

**UKIAH REGIONAL AIRPORT COMMISSION**  
**November 6, 2007**  
**Minutes**

**COMMISSIONERS PRESENT**

Bill Beard, Chair  
Dottie Deerwester, Vice Chair  
Eric Crane  
Ken Fowler  
Ben Winter

**STAFF PRESENT**

Paul Richey, Airport Manager  
Ken Ronk, Airport Assistant  
Cathy Elawadly, Recording Secretary

**COMMISSIONERS ABSENT**

None

**OTHERS PRESENT**

Benjamin Meadows  
Carol Ford  
James R. Freese  
Floyd Smoller  
Chuck Simon

The Airport Commission meeting was called to order by Chair Beard at 6:00 p.m., at the Ukiah Regional Airport, Old Flight Service Station, 1403 South State Street, Ukiah, California. Roll Call was taken with the results listed above.

**2. PLEDGE OF ALLEGIANCE-** Airport Manager Richey led the pledge of allegiance.

**3. APPROVAL OF MINUTES – October 2, 2007**

Commissioner Crane noted 'manager' was misspelled on page 3, paragraph 7.

M/S Deerwester/Crane to approve October 2, 2007 minutes, as amended. Motion carried by an all AYE voice vote of Commissioners present.

**4. SPECIAL PRESENTATION - Carol Ford/Ford Aviation Consultants**

Airport Manager Richey introduced Carol Ford to the Commission. She is the grant writer for the Airport and in addition to the grant services she provides for airports, she is significantly involved with airport advocacy operations throughout the State and is an officer of the California Pilots Association.

Airport Manager Richey reported Carol Ford was named as the grant writer for the Airport in 2005 and has been successful at procuring the following FAA grants:

2005 - Grant #8 -	\$114,285
2006 - Grant #9 -	\$179,550
2007 - Grant #10	\$195,000

Of these grants, the FAA pays 95% of the cost of the project including Carol Ford's services under grant administration expense whereby the Airport pays the remaining 5% cost.

Carol Ford provided a brief synopsis of the grants:

- 2005 FAA grant for crack sealing, restriping of runway and taxiway and study for reconstruction of storm drain system and restoration of the taxiway apron.
- 2006 FAA grant for phase II storm drain replacement, perimeter fencing, service road/drainage enclosure project.

**Airport Manager Richey** noted the 2006 FAA grant was an addendum grant to cover the shortfall of funding needed to complete the projects whereby the original grant was apportioned in 2002.

- 2007 FAA grant for phase II design of the storm drain/reconstruction.

It was noted Carol Ford and Airport staff will meet with the FAA project manager in December to discuss plans for future improvements at the Airport. The grant list for future improvements include:

- 2008 FAA grant for reconstruction costs for the storm drain system.

The purchase of an AWOS is also on the grant list for the future.

- 2009 FAA grant for slurry seal of the runway and taxiway and construct a taxiway on the east side.
- 2010 FAA grant to purchase property with avigation easements at the south end of the Airport.
- 2011 FAA grant to extend the north service road.
- 2012 FAA grant to construct a security wall, design and construct a helicopter operating unit.

**Airport Manager Richey** will report back to the Commission on the meeting with Bill Gin concerning future plans on the CIP list. By nature of the business, Ford Aviation Consultants work closely with the FAA district office on improvement plans and grant requests, which has been a tremendous benefit to the Airport. Ford Aviation Consultants also works closely with the State Division of Aeronautics for the required 2.5% grant match.

There was Commission discussion about employing local engineers and contractors for the storm drain improvement project and how the FAA views this matter.

**Airport Manager Richey** stated while the FAA requires engineering/reconstruction work be completed by qualified persons, which is the reason staff must go out for a RFQ as opposed to a RFP for low bid, it allows qualified companies to subcontract with local qualified engineers/contractors as much as possible. The FAA requires the Airport work with one main engineer/contractor for effective grant administration purposes.

**Carol Ford** provided a PowerPoint presentation commented on the topic of airport advocacy as follows:

- Airports function as vital lifelines for communities, particularly in terms of emergency preparedness and during disaster situations.
- It is important for Airports to have qualified managers, an airport commission, and a local advocacy group working cohesively for preservation.
- Advocacy groups speak out against encroachment issues involved with pressure for new developments and new land uses.
- It is also important for airports to have a comprehensive Land Use Plan in place in the event an airport's future existence is ever challenged.
- There are advocacy groups at the federal and state level with membership nationwide. The AOPA is an advocacy group that operates at the federal level and the California Pilots Association operates at the State level. The California Pilots Association is divided into regions for effectiveness purposes.
- She provided a list of airports that have been closed or are in danger of closing.

- Nearly every airport comes under scrutiny at one time or another for new development/encroachment purposes and/or for some other reason causing potential closure.
- She cited the San Carlos Airport as an example of being looked at for development and the community decided the airport should be left alone as open space and as a nice area to have that is without large buildings.
- It is important for airports to make infrastructure improvements in order to substantiate they are a viable asset to the community and for communities to support their airports in the event of being threatened by development and eventual closure.
- The FAA requires that airports operate from an enterprise fund, which is beneficial so that revenues generated are kept at the airport as opposed to going into a general fund.

**Airport Manager Richey** inquired regarding the possessory interest tax and whether there is any new legislation allowing airports to get a portion. He noted the tax money goes into the general fund of counties and states. It is his understanding the City of Ukiah does not get any of the possessory interest tax revenue because the County receives it. He is of the opinion that the County should collect possessory interest tax revenue from the two County airports and the City's general fund should be able to receive the revenue from the Ukiah Municipal Airport possessory interest tax.

**Carol Ford** stated the California Pilots Association advocates that airports receive some portion of the possessory interest tax and she has no new knowledge of a change in legislation. Some airports are instrumental in getting some of this tax money. The Association of California Airports (ACA) is an airport managers association and a very noteworthy advocacy group that supports the possessory interest tax change.

The Commission thanked Carol Ford for her informative presentation.

#### 5. AUDIENCE COMMENTS ON NON-AGENDA ITEMS

None.

#### 6. ELECTION OF OFFICERS

**Airport Manager Richey** stated Chair Beard has requested this item be put on the agenda for discussion. There is one Commission vacancy to be filled whereby the applicant interview and appointment by Council will not likely occur for at least one more month.

**Chair Beard** was of the opinion that the election of officers would not have an affect on the filling of the one remaining vacancy on the Commission.

**Airport Manager Richey** advised the applications for the Commission vacancy seat are open until November 13, 2007.

The Commission desires to review the applications whether or not the Council considers a recommendation from the Commission.

**M/S Crane/Fower** to nominate Bill Beard for Chair of the Ukiah Airport Commission.

A discussion followed concerning the nomination and Commissioner Crane withdrew his motion.

It was the consensus of the Commission to defer election of Chair and Vice Chair until the regular January meeting when the new Commissioner is seated.

## **7. DISCUSSION/ACTION**

### **7A. Hangar Compliance Appeal**

**Airport Manager Richey** stated Airport hangar tenant Jim Freese has requested a presentation regarding his retention of a pasco hangar at the Airport. Airport staff conducted a hangar inspection on Mr. Freese's hangar in October and found the aircraft housed inside does not have an engine attached and the engine is disassembled. Staff inspected the hangar in the summer of 2006 and advised Mr. Freese that the aircraft needs to be come airworthy in 12 month to comply with the airport hangar policy. Mr. Freese has indicated he needs more time to assemble the engine because parts are difficult to find. At the second inspection, Mr. Freese asked for another year or at least six months additional time to complete the project. Staff is of the opinion that six months is too long of a timeframe for completion of the project.

**Airport Manager Richey** stated the Ukiah Regional Airport Hangar List Procedures and Eligibility Requirements No. 9 states, "Aircraft must be airworthy (lawful to fly) within 12 months after the lease is signed, or 12 months after implementation of these requirements. It is acknowledged that the kit/homebuilt aircraft or an aircraft involved in aircraft accident require many hours to complete/repair and may be in conflict with this requirement. The Airport Manager will be responsible for overseeing a timely completion of these projects."

**James Freese** has been in aviation since he was 16 years old, noting he was at one time a commercial airline pilot. He desires to maintain the pasco hangar that he has rented for 15 years. The hangar houses a vintage aircraft that is currently inoperable and stated it has been difficult to restore because parts are difficult to obtain. He elaborated on his passion for aviation and with his goal of restoring the aircraft. He asked the Commission to extend him 60 days to make his aircraft airworthy.

The Commission asked Mr. Freese questions about his project and the need for him to comply with the Airport hangar policy and whether a 60-day extension is realistic in order to make the plane airworthy. The Commission also asked about his objective in the event the existing inoperable aircraft cannot become airworthy and his plans for compliance.

**James Freese** stated he would have some type of 'airworthy' aircraft in the hangar by the deadline date.

**Commissioner Deerwester** commented the restoration of a vintage aircraft is notably quite an undertaking, particularly from a historical standpoint. She recommends the timeframe be extended to May 1, 2008.

The Commission briefly discussed the definition of an airworthy aircraft.

**M/S Deerwester/Fowler** to extend the hangar lease to May 1, 2008 to allow time to get the vintage aircraft completed and airworthy and if the aircraft is not completed, then the aircraft would be replaced with an airworthy aircraft.

**Commissioner Crane** addressed the above-referenced motion and recommended the Commission require a signed agreement stating that an airworthy aircraft would be in the hangar by date certain and if not, eviction proceedings will commence. **Motion carried** by an all AYE voice vote of the Commissioners present.

**7B. Taylor Lease – Continued**

**Airport Manager Richey** commented discussion of this agenda item is continued from last month's Commission meeting.

The Commission/Airport staff commented as follows:

- **Commissioner Crane** reviewed the Taylor ground lease whereby the agreement clearly states the use shall be for aviation-related purposes only. Therefore, the language should either be modified to reflect a non-aviation-related use is acceptable in the event there is no demand for an aviation-related use or, make it clear all hangars must be used for aviation-related purposes. It may be the Commission and Airport staff should review the lease agreements for non-aviation related businesses at the Taylor Hangar facility.
- **Commissioner Winter** stated Mr. Taylor is clearly not in compliance with the lease agreement. He supports modification of the lease agreement that the hangars must be used for aviation-related purposes and if there is no demand at market rate, then the hangar can be leased for non-aviation related purposes. He expressed concern, however, even if the language in the lease were modified as recommended above, staff/Commission would essentially have no control whether or not Mr. Taylor actually reviews all qualified aviation-related inquiries prior to allowing for a non-aviation related use or whether Mr. Taylor is really making a concerted effort to rent his hangars at market rate and for aviation-related purposes. He has other hangars in other airports so he understands airport policies and procedures.
- **Commissioner Crane** proposed an alternative measure would be to require that any non-aviation use be month-to-month. As it is now, non-aviation related businesses enter into a lease agreement for one year and after this time the lease becomes month-to-month.
- **Airport Manager Richey** stated the ground lease reads in part, "the lessee agrees that the leased premises shall exclusively be used for aviation purposes only."
- The lease has been effect since June 2000.
- There was a time lapse between when the lease was signed until construction actually began.
- All airport ground leases are different. The Commission discussed whether it was feasible and/or necessary to review and possibly change all ground leases when they expire.
- As noted in past discussions concerning compliance with airport policies that all City-owned hangars must comply with the Hangar List Procedures.
- It has been Airport policy to allow non-aviation related businesses to rent facilities at the Airport when there has been no demand expressed for aviation-related purposes. These lease agreements are typical short-term to allow for an interested aviation-related business.
- **Airport Manager Richey** pointed out there are other ground leases currently in effect that are non-aviation related uses such as the nursery, the small engine repair shop, the City Corporation yard, and even the former lumberyard.
- **Vice Chair Deerwester** agrees that while the language in the ground lease for the Taylor Hangar should likely be modified, it may not be the best approach for the Commission to be placed in a position of having to review/monitor lease agreements to make certain of compliance that the hangars are used for aviation-related purposes.
- It was noted the non-aviation related tenants in the Taylor Hangars must comply with Airport health and safety standards such that no hazardous conditions exist.
- **Airport Manager Richey** added that in the event Mr. Taylor desires to sell his hangar project and/or improvements, the City of Ukiah has to approve the sale where at that time the City can place additional lease requirements. Tenants should be required to comply with a lease agreement. Mr. Taylor did indicate if the Commission desires to make language changes to

the lease regarding uses, he would work with the Commission whereby the hangars must first be used for aviation-related purposes where non-aviation related uses would be allowed under certain circumstances. While it is the policy of the Airport that it be developed for aviation-related uses and that all leases can potentially be reviewed as they come up for renewal, he was not fully supportive that making changes to leases is a reasonable approach and/or in the best interest of the Airport overall. He noted some of ground leases are for very lengthy time periods.

- **Vice Chair Deerwester** recommends a letter be crafted regarding Mr. Taylor's plan for compliance with the ground lease. It may be a perfect opportunity to change the language in the lease.
- There was a discussion whether or not it is necessary to open a potential 'loop hole' wherein the Commission would review Mr. Taylor's lease agreement with his tenants for those lease agreements that are proposed for non-aviation related use.
- **Commissioner Fowler** commented that hangars on the Airport are not to be used for storage purposes. He agrees Mr. Taylor should be in compliance and staff/Commission's position should be such that Mr. Taylor is made aware of the circumstance without being too unreasonable.

**M/S Deerwester/Crane** recommends staff to craft a letter advising that Mr. Taylor is in violation of the lease agreement and ask about his plans for coming into compliance and bring back the response for further discussion by the Commission.

The Commission discussed the motion about placing Mr. Taylor on notice for non-compliance with his lease agreement.

**Chair Beard** questioned the activities at the Taylor Hangar that staff may not be aware of.

**Staff** stated the facility is essentially 'quiet' for the most part and staff does visit the site daily.

**Chair Beard** stated Mr. Taylor has essentially committed himself to upholding the lease when he addressed his operation/lease agreement with the Commission at the October meeting and that is if an aviation related use was expressed, then the tenant in a non-aviation related hangar must vacate. He is of the opinion that crafting a letter asking about plans for compliance may not be necessary and/or possibly 'worth anything.' While it may not be written policy to allow for a non-aviation related use if there is no demand for an aviation related use, leaseholders understand the policy. There are non-conforming uses that exist on the Airport. He noted City-owned hangars must be rented for aviation-related purposes according to FAA standards, including housing an airworthy aircraft and questioned whether the Commission would allow a non-aviation related use in these hangars if a hangar was unable to be rented. He questioned the City's policy in this regard.

**Airport Manager Richey** clarified a non-aviation related use is allowed in City-owned hangars if there is no demand for aviation related purposes.

**Commissioner Crane** stated the intent is to inquire regarding Mr. Taylor's plans for compliance with the lease agreement or modify the language such to allow a non-aviation related use in the event there is no demand for an aviation-related use. Therefore, the contract should be enforced as written.

**Commissioner Fowler** noted if the City-owned hangars can be rented for non-aviation related uses, then the City may also be out of compliance and questioned whether this is true since the City does have a hangar list for persons desiring a hangar for aviation-related purposes.

**Airport Manager Richey** noted there have been times when City-owned hangars were rented for non-aviation use because there was no demand otherwise. This situation is not happening now. Airport management's objective is to foster aviation and to provide an environment for people to conduct aviation-related businesses according to the FAA's Grants and Assurances allowing the general aviation airport to operate and secure grants for improvements thereof.

**Commissioner Fowler** commented provided the Airport gradually requests compliance by reviewing lease agreements and/or modifying language, the more the word will get out that the Airport desires to have aviation-related uses first, and if not, allow for non-aviation related uses. He recommended crafting the letter in a 'delicate' manner so as not to create unnecessary problems. .

**Airport Manager Richey** was not in support of crafting a letter because it would be hypocritical to require compliance when Airport policy is to allow for non-aviation related uses in order to generate income when there is no demand for an aviation related use in a hangar or a building.

**Commissioner Fowler** stated a timeframe for compliance should likely be addressed in the letter.

**Vice Chair Deerwester** supports placing a timeframe so that Mr. Taylor can discuss his plans concerning compliance with the lease agreement with staff and/or the Commission.

**Chair Beard** commented if a letter is to be crafted regarding a plan for compliance, the process must be handled in a manner that is not only compliant-oriented, but feasible for all parties.

**Commissioner Winter** stated one option would be for Mr. Taylor to go with a change to the lease agreement whereby Mr. Taylor would be held to the FAA standards and require 51% of the land holdings must be used for aviation-related uses.

**Airport Manager Richey** does not support Commissioner Winter's suggestion and recommended the language state the hangars must be used for aviation-related purposes first, and if this is not possible, then allow for non-aviation related uses.

**Commissioner Fowler** stated a change to the language to allow for a non-aviation related use would still depend upon the type of non-aviation related business.

**Staff** will contact Mr. Taylor regarding the above discussion and report back to the Commission.

The above mentioned **Motion carried** by an all AYE voice vote.

#### **7C. Airport Internship – Deerwester**

**Airport Manager Richey** reported it has come to his attention that a high school student in Potter Valley is interested in doing some type of internship at the Airport as expressed in a letter from 'SELPA' of Mendocino County. He supports that if an internship program were offered at the Airport that it must be highly organized and structured. He has no knowledge of aviation-related classes or programs at any of the high schools in the area.

**Vice Chair Deerwester** supports having an internship program available and will follow-up on the high school student desiring to participate. She will report back to the Commission with the information.

**7D. Small Town Xmas/Truckers Light Parade – Deerwester**

**Airport Manager Richey** stated it is likely the Truckers Light Parade may not move forward and referred to the comments from the Ukiah Police Department dated, October 16, 2007, advising that the special event permit will not be approved for the following reasons expressed.

The Commission discussed the Small Town Xmas event and noted the traditional annual event where Santa Claus arrives at the Airport is a beneficial activity that promotes the Airport.

**Vice Chair Deerwester** stated it was her understanding that the focus of the Small Town Xmas will be in the Downtown. She supports Santa Claus arrives at the Airport as has been the tradition and transported to the Downtown activities. She recommends Airport staff attend a meeting tomorrow with the Chamber of Commerce who is coordinating the event.

**8. REPORTS**

**8A. Grant Updates**

**Airport Manager Richey** reported on the FAA grants as follows:

The RFQ has been completed wherein three responses have been received for the purpose of the design work for the Airport Storm Drain improvements. The FAA now requires improvement work be done by the 'best qualified' as opposed to the former low bid process. Staff has reviewed the applicants and has chosen a firm that is not only highly qualified to do design work, but understands the infrastructure and corresponding constraints concerning the project. When the scope of the work has been discussed with the firm, including costs associated with the grant, staff will take the matter to Council for final approval.

Staff noted no dollar amount is submitted with regard to a RFQ.

**8B. Airport Brochure**

**Airport Manager Richey** reported staff is working on the Airport brochures, the first of which is to rewrite the original quiet flying brochure, as requested by the Commission. The second brochure at the request of City Manager is to draft a promotional brochure that will include a history and statistically information about the Airport. Staff is working with the City IT Department to complete the projects.

The Commissioner discussed the promotional brochure and staff noted it will be available on the Airport website.

**9. COMMISSIONER COMMENTS**

**Commissioner Crane** requested a moment of silence in honor of local pilot Brian Brodowsky, who recently passed away.

**10. STAFF COMMENTS**

**Airport Assistant Ronk** commented the Airport will host its annual Christmas Party in December.

**11. AGENDA ITEMS FOR NEXT REGULAR MEETING**

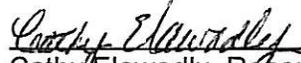
1. Grant updates
2. Taylor hangar update
3. Review of Airport Commission applications and recommendations to Council

4. Review of Airport promotional brochure
5. Feedback on the 'SELPA' high school student internship
6. Small town Xmas update
7. Airport Christmas Party

**12. ADJOURNMENT**

There being no further business, the meeting adjourned at 10:05 p.m.

  
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Bill Beard, Chair

  
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Cathy Elawadly, Recording Secretary