

RESOLUTION NO. _____

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN JOSE APPROVING THE (1) PROPOSED AIRPORT CONCESSION DISADVANTAGED BUSINESS ENTERPRISE (ACDBE) PROGRAM UPDATE IN ACCORDANCE WITH THE FEDERAL AVIATION ADMINISTRATION (FAA) REGULATIONS FOR THE SAN JOSÉ MINETA INTERNATIONAL AIRPORT; (2) THREE-YEAR ACDBE RACE-NEUTRAL GOAL OF 7.7% FOR ALL AIRPORT CONCESSIONS, OTHER THAN CAR RENTALS, FOR FEDERAL FISCAL YEARS (FFY) 2024-2026; AND (3) THREE-YEAR ACDBE RACE-NEUTRAL GOAL OF 0.40% FOR RENTAL CARS FOR FFY 2024-2026; AND AUTHORIZING CITY MANAGER TO SUBMIT THE THREE-YEAR ACDBE PROGRAM TO THE FAA AND MAKE REVISIONS TO THE THREE-YEAR ACDBE PLAN AS REQUESTED BY THE FAA

WHEREAS, the City of San José (“City”) owns and operates the Norman Y. Mineta San José International Airport (“Airport”); and

WHEREAS, the Airport Concession Disadvantaged Business Enterprise (“ACDBE”) Program was created to minimize concerns related to minority discrimination in the award and administration of concession opportunities at the Airport; and

WHEREAS, adherence to ACDBE Program regulations is required to remain eligible to receive federal grants for airport development from the Federal Aviation Administration's ("FAA") Airport Improvement Program; and

WHEREAS, the Airport is required to submit an updated ACDBE Program participation plan every three years that identifies new concession opportunities, potential ACDBE participants, and new percentage targets for ACDBE participation; and

WHEREAS, the proposed ACDBE participation targets for Federal Fiscal Years (“FFY”) 2024 through 2026 are 7.7% for concessions other than rental cars and 0.40% for rental cars, both to be achieved by using race-neutral methods;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SAN JOSE THAT:

1. The Airport’s ACDBE Program update for FFY 2024-2026, in accordance with FAA regulations is approved.
2. The Airport’s ACDBE participation target of 7.7% for all Airport concessions other than car rentals for FFY 2024-2026 is approved.
3. The Airport’s ACDBE participation target of 0.40% for car rentals for FFY 2024-2026 is approved.
4. The City Manager is hereby authorized to submit to the FAA the Airport’s draft three-year ACDBE participation plan update for FFY 2024-2026.
5. The City Manager is hereby authorized to make revisions to the Airport’s draft three-year ACDBE participation plan update for FFY 2024-2026, as requested by the FAA.

ADOPTED this _____ day of _____, 2023, by the following vote:

AYES:

NOES:

ABSENT:

DISQUALIFIED:

MATT MAHAN
Mayor

ATTEST:

TONI J. TABER, CMC
City Clerk