City of New Haven

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Legislation Details (With Text)

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Title: ORDER OF THE BOARD OF ALDERS OF THE CITY OF NEW HAVEN APPROVING AN AMENDED AND RESTATED LEASE AND OPERATING AGREEMENT BY AND BETWEEN THE CITY OF NEW HAVEN AND TWEED NEW HAVEN AIRPORT AUTHORITY AND ORDINANCE AMENDMENT REPEALING SECTION 4-70 OF THE CODE OF GENERAL ORDINANCES

Sponsors:

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Attachments: 1. 1-Checklist - Tweed Amended and Restated Lease - July 6 2021, 2. 2-Cover Letter - Tweed Amended Lease July 6 2021, 3. 3-Prior Notification Form -Tweed Amended Lease July 6 2021, 4. 4-Fiscal Impact Statement - Tweed Amended Lease July 6 2021, 5. 5a-Order and Ordinance Amendment - Tweed Amended Lease, 6. Tweed Amendment 1 DR 091721, 7. Community Betterment 091721 (2), 8. 5b-HVN _ Lease and Operating Agreement July 6 2021 (BOAFN), 9. 6a-Supplemental Information - Background on Tweed Amended Lease July 6 2021, 10. 6b-Supplemental Information - Tweed Master Plan Update Presentation January, 2021, 11. 6c-Supplemental Information - Redline Comparison to Original Lease July 6 2021 (FN), 12. public testimony part 3, 13. public testimony part 2, 14. testimony for Airport meeting - August 30 2021, 15. New HVN FAQ, 16. Avports Tweed-New Haven Plan Memo 5.2.21, 17. Scanley Testimony to Alders for Sept 23rd meeting, 18. testimony from toni ginnetti, 19. Public Testimony from Lynne Bonnett for Board of Alders Finance Committee public hearing on Tweed

Date	Ver.	Action By	Action	Result
9/23/2021	1	Board of Alders	Passed	
9/9/2021	1	Board of Alders	Noted	
8/30/2021	1	Finance Committee	Favorable Report	
7/6/2021	1	Board of Alders	Referred	

ORDER OF THE BOARD OF ALDERS OF THE CITY OF NEW HAVEN APPROVING AN AMENDED AND RESTATED LEASE AND OPERATING AGREEMENT BY AND BETWEEN THE CITY OF NEW HAVEN AND TWEED NEW HAVEN AIRPORT AUTHORITY AND ORDINANCE AMENDMENT REPEALING SECTION 4-70 OF THE CODE OF GENERAL ORDINANCES

WHEREAS, the Tweed New Haven Airport Authority (the “Authority”) is a public instrumentality and political subdivision of the State, created pursuant to and having the purpose and powers set forth in Chapter 267a, Sections 15-120g through 15-120o, including but not limited to the general operation of Tweed New Haven Airport (the “Airport”); and

WHEREAS, the City of New Haven (the “City”) is the owner of the land upon which the Airport is situated, the present configuration of which is attached hereto as part of the Amended and Restated Lease (as defined herein); and

WHEREAS, the Authority and the City entered into a Lease Agreement (the “Original Lease”)

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effective July 1, 1998; and

WHEREAS, pursuant to the provisions of the Act, the Authority is responsible for the operation and management of the Airport and accordingly, the City and the Authority negotiated the Original Lease transferring the assets of the City located at the Airport and the responsibilities for operation of the Airport previously assumed by the City to the Authority; and

WHEREAS, the Authority has been in negotiation with a private investor which has offered to expend private funds to enhance the infrastructure of the Airport and expand commercial air service and provide funding all related to implementation of an updated Master Plan for the Airport; and

WHEREAS, a long-term extension of the Original Lease is necessary in order to assure the investment of said private funds is carried out in a responsible manner particularly with respect to environmental and community matters such as noise, traffic, stormwater management and costal habitat protection and, accordingly, the Authority and the City have negotiated terms for an Amended and Restated Lease (the “Amended and Restated Lease”); and

WHEREAS, certain responsibilities will be transferred by the Authority to the private investor in a sublease from the Authority for a portion of the premises leased by the Authority, said responsibilities always to be subject to the statutory authority of the Authority and, to the extent applicable, the City as owner of the land on which the Airport is situated; and

WHEREAS, the City’s General Ordinances Section 4-70, which pertains to the weight of aircraft flying in and out of the Airport is inconsistent with regulations of the Federal Aviation Administration; and

NOW, THEREFORE, BE IT ORDERED, by the Board of Alders of the City of New Haven that the Amended and Restated Lease be approved together with any other documents that are reasonably required to implement the provisions of the Amended and Restated Lease and/or this Order; and

FURTHER, IT IS HEREBY ORDERED, that the Mayor be and hereby is authorized to execute, acknowledge and deliver on behalf of the City of New Haven, the Amended and Restated Lease in a form substantially similar to that attached to this Order, and the City-Town Clerk of the City of New Haven be and hereby is authorized and directed to impress and attest the official seal of the City of New Haven on the Amended and Restated Lease and this Order; and

FURTHER, IT IS HEREBY ORDAINED, that Section 4-70 of the Code of Ordinances of the City of New Haven is repealed and replaced with the following text, Sec 4-70 - Reserved.

BE IT FURTHER ORDERED THAT AMENDMENT 1, attached hereto, presented by the Economic Development Administrator incorporating many of the key concerns raised at the City Plan Commission, Finance Committee and community meetings be and hereby is made part of the amended and restated lease and incorporated therein, as is the community betterment plan which includes important details on use of the $5.0 million program in the community.

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