

UKIAH REGIONAL AIRPORT COMMISSION
August 4, 2009
Minutes

COMMISSIONERS PRESENT

Dottie Deerwester, Chair
Eric Crane, Vice Chair
Don Albright
Jeff Sloan
Carl Steinmann

STAFF PRESENT

Greg Owen, Airport Manager
Ken Ronk, Airport Assistant
Kim Jordan, Senior Planner
Cathy Elawadly, Recording Secretary

COMMISSIONERS ABSENT

None

OTHERS PRESENT

Chuck Simon
Daryl Hudson
John Eisenzopf
Nick Bishop
Bud Searer
Mike Whetzel

1. CALL TO ORDER

The Airport Commission meeting was called to order by Chair Deerwester at 6:30 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- Everyone recited the pledge of allegiance.

3. APPROVAL OF MINUTES – August 4, 2009

Commissioner Crane made the following correction:

Page 4, paragraph 9, should read: 'Eric Crane has **prepared** his application to be reinstated as an Airport Commissioner for another term.

M/S Crane/Steinmann to approve August 4, 2009 minutes, as amended. Motion carried (5).

The regular September Airport Commission meeting was cancelled.

4. AUDIENCE COMMENTS ON NON-AGENDA ITEMS

None.

5. DISCUSSION/ACTION

5A. City Sign Code – Tenant request to paint hangar door

Airport Manager Owen stated an Airport hangar tenant has requested to paint a logo on the door of his hangar. There is no business operating out of this hangar. The tenant (Chuck Simon) is renting a small port-a-port Hangar to house an airplane. He supports painting a hangar; however, placing a logo on the building falls under the purview of the City Sign Ordinance. According to the City Sign Ordinance:

- The Ukiah City Code regulates signs in the City of Ukiah, to include signs located at the Airport.
- Signs require an application for and approval of a Sign Permit from the Community Development and Planning Department and the cost is \$25.
- The Airport is zoned (public utilities) PF and since the applicable sign requirements are based on the zoning of the property, signs at the Airport must comply with the sign requirements for the PF zoning district.
- The Sign Ordinance provides a definition of 'sign', 'off-site sign', 'on-site sign', and 'mural'; Also, addresses signs that are prohibited.

- Alternative options can be taken if the sign does not comply with the requirements; This could include modification to the Sign regulations/Sign Ordinance amendment. Modifications to Sign regulations raise legal/free speech issues and are often controversial, time consuming, and costly.
- Signs must advertise what is occurring on the site on which the sign is located.

While the proposed sign appears to be prohibited, the applicant may want to apply for a Mural Permit. Murals require an application and approval of a Mural Permit by the Planning Commission. There is an applicant fee associated with this application.

Chuck Simon commented:

- Is the tenant.
- The logo is simply the identification of his family-owned company. The intent is to place the logo/design on the hangar door at no cost and/or liability to the City in order to beautify the door and improve the appearance of the building from an architectural perspective.
- Is hopeful this would inspire other persons to paint or beautify their hangars.
- There is no intent to advertise a business and there will be no wording.
- Would like to paint the hangar and put a logo on the door.
- Consulted with a sign business and asked about placing the logo on a piece of metal and attach it to the door and questioned whether this would be acceptable.
- The logo is not intended to advertise a business. There is no business operating in the hangar.

Senior Planner Jordan comments:

- Has a copy of the Sign Ordinance for reference purposes.
- Sign permits:
 1. When an application is received by the Planning Department for a sign permit, it is reviewed for compliance with the Sign Ordinance requirements. If the permit is determined to be consistent, staff approves the permit and the permit is issued. If the sign is not consistent, the application is returned with comments as to what information or modifications might be necessary.
 2. Airport staff received a request from Mr. Simon to place a logo on the door of his hangar. The City Planning Department is responsible for administering the Sign Ordinance whereby Airport staff inquired whether the logo is considered to be a 'sign.'
 3. The logo appears to be a 'sign' by definition of a sign in the Sign Ordinance.
 4. The logo does not appear to be exempt from a sign permit.
 5. The information given suggests the sign and/or logo is associated with a business. Based on this, the logo appears to be an off-premise sign because the business is not located in the hangar and an off-premise sign is prohibited. Therefore, it is likely a sign permit could not be approved for the request.
 6. Some alternative options would be to a) amend the sign ordinance; b) seek a variance and make the appropriate findings thereof; c) apply for a mural permit.

Off-Site Sign is known as off-premise and billboard and means any sign not located on the premises of the business or entity indicated or advertising by said sign and pertains to poster panels, painted bulletins and other similar advertising displays.

On-Site Sign is known as on-premise and business sign and means any sign directing attention to a business, commodity, service or entertainment conducted, sold or offered upon the same premises as those upon which the sign is maintained.

Commission comments:

- **Commissioner Crane:** There appears to be a 'grey' area between 'on-site' and 'off-site;' Mr. Simon is a tenant at the Airport so in his opinion the argument can be made Mr. Simon is 'on-site.'
- **Chair Deerwester:** According to the Sign Ordinance, the business must be located on-site. Mr. Simon's business is not located in the hangar. Off-site signs are prohibited. She is cognizant of businesses that operate at a specific location, but have signs that advertise their businesses in another location, clearly off-site.

Mr. Simon's logo is distinct and does signify a business. The logo does market the business name even though the business is not located in the hangar.

Staff: If the business were operating out of the hangar, it would become a completely different situation.

- **Commissioner Crane:** What about a business that uses the same name and has different businesses in different locations that use the same name and cited the CEJA businesses as an example. 'CEJA' appears on many different buildings that represent different types of businesses.

Staff: Would need more information about the businesses and permit status.

- **Commissioner Albright:** Would it make a difference if the plane was registered to the business and therefore, considered a business asset at a facility at the Ukiah Airport? It seems reasonable if the aircraft is being used for business purposes. The T-hangars are temporary buildings. Does the Sign Ordinance address a temporary building?

Staff: The concept of 'temporary' does not exist in planning.

- **Commissioner Albright:** What about a construction trailer? Would a sign permit be required to put a sign on this type of facility?

Staff: A sign permit would be required for such a facility unless the sign is somehow exempt. There are certain types of signs that are exempt.

- **Commissioner Albright:** What if the aircraft was registered under the business name?

Staff: It is a matter of where the business operates. The business is not actually operating out of the hangar.

- **Commissioner Crane:** What if the tenant used his airplane to fly somewhere to conduct business?

Staff: At this point, the Commission is attempting to find scenarios that would allow Mr. Simon to have a sign permit for the logo. While the project does not appear to be consistent with the rules, Mr. Simon has the option of pursuing his desire to paint his hangar door with a logo and apply for a sign permit demonstrating that his business does operate out of his hangar. Staff will make the determination whether his sign permit meets the criteria for approval.

Chuck Simon: The discussion focuses on where his business operates and this is not his intent. What is an approved business? What if he wanted to put a picture of his face or airplane on his hangar door? His intent was to improve the look of his hangar. Why types of artifacts would be acceptable?

Staff: Commented on the process. It is likely the Airport Commission and Airport Manager would have to approve what Mr. Simon wants to do with his hangar whether it is painting it and/or placement of a logo. If the project is a sign by definition, the Planning Department has to review it for consistency with the Sign Ordinance.

Chuck Simon: What if he wants to paint his hangar rainbow colors?

Staff: Looking at paint colors likely falls under the category of a mural. A mural means a painting on a wall or ceiling.

Mike Whetzel: Is there a clause in the lease agreement that states a tenant cannot paint a hangar without permission from the City Manager/Airport Manager.

Airport Manager Owen: Does not have an issue with painting the hangar. The rules must be followed.

Mike Whetzel: Allowing tenants to paint their hangars could become an issue by potentially having an airport full of hangars of different colors. The Airport is an airport and should look like one because it is a business. Hangars should be painted one color. Hangars at other airports are typically one color.

Chuck Simon: Understands that allowing tenants to paint hangars different colors may not be appropriate for an airport. Just because other airports have specific rules about their facilities does not mean this airport has to follow suit. Other airports do things that the Ukiah Municipal Airport wishes it could. He would paint his hangar at his expense. He understands that painting his hangar would require approval by the City/Airport Commission.

Mike Whetzel – Allowing Mr. Simon to paint his hangar would give recourse for other tenants to do the same. There has been no discussion as to the size of the sign.

Chair Deerwester: The size of the sign is not relevant if it does not comply with the Sign Ordinance.

Staff: The matter is not deliberately being dismissed. Planning Department time would be spent looking at the project to determine whether or not it complies with the sign requirements.

Chair Deerwester: One aspect that resulted with the discussion about the logo project is the desire for tenants to beautify their hangars. It is likely the painting issue will come up again. The Airport Commission should further discuss this matter. She recommends Mr. Simon discuss his project with the Airport Manager and possibly come up alternative plans/options and bring forward for the Airport Commission to review.

Chuck Simon: Will consider this suggestion.

Mike Whetzel: An alternative approach would be to rewrite the leases to include a clause that states 'hangars will only be painted an approved color based upon an approved color list.' Whether or not signs would be permitted on hangars is another matter.

Consensus of the Commission

- Further discuss beautification of hangars and how this can be accomplished; establish conditions/requirements if beautification in the form of painting hangars is to be allowed at the Airport.
- If Mr. Simon elects to pursue the sign project, the Airport Commission would make a recommendation.

Chuck Simon: Will consider whether his project is worth pursuing.

5B. CALSTAR Relocation – Appeal of Planning Commission Decision

Airport Manager Owen: The Use Permit and Site Development Permit were approved by the Planning Commission at the August 26, 2009 regular meeting. The decision has been appealed and will be heard by City Council at the October 21 meeting.

Commissioner Steinmann: CALSTAR relocation has been reviewed and discussed many times. The new location is temporary until the east side of the Airport can be developed with the necessary infrastructure for CALSTAR to operate at which time CALSTAR would be required to move.

Mike Whetzel: The new location will be problematic and there will be issues/complaints made by allowing fixed-wing and roto-craft to operate in close proximity to one another because of incompatibility issues. The matter of relocating CALSTAR to a site that is safer than the existing site has been going on for a long time. During all of this time, it is likely plans could have been formulated and already be in place and/or the eastside partially developed with a helipad with assistance from FAA grant funding and/or stimulus money that has been available if action had been directed toward making the east side as a permanent location a reality.

Chair Deerwester: There has been considerable review/discussion by the Airport Commission and Planning Commission about relocating CALSTAR to a safer location. The Airport Commission and Planning Commission minutes reflect these discussions. And to address grant funding for airport improvements, not all general aviation airports are eligible for the same funds. The Airport Commission has always contended that CALSTAR should operate on the east side of the Airport as a permanent location.

Airport Manager Owen: The Federal stimulus money that has been available was a small amount and appropriated to '139' certificated airports. This money is intended for 'Shovel Ready' projects, in which plans and specifications, EIR's and other necessary pre-development plans have been formulated and in place. The permanent location for CALSTAR was in no way a 'Shovel Ready' project. Pursuance of FAA grant funding for projects is not a simple process.

5C. Airport Self Fueling Ordinance

Airport Manager Owen commented a sub-committee has been working on this ordinance and referred to the draft document. The ordinance is mainly for use by Airport tenants desiring to fuel themselves. Currently, CALSTAR is the only tenant that participates in self-fueling at the Airport. Transient aircraft fueling trucks do provide fuel for their aircraft at the Airport. The purpose of the Ordinance is to control/better regulate tenants that want to sell fuel.

The subcommittee intends to make additional modifications to the document. Among the changes is to include text that addresses 'MOGAS' (auto fuel) that is used for certain aircraft. The draft will be reviewed by the City Attorney.

The ordinance will only affect those tenants that want to bring their own fuel trucks to fuel their aircraft. The primary reason for the ordinance is for safety and security although the Airport does lose fuel sales when fuel trucks come in and do not purchase gas from the Airport.

Self-fueling by owners or operators of aircraft at the Airport must have a spill kit and a spill prevention plan.

CALSTAR has a self-fueling truck.

Mike Whetzel: Does the City document the time it takes for City employees to fill up the self-fueling truck?

Staff: A fee-structure has not been established in this regard. A subcommittee will look at this aspect. In terms of fees, there will be an annual nonrefundable application fee in the sum \$75 at the time of the application and an annual fuel vehicle permit fee of \$25 yearly per fuel vehicle.

Airport Assistant Ronk: Explained no set documenting of time has been formulated. It is very important for staff to monitor self-fueling of trucks because self-fueling persons could diminish the Airport's fuel supply.

Nick Bishop: Operates a business on the Airport that works on fuel cells in the wings of airplanes; He is concerned with ordinance compliance because he has to drain fuel from aircraft before he can work on them.

Commissioner Crane: Referred to 'Aircraft Fuel Servicing Vehicles' section (A1) that states each vehicle must have a tanker capacity of over 55 gallons and less than 55 gallons are not required to have a permit.

Mike Whetzel: Sometimes has to drain 80 gallons or more of fuel from an aircraft to work on them.

Airport Manager Owen: The requirement pertains to tanker capacity relative to trucks rather than storing fuel in drums. The intent is not to reframe from de-fueling of aircraft for those businesses that must perform this task, but to control/monitor the operator of any aircraft fuel servicing vehicle related to self-fueling on the Airport premises primarily for safety and security reasons.

A fuel flowage fee is another component of the ordinance whereby the permittee and/or person authorized with a self-fueling permit to transfer fuel into an aircraft must pay a fuel flowage fee at the current price set by Council resolution.

Additionally, a Corkage fee will be assessed if tenants bring in their own fuel to be set at the same price the Airport would actually charge for purchasing fuel from the storage tanks.

Airport Manager Owen: The ordinance does not affect those business owners that refuel and defuel aircraft.

It was noted, however, that fuel should not be stored in barrels because of safety hazards.

Commissioner Crane: Refueling and Defueling operations can be addressed in the Exception section of the Ordinance as a line item for clarification purposes.

The matter of refueling and defueling should be addressed in the hazardous materials business plan for businesses operating at the Airport for regulation purposes.

A determination needs to be made about what the fuel flowage fee should be and the price for fuel from Airport storage tanks, which are set by City Resolution. Staff will finalize the document incorporating the changes that pertain to language that address MGAS and refueling/defueling for the Commission to review.

Commissioner Crane: Recommends modification to Aircraft Fuel Servicing Vehicles section 1(a) from 55 gallons to 110 gallons.

6D. Airport Grants/ACIP

Airport Manager Owen provided the Commission with a copy of the Airport Layout Plan (ALP) and corresponding Map. He referred to the AWP ACIP Data Sheet and commented:

- The ACIP is how the Airport applies for FAA grants. Staff meets with FAA representatives in November or December to update the ACIP Data Sheet. This is done annually. The data sheet extends FY 2009 to 2014 for projects.
- The FAA uses the ALP to identify projects in order to obtain funding. Eligibility is determined whether the project is actually identified on ALP. There are certain items that are listed on the ACIP that are not identified on the ALP. Once items are identified on the ALP, the FAA can determine whether the project meets certain FAA criteria for funding.
- The matter of developing a heliport on the east side of the Airport is not part of the Airport Master Plan and is identified on the ALP. The Airport Master Plan and ALP are documents that guide development and provide regulations for land use at the Airport and should be compatible with one another for consistency purposes. It may be the Airport Master Plan should be updated in order to get FAA funding for development of the east side when the project is at the point of readiness.

Mike Whetzel: It may be the objective should be to open the east side for helicopter operations as opposed to development of a helipad.

Airport Manager Owen: Agreed and noted development of a helipad would require compliance with Part 77 of the FAA Advisory Circular.

Airport Manager Owen: The Commission needs to identify which projects to be applied for. He further commented:

- The projects listed for FY 2009 include: Reconstruction – Storm Drain System Phase II Construction, Design Slurry Seal Runway/Taxiway NE corner, Design Taxi Connector and Apron, Environmental Review, and Unicom System. Projected grant closeout is January 15, 2010. Grant funding has been appropriated for Phase I of the Storm Drain Improvement project.
- It may be that an entire new overlay is necessary as opposed to slurry sealing the runway. Just the design portion of the slurry seal costs more than \$250,000.
- Reconstruction of the Storm Drain System Phase I was on the books for at least three years before the Airport was able to get funding for the project.
- If the Airport were to apply for a significant amount of funding, it is highly unlikely the funding would be approved because it may not be the Airport's turn for such a project. The FAA would likely try to spread the money out over the entire western region.
- The Airport does receive \$150,000 annually in entitlement money, which the Airport can accumulate for projects. This year the Airport received \$550,000 in FAA grant funding for completion of Phase I of the Storm Drain System improvement project. One of the reasons the Storm Drain Improvement project can be completed this year is because more FAA money was available for the west coast. The Federal stimulus money was not a part of this.
- The west coast Federal stimulus funding was a different type of funding mechanism to encourage project at airports that were 'shovel ready' meaning all required EIR's, design plans and specifications for project were complete. The Airport received some funding due to low bids wherein the Airport did not receive Phase B for this type funding. There was a Phase A and B. However, this money (\$250,000) will rollover into next year's entitlement money.

There was discussion concerning the ALP, noting a newer version that was never authorized shows/provides reference to the CDF Air Attack Base. FAA funding would likely be available for this type of project. It is not currently listed on the ACIP. The EIR, design and specifications have been completed for this project so if more stimulus money is available, this type of project if it were listed on the ACIP would probably be available to the Airport.

Commissioner Crane: Questioned whether the CDF Air Attack Base could have moved forward if CDF applied for funding since the Airport is essentially the land holder where CDF is the lessee.

Staff: This is a possibility. Projects must be identified on the ALP and ACIP to be able to request funding.

Mike Whetzel: It may be the Airport could have used the EIR prepared by CDF to receive 'Shovel Ready' funding to build out some of the east side.

Staff: The CDF plans do not belong to the Airport, but to CDF.

Mike Whetzel: On the other hand, if CDF gave the Airport the plans, the project would have been 'ready to go.'

Staff: When the FAA originally offered the stimulus program, the Airport submitted a funding request for \$3 million worth of projects. These projects were denied. The Airport did receive funding to do the Storm Drain Improvement project. The Airport applies for maximum funding for projects and the FAA chooses what projects will be funded. The ACIP Data Sheet has a list of projects beginning FY 2009 through 2013-14. Staff is responsible for updating this list every year.

Mike Whetzel: Addressed repairs to the runway and stated the FAA wants to standardize the widths of runways for airports. If this were to occur at the Airport, the overall layout of the Airport would change. There will be more land available for buildings.

Staff: The runway is currently 150 feet wide. If the runway width were reduced to 100 feet, it would be much easier to improve and maintain.

Staff: Asked the Commission to review the projects they would like to see funding for because staff will be meeting with the FAA in November. The Commission can list as many items they would like and the FAA will make the final decision about which projects will be funded.

Chair Deerwester: Drew attention to the projects listed for 2011, and requested clarification whether these items pertain to just the design phase for projects on the east side. Could this include the area CDF had plans to develop and did not?

Staff: Confirmed the items pertain to the design phase. The CDF area would be a separate project.

Mike Whetzel: Asked if the Airport could use CDF's plans and specifications to develop the east side or perhaps the south end so that if stimulus were available, the project would be 'shovel ready.'

Staff: The Airport grant writer is looking into getting FEMA money for development of the south end.

Staff: The Commission may want to consider updating the ALP and Map and/or Airport Master Plan to the ACIP list. The existing Airport Master Plan does address the CDF project on the east side, but no other types of development for this area.

The Commission noted the importance of updating the Airport Master Plan, Airport Land Use Plan and the Airport Layout Plan so that each document will be consistent with one another and give reference to the other.

Staff: Sections of the Airport Master Plan do conflict with ALP. Staff can request FAA funding for an ALP update.

Commissioner Crane: Supports updating the Airport Master Plan and ALP concurrently because there are discrepancies between the two documents.

Staff: The FAA is starting to get away from Airport Master Plans as consideration for grant funding and would rather see an ALP update to include an ALP narrative. The FAA is actually discouraging the Airport Master Plans because of environmental review.

Commissioner Crane: Recommends the Airport grant writer come to a Commission meeting and provide information about what the FAA currently desires for projects.

Staff: Addressed updating the ACIP and stated the pavement rehabilitation, design slurry seal runway/taxiway NE corner, design taxi connector and apron and environmental review are essentially one project and would like to complete a design for a runway overlay as opposed to a slurry seal and provide a design for a taxiway connector for the NE corner so the east side can be opened up for development.

It was noted the items listed on the ACIP for a specific fiscal year can be moved around and included in another fiscal year, particularly if funds became available unexpectedly to do a project.

The Commission requested an update to the ALP and Airport Master Plan be added to the ACIP list.

The Commission supports having an Airport Master Plan even though the FAA does not use this document as much as it used to make decisions about funding.

The Commission updated the ACIP for FY 2009 and will include:

1. Reconstruct Storm Drain System Phase II Construction;
2. Pavement Rehabilitation (runway overlay)
3. ALP and Airport Master Plan update.
4. Design taxiway connector and apron for NE corner.
5. Environmental review.
6. CDF Air Attack Base. (a taxiway connector/apron or preparation of ground for a helicopter pad on the southeast side of the Airport).

The request for funding for the Super AWOS Unicom System was eliminated from the ACIP.

Staff advised high resolution aerial photographs were recently taken of the Airport.

6. REPORTS

6A. Runway Striping

Airport Manager Owen: The runway was striped in September.

6B. Storm Drain Rehabilitation Project

Airport Manager Owen: This project began last week. As part of the project the Airport received 'lighted X's' and two light towers. The lighted X's will help when there are runway closures. Staff is looking into the cost of a maintenance shed to store items including the light towers.

The crew conducting the rehabilitation project damaged a power line and power was lost to customers in the vicinity.

6C. Taylor Hangar

The City Attorney is reviewing this matter. There are other issues associated with the Taylor Hangars other than non-compliance with Airport Hangar Procedures and Policies.

6D. Redding Auto Fence

The City Attorney is reviewing this matter.

6E. Airport Maintenance

Airport Manager Owen: The Airport has a new grounds part-time maintenance person. There is a list of projects he works on a daily basis. On the top of the list is to fix the Beacon light.

Mike Whetzel: There should be an ongoing list of maintenance tasks and when the part-time fueling personnel are not fueling, they should maximize their time by performing maintenance/inspection duties.

Staff: Some of the City Community Services personnel help with maintenance matters.

The Commission requests short and long term task lists be crafted so that maintenance duties are regularly performed.

Staff: The fueling of aircraft is the top priority; There are times when a project is started and interrupted because of the fueling necessities.

Commissioner Albright: Request having a suggestion box available for Airport users to provide comments/questions/recommendations about the Airport.

Staff: Advised staff now has uniforms to better identify Airport personnel.

Commissioner Albright: Noted many of the T-Hangars need to be repaired.

7. AGENDA ITEMS FOR NEXT REGULAR MEETING IN AUGUST

1. Update items to be submitted to the ACIP for FY 2009
2. Draft of the Self-Fueling Ordinance and status of the Flowage Fee Policy
3. Airport Day and set date
4. Revised copy of the ACIP Data Sheet
5. Update on Hangars in non-compliance with the Ukiah Airport Hangar Procedures and Policies
6. Budget Report
7. Maintenance projects – short term and long term
8. Update Airport Maintenance Program
9. Construction of New Hangars and Hangar Replacement Schedule
10. Budget for New Hangars
11. Discuss upcoming Airport Commission meetings during holiday season

8. COMMISSIONER COMMENTS

Commissioner Sloan would like to see more hangars built on the Airport because the waiting is very long for hangar rentals and there is a significant need. Supports having a new hangar fund.

There is a Building Maintenance line item in the budget to make repairs, which includes hangar repair.

Staff: Money is set aside in the Budget for new hangars and recommends discussion thereof at a Commission meeting.

Persons other than the City can build new hangars.

Commissioner Crane: Airport users support monthly Airport Commission meetings rather than bi-monthly meetings.

There was a brief discussion concerning other problems with the Taylor Hangars.

9. STAFF COMMENTS

Airport Manager Owen: Advised of his annual recent conference with the FAA relevant to grant funding opportunities. CALTRANS Aeronautics was at the conference and informed the attendees that they will no longer be giving out grant money at least for this year. Staff was able to submit a grant funding request for this fiscal year to the FAA. CALTRANS has experienced a substantial loss in grant funding resources because the State has taken the fuel tax away to be put in the general fund. This money goes toward the grant program opportunities.

10. ADJOURNMENT

There being no further business, the meeting adjourned at 8:09 p.m.

Dottie Deerwester, Chair

Cathy Elawadly, Recording Secretary