



REPORT TO THE CITY COUNCIL

AGENDA ITEM NO.	1 G
COUNCIL MEETING	02/04/2010
APPROVED BY	
DEPARTMENT DIRECTOR	
CITY MANAGER	

February 4, 2010

FROM: RUSSELL C. WIDMAR, AAE
Director of Aviation

SUBJECT: ADOPT CEQA CATEGORICAL EXEMPTION PURSUANT TO GUIDELINES SECTION 15301 (EXISTING FACILITIES) TO AUTHORIZE LEASE TO THE U.S. TRANSPORTATION SECURITY ADMINISTRATION FOR THE PASSENGER TERMINAL AT FRESNO YOSEMITE INTERNATIONAL AIRPORT.

1. AUTHORIZE LEASE OF 2,263 SQUARE FEET OF SPACE IN THE PASSENGER TERMINAL AT FRESNO YOSEMITE INTERNATIONAL AIRPORT (FYI) TO THE U.S. TRANSPORTATION SECURITY ADMINISTRATION FOR TWO YEARS, WITH THREE ONE-YEAR OPTIONS TO EXTEND, AT THE RATE ESTABLISHED IN THE CITY'S MASTER FEE SCHEDULE.

RECOMMENDATION

That the Council:

1. Adopt CEQA Categorical Exemption pursuant to Guidelines Section 15301 (existing facilities) to authorize lease to the U.S. Transportation Security Administration for the passenger terminal at Fresno Yosemite international airport.
2. Authorize a new lease with the Transportation Security Administration (TSA) of the U.S. Department of Homeland Security for space in the passenger terminal at FYI. The new lease will have a term of two years, with three one year extension options on the part of the TSA (for potential total term of five years). The rental rate to be paid by the TSA during this lease is calculated in accordance with the rates prescribed in the City's then effective Master Fee Schedule (currently \$38 per square foot per year x 2,263 square feet = \$85,994.00 per year).

EXECUTIVE SUMMARY

Pursuant to federal law, the TSA provides the security screening of airline passengers at those US airports with scheduled passenger airline services, such as FYI. The TSA pays rent on the space they occupy and use exclusively – essentially, their locker rooms, break rooms, training rooms and administrative offices. Upon completion of the first-phase of the Checkpoint Expansion Project the TSA will be renting a total of 2,263 square feet of such space in FYI's passenger terminal. The proposed lease is categorically exempt from CEQA review because it involves the leasing of existing public structures, facilities, mechanical equipment, involving negligible or no expansion of use beyond the existing, and will not have a significant impact on the environment.

BACKGROUND

On October 8, 2002, FYI entered into an agreement with TSA to provide exclusive-use space in the terminal for their operating purposes. This proposed lease provides for the modification of the lease space, now that the first phase of the Checkpoint Expansion project is complete. The proposed lease will include the following rooms: C-106 (76 sq. ft.); C-109 (175 sq. ft.); C-111 (172 sq. ft.); C-113 (177 sq. ft.); C-120 (788 sq. ft.); C-173 (436 sq. ft.); and C-183 (436 sq. ft.) for a combined total of 2,263 square feet.

CEQA EXEMPTION

The proposed Lease is exempt under CEQA Guideline 15301 Class 1, which provides exemption for the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public structures and facilities, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination. The Lease is within the Class 1 exemption because it involves lease existing FYI Airport terminal space to the TSA for security checkpoint purposes.

The above exemption is not precluded by Guideline 15300.1, which prevents use of categorical exemptions for wholly ministerial projects. The lease project is not wholly ministerial. Nor is the above exemption precluded by Guideline 15300.2, which prevents the use of categorical exemptions for projects where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances, or where a project may cause a substantial adverse change in the significance of a historical resource. The Lease is not anticipated to have a significant effect on the environment due to unusual circumstances, nor cause a substantial adverse change in the significance of a historical resource.

FISCAL IMPACT

The Department operates as an Enterprise Fund of the City. As such, all revenues from this lease accrue to the Airports Enterprise Fund. There would be no impact to the General Fund from this action.