

RESOLUTION NO. 28056

WHEREAS, on recommendation of Management, there were presented for approval, award and execution of three (3) Operating Agreements with Current Energy LLC, with term of twenty (20) years, and assignment of each of said three (3) Operating Agreements from Current Energy LLC to a single-purpose entity affiliate of said firm, covering potential development and operation of rooftop and parking canopy solar at 7800 Woodley Avenue, 7610 Woodley Avenue, and 16461 Sherman Way at Van Nuys Airport; and

**LAX**

**Van Nuys**

**City of Los Angeles**

Karen Bass  
Mayor

**Board of Airport  
Commissioners**

Karim Webb  
President

Matthew M. Johnson  
Vice President

Vanessa Aramayo  
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Victor Narro  
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Valeria C. Velasco

John Ackerman  
Chief Executive Officer

WHEREAS, to support the Los Angeles World Airports (LAWA) Sustainability Action Plan and increase revenue at Van Nuys Airport (VNY), LAWA staff evaluated sites suitable for solar installations; and

WHEREAS, in May 2022, LAWA released a Request for Proposals for access to potential solar sites at VNY. Nine (9) proposals were received, and Current Energy LLC (Current Energy) was identified as the successful bidder; and

WHEREAS, Current Energy has committed to exceeding the required 7% SBE requirement. Current Energy would be utilizing two (2) subcontractors: [i] Morgner Technology Management dba Morgner Construction Management, a highly certified enterprise (WBE, SBE, DBE, MBE, LGBTQ, LSBE, LBE) in Los Angeles; and [ii] Argubright Construction Inc., a general contractor and Airport Concession Disadvantaged Business Enterprise with over forty (40) years in aviation construction; and

WHEREAS, the Operating Agreements would provide Current Energy with the right to develop and operate solar facilities with varying kilowatt capacities for up to twenty (20) years. Pursuant to said Operating Agreements, Current Energy must secure all environmental approvals required under the California Environmental Quality Act (CEQA) and National Environmental Policy Act, regulatory permitting, a commitment from the Los Angeles Department of Water and Power (LADWP) to purchase the solar energy, then install the solar facility and commence commercial operations within twenty-four (24) months from the delivery date of each potential site; and

WHEREAS, if Current Energy is unable to secure all required entitlements and commitments from LADWP required to achieve commercial operations within twenty-four (24) months from the site delivery dates, then the Operating Agreements would terminate, or may be extended, at LAWA's discretion; and

WHEREAS, in addition, each of the three (3) Operating Agreements would be assigned from Current Energy to an affiliate, as follows:

- 7800 Woodley Avenue: Current Energy → 7800 Woodley FIT LLC
- 16461 Sherman Way: Current Energy → Aviation Plaza FIT LLC
- 7610 Woodley Avenue: Current Energy → Flyaway FIT LLC; and

WHEREAS, assignment of each of the three (3) Operating Agreements to a different Current Energy LLC affiliate would allow each assignee to secure funding for the proposed solar development at each potential solar site; and



WHEREAS, once commercial operations commence, Current Energy will pay LAWA an annual rent based on the greater of proposed fees (real property site location fee) or operating payment calculations (from the sale of energy to LADWP) for each operational site. Following is the estimated annual revenue for each potential site:

- 7800 Woodley Avenue: Fees – \$ 81,373 or Estimated Operating Payment – \$206,866
- 16461 Sherman Way: Fees – \$ 5,182 or Estimated Operating Payment – \$ 9,188
- 7610 Woodley Avenue: Fees – \$121,377 or Estimated Operating Payment – \$131,622; and

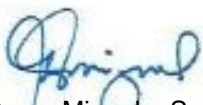
WHEREAS, the Operating Agreements would provide LAWA with up to an estimated \$7 million in revenue over the twenty (20)-year term of the Agreements; and

WHEREAS, actions taken on this item by the Board of Airport Commissioners will become final pursuant to the provisions of Los Angeles City Charter Section 606;

NOW, THEREFORE, BE IT RESOLVED that the Board of Airport Commissioners adopted the staff report; further adopted staff's determination that this item, involving issuance of permits, leases, agreements, gate and space assignments, and renewals, amendments or extensions thereof, or other entitlements granting use of existing airport facilities or its operations, is exempt from CEQA requirements pursuant to Article III, Class 1 (18)(c) of the Los Angeles City CEQA Guidelines, and that installation of a solar energy system on the roof of an existing building or in an existing parking lot is exempt from CEQA requirements pursuant to Section 21080.35 of the Public Resources Code; found that the Request for Proposals process used in this competitive award process satisfies the requirements of Administrative Code Section 10.17 and is compatible with the City's interests; and further found that Current Energy LLC is responsive and responsible, that entering into the three (3) Operating Agreements is in the City's best interest, and that any informality in the proposal should be waived; and approved the award and execution of three (3) Operating Agreements with Current Energy LLC, with term of twenty (20) years, and assignment of each of said three (3) Operating Agreements from Current Energy LLC to a single-purpose entity affiliate of said firm, covering potential development and operation of rooftop and parking canopy solar at 7800 Woodley Avenue, 7610 Woodley Avenue, and 16461 Sherman Way at Van Nuys Airport.

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I hereby certify that this Resolution No. 28056 is true and correct, as adopted by the Board of Airport Commissioners at its Regular Meeting held on Thursday, November 7, 2024.



Grace Miguel – Secretary  
BOARD OF AIRPORT COMMISSIONERS