



AGENDA ITEM SUMMARY

City Council

STAFF

David Ruppel, Northern Colorado Regional Airport Interim Director
Francis Robbins, Northern Colorado Regional Airport Operations & Maintenance Manager
Ryan Malarky, Assistant City Attorney

SUBJECT

Resolution 2023-116 Authorizing the Execution of an Intergovernmental Agreement Between the City of Fort Collins, the City of Loveland, and the Federal Aviation Administration for Continued Federal Funding of Air Traffic Control Services at the Northern Colorado Regional Airport.

EXECUTIVE SUMMARY

The purpose of this item is to authorize the City Manager to execute an agreement with the City of Loveland and the Federal Aviation Administration (FAA) for the Northern Colorado Regional Airport (Airport) to enter the FAA Contract Tower (FCT) Program. The FCT Program will result in the Airport continuing to receive federally funded Air Traffic Control services (ATC Services). ATC Services are currently funded through FAA's Next Gen office as part of the Remote Tower Project. However, that funding will be ending December 31, 2023, and entering the FCT Program will provide a continuation of ATC Services paid for by FAA. Acceptance in the Contract Tower Program ensures ATC Services for a period of 60 months while a permanent facility is constructed.

By executing this agreement, the Cities will be committing to take steps toward the design and construction of a brick-and-mortar tower along certain milestones set by the FAA. This agreement does not prohibit the Airport from continuing to pursue in parallel a remote tower project. Despite the Cities' commitment under the agreement, the Cities will be able to terminate the agreement on 90 days written notice with or without cause, and any financial commitment by the Cities is subject to appropriation by their respective City Councils.

STAFF RECOMMENDATION

Staff recommends adoption of the Resolution.

BACKGROUND / DISCUSSION

The FAA, the CDOT Division of Aeronautics, the Airport, and Searidge Technologies entered into a collaborative effort in the Colorado Remote Tower Project which began construction in August 2018 and construction was completed in November 2019. The project goal was to make ATC Services available to a wider number of airports by leveraging technology to reduce infrastructure costs of a traditional ATC Tower. Searidge Technologies was the second of three companies in the United States to approach the FAA with a system to be evaluated for approval for use in the National Airspace System. CDOT contributed \$8 million to the Remote Tower Pilot Project and FNL contributed use of an existing building for use by the project. No Airport funds were used in the construction or testing of the project.

In March of 2020, as part of the project, the Mobile Air Traffic Control Tower began operations in preparation for structured testing of the remote tower. Pandemic-era travel and operational policies resulted in significant delays to project testing that began in 2022. As is common with developing technologies, system design specifications were changed by the FAA after the project started, including changing redundancy and visibility requirements in 2022. The changes applied retroactively to the system proposed by Searidge in 2018. The FAA then issued a stop work order on the project until Searidge addressed the changed standards.

In October 2023, Searidge withdrew from the Remote Tower Project. The FAA funding for the Remote Tower Pilot Project expires December 31, 2023, leaving a funding question for continued ATC Services at the Airport. Because FNL has had an ATC solution in place for 34 months as a result of the Project and because the National Airspace System would be adversely affected without a transitional measure, the FAA established a pathway for FNL to join the FCT Program through an exception to FAA Joint Order 7210.78. Typically, an airport must construct a conventional ATC facility prior to the airport applying to be a federally funded ATC service. The exception will allow the Airport to join the FCT Program before building a permanent facility and continued use of the existing mobile tower infrastructure for a period of up to 5 years while a permanent ATC facility is developed. To take advantage of this exception, the Cities and the FAA must execute a FAA Contract Tower Operating Agreement (FCT Agreement)

Acceptance into the FCT Program results in funding from FAA’s Air Traffic Office and provides an avenue for continued funding of ATC Services in the near term and also once a permanent facility is established. Currently there are 262 airports in the FCT Program including three in Colorado: Colorado Air and Space Port, Eagle County Regional Airport, and Grand Junction Regional Airport. Operations at the Airport during the last 34 months have identified the standard staffing level of 5 full-time controllers is optimal for the established ATC operating hours of 10 hours per day, 7 days per week. The value of continued funding through the FCT Program supplying 5 full-time controllers is estimated at \$600,000 annually.

In the FCT Program, the Airport is required to provide certain equipment and facility maintenance, the costs of which are not outlined in the FCT Agreement. There will be a separate agreement with Aegis for the lease of the Mobile Tower facility, and a separate agreement with the FAA for the maintenance of required equipment.. Controller equipment maintained by the Airport will include: Voice Switch communication, Controller headsets, VHF aviation radios for Primary and Secondary/backup use, Digital voice recorder, telephone with long distance, high speed internet communication, Alert System communication, and Limited Aviation Weather Reporting Station. It is intended for the Airport’s ATC Services to use mainly existing equipment from the Mobile Tower and the Remote Tower Project. The cost of maintenance, repair, or replacement due to equipment failure will be the Airport’s responsibility. The cost of maintaining the existing facilities is estimated at \$170,000 annually with most of the expense (\$136,332) coming from a rental and maintenance agreement with Aegis for the existing Mobile Tower facility, as outlined below:

Estimated Cost of Maintenance and Upkeep*			
Year	Monthly Rate	Annual Rate	Total
2024	\$11,361	\$136,332	\$136,332
2025	\$11,758	\$141,096	\$277,428
2026	\$12,169	\$146,028	\$423,456
2027	\$12,594	\$151,128	\$574,584
2028	\$13,035	\$156,420	\$731,004
Additional Costs			
Site Survey	Setup	Training	Teardown
Complete	Complete	Complete	\$22,000

*Cost is programmed with a 3.5% inflation each year.

In return for the continuing funding for ATC Services, the FCT Agreement requires the Airport to complete all necessary actions to construct a brick-and-mortar ATC tower along certain milestones starting upon the effective date of the Agreement:

- Complete the FAA ATC Tower Siting Process within two years.
- Commence construction of the permanent tower within thirty months.
- Complete construction of the permanent tower within five years.

Airport staff are developing and quantifying future capital projects for permanent ATC facilities. Digital/remote tower options may become available prior to the construction deadline outlined in the FCT Agreement. Both traditional and digital tower solutions require a new siting study through the FAA Virtual Immersive Siting Tower Assessment (VISTA) program, and Airport staff are developing a scope of work for that siting study. It should be noted, the FCT Agreement may be terminated by the parties at any time with ninety days prior written notice.

CITY FINANCIAL IMPACTS

Neutral – The FCT Agreement has no direct financial impact on the City. The Airport is financially sustainable with revenue from land leases and user fees covering the Airport’s operational costs. The Airport budget is sufficient to cover the \$170,000 annual cost for providing and maintaining the Mobile Tower facility and equipment.

With respect to the Cities’ commitment under the FCT Agreement to design and construct a brick-and-mortar tower, those costs are not currently known. Airport staff are working to quantify those costs. The earliest financial impact will be the tower siting process, and Airport staff anticipate that will involve an agreement with the FAA that will include some financial reimbursement to the Airport. The FAA has also communicated to Airport staff that grant funds may be available for the design and construction of a brick-and-mortar tower. Airport staff also currently intend to continue to explore a remote tower option, and if it is feasible, that will result in substantially lower costs for design and construction. Airport staff anticipates knowing whether a remote tower is feasible approximately two years after the execution of the FCT Agreement.

BOARD / COMMISSION / COMMITTEE RECOMMENDATION

Airport staff will present the FCT Agreement to the Northern Colorado Regional Airport Commission at its meeting on Thursday, December 14, 2023, for the Commission to vote whether to recommend the Cities execute the Agreement.

PUBLIC OUTREACH

FNL airport holds regular public outreach meetings to discuss current topics including the Air Traffic Control Services with the FNL Pilots Association, Northern Colorado Regional Airport Working Group, and Runway Safety Action Team Meetings which include at least four meetings per year. The pilot community at these meetings and the monthly Airport Commission meetings have been vocal requesting the continuation and improvement of Air Traffic Control Services. This agreement was only recently requested by FAA and has not been directly addressed in those meetings.

ATTACHMENTS

1. Resolution for Consideration
2. Exhibit A to Resolution
3. Presentation