).

The foregoing Ordinance 1271 was introduced at a regular meeting of the Tracy City Council on the 20th day of August, 2019, and finally adopted on the 3rd day of September, 2019, by the following vote:

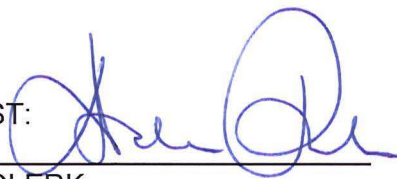
AYES: COUNCIL MEMBERS: ARRIOLA, RANSOM, VARGAS, YOUNG, RICKMAN

NOES: COUNCIL MEMBERS: NONE

ABSENT: COUNCIL MEMBERS: NONE

ABSTAIN: COUNCIL MEMBERS: NONE


MAYOR

ATTEST: 
CITY CLERK