

**REGIONAL AIRPORT COMMISSION**  
**December 4, 2007**  
**Minutes**

**COMMISSIONERS PRESENT**

Dottie Deerwester, Vice Chair  
Eric Crane  
Ken Fowler

**STAFF PRESENT**

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

**COMMISSIONERS ABSENT**

Ben Winter  
Bill Beard

**OTHERS PRESENT**

Toby Page

The Airport Commission meeting was called to order by Vice Chair Deerwester at 6:36 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 – November 6, 2007**

It was noted Chuck Simon was present.

Commissioner Crane requested his Commissioner comment on page 8 read, "Commissioner Crane requested a moment of silence in honor of local pilot Brian Brodowsky, who recently passed away."

M/S Crane/Fowler to approve November 6, 2007 minutes, as amended. Motion carried by an all AYE voice vote of Commissioners present.

4. **AUDIENCE COMMENTS ON NON-AGENDA ITEMS**

None.

5. **REPORTS**

5A. Airport Internship

Vice Chair Deerwester acknowledged Toby Page is in attendance, recognizing he is a high school student interested in completing an internship program at the Airport.

Airport Manager Richey commented as follows:

- Toby Page is the first student to submit a resume to the Airport for the internship program. Interviews are scheduled for next week.
- He has been working with Commissioner Deerwester on the curriculum/framework for an internship program at the Airport. Staff has been in contact with Airport Operators/FBO's to ask for their program support.
- He referred to the 'Airport Internship Curriculum Addendum for 2007' that outlines potential program objectives for FBO's desiring to participate, and they include T & M Aviation, Featherlite, Calstar, and Mark/Phil Ashiku. There may be additional FBO's that would be willing to participate.
- Internship programs are beneficial to the future of the Airport and commented a similar program prompted his interest in airport operations when he was a high school student.

- Staff used the Airport attendant training outline and corresponding time table to assist with preparing an effective curriculum that is informative, inspiring, and valuable as a tool for future application.
- Staff supports the intern program is highly organized and well-planned so that the knowledge, techniques, processes, and skills learned concerning Airport operations and FBO functions are accomplished correctly/safely while allowing for a positive performance and experience.
- Staff recommends allowing for one intern to begin, which can be expanded to include more students if the program is successful with accomplishing its objective and enough interest is expressed.
- It may be that the program curriculum could later be increased to include flying time.
- Staff will continue to work with the FBO's on establishing an effective program curriculum.

The Commission supports having an internship program at the Airport because of the positive effects it could have on the future of the Airport.

**Vice Chair Deerwester** commented requiring intern applicants to go through the interview process is a very good experience and the program will be designed to be the same as having a job and the responsibilities that go along with a job, but without pay. The program is limited to a maximum number of 10 hours per week for a total of 180 hours of student time within the school year.

#### **5B. Airport Commission Applications**

**Airport Manager Richey** commented the Commission has discussed the application process in length wherein the majority of the discussion surrounded the 'Sphere of Influence' as reflected in the Airport Commission minutes for September. The Ukiah City Council recently ruled that the 'Sphere of Influence' incorporates all of Mendocino County.

The changes made to the application by the Commission include:

1. Add a question that states, "Do you currently sit on any other Commission or Board for the City of Ukiah?"
2. Change the deadline time as 5:00 p.m. instead of 12:00 noon.
3. Provide access for an online application from the City website.

It was the consensus of the Commission to approve the changes for the application to be implemented by the City Manager and City Clerk.

The Commission did recommend crafting an instruction sheet to accompany the application. Staff has asked Vice Chair Deerwester to assist in the crafting of this supplemental document.

#### **5C. Small Town Xmas Update**

**Airport Manager Richey** reported the Ukiah Chamber of Commerce desired to have the Small Town Xmas festivities in one location this year and not include the Airport arrival of Santa Claus. The event took place on Saturday, December 1 along with the Truckers Light Parade, which was an added feature.

**Vice Chair Deerwester** commented on the event that took place in the Downtown and stated festivities for children to participate will continue to occur from now until Christmas on designated days. She intends to participate on the Chamber of Commerce committee that organizes the Small Town Xmas event for next year and desires to continue the tradition of Santa Claus arriving at the Airport.

**Vice Chair Deerwester** commented it was difficult to navigate around City streets during the Truckers Parade event and she supports putting up signs to direct traffic accordingly.

**5D. Xmas Party**

**Airport Manager Richey** reported the annual Airport Christmas party will take place on Thursday, December 20. It is a traditional potluck event that people enjoy and he invited the Commission to attend.

**5E. Quarterly Newsletter**

**Airport Manager Richey** referred to the Airport Quarterly Newsletter which staff sends to all Airport tenants. There is very little response to the 'The Swap Shop' section.

The Commissioners discussed the newsletter and agree it is worthwhile and informative.

**5F. Grant Updates**

**Airport Manager Richey** reported staff is waiting for information regarding the 'scope of services' and associated costs involved from the consultant for the design phase of the FAA Storm Drain Improvement project wherein City Council will decide on the consulting firm.

**Airport Manger Richey** stated he, Ken Ronk, and Consultant Carol Ford will meet with Bill Gin of the FAA in early December concerning the FAA Airport Capital Improvement Program (ACIP).

**6. DISCUSSION/ACTION**

**6A. Airport Commission Applicants**

**Airport Manager Richey** advised five applicants will be interviewed by City Council tomorrow evening at the regular City Council meeting to select one applicant to fill one vacancy on the Airport Commission. While the Commission will not make a formal recommendation regarding an applicant appointment, Commissioners are welcome to come.

At the October 3 City Council meeting, Council directed staff to re-advertise the Airport Commission vacant seat for the 'within Mendocino County' designation pursuant to City Ordinance 1100. The five applicants include Don Albright, Susan Jordan, Andrew Stein, Paul Zellman, and Floyd Smoller. City Councilmember Crane is the next councilmember having the right to place a nomination before the City Council for one vacant seat available. The new Commissioner will likely be seated at the regular February meeting.

**6B. Taylor Hangar Update**

**Airport Manager Richey** commented as follows:

- Staff has contacted Mr. Taylor as requested by the Commission and discussed his non-compliance with his ground lease agreement that the hangars must be used for aviation-related purposes.
- Mr. Taylor is willing to change the language in his ground lease to allow for non-aviation related uses, provided no interest has been expressed for an aviation-related use.
- The lease agreement states, "Lessee agrees that the leased premises shall be exclusively used for aviation purposes only."
- Staff recommends the lease agreement read, "Lessee agrees that the leased premises shall be for aviation purposes only. The lessee by written permission of the Airport Manager, may allow non-aviation uses of the premises if it does not hinder Airport operations and shall only be used as such until an aviation related use can be established."

- The language in the FAA guidelines relative to item g (Authorization for Interim Use) reads, "The FAA may approve the interim use of the aeronautical property for non-aviation purposes until such time as it is needed for its primary purpose. Such approval shall not have the effect of releasing the property from any term, condition, reservation, restriction or covenant of the applicable compliance agreement. To avoid any misunderstanding, the document issued by the FAA approving interim use must so indicate." The language appears to comply with the guidelines. The procedure has been to allow the Airport authority to make a decision about renting hangars for non-aviation uses whereby the FAA during its annual inspections reviews the leases for compliance.
- It is becoming common practice for the State Division of Aeronautics to conduct the annual airport inspections in place of the FAA. It is the State that certifies an Airport Operation Permit ensuring that it is compliant with FAA guidelines.

The Commission/staff commented as follows:

- **Commissioner Crane** stated, it was his understanding, the intent of the Commission discussions focused around getting Mr. Taylor to comply with his lease agreement. Allowing Mr. Taylor to change his lease agreement alters the original intent of the discussions.
- There are currently two known Taylor hangars being used for non aviation-related purposes.
- **Vice Chair Deerwester** stated staff initially sent a letter to Mr. Taylor advising him that he was in violation of his lease agreement and inquired about his plans for future compliance.
- **Commissioner Fowler** stated the Commission generally agreed during previous discussions about the Taylor hangar project that some degree of flexibility may be necessary. It was pointed out Mr. Taylor should be held to the same standards/rules as the other hangar tenants. The question is whether Mr. Taylor should be allowed to rent his hangars for non aviation-related purposes in the event no demand for an aviation related use is expressed. Mr. Taylor should market his hangars for aviation related uses first, but there is really no effective mechanism for overseeing/monitoring how Mr. Taylor markets his hangars and, it is Mr. Taylor's responsibility to comply with his lease agreement and market his property accordingly so that it works financially in terms of his rental rates.
- **Commissioner Fowler** stated essentially the bottom line is the Commission supports that hangars are used for aviation-related uses only.
- The Commission and/or staff has no knowledge how Mr. Taylor markets his hangars other than to note it is his responsibility to make sure the hangars are used for aviation-related purposes.
- The land where the Taylor Hangars are located is a viable site for development/use for an aviation-related purpose, whereas other sites are not that presently have tenants using facilities for non aviation-related purposes, such as the Nursery and the small engineer repair business sites.
- The FAA requires that hangars be used for aviation-related purposes.
- Staff has indicated all the ground leases are different. It has been Airport policy to allow for a non-aviation related use if no interest has been expressed for an aviation-related use to generate income.
- Staff understands the reason Mr. Taylor desires to change the lease or to make an addendum to the lease and that is to officially be allowed to have non aviation-related uses if no demand to lease a hangar for an aviation-related use has been expressed. In this way, income can be generated.
- Mr. Taylor understands his hangars must be used for aviation-related uses. His hangar lease agreements for non-aviation related uses are 30-day, which gives him the opportunity to renew the lease if an opportunity for an aviation-related use is expressed.
- The intent of the Hangar List Procedures and Eligibility Requirements is to make certain hangars are not used for storage purposes.

- Staff noted the City would lose its 5% portion of the rental fees Mr. Taylor receives if he is unable to lease a hangar for non aviation-related purposes.
- It may be the City-owned hangars rental rates are too low, even with an annual CPI adjustments.
- **Commissioner Fowler** is not in favor of changing the lease agreement and supports allowing Mr. Taylor a period of time to comply with his lease. It may be that Mr. Taylor should adjust his rental fees such that there would be more of a demand for hangars for aviation-related uses.
- **Commissioner Fowler** stated the Airport has policies and rules about the leasing of hangars whereby the Commission has cordially extended the opportunity including sufficient time to correct the situation for those out of compliance.
- **Commissioner Crane** supports allowing Mr. Taylor six months to comply with the lease, as well as allow him to continue renting the two hangars for non aviation-related purposes so that income can be generated. This approach would allow Mr. Taylor time to reconfigure his project such that it works financially and complies with the lease.
- The City is not responsible for having to compensate for any financial shortfalls Mr. Taylor has experienced as a result of the development project.
- Staff noted allowing Mr. Taylor compensation for the hangars that are not currently leased would require a change to the ground lease.

The Commission supports:

The Taylor lease agreement be extended to June 30, 2008 with the current uses provided safety and/or potential hazards are not an issue and there is no interference with Airport operations allowing time for Mr. Taylor to come into compliance with the lease agreement and to discontinue renting his hangars for non aviation-related purposes. A letter will be crafted by staff to this effect.

➤ **6C. Hangar Lease Review**

**Airport Manager Richey** commented as follows:

- Two issues have come up regarding the lease language for hangars. The first issue is the limits of liability in the leases are too low and the second issue is tenants are now providing 'premises' insurance for liability purposes instead of for aircraft liability. Two tenants now are saying through their insurance agents that they are providing liability insurance as premises or an extension of the homeowners insurance.
- The intent has been that hangar tenants must have aircraft liability insurance whereby it appears a change to item 15 (Insurance) of the lease language may be necessary to read, "Renter shall provide at his/her own expense aircraft insurance covering bodily injury and property damage....." OR, as another option, change the Hangar List Procedures and Eligibility Requirements by adding the rule that a tenant must purchase aircraft liability insurance.
- Liability insurance requirements are included as part of the hangar lease agreements. The intent is for tenants of small individual hangars to purchase liability insurance for the aircraft. The lease just says they must provide liability insurance in certain amounts.
- Staff has asked the City Attorney to review this matter and advise staff whether there is a need to change the lease to include the words, 'aircraft liability insurance,' specifically, and if so, whether this can be accomplished in an addendum to the lease or rewrite all 64 leases or by an adding another requirement to the Hangar Eligibility Requirement List.

Staff recommends the liability limits be increased one-half million to one million dollars and will consult with other general aviation airports about their liability insurance requirements.

Staff will bring back the information from the City Attorney and other airports for further Commission discussion.

**7. COMMISSIONER COMMENTS**

**Commissioner Fowler** noted a potential danger exists because the line-of-sight is blocked such that drivers cannot see from slates in the Airport chain link fence on Hastings Road/Airport Road where the former lumberyard was located.

**8. STAFF COMMENTS**

**Airport Manager Richey** commented the City Manager's last day is December 21, 2007.

It was the consensus of the Commission to cancel the regular January 1 meeting due to the New Year's Day holiday.

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

1. Airport brochure
2. Taylor letter update
3. Airport liability Insurance
4. Grant updates
5. Lock-in procedures for Airport gates and doors/security
6. Airport application instruction sheet
7. High School Student Internship program update
8. Electricity for hangars

**10. ADJOURNMENT**

There being no further business, the meeting adjourned at 8:36 p.m.

  
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Dottie Deerwester, Vice Chair

  
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Cathy Elawadly, Recording Secretary