



**Contra Costa County
Aviation Advisory Committee
Meeting Agenda
500 Eagle Court, Byron, CA 94514
Thursday, November 9, 2017 10:00 a.m.**



The Aviation Advisory Committee (AAC) will provide reasonable accommodations for persons with disabilities who plan to attend its scheduled meetings. Call the Director of Airports Office at (844) 359-8687 at least 24 hours in advance.

Any disclosable public records related to this meeting are available for public inspection at the Director of Airports Office, 550 Sally Ride Drive, Concord, during normal business hours.

- 1. Roll Call**
- 2. Public Comment Period**
- 3. Approval of the Aviation Advisory Committee's September 14, 2017, Meeting Minutes**
- 4. Consider Consent Items**
 - a. Approval of Airport Noise Report & Statistics Report (August & September 2017) (Revised July 2017)
 - b. Approval of Relevant Board Actions that Occurred from September 12 – October 24, 2017
- 5. Presentations**
 - a. Review and Discuss the City of Brentwood's Economic Development Program Presented by Gus Vina, Brentwood City Manager
 - b. Review and Discuss the Update Regarding Funding for the Airport Connector Project Presented by Kevin Romick, Oakley City Council Member
- 6. Discussion/Action Items**
 - a. Discuss Items Pulled from Consent
 - b. Discuss and Select a Recipient for the Contra Costa County Airports Recognition Award
 - c. Update and Discuss the Economic Development and Incentive Program (EDIP) Process and Establish New Working Groups to Assist Airport Staff
 - d. Update and Discuss the Byron General Plan Amendment and Expected Delay Due to CALTRANS Request
 - e. Review and Discuss the Federal Aviation Administration Determination Regarding Informal Complaint Filed by Vietnam Helicopters, Inc. dba Vietnam Helicopter Museum
 - f. Discuss the Status of Long-Term Leasing for 101 John Glenn Drive Facility
- 7. Future Agenda Items**
- 8. Adjourn**

Next AAC Meeting (Tentative): December 14, 2017 at 10:00 am
Next Airport Committee Meeting (Tentative): December 13, 2017 at 11:00 am

AVIATION ADVISORY COMMITTEE

ATTENDANCE ROSTER FOR 2017

AAC Members	Representing	Contact Information	Jan 12	Feb 09	Mar 09	Apr 13	May 11	Jun 08	Jul 13	Aug 10	Sep 14	Oct 12	Nov 09	Dec 14	Total # Abs
Dale Roberts	District 1	datenkale@netscape.net	----	----	----	----	----	----		Y	Y				
Mike Bruno	Airports Bus. Assoc.	michael@sterlingav.com	Y	ABS	Y	Y	Y	ABS	N	y	Y	N			
Eric Meinbress	Member at Large	ericmeinbress@comcast.net	----	----	----	----	----	----	O	----	----	O			
Ronald Reagan	District 3	ron@rmsea.com	Y	Y	Y	ABS	Y	Y		Y	Y				
Derek Mims	City of Pleasant Hill	derekmims@hotmail.com	Y	Y	ABS	Y	Y	Y	M	ABS	Y	Q			
Russell Roe	District 5	russroe@pacbell.net	ABS	Y	Y	Y	Y	Y	E	Y	ABS	U			
Keith McMahan	City of Concord	keithcmcmahon@gmail.com	Y	Y	ABS	Y	Y	ABS	E	Y	Y	O			
Roger Bass	District 2	twofivexray@yahoo.com	Y	Y	Y	Y	Y	Y	T	ABS	ABS	R			
Maurice Gunderson	Member at Large	mauricegunderson@mac.com	ABS	Y	Y	Y	Y	Y	I	Y	Y	U			
Tom Weber	District 4	Tr-weber@sbcglobal.net	ABS	Y	Y	Y	ABS	Y	N	ABS	Y	M			
Emily Barnett	Member at Large	emilyebarnett@gmail.com	Y	Y	Y	Y	Y	Y	G	y	Y				

Was There a Quorum? Y or N		Y	Y	Y	Y	Y	Y	Y	Y	----	Y	Y	N		
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ABS = Absent

Y = Present

N = No

TERM EXPIRATION AND TRAINING CERTIFICATION

AAC Members	Representing	Term Expiration Date	Brown Act Training Completion Date
Dale Roberts	District 1	6/13/20	9/13/17
Mike Bruno	Airports Bus. Assoc.	3/1/19	
Eric Meinbress	Member at Large	10/17/20	
Ronald Reagan	District 3	3/1/18	4/14/16
Derek Mims	City of Pleasant Hill	3/1/18	1/12/17
Russell Roe	District 5	5/1/20	
Keith McMahan	City of Concord	3/1/19	
Roger Bass	District 2	3/1/18	4/8/16
Maurice Gunderson	Member at Large	3/1/18	4/6/16
Tom Weber	District 4	3/1/20	4/1/16
Emily Barnett	Member at Large	3/1/19	3/10/17

DRAFT



**CONTRA COSTA COUNTY
AVIATION ADVISORY COMMITTEE
MINUTES OF MEETING
September 14, 2017**

MEETING CALLED: Chair, Ronald Reagan called the meeting to order at 10:00 AM.

PRESENT: **Emily Barnett**, Member at Large
Mike Bruno, Vice Chair, Airport Business Association
Maurice Gunderson, Secretary, Member at Large
Keith McMahon, City of Concord
Derek Mims, City of Pleasant Hill
Ronal Reagan, District III
Dale Roberts, District I
Tom Weber, District IV

ABSENT: **Roger Bass**, District II
Russell Roe, District V

STAFF: Keith Freitas, Director of Airports
Beth Lee, Assistant Director of Airports
Alina Zimmerman, Airport Assistant

**OPENING COMMENTS
BY CHAIR:** Ronald Reagan welcomed the attendees.

**PUBLIC COMMENT
PERIOD:** Dale Roberts (AAC's newest District I Representative) gave a brief introduction of himself to the AAC.

**APPROVAL OF
MINUTES:** Moved by Maurice Gunderson; seconded by Mike Bruno.
Approved Yes: Emily Barnett, Keith McMahon, Derek Mims,
Ronald Regan, Dale Roberts, and Tom Weber. No: None.
Abstained: None. Absent: Roger Bass and Russell Roe.

**APPROVAL OF
CONSENT ITEMS:**

Moved by Derek Mims; seconded by Ronald Reagan. Approved
Yes: Emily Barnett, Mike Bruno, Maurice Gunderson, Keith
McMahon, Dale Roberts, and Tom Weber. No: None.
Abstained: None. Absent: Roger Bass, and Russell Roe.

PRESENTATIONS:

a. Discuss the 3-Acre Business Park Development Update with Montecito

Karl Higgins with Montecito gave an update on the proposed 3-Acre business park development on Sally Ride Drive. Montecito is a commercial industrial and general aviation development company. The development will consist of a 52,000 square foot, non-aviation commercial facility with approximately 22 units for rent, 91 parking spaces, and improved landscaping/signage. Montecito is aiming to break ground in spring of 2018.

b. Discuss the Historical Background of the Buchanan Field Traffic Patterns

Daniel Wick discussed the historical background of Buchanan Field's (CCR) traffic patterns. The presentation consisted of CCR's various traffic patterns, how wind changes affect these patterns, what the Federal Aviation Administration (FAA) has control over, and the surrounding communities.

DISCUSSION/ACTION ITEMS:

a. Discussion of Items Pulled from Consent

No items were pulled from consent.

b. Discussion The Referred Recruitment of the AAC At-Large Seat to the Airport Committee

The Airport Committee held At-Large interviews at the September 13th meeting. Out of five candidates that were interviewed, Eric Meinbress was ultimately recommended by the Chair and Vice-Chair of the Committee. Eric Meinbress's At-Large appointment is scheduled to go before the Board of Supervisors in October for approval.

c. Review and Discuss the Findings by the AAC Working Committee of the Tenant Recognition Program

The AAC discussed potential modifications to the Airports' recognition program. Out of the discussions, the AAC unanimously voted yes to the following motions:

1. To accept renaming of the recognition award to "Contra Costa County Airports

Recognition Award”

Moved by Mike Bruno; seconded by Derek Mims. Approved Yes: Emily Barnett, Maurice Gunderson, Keith McMahon, Ronald Reagan, Dale Roberts, and Tom Weber. No: None. Abstained: None. Absent: Roger Bass, and Russell Roe.

2. To accept the following criteria to include any individual/group/business or organization:
 - a) ...that has provided exceptional service or experiences that builds community, showcases public benefit of the airport, an/or supports airport services and operations
 - b) ...that has exceptionally contributed a leadership role, skill, activity or event that has made a significant and lasting contribution to the promotion and advancement of aviation or the airports
 - c) ...that has strongly contributed to the environmental stewardship, safety, and/or emergency preparedness of the airport and its operations
 - d) ...that has provided strong community support, engagement, and/or communication with the public in support of airport services and operations

Moved by Maurice Gunderson; seconded by Ronald Reagan. Approved Yes: Emily Barnett, Mike Bruno, Keith McMahon, Derek Mims Dale Roberts, and Tom Weber. No: None. Abstained: None. Absent: Roger Bass, and Russell Roe.

3. To accept changing the award to be “ongoing” where recognition may occur more immediately and as appropriate for worthy candidates.

Moved by Derek Mims; seconded by Mike Bruno. Approved Yes: Emily Barnett, Maurice Gunderson, Keith McMahon, Ronald Reagan, Dale Roberts, and Tom Weber. No: None. Abstained: None. Absent: Roger Bass, and Russell Roe.

Mike Bruno recommended Rashid Yahya as a potential candidate for the Contra Costa County Airports Recognition Award. The AAC will put this on the agenda for the October 12, 2017 AAC meeting for consideration.

d. Discuss the Modifications to the Standard Federal Aviation Administration Process for the Reconstruction & Overlay Project on Runway 14L/32R

Engineers came up with four construction options for the 14L/32R Reconstruction and Overlay Project. Out of those four options, option one: Cold In-Place Recycling (CIR) was most favorable. Since CIR is not an FAA approved process, a Modification of Standard (MoS) will be submitted to the FAA for evaluation and consideration. Airport staff will continue to provide the AAC with updates regarding this project.

e. Review and Discuss the Airport Enterprise Fund Budget for Fiscal Year 2016-17

This item has been pushed to be discussed at the October 12, 2017 AAC meeting.

f. Discuss and Select an AAC member for the 101 John Glenn Drive Property Selection Committee

Tom Weber, Derek Mims, and Maurice Gunderson volunteered to participate on the Selection Committee for the competitive solicitation at 101 John Glenn Drive. Maurice deferred to allow Tom and Derek to be the primary AAC members on the Committee. The AAC volunteers will work with Airport and Public Works staff to review the two proposals, interview the two interested parties, and make a ranking selection recommendation to go before the Board of Supervisors.

g. Discuss the AAC Byron Meeting Date that is Tentatively Scheduled to be Held on November 9, 2017

The AAC Byron meeting is scheduled to be held on Thursday, November 9, 2017 at 10 AM at the Byron Airport

FUTURE AGENDA ITEMS/COMMENTS

ADJOURNMENT: The meeting was adjourned by the Chair at 11:17 AM.

FINAL



**CONTRA COSTA COUNTY
AVIATION ADVISORY COMMITTEE
MINUTES OF MEETING
August 10, 2017**

MEETING CALLED: Chair, Ronald Reagan called the meeting to order at 10:00 AM.

PRESENT: **Emily Barnett**, Member at Large
Mike Bruno, Vice Chair, Airport Business Association
Maurice Gunderson, Secretary, Member at Large
Keith McMahon, City of Concord
Ronald Reagan, Chair, District III
Russell Roe, District V
Dale Roberts, District I

ABSENT: **Roger Bass**, District II
Derek Mims, City of Pleasant Hill
Tom Weber, District IV

STAFF: Keith Freitas, Director of Airports
Beth Lee, Assistant Director of Airports
Alina Zimmerman, Airport Assistant

**OPENING COMMENTS
BY CHAIR:** Ronald Reagan welcomed the attendees.

**PUBLIC COMMENT
PERIOD:** Duane Allen questioned the amount of noise calls received from July 26, 2017, two U2 touch and go passes. The Airport office received approximately 30 calls regarding both noise concerns and inquiries (only four noise complaints were noted).

Keith Freitas advised the Committee of a continuous discussion regarding the Runway – Resurface overlay project for 14L/19R 14R/32L. Construction for the \$4 - \$5 million project will not begin until 2019. Discussions will include phasing, closures, etc.

**APPROVAL OF
MINUTES:** Moved by Ronald Reagan; seconded by Emily Barnett.
Approved Yes: Mike Bruno, Maurice Gunderson, Russell Roe,
and Dale Roberts. No: None. Abstained: Keith McMahon.
Absent: Derek Mims, Roger Bass, and Tom Weber.

**APPROVAL OF
CONSENT ITEMS:**

Moved by Mike Bruno; seconded by Emily Barnett. Approved Yes: Maurice Gunderson, Keith McMahon, Ronald Reagan, Russell Roe, and Dale Roberts. No: None. Abstained: None. Absent: Derek Mims, Roger Bass, and Tom Weber.

DISCUSSION/ACTION ITEMS:

a. Discussion of Items Pulled from Consent

Maurice Gunderson pulled the noise & statistics reports for discussion. On August 3, 2017, the noise working group met with a Pleasant Hill resident to discuss their noise concerns. The citizen lives right off the departure of Runway 19R and has attended an AAC meeting in the past regarding the individual's same concerns. The working group acknowledged the individual's concerns and discussed the Airports' noise procedures, along with flight training programs operating out of Buchanan Field. The individual was unaware these training programs took place along with many other airport operations. Mr. Gunderson stated the meeting was productive and that it shows the importance of engaging with the community.

b. Discussion of Airport Security Improvements

Contra Costa County Airports have made significant security improvements in fencing upgrades, appropriate signage, added CCTV surveillance, and increased airfield patrols from Sheriff and Airport staff. Staff is also working with tenants to assist with other airport security improvements.

c. Discussion of the Tenant Recognition Award Selection Process

Mike Bruno proposed a motion to postpone the tenant selection vote/award to the September 14th AAC meeting.

Moved by Mike Bruno; seconded by Maurice Gunderson. Approved Yes: Emily Barnett, Keith McMahon, Ronald Reagan, Russell Roe, and Dale Roberts. No: None. Abstained: None. Absent: Roger Bass, Derek Mims, and Tom Weber.

Emily Barnett and Mike Bruno met on July 17, 2017 to discuss the existing Tenant Appreciation Program. The working group addressed three objectives: 1) evaluate the overall program for improvements 2) determine ways to grow the program and increase tenant participation 3) identify possible recipients. Out of these objectives, the working group identified some constraints including a limited pool of recipients and a lack of engagement and outreach.

The working group made a recommendation to make the award cycle on-going instead of annual. Ronald Reagan supported the working group's recommendation. He also gave two suggestions: 1) make the award not limited to tenants, but to everybody having a connection to the Airports or 2) create a selection committee consisting of two to three individuals whose purpose is to review nominations, make a recommendation to the AAC, then have the AAC take a vote.

d. Discussion of the Airport Economic Development Program Priorities and Process Update

This is a continuous discussion of the priority projects that correspond with the Airport's strategic plan. Airport staff is looking to have more involvement from tenants/stakeholders and gather input to set priorities with the limited resources available. The top four projects to be discussed are:

1. Rates and charges
2. Aesthetic improvements to both airports
3. Creating a heart for Buchanan Field (i.e. terminal building)
4. Promote business growth at Byron (i.e. new office and hangar space)

With implementing these projects come tradeoffs. Staff plans to bring this item to the Airport Committee meeting on September 13, 2017 for further discussion.

e. Discuss the Update Regarding the Runway Taxiway Echo/Kilo Project

Keith Freitas gave a report on the successful Taxiway Echo/Kilo project. Construction has been completed, and the final piece left to do for the project is marking and paving – which should be completed within the month of September 2017. Keith thanked the tenants for their continued patience throughout the process.

f. Discuss Scheduling an AAC Meeting Date to be Held at the Byron Airport

The AAC meeting date to be held at the Byron Airport has been tentatively scheduled for November 9, 2017.

g. Discuss the Proposed Project to Reskin and Install New Doors to the East Ramp Hangars F Row at Buchanan Field

Airport Staff have been in discussions regarding the reskinning and installation of new doors to the east ramp F-row hangars at Buchanan Field. The east ramp hangars are roughly 60 years old and are in need of mechanical and aesthetic improvements. Specs are currently being developed for the proposed project with a tentative project start date of spring 2018.

FUTURE AGENDA ITEMS/COMMENTS

- Montecito 3-acre business park development
- Tenant appreciation award selection process
- History of the Buchanan Field traffic patterns
- Runway 14L/32R FAA Exemption

ADJOURNMENT: The meeting was adjourned by the Chair at 11:23 AM.

Noise Abatement Statistics

August 2017

	# Of Callers			Complaints		YTD 2017	YTD 2016	% CHANGE
	2017	2017	2016	2017	2016			
TOTAL NUMBER OF COMPLAINTS	13	15	6	141	132	7%		
LOCATION OF COMPLAINTS								
Concord	2	2	0	26	27	-4%		
Pleasant Hill	6	6	4	47	56	-16%		
Pacheco	1	1	0	8	11	-27%		
Martinez	2	3	1	20	25	-20%		
Byron	0	0	0	0	0	0%		
Other	2	3	1	23	13	77%		
Subtotal	13	15	6	124	132	-6%		
Special Events	0	0	0	17	0	0%		
Total Number of Complaints	13	15	6	141	132	7%		
COMPLAINTS ASSOCIATED WITH								
Buchanan Field Airport		12	6	106	114			
Byron Airport		0	0	0	0			
Law Enforcement/Lifeguard Lights		0	0	10	0			
Non-associated		3	0	25	18			
TIME OF INCIDENT								
Day (0700 - 1700)		9	4	103	103			
Evening (1700 - 2200)		1	2	17	13			
Night (2200 - 0700)		3	0	14	9			
All Times		2	0	7	7			
TYPE OF COMPLAINT								
Noise		9	3	65	64			
Low Flying		1	1	16	12			
Noise and Low Flying		3	2	52	40			
Too Many Aircraft		1	0	6	14			
Other		1	0	2	2			
TYPE OF AIRCRAFT								
Jet		3	3	24	26			
Propeller		5	3	60	66			
Helicopter		1	0	24	7			
All Types		3	0	16	21			
Unknown		3	0	17	12			
TOTAL AIRCRAFT OPERATIONS								
		12,871	12,170	81,276	80,809	1%		
COMPLAINTS PER 10,000 OPERATIONS								
		12	5	17	16	6%		
COMPLAINTS PER 10,000 OPERATIONS - BUCHANAN ONLY								
		9	5	13	14	-8%		

January

- (1)- Non- Assoc. Air Traffic from Moraga
- (1)- Non- Assoc. Helicopter from Pittsburg
- (1)- Non- Assoc. Helicopter near Briones Park

May

- (3)- Non- Assoc. low flying from Benicia Resident

August

- (1)- Other- Low flying- Benicia
- (2)- Other-Unknown-Antioch

March & February

- (7) PGE helicopter complaints
- (6) aerobatic brentwood
- (2)- Non-Assoc. low-flying from Mtn. House

June

- (12)- Wings of Freedom tour
- (1)- Other life flight from Walnut Creek
- (1)- law- PH most likely military helicopter
- (2)- Low flying PGE Helicopter from Concord

April

- (1)- Other- Law Enforcement Helicopter - Bay Point
- (1)- Other- Law Enforcement Helicopter -Clayton
- (1)- Other- PGE Pipeline Helicopter - Walnut Creek
- (1)- Other- Reckless Flying - Bethel Island

July

- (1)- Low flying law helicopter concord
- (4)- U2 Military Jet Training Operation

Contra Costa County Airports Monthly Operations Report

August 2017

	August 2017	August 2016	YTD 2017	YTD 2016	% CHANGE 2016/2017
AIRCRAFT OPERATIONS					
Total Operations	12,871	12,170	81,276	80,809	1%
Local Operations	7,613	6,842	44,645	46,206	-3%
Itinerant Operations	4,061	4,151	27,938	26,072	7%
Total Instrument Ops	1,032	889	7,262	6,624	10%
FUEL FLOWAGE					
100 Octane	29,769	32,474	197,069	184,666	7%
Jet Fuel	112,816	92,340	762,029	622,747	22%
Total	142,585	124,814	959,098	807,413	19%
BYRON INFORMATION					
Byron Fuel	15,269	10,817	106,033	68,892	54%
SKYDIVERS					
Number of Flights	69	71	664	705	-6%
Experienced Jumps	534	621	3,743	4,436	-16%
First Time Jumps	209	246	1,344	1,661	-19%
Student Jumps	35	32	173	180	-4%
Glider Operations					
Tow Aircraft	108	0	312	0	#DIV/0!
Glider Aircraft	108	0	312	0	#DIV/0!

Noise Abatement Statistics

September 2017

	# Of Callers			Complaints		YTD 2017	YTD 2016	% CHANGE
	2017	2017	2016	2017	2016			
TOTAL NUMBER OF COMPLAINTS	22	23	11	164	143	15%		
LOCATION OF COMPLAINTS								
Concord	3	3	3	29	30	-3%		
Pleasant Hill	6	6	4	53	60	-12%		
Pacheco	0	0	2	8	13	-38%		
Martinez	0	0	2	20	27	-26%		
Byron	0	0	0	0	0	0%		
Other	4	4	0	27	13	108%		
Subtotal	13	13	11	137	143	-4%		
Special Events	10	10	0	27	0	0%		
Total Number of Complaints	23	23	11	164	143	15%		
COMPLAINTS ASSOCIATED WITH								
Buchanan Field Airport		8	11	114	125			
Byron Airport		0	0	0	0			
Law Enforcement/Lifeguard Lights		0	0	10	0			
Non-associated		15	0	40	18			
TIME OF INCIDENT								
Day (0700 - 1700)		6	8	109	111			
Evening (1700 - 2200)		11	2	28	15			
Night (2200 - 0700)		2	1	16	10			
All Times		4	0	11	7			
TYPE OF COMPLAINT								
Noise		14	5	79	69			
Low Flying		1	1	17	13			
Noise and Low Flying		6	3	58	43			
Too Many Aircraft		0	0	6	14			
Other		2	2	4	4			
TYPE OF AIRCRAFT								
Jet		13	3	37	29			
Propeller		4	6	64	72			
Helicopter		1	1	25	8			
All Types		2	0	18	21			
Unknown		3	1	20	13			
TOTAL AIRCRAFT OPERATIONS		10,262	11,542	91,538	92,351	-1%		
COMPLAINTS PER 10,000 OPERATIONS		22	10	18	15	16%		
COMPLAINTS PER 10,000 OPERATIONS - BUCHANAN ONLY		8	10	12	14	-8%		

January
 (1)- Non- Assoc. Air Traffic from Moraga
 (1)- Non- Assoc. Helicopter from Pittsburg
 (1)- Non- Assoc. Helicopter near Briones Park

March & February
 (7) PGE helicopter complaints
 (6) aerobatic brentwood
 (2)- Non- Assoc. low-flying from Mtn House

April
 (1)- Other- Law Enforcement Helicopter - Bay Point
 (1)- Other- Law Enforcement Helicopter - Clayton
 (1)- Other- PGE Pipeline Helicopter - Walnut Creek
 (1)- Other- Reckless Flying - Bethel Island

May
 (3)- Non- Assoc. low flying from Benicia Resident

June
 (12)- Wings of Freedom tour
 (1)- Other life flight from Walnut Creek
 (1)- law- PH most likely military helicopter
 (2)- Low flying PGE Helicopter from Concord

July
 (1)- Low flying law helicopter concord
 (4)- U2 Military Jet Training Operation

September
 (1)- other- gasoline smell - Pleasant Hill
 (10)- Non-assoc-special event- F-16 Jet
 (2)- Non- Assoc. too many Alamo
 (2)- Non- Assoc. SFO/OAK Jets- Walnut Creek

Contra Costa County Airports Monthly Operations Report

September 2017

	September 2017	September 2016	YTD 2017	YTD 2016	% CHANGE 2016/2017
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AIRCRAFT OPERATIONS

Total Operations	10,262	11,542	91,538	92,351	-1%
Local Operations	5,402	6,216	50,047	52,422	-5%
Itinerant Operations	3,661	4,163	31,599	30,235	5%
Total Instrument Ops	1,066	897	8,328	7,521	11%

FUEL FLOWAGE

100 Octane	27,652	29,438	224,721	214,104	5%
Jet Fuel	96,858	92,578	858,887	715,325	20%
Total	124,510	122,016	1,083,608	929,429	17%

BYRON INFORMATION

Byron Fuel	13,670	12,086	119,703	80,978	48%
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SKYDIVERS

Number of Flights	94	75	758	780	-3%
Experienced Jumps	411	532	4,154	4,968	-16%
First Time Jumps	147	185	1,491	1,846	-19%
Student Jumps	8	28	181	208	-13%

Glider Operations

Tow Aircraft	136	0	448	0	-
Glider Aircraft	136	0	448	0	-

Contra Costa County Airports Monthly Operations Report

July 2017

	July 2017	July 2016	YTD 2017	YTD 2016	% CHANGE 2016/2017
AIRCRAFT OPERATIONS					
Total Operations	11,663	11,616	68,405	68,639	0%
Local Operations	6,385	6,427	37,032	39,364	-6%
Itinerant Operations	4,297	3,942	23,877	21,921	9%
Total Instrument Ops	821	937	6,230	5,735	9%
FUEL FLOWAGE					
100 Octane	29,213	27,876	167,300	152,192	10%
Jet Fuel	84,296	89,140	649,213	530,407	22%
Total	113,509	117,016	816,513	682,599	20%
BYRON INFORMATION					
Byron Fuel	15,003	12,708	90,764	58,075	56%
SKYDIVERS					
Number of Flights	107	138	595	634	-6%
Experienced Jumps	1,058	1,041	3,209	3,815	-16%
First Time Jumps	249	414	1,135	1,415	-20%
Student Jumps	56	46	138	148	-7%
Glider Operations					
Tow Aircraft	132	0	204	0	#DIV/0!
Glider Aircraft	132	0	204	0	#DIV/0!

* Corrected- Formula Error

**Contra Costa County
Board of Supervisors
Approved Board Orders
Relating to County Airports**

The following certified Board Orders are attached:

- | | |
|---------------------------|---|
| <i>September 12, 2017</i> | <i>APPROVE and AUTHORIZE the Director of Airports, or designee, to execute a month-to-month hangar rental agreement with WKB Aviation, LLC for a Large T-hangar at Buchanan Field Airport effective August 14, 2017 in the monthly amount of \$748.23 (100% Airport Enterprise Fund).</i> |
| <i>September 12, 2017</i> | <i>APPROVE and AUTHORIZE the Director of Airports, or designee, to execute a month-to-month hangar rental agreement with Christopher Ranker for a T-hangar at Buchanan Field Airport effective September 1, 2017 in the monthly amount of \$394.10 (100% Airport Enterprise Fund).</i> |
| <i>September 19, 2017</i> | <i>APPROVE and AUTHORIZE the Director of Airports, or designee, to execute a month-to-month hangar rental agreement with Concord Flying Club Inc. for a shade hangar at Buchanan Field Airport effective September 2, 2017 in the monthly amount of \$177.07 (100% Airport Enterprise Fund)</i> |
| <i>September 26, 2017</i> | <i>APPROVE and AUTHORIZE the Director of Airports, or designee, to execute a month-to-month hangar rental agreement with Delmar Alan Humbert for a shade hangar at Buchanan Field Airport effective September 16, 2017 in the monthly amount of \$177.07 (100% Airport Enterprise Fund)</i> |
| <i>September 26, 2017</i> | <i>APPROVE and AUTHORIZE the Director of Airports, or designee, to host the 10th Annual Tenant Appreciation Barbeque (tentatively scheduled for Thursday, May 3, 2018), in an amount of approximately \$16,000 and held at the Buchanan Field Airport to thank customers for choosing Contra Costa County Airports - Buchanan Field and Byron Airports to store their aircraft and/or operate businesses (100% Airport Enterprise Fund).</i> |

September 26, 2017

APPROVE and AUTHORIZE the Director of Airports, or designee, to write off certain accounts receivable balances which are not collectible due to one or more of the following reasons: debtors are deceased; the statute of limitations for pursuing recovery of the debt has expired; the cost of recovery is excessive; and/or the debtor no longer resides in the state (100% Airport Enterprise Fund).

October 17, 2017

APPROVE and AUTHORIZE the Director of Airports, or designee, to terminate the T-Hangar and Shade Hangar Rental Agreement for Hangar E-11 at Buchanan Field Airport; and AUTHORIZE the County Counsel to pursue legal action to regain possession of the real property if tenants fail to vacate the hangar within the time allowed. (100% Airport Enterprise Fund)

October 17, 2017

APPROVE and AUTHORIZE the Director of Airports, or designee, to execute a month-to-month hangar rental agreement with Jack Bernardini for a Large T-hangar at Buchanan Field Airport effective October 2, 2017 in the monthly amount of \$748.23. (100% Airport Enterprise Fund)

October 17, 2017

APPROVE and AUTHORIZE the Director of Airports, or designee, to execute a month-to-month hangar rental agreement with George Grech for a shade hangar at Buchanan Field Airport effective October 26, 2017 in the monthly amount of \$177.07. (100% Airport Enterprise Fund)

October 17, 2017

APPOINT Eric Meinbress to the At Large #2 seat on the Aviation Advisory Committee, as recommended by the Airports Committee.

October 24, 2017

APPROVE and AUTHORIZE the Director of Airports, or designee, to negotiate a long-term lease between the County, as Landlord, and one of two parties, in priority ranking order, that have submitted a final property use proposal for the approximately 3.5 acres located at 101 John Glenn Drive, at the Buchanan Field Airport.



Contra
Costa
County

To: Board of Supervisors
From: Keith Freitas, Airports Director
Date: September 12, 2017

Subject: APPROVE and AUTHORIZE the Director of Airports, or designee, to execute a hangar rental agreement with Buchanan Field Airport Hangar tenant

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Director of Airports, or designee, to execute a month-to-month hangar rental agreement with WKB Aviation, LLC for a Large T-hangar at Buchanan Field Airport effective August 14, 2017 in the monthly amount of \$748.23, Pacheco area. (District IV)

FISCAL IMPACT:

The Airport Enterprise Fund will realize \$8,978.76 annually.

BACKGROUND:

On September 1, 1970, Buchanan Airport Hangar Company entered into a 30-year lease with Contra Costa County for the construction of seventy-five (75) hangars and eighteen (18) aircraft shelters at Buchanan Field Airport. Buchanan Airport Hangar Company was responsible for the maintenance and property management of the property during that 30-year period.

On September 1, 2000, the County obtained ownership of the aircraft hangars and shelters, pursuant to the terms of the above lease.

APPROVE

OTHER

RECOMMENDATION OF CNTY
ADMINISTRATOR

RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: 09/12/2017 APPROVED AS
RECOMMENDED

OTHER

Clerks Notes:

VOTE OF SUPERVISORS

AYE: John Gioia, District I Supervisor
Candace Andersen, District II Supervisor
Diane Burgis, District III Supervisor
Karen Mitchoff, District IV Supervisor
Federal D. Glover, District V Supervisor

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: September 12, 2017

David J. Twa, County Administrator and Clerk of the Board of Supervisors

By: Stacey M. Boyd, Deputy

Contact: Beth Lee, (925) 681-4200

cc:

BACKGROUND: (CONT'D)

On February 13, 2007, Contra Costa County Board of Supervisors approved the new Large Hangar Lease Agreement for use with the larger East Ramp Hangars.

On February 3, 2008, Contra Costa County Board of Supervisors approved the amended T-Hangar Lease Agreement which removed the Aircraft Physical Damage Insurance requirement. The new amended T-hangar Lease Agreement will be used to enter into this aircraft rental agreement.

CONSEQUENCE OF NEGATIVE ACTION:

A negative action will cause a loss of revenue to the Airport Enterprise Fund.

ATTACHMENTS

Hangar Rental Agmt - WKB Aviation, LLC



Contra
Costa
County

To: Board of Supervisors
From: Keith Freitas, Airports Director
Date: September 12, 2017

Subject: APPROVE and AUTHORIZE the Director of Airports, or designee, to execute a hangar rental agreement with Buchanan Field Airport Hangar tenant

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Director of Airports, or designee, to execute a month-to-month hangar rental agreement with Christopher Ranker for a T-hangar at Buchanan Field Airport effective September 1, 2017 in the monthly amount of \$394.10, Pacheco area.

FISCAL IMPACT:

The Airport Enterprise Fund will realize \$4,729.20 annually.

BACKGROUND:

On September 1, 1970, Buchanan Airport Hangar Company entered into a 30-year lease with Contra Costa County for the construction of seventy-five (75) hangars and eighteen (18) aircraft shelters at Buchanan Field Airport. Buchanan Airport Hangar Company was responsible for the maintenance and property management of the property during that 30-year period.

On

APPROVE

OTHER

RECOMMENDATION OF CNTY
ADMINISTRATOR

RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **09/12/2017** APPROVED AS
RECOMMENDED

OTHER

Clerks Notes:

VOTE OF SUPERVISORS

AYE: John Gioia, District I Supervisor
Candace Andersen, District II
Supervisor
Diane Burgis, District III
Supervisor
Karen Mitchoff, District IV
Supervisor
Federal D. Glover, District V
Supervisor

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ATTESTED: September 12, 2017

David J. Twa, County Administrator and Clerk of the Board of Supervisors

By: Stacey M. Boyd, Deputy

Contact: Beth Lee, (925) 681-4200

cc:

BACKGROUND: (CONT'D)

September 1, 2000, the County obtained ownership of the aircraft hangars and shelters, pursuant to the terms of the above lease.

On February 13, 2007, Contra Costa County Board of Supervisors approved the new Large Hangar Lease Agreement for use with the larger East Ramp Hangars.

On February 3, 2008, Contra Costa County Board of Supervisors approved the amended T-Hangar Lease Agreement which removed the Aircraft Physical Damage Insurance requirement. The new amended T-hangar Lease Agreement will be used to enter into this aircraft rental agreement.

CONSEQUENCE OF NEGATIVE ACTION:

A negative action will cause a loss of revenue to the Airport Enterprise Fund.

ATTACHMENTS

Hangar Rental Agrmt - Christopher Ranker



Contra
Costa
County

To: Board of Supervisors
From: Keith Freitas, Airports Director
Date: September 19, 2017

Subject: APPROVE and AUTHORIZE the Director of Airports, or designee, to execute a hangar rental agreement with Buchanan Field Airport Hangar tenant

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Director of Airports, or designee, to execute a month-to-month hangar rental agreement with Concord Flying Club Inc. for a shade hangar at Buchanan Field Airport effective September 2, 2017 in the monthly amount of \$177.07, Pacheco area. (District IV)

FISCAL IMPACT:

The Airport Enterprise Fund will realize \$2,124.84 annually.

BACKGROUND:

On September 1, 1970, Buchanan Airport Hangar Company entered into a 30-year lease with Contra Costa County for the construction of seventy-five (75) hangars and eighteen (18) aircraft shelters at Buchanan Field Airport. Buchanan Airport Hangar Company was responsible for the maintenance and property management of the property during that 30-year period.

On September 1, 2000, the County obtained ownership of the aircraft hangars and shelters, pursuant to the terms of the above lease.

APPROVE

OTHER

RECOMMENDATION OF CNTY

RECOMMENDATION OF BOARD

ADMINISTRATOR

COMMITTEE

Action of Board On: **09/19/2017** APPROVED AS RECOMMENDED

OTHER

Clerks Notes:

VOTE OF SUPERVISORS

- AYE: John Gioia, District I Supervisor
Candace Andersen, District II Supervisor
Diane Burgis, District III Supervisor
Karen Mitchoff, District IV Supervisor
Federal D. Glover, District V Supervisor

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: September 19, 2017

David J. Twa, County Administrator and Clerk of the Board of Supervisors

By: Stacey M. Boyd, Deputy

Contact: Beth Lee, (925) 681-4200

cc:

BACKGROUND: (CONT'D)

On February 13, 2007, Contra Costa County Board of Supervisors approved the new Large Hangar Lease Agreement for use with the larger East Ramp Hangars.

On February 3, 2008, Contra Costa County Board of Supervisors approved the amended T-Hangar Lease Agreement which removed the Aircraft Physical Damage Insurance requirement. The new amended T-hangar Lease Agreement will be used to enter into this aircraft rental agreement.

CONSEQUENCE OF NEGATIVE ACTION:

A negative action will cause a loss of revenue to the Airport Enterprise Fund.

ATTACHMENTS

Hangar Rental Agmt - Concord Flying Club Inc.



Contra
Costa
County

To: Board of Supervisors
From: Keith Freitas, Airports Director
Date: September 26, 2017

Subject: APPROVE and AUTHORIZE the Director of Airports, or designee, to execute a hangar rental agreement with Buchanan Field Airport Hangar tenant

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Director of Airports, or designee, to execute a month-to-month hangar rental agreement with Delmar Alan Humbert for a shade hangar at Buchanan Field Airport effective September 16, 2017 in the monthly amount of \$177.07, Pacheco area. (District IV)

FISCAL IMPACT:

The Airport Enterprise Fund will realize \$2,124.84 annually.

BACKGROUND:

On September 1, 1970, Buchanan Airport Hangar Company entered into a 30-year lease with Contra Costa County for the construction of seventy-five (75) hangars and eighteen (18) aircraft shelters at Buchanan Field Airport. Buchanan Airport Hangar Company was responsible for the maintenance and property management of the property during that 30-year period.

On September 1, 2000, the County obtained ownership of the aircraft hangars and shelters, pursuant to the terms of the above lease.

<input checked="" type="checkbox"/> APPROVE	<input type="checkbox"/> OTHER
<input checked="" type="checkbox"/> RECOMMENDATION OF CNTY ADMINISTRATOR	<input type="checkbox"/> RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **09/26/2017** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

AYE: John Gioia, District I Supervisor
Candace Andersen, District II Supervisor
Diane Burgis, District III Supervisor
Karen Mitchoff, District IV Supervisor
Federal D. Glover, District V Supervisor

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: September 26, 2017

David J. Twa, County Administrator and Clerk of the Board of Supervisors

By: Stacey M. Boyd, Deputy

Contact: Beth Lee, (925) 681-4200

cc:

BACKGROUND: (CONT'D)

On February 13, 2007, Contra Costa County Board of Supervisors approved the new Large Hangar Lease Agreement for use with the larger East Ramp Hangars.

On February 3, 2008, Contra Costa County Board of Supervisors approved the amended T-Hangar Lease Agreement which removed the Aircraft Physical Damage Insurance requirement. The new amended T-hangar Lease Agreement will be used to enter into this aircraft rental agreement.

CONSEQUENCE OF NEGATIVE ACTION:

A negative action will cause a loss of revenue to the Airport Enterprise Fund.

ATTACHMENTS

Hangar Rental Agmt - D Humbert



Contra
Costa
County

To: Board of Supervisors
From: Keith Freitas, Airports Director
Date: September 26, 2017

Subject: APPROVE and AUTHORIZE the Director of Airports, or designee, to host a County sponsored event at the Buchanan Field Airport.

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Director of Airports, or designee, to host the 10th Annual Tenant Appreciation Barbeque (tentatively scheduled for Thursday, May 3, 2018), in an amount of approximately \$17,000 and held at the Buchanan Field Airport to thank customers for choosing Contra Costa County Airports - Buchanan Field and Byron Airports to store their aircraft and/or operate businesses, Pacheco (District IV) and Byron area (District III).

Pursuant to Administrative Bulletin No. 114 (County and Non-County Sponsored Events and Activities):

- a. APPROVE the Public Works - Airport Division to host the 10th Annual Tenant Appreciation Barbeque, which will require Airport Division staff time and County resources in an amount exceeding \$2,500; and,
- b. APPROVE and AUTHORIZE the expenditure of Airport Enterprise Funds, in an estimated amount of approximately \$16,000, including but not limited to costs for food, staff time, County equipment, rental equipment (tables, chairs, etc.), supplies (utensils, cups, napkins, storage containers, etc.), and other reasonable expenses related to hosting the 2018 – 10th Annual Tenant Appreciation Barbeque (including but not limited to replacement of barbeques, smokers, fans, tents, etc.)

APPROVE

OTHER

RECOMMENDATION OF CNTY
ADMINISTRATOR

RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **09/26/2017** APPROVED AS
RECOMMENDED

OTHER

Clerks Notes:

VOTE OF SUPERVISORS

AYE: John Gioia, District I Supervisor
Candace Andersen, District II
Supervisor
Diane Burgis, District III
Supervisor
Karen Mitchoff, District IV
Supervisor
Federal D. Glover, District V
Supervisor

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ATTESTED: September 26, 2017

David J. Twa, County Administrator and Clerk of the Board of Supervisors

By: Stacey M. Boyd, Deputy

Contact: Beth Lee, (925) 681-4200

cc:

FISCAL IMPACT:

There is no impact on the County General Fund. The total cost of approximately \$17,000 will be fully funded by the Airport Enterprise Fund. This estimated cost includes staff time (\$9,500), food/drink (\$6,000), and equipment (\$1,500).

BACKGROUND:

The 10th Annual Tenant Appreciation BBQ is tentatively scheduled for Thursday, May 3, 2018 and will be held at the Buchanan Field Airport. The average annual attendance is typically five hundred (500) tenants and the approximate annual dollar amount expended on this event is \$17,000.

This event was developed to recognize the airport tenants/stakeholders “our customers” and would include providing food and beverages. The goal of this event is intended to assist in marketing both the Buchanan Field and Byron Airports by highlighting the services we provide to both current and potential customers, which are the livelihood of the Airport Enterprise Fund. This is part of a marketing program to attract and retain tenants that benefit both the Airport systems (operating as a business) and the County (FY 2015-16, the Buchanan Field and Byron Airports generated \$2.77 million in possessory interest tax to go back to the County General Fund).

Pursuant to Administrative Bulletin 114 the County Administrator's Office has reviewed and approved the Airport's request to host the 10th Annual Tenant Appreciation Barbeque and recommends approval of this action by the Board of Supervisors.

Pursuant to Administrative Bulletin No. 114 (County and Non-County Sponsored Events and Activities):

- a. APPROVE the Public Works - Airport Division to host the 10th Annual Tenant Appreciation Barbeque, which will require Airport Division staff time and County resources in an amount exceeding \$2,500; and,
- b. APPROVE and AUTHORIZE the expenditure of Airport Enterprise Funds, in an estimated amount of approximately \$17,000, including but not limited to costs for food, staff time, County equipment, rental equipment (tables, chairs, etc.), supplies (utensils, cups, napkins, storage containers, etc.), and other reasonable expenses related to hosting the 2018 – 10th Annual Tenant Appreciation Barbeque (including but not limited to replacement of barbeques, smokers, fans, tents, etc.)

CONSEQUENCE OF NEGATIVE ACTION:

A negative action will cause a loss of marketing and promotion opportunity for the Airport and may impact funding



Contra
Costa
County

To: Board of Supervisors
From: Keith Freitas, Airports Director
Date: September 26, 2017

Subject: APPROVE AND AUTHORIZE WRITE OFF OF UNCOLLECTABLE ACCOUNTS RECEIVABLE BALANCES

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Director of Airports, or designee, to write off certain accounts receivable balances which are not collectible due to one or more of the following reasons: debtors are deceased; the statute of limitations for pursuing recovery of the debt has expired; the cost of recovery is excessive; and/or the debtor no longer resides in the state.

FISCAL IMPACT:

There will be no impact to the General Fund. The value of the accounts to be discharged totals \$5,315.94 which impacts the Airport Enterprise Fund.

BACKGROUND:

Airport staff has received confirmation that these accounts in the system are not recoverable due to one or more of the following reasons: debtors are deceased; the statute of limitations for pursuing recovery of bad debt has expired; the cost of recovery is excessive; and/or the debtor no longer resides in the state. As based on the stated facts, airport staff should write off these uncollectable accounts.

APPROVE

OTHER

RECOMMENDATION OF CNTY

RECOMMENDATION OF BOARD

ADMINISTRATOR

COMMITTEE

Action of Board On: **09/26/2017** APPROVED AS
RECOMMENDED

OTHER

Clerks Notes:

VOTE OF SUPERVISORS

AYE: John Gioia, District I Supervisor
Candace Andersen, District II
Supervisor
Diane Burgis, District III
Supervisor
Karen Mitchoff, District IV
Supervisor
Federal D. Glover, District V
Supervisor

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: September 26, 2017

David J. Twa, County Administrator and Clerk of the Board of Supervisors

By: Stacey M. Boyd, Deputy

Contact: Beth Lee, (925) 681-4200

cc: Robert Campbell, Auditor-Controller

CONSEQUENCE OF NEGATIVE ACTION:

The Airport Enterprise Fund will not reflect an accurate recoverable account balance; the fund will continue to be overstated by \$5,315.94 and negative action will cause a less manageable case count for staff.



Contra
Costa
County

To: Board of Supervisors
From: Keith Freitas, Airports Director
Date: October 17, 2017

Subject: APPROVE AND AUTHORIZE TERMINATION OF T-HANGAR AND SHADE HANGAR RENTAL AGREEMENT FOR HANGAR E-11 AT BUCHANAN FIELD AIRPORT

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Director of Airports, or designee, to terminate the T-Hangar and Shade Hangar Rental Agreement for Hangar E-11 at Buchanan Field Airport. AUTHORIZE County Counsel to pursue legal action to regain possession of the real property if tenants fail to vacate the hangar within the time allowed. (Pacheco Area)

FISCAL IMPACT:

There is no impact on the General Fund. The Airport Enterprise Fund will cover the cost of any legal action.

BACKGROUND:

On July 18, 2014, the County entered into a T-Hangar and Shade Hangar Rental Agreement with two individuals, Grace Ellis and Jack Bernardini for the use of T-Hangar E-11. The hangar is located on the East Ramp of Buchanan Field Airport. Under the terms of the rental agreement, the primary use of the hangar is for storing an aircraft or homebuilding or restoring an aircraft. It is the policy of the Airport that any aircraft stored in a hangar rented from the County

APPROVE

OTHER

RECOMMENDATION OF CNTY
ADMINISTRATOR

RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **10/17/2017** APPROVED AS
RECOMMENDED

OTHER

Clerks Notes:

VOTE OF SUPERVISORS

A YE: John Gioia, District I Supervisor
Candace Andersen, District II
Supervisor
Diane Burgis, District III
Supervisor
Karen Mitchoff, District IV
Supervisor
Federal D. Glover, District V
Supervisor

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: October 17, 2017

David J. Twa, County Administrator and Clerk of the Board of Supervisors

By: Stacey M. Boyd, Deputy

Contact: Beth Lee, (925) 681-4200

cc:

BACKGROUND: (CONT'D)

must be owned by the individual(s) named on the rental agreement. Title to the aircraft is confirmed by Airport staff obtaining a copy of the current aircraft registration. The rental agreement also requires that insurance information be provided that names the tenant(s) on the policy. When Ms. Ellis and Mr. Bernardini rented Hangar E-11, they provided a copy of the FAA Aircraft Registration Application for aircraft N49GE, which listed Ms. Ellis and Mr. Bernardini as co-owners of the aircraft.

In June 2017, Airport staff requested a current certificate of insurance for aircraft N49GE, as the prior one had expired. In response, Mr. Bernardini advised Airport staff that aircraft N49GE was no longer in the hangar and that a different aircraft was being stored there. Mr. Bernardini then provided the registration and insurance for the substitute aircraft. A review of the information provided by Mr. Barnardini revealed that, contrary to Airport policy, the substitute aircraft is not jointly-owned by both tenants. Both the registration and the insurance information identify only Mr. Barnardini as the owner of the aircraft. Airport staff then notified both tenants that they are not in compliance with the Airport policy requiring an aircraft stored in a hangar to be owned by the individual(s) named on the rental agreement.

Airports staff has since had numerous telephone and in-person discussions with Ms. Ellis and Mr. Bernardini about the need to comply with Airport policy regarding title to the aircraft stored in Hangar E-11. Based on these discussions, it appears that there is some disagreement between the two tenants as to what is, and what should be, stored in Hangar E-11.

On September 5, 2017, Mr. Bernardini submitted a written termination of his tenancy of Hangar E-11, effective October 5, 2017. Since receiving Mr. Barnardini's termination notice, Airport staff has offered to meet with Ms. Ellis on a number of occasions to discuss the terms of the rental agreement and relevant Airport policies. Unfortunately, Ms. Ellis has not returned calls or replied to Airport staff's emails.

Since Ms. Ellis is not a pilot and has not provided evidence that she has an aircraft for which she can provide a current registration and proof of insurance, Airport staff is requesting authority to terminate the rental agreement and to pursue legal action, if necessary, to regain possession of the hangar. Such actions are consistent with adopted Airport policies. In addition, by recovering possession of the hangar, the Airport will be able to make the space available to the next person on the Buchanan Field Airport T-hangar waiting list.

CONSEQUENCE OF NEGATIVE ACTION:

Failure to terminate the rental agreement and pursue legal action to regain possession of the hangar would result in the Airport being unable to enforce adopted Airport policies and procedures.



Contra
Costa
County

To: Board of Supervisors
From: Keith Freitas, Airports Director
Date: October 17, 2017

Subject: APPROVE and AUTHORIZE the Director of Airports, or designee, to execute a hangar rental agreement with Buchanan Field Airport Hangar tenant

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Director of Airports, or designee, to execute a month-to-month hangar rental agreement with Jack Bernardini for a Large T-hangar at Buchanan Field Airport effective October 2, 2017 in the monthly amount of \$748.23, Pacheco area. (District IV)

FISCAL IMPACT:

The Airport Enterprise Fund will realize \$8,978.76 annually.

BACKGROUND:

On September 1, 1970, Buchanan Airport Hangar Company entered into a 30-year lease with Contra Costa County for the construction of seventy-five (75) hangars and eighteen (18) aircraft shelters at Buchanan Field Airport. Buchanan Airport Hangar Company was responsible for the maintenance and property management of the property during that 30-year period.

On September 1, 2000, the County obtained ownership of the aircraft hangars and shelters, pursuant to the terms of the above lease.

APPROVE

OTHER

RECOMMENDATION OF CNTY
ADMINISTRATOR

RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **10/17/2017** APPROVED AS
RECOMMENDED

OTHER

Clerks Notes:

VOTE OF SUPERVISORS

AYE: John Gioia, District I Supervisor
Candace Andersen, District II Supervisor
Diane Burgis, District III Supervisor
Karen Mitchoff, District IV Supervisor
Federal D. Glover, District V Supervisor

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: October 17, 2017

David J. Twa, County Administrator and Clerk of the Board of Supervisors

By: Stacey M. Boyd, Deputy

Contact: Beth Lee, (925) 681-4200

cc:

BACKGROUND: (CONT'D)

On February 13, 2007, Contra Costa County Board of Supervisors approved the new Large Hangar Lease Agreement for use with the larger East Ramp Hangars.

On February 3, 2008, Contra Costa County Board of Supervisors approved the amended T-Hangar Lease Agreement which removed the Aircraft Physical Damage Insurance requirement. The new amended T-hangar Lease Agreement will be used to enter into this aircraft rental agreement.

CONSEQUENCE OF NEGATIVE ACTION:

A negative action will cause a loss of revenue to the Airport Enterprise Fund.

ATTACHMENTS

Hangar Rental Agmt - J. Bernardini



Contra
Costa
County

To: Board of Supervisors
From: Keith Freitas, Airports Director
Date: October 17, 2017

Subject: APPROVE and AUTHORIZE the Director of Airports, or designee, to execute a hangar rental agreement with Buchanan Field Airport Hangar tenant

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Director of Airports, or designee, to execute a month-to-month hangar rental agreement with George Grech for a shade hangar at Buchanan Field Airport effective October 26, 2017 in the monthly amount of \$177.07, Pacheco area. (District IV)

FISCAL IMPACT:

The Airport Enterprise Fund will realize \$2,124.84 annually.

BACKGROUND:

On September 1, 1970, Buchanan Airport Hangar Company entered into a 30-year lease with Contra Costa County for the construction of seventy-five (75) hangars and eighteen (18) aircraft shelters at Buchanan Field Airport. Buchanan Airport Hangar Company was responsible for the maintenance and property management of the property during that 30-year period.

On September 1, 2000, the County obtained ownership of the aircraft hangars and shelters, pursuant to the terms of the above lease.

<input checked="" type="checkbox"/> APPROVE	<input type="checkbox"/> OTHER
<input checked="" type="checkbox"/> RECOMMENDATION OF CNTY ADMINISTRATOR	<input type="checkbox"/> RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **10/17/2017** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

AYE: John Gioia, District I Supervisor
Candace Andersen, District II Supervisor
Diane Burgis, District III Supervisor
Karen Mitchoff, District IV Supervisor
Federal D. Glover, District V Supervisor

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: October 17, 2017

David J. Twa, County Administrator and Clerk of the Board of Supervisors

By: Stacey M. Boyd, Deputy

Contact: Beth Lee, (925) 681-4200

cc:

BACKGROUND: (CONT'D)

On February 13, 2007, Contra Costa County Board of Supervisors approved the new Large Hangar Lease Agreement for use with the larger East Ramp Hangars.

On February 3, 2008, Contra Costa County Board of Supervisors approved the amended T-Hangar Lease Agreement which removed the Aircraft Physical Damage Insurance requirement. The new amended T-hangar Lease Agreement will be used to enter into this aircraft rental agreement.

CONSEQUENCE OF NEGATIVE ACTION:

A negative action will cause a loss of revenue to the Airport Enterprise Fund.

ATTACHMENTS

Hangar Rental Agmt - G. Grech



Contra
Costa
County

To: Board of Supervisors
From: AIRPORTS COMMITTEE
Date: October 17, 2017

Subject: Appoint Eric Meinbress to the Aviation Advisory Committee At-Large Seat #2

RECOMMENDATION(S):

APPOINT the following individual to the At-Large #2 seat on the Aviation Advisory Committee to a term expiring February 29, 2020, as recommended by the Airports Committee:

Mr. Eric Meinbress
Lafayette, CA 94549

FISCAL IMPACT:

None.

BACKGROUND:

The Aviation Advisory Committee (AAC) was established by the Board of Supervisors (Board) to provide advice and recommendations to the Board on the aviation issues related to the economic viability and security of airports in Contra Costa County (County). The AAC is mandated to cooperate with local, state, and national aviation interests for the safe

APPROVE OTHER
 RECOMMENDATION OF CNTY ADMINISTRATOR RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **10/17/2017** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

AYE: John Gioia, District I Supervisor
Candace Andersen, District II Supervisor
Diane Burgis, District III Supervisor
Karen Mitchoff, District IV Supervisor
Federal D. Glover, District V Supervisor

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: October 17, 2017

David J. Twa, County Administrator and Clerk of the Board of Supervisors

By: Stacey M. Boyd, Deputy

Contact: Beth Lee, (925)
681-4200

cc:

and orderly operation of airports; advance and promote the interests of aviation; and protect the general welfare of the people living and working near the airport and

BACKGROUND: (CONT'D)

the County in general.

The AAC may initiate discussions, observations, or investigations and may hear comments on airport and aviation matters from the public or other agencies in order to formulate recommendations to the Board. In conjunction with all of the above, the Aviation Advisory Committee provides a forum for the Director of Airports regarding policy matters at and around the airport.

The Internal Operations (IO) subcommittee generally interviews and makes an appointment recommendation to the Board for the AAC At-Large positions. At the IO's July 10, 2017 meeting they recommended that the AAC At-Large position interview and selection process be referred to the Airport Committee as they have direct oversight and involvement in Airport related matters. On August 1, 2017, the Board approved referring the AAC At-Large position recruitment and selection process to the Airport Committee. On September 13, 2017, the Airport Committee made a recommendation to appoint Eric Meinbress to the At-Large #2 seat on the AAC.

The AAC comprises 11 members who must be County residents: one appointed by each Supervisor; one from and nominated to the Board by the City of Concord; one from and nominated to the Board by the City of Pleasant Hill; one from and nominated to the Board by the Contra Costa County Airports Business Association; and three At-Large to represent the general community, to be nominated by the Airports Committee.

CONSEQUENCE OF NEGATIVE ACTION:

The At-Large #2 seat on the Aviation Advisory Committee will be vacant.

ATTACHMENTS

At-Large Recruitment Process

Meinbress, Eric 8-10-17

Logan, Geoffrey 8-9-17

Friedman, Peter 7-21-17

Hodge, DeWitt 8-9-17

Trevelyan, Robert 7-24-17



Contra
Costa
County

To: Board of Supervisors
From: Keith Freitas, Airports Director
Date: October 24, 2017

Subject: Contra Costa Airports Authorization to Negotiate Long-Term Lease for Property Located at 101 John Glenn Drive at Buchanan Field Airport, Pacheco Area

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Director of Airports, or designee, to negotiate a long-term lease between the County, as Landlord, and one of two parties, in priority ranking order, that have submitted a final property use proposal for the approximately 3.5 acres located at 101 John Glenn Drive, at the Buchanan Field Airport.

FISCAL IMPACT:

There is no negative impact on the General Fund. The Airport Enterprise Fund could realize lease and other revenue. The County General Fund could realize property, sales and possessory interest tax revenues if a lease is successfully negotiated.

BACKGROUND:

The over 50-year old hangar became the property of the County in October 2014, when the term of the former tenant's ground lease ended. Since that time, the County has managed and leased the facility. The facility is comprised of three hangar bays and office space. Two of the three hangar bays are currently vacant. The third is currently rented to different tenants. A majority of the office space in the third hangar is currently rented to Pacific States Aviation for its flight school.

For projects with a competitive interest, the selection process approved by the Board of Supervisors on May 23, 2006, includes: (1) requesting project information and a development/lease deposit; (2) convening a selection committee; (3) reviewing, interviewing, if deemed necessary, and ranking the proposals; (4) seeking Board approval

APPROVE

OTHER

RECOMMENDATION OF CNTY
ADMINISTRATOR

RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **10/24/2017** APPROVED AS
RECOMMENDED

OTHER

Clerks Notes:

VOTE OF SUPERVISORS

AYE: John Gioia, District I Supervisor
Candace Andersen, District II
Supervisor
Diane Burgis, District III
Supervisor
Karen Mitchoff, District IV
Supervisor
Federal D. Glover, District V
Supervisor

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: October 24, 2017

David J. Twa, County Administrator and Clerk of the Board of Supervisors

By: Stacey M. Boyd, Deputy

Contact: Beth Lee, (925) 681-4200

cc:

of ranking order and authorization to negotiate lease terms; (5) facilitating meetings between the project developer/sponsor and stakeholders; and (6) seeking Board approval of the final lease.

On June 21, 2017, Airports staff initiated the selection process by sending notices for competitive interest to lease the facility to businesses at both County airports and to our interested party list. The solicitation provided a response deadline of 5:00 p.m. on Wednesday, July 12, 2017. At the close of the solicitation period, the County had received three letters of interest. The responses, each of which expressed an interest in a long-term lease of the property, came from Pacific States Aviation, PG&E, and an unidentified party, represented by the law firm of Bryant, Lovlien & Jarvis.

On July 18, 2017, the County sent the three interested parties a letter requesting that specified detailed information be provided by 5:00 p.m. on Wednesday, August 23, 2017. The additional detail requested related to the proposed use of the Premises, the proposed business use or other business activities, the desired terms of the lease and the proposed building improvements. The letter also requested a cashier's check in the amount of \$10,000 as a performance guarantee. The performance guarantee would be returned to unsuccessful party(ies) at the completion of the selection process. For the successful candidate, the guarantee would be applied to cover the cost of the project's lease development process. Any remaining funds could be applied to the ground rent or refunded. The letter also advised recipients that the County may elect to negotiate with another candidate, in priority ranked order, if we are unable to consummate a lease with the top ranked candidate.

The County received two (2) complete proposals by the deadline. One proposal was from Pacific States Aviation and the other from Sterling Aviation (which was previously represented by Bryant, Lovlien & Jarvis). A selection committee, comprised of County staff and two Aviation Advisory Committee members, reviewed and ranked the

proposals. Both proposals were excellent and worthy of consideration, which resulted in the selection committee interviewing both candidates. The selection committee ranked the proposals and interviews based on the following factors:

-

BACKGROUND: (CONT'D)

Compatibility of proposed use(s) with governing policies

- Proposed accommodation of the existing tenants into the leasehold
- Proposed financial and lease terms Proposed enhancements to the Premises
- Track record and experience relative to proposed use of the Premises
- Proposed schedule and timing

The selection committee ranked the proposal submitted by Pacific States Aviation first and the proposal from Sterling Aviation second.

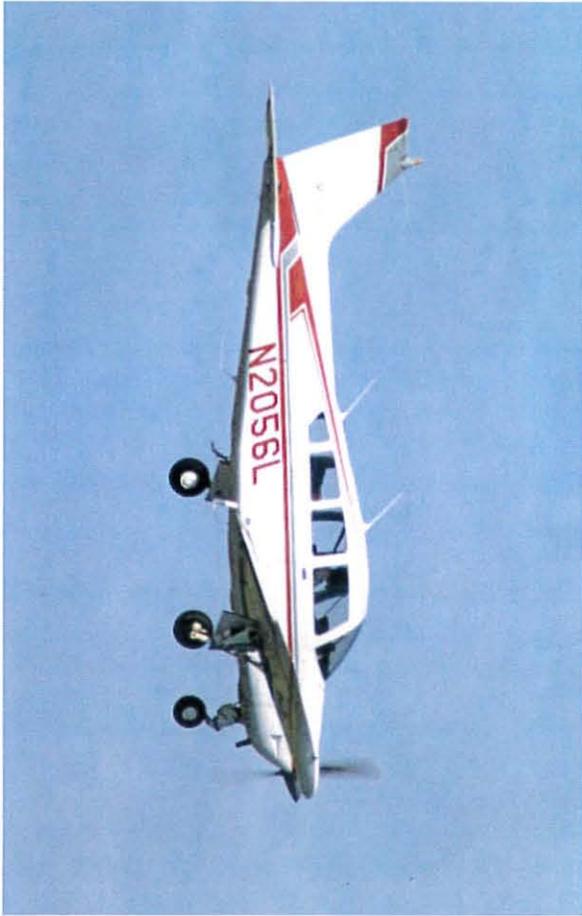
Selection of a leasehold tenant would expand economic development activity at Buchanan Field Airport and result in increased revenues to the Airport Enterprise Fund and County General Fund. To be considered, the proposed use of the property had to be consistent with the Airport Master Plan. Based on the location of the property, the use proposed under both proposals is consistent with the Buchanan Field Airport Master Plan and the Mitigated Negative Declaration that was adopted by the Board of Supervisors on October 24, 2008.

Unless and until a final lease agreement is fully executed by all parties, this Board Order, any draft lease agreement, other communications or conduct of the parties shall have absolutely no legal effect, may not be used to impose any legally binding obligation on the County and may not be used as evidence of any oral or implied agreement between the parties or as evidence of the terms and conditions of any implied agreement.

CONSEQUENCE OF NEGATIVE ACTION:

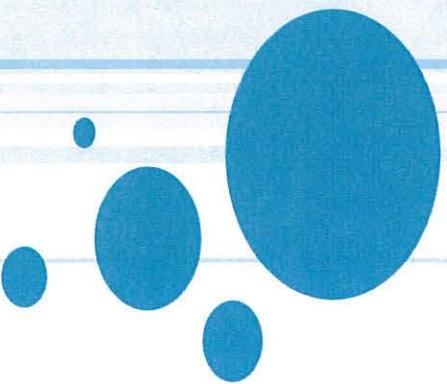
Delay in approving the lease term negotiations will result in a delay of securing a long-term tenant for the property, which will negatively impact the Airport Enterprise Fund.

AVIATION ADVISORY COMMITTEE
NOVEMBER 9, 2017



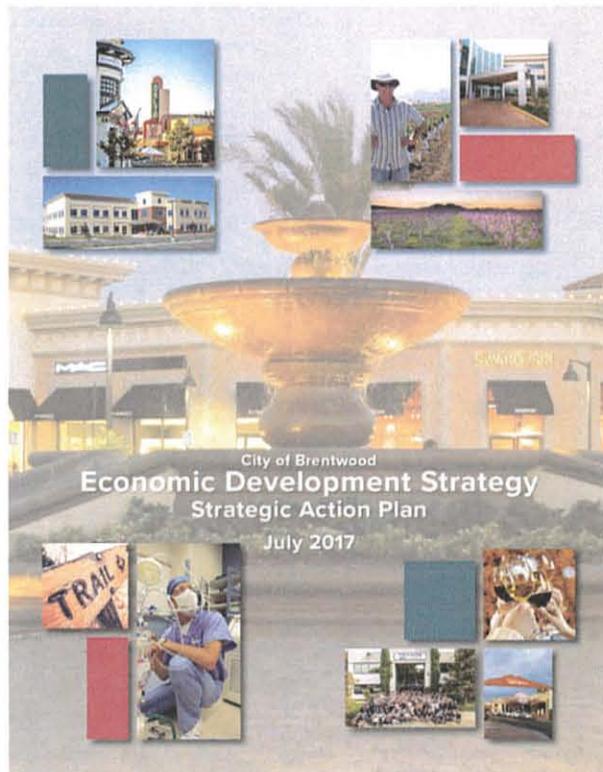
**“PLANNING TODAY.....
FOR TOMORROW”**

ACTION PLAN FOR JOBS IN BRENTWOOD!



October 30, 2017

7 JOB GENERATING “GAME CHANGERS”

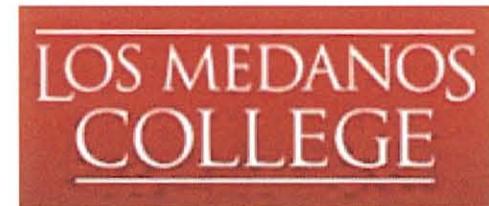


- Business Development Center
- Full-Scale Hospital
- Visitors & Tourism Bureau
- Brentwood Restaurant Association
- Next Generation Technology Business Park
- Economic Gardening
- Farm to Fork Program



#1: BUSINESS DEVELOPMENT CENTER

- Co-working Space
- Collaborative
- Business/Staff Development
- Office Away From Home
- High Speed and Dedicated Wi-Fi
- Fun & Productive

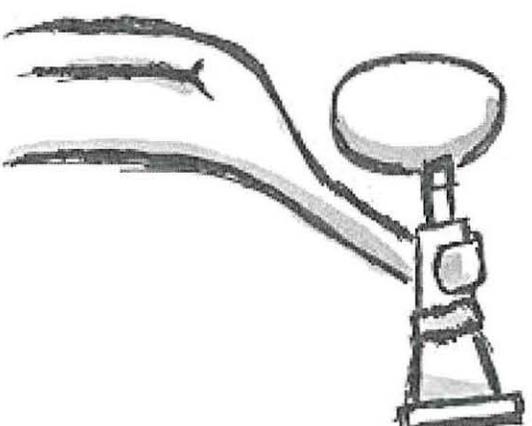


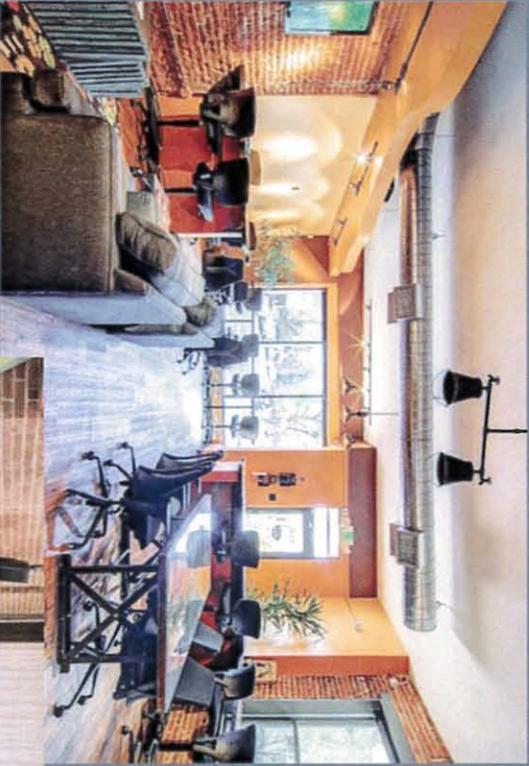
SONIC.

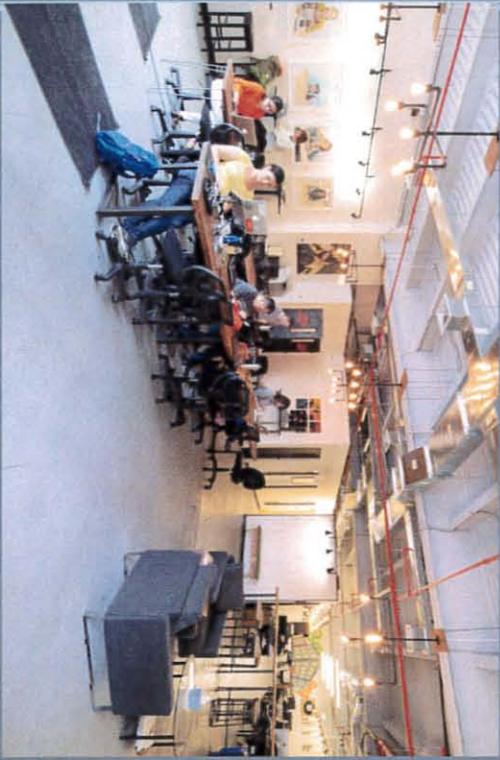
Projected Job Growth in 2026 = 660



THE BRENTWOOD BUSINESS DEVELOPMENT CENTER

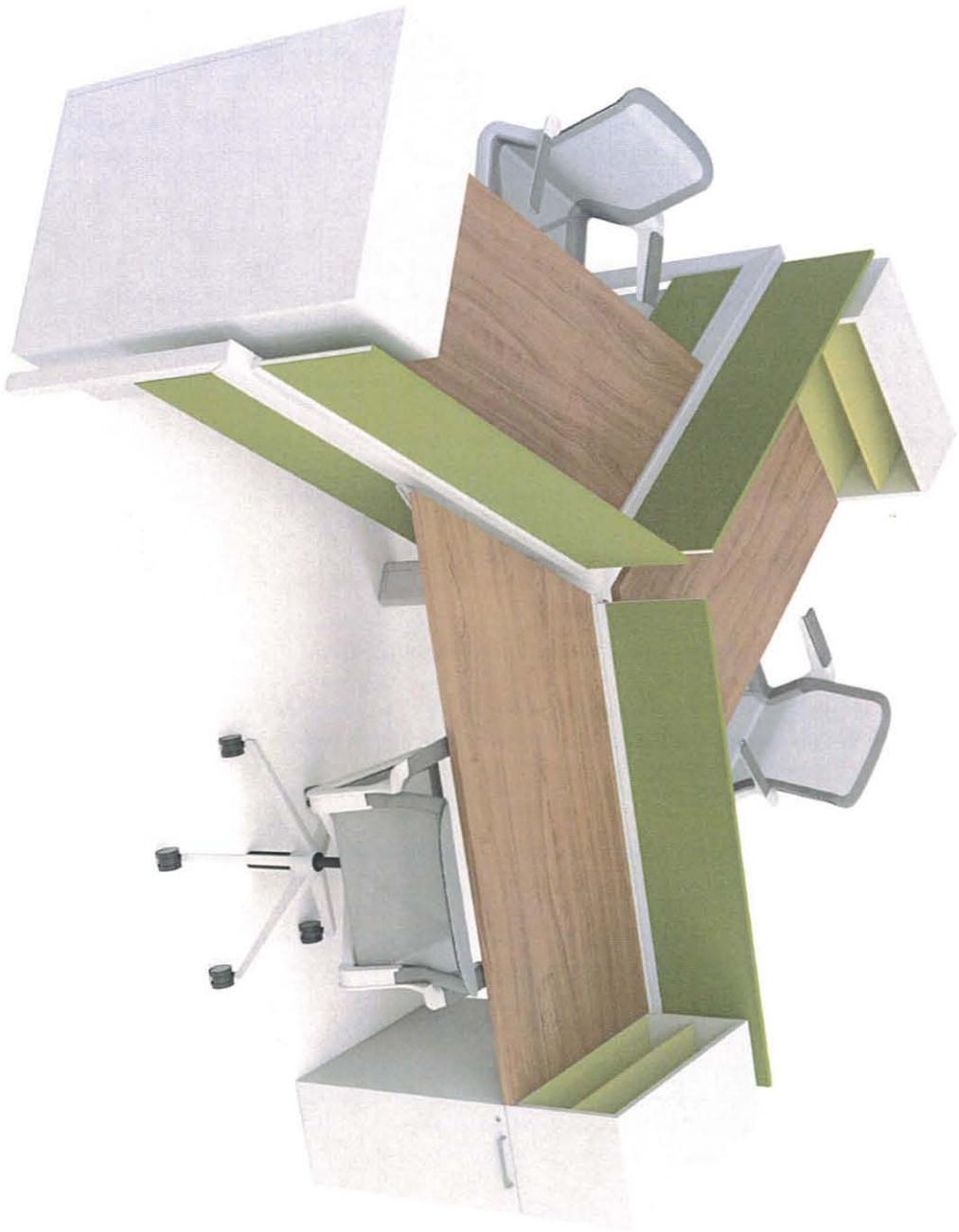






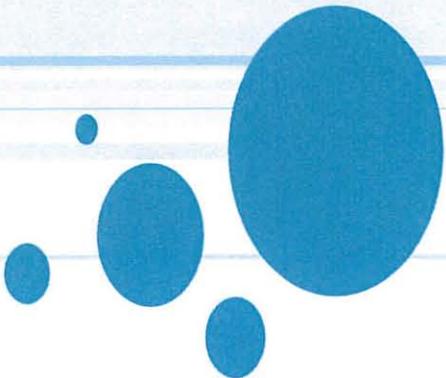








#2: FULL SCALE HOSPITAL

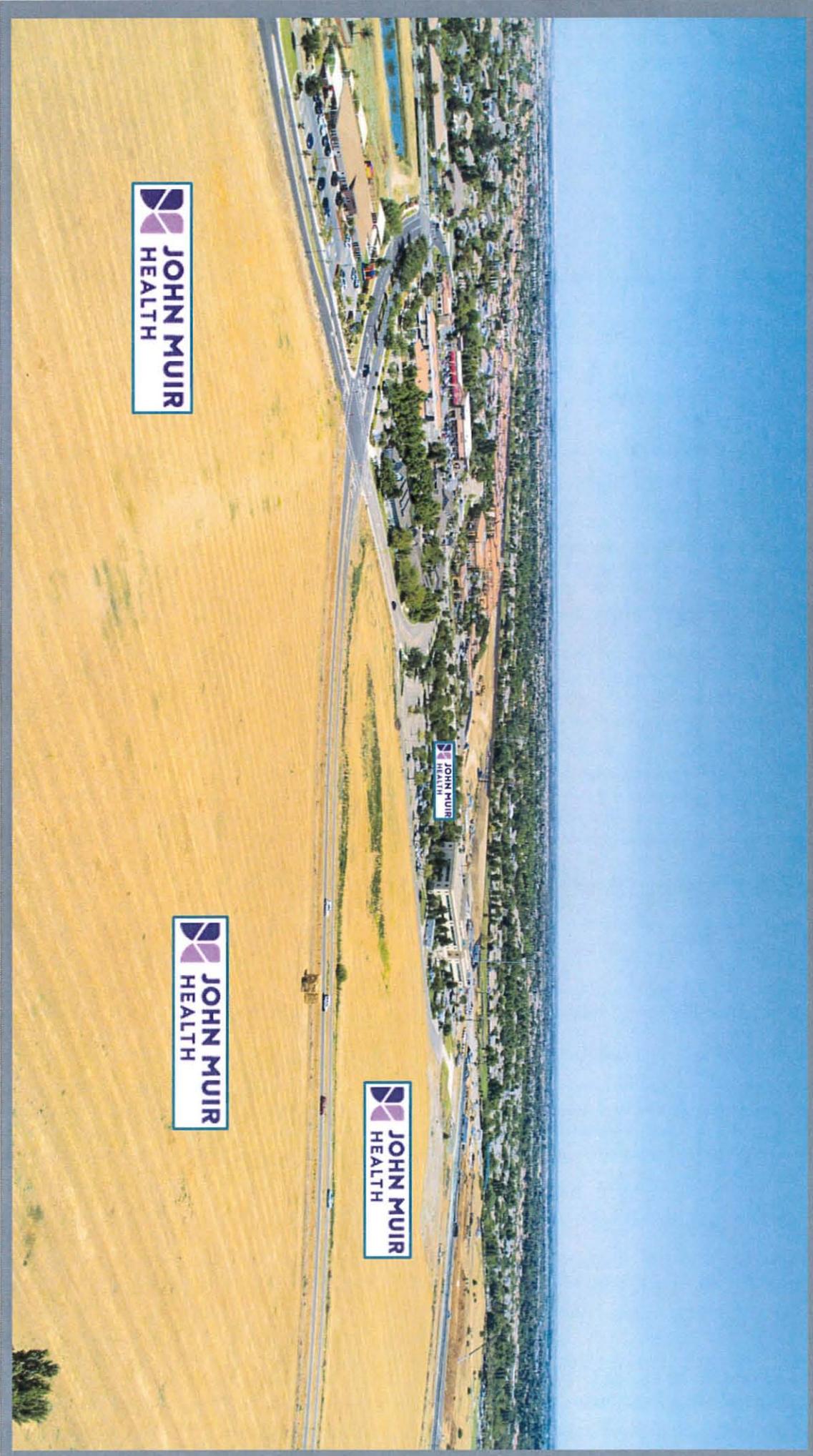


FULL-SCALE HOSPITAL

- Current Healthcare Workforce 1,450
- Current Healthcare Positions 390
- Total Jobs we can create (Hospital + Other Medical)= 800







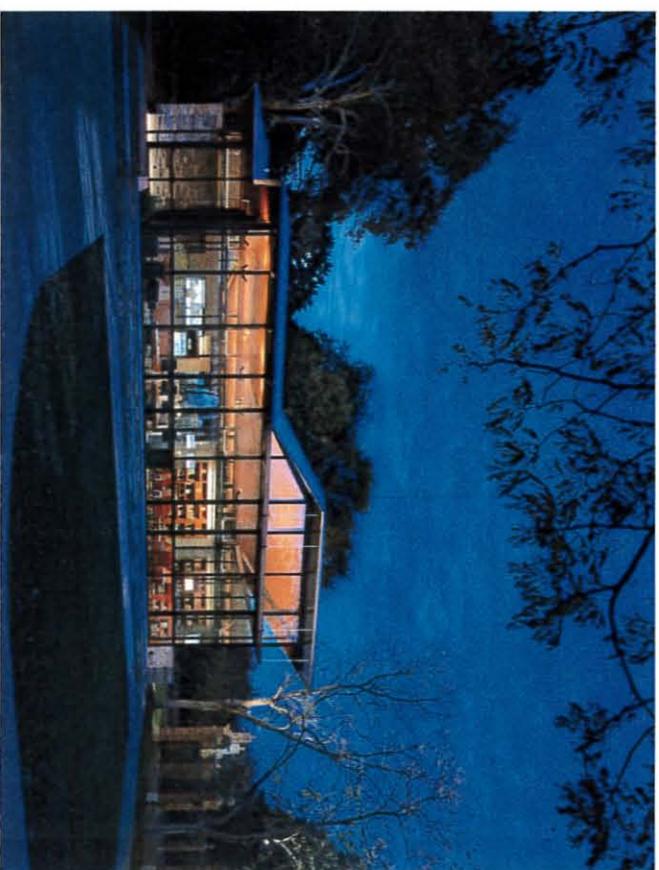
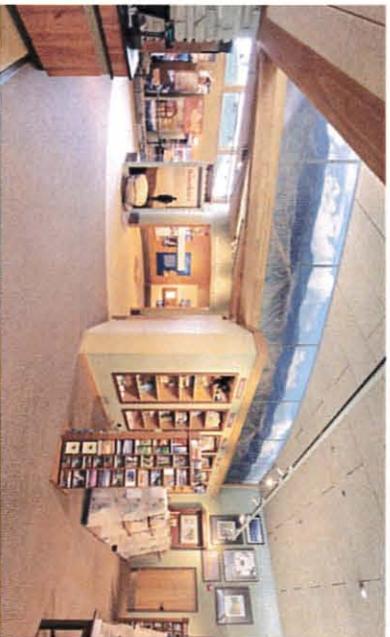
 JOHN MUIR
HEALTH

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HEALTH

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HEALTH

#3: VISITOR & TOURISM BUREAU



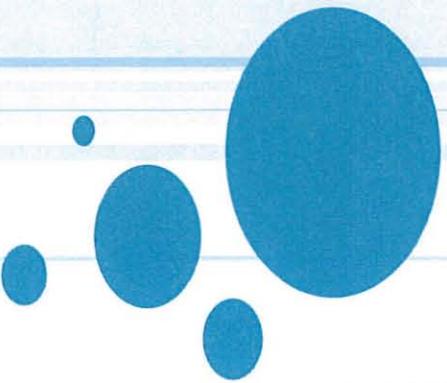
VISITOR & TOURISM BUREAU

- Increase number of visitors to the area
- Increase in TOT & Sales Tax
- Partner with Chamber of Commerce

Potentially Add 500+ Jobs by 2026



#4: BRENTWOOD RESTAURANT ASSOCIATION



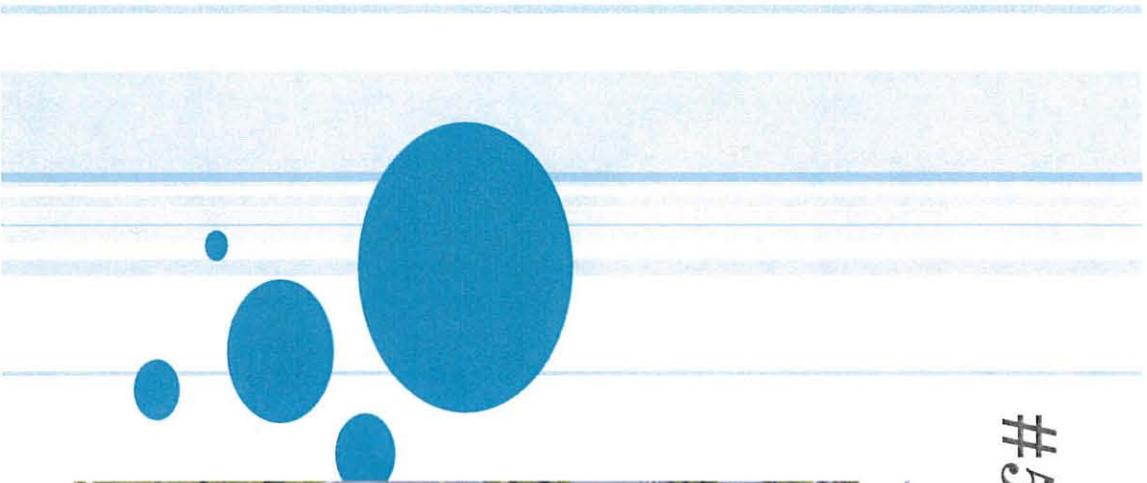
BRENTWOOD RESTAURANT ASSOCIATION

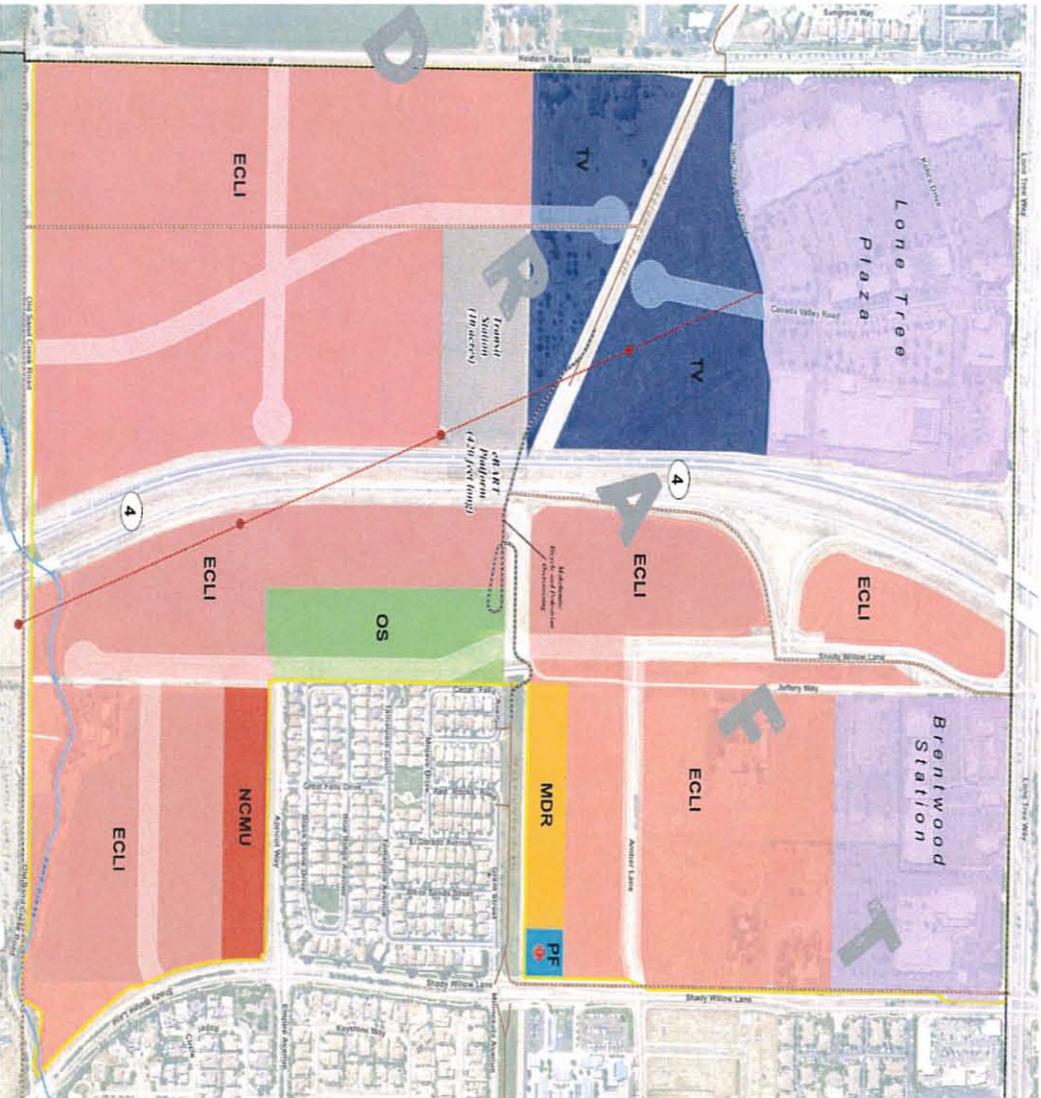
- Increase number of visitors to the area
- City-wide Strolls
- Potential to Create Food Districts & Joint Marketing
- Increase in TOT & Sales Tax

Potentially Add 500+ Jobs by 2026



#5: NEXT GENERATION BUSINESS PARK





300 ACRES
OF JOBS!



WHAT MAKES A BUSINESS PARK READY FOR THE FUTURE?

- Smart Manufacturing
- Business Friendly Zoning & Scalable Infrastructure
- Shovel Ready

Potentially Add 500+ Jobs by 2026



ROSEWOOD COMMONS- PLEASANTON
APPROX. 72 ACRES
1,000,000 SQUARE FEET & 2,500-3,000
EMPLOYEES



VALLEY BUSINESS PARK – PLEASANTON
APPROX. 60 ACRES
HOME TO 200+ COMPANIES & 1,300 EMPLOYEES



NAPA VALLEY COMMONS – NAPA
APPROX. 75 ACRES SHOWN HERE
HOME TO 80+ COMPANIES



#6: ECONOMIC GARDENING

- Support what we already have – Retention
- Look for opportunities to grow – Expansion
- Bring in some new folks - Attraction



Economic Gardening

- Identify market trends, potential competitors and unknown resources
- GIS-Based Marketing
- Raise visibility via web searches and increased web traffic
- Tracks Websites and Blogs of Competitors
- Make informed decisions on core strategies and the business model



#7: FARM TO FORK



JOBS...JOBS...JOBS...2016 TO 2026

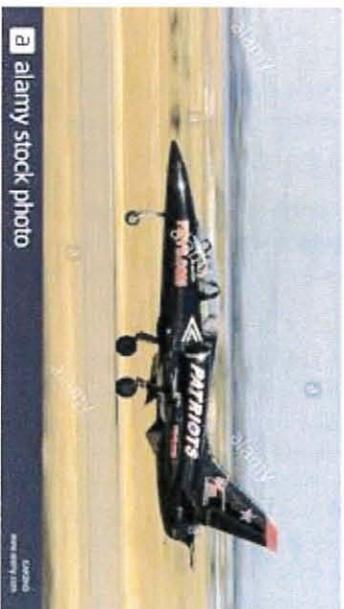
- Business as usual : 1,480 jobs increase
- Implementation of the Action Plan : 2,880
- Action Plan + Game Changers : 5,450

2016 Jobs 12,463

2026 Jobs 17,900



THANK YOU!



AIRPORT ADVISORY COMMITTEE (AAC)
BUCHANAN FIELD TENANT RECOGNITION PROGRAM
*** NOMINATION FORM ***

Nominee: Maurice Gunderson & Tom Weber

Award Category (check one): Individual Commercial

Award Criteria (check one or more):

Advancing the airport or aviation in general

Community service

Environmental consciousness

Noise abatement

Quality of products or services

Brief summary of reason(s) for nomination (attach supporting documentation if desired):

Please see attached

Submitted by:

 (signature) Date: 5/23/17

Daniel Wick (printed name)

for Airport staff

550 Sally Ride Drive, Concord, CA 94520-5550

AAC Tenant Recognition Program Attachment

Airport Division staff would like to recognize Maurice Gunderson and Tom Weber for going above and beyond their roles as Aviation Advisory Committee (AAC) members and Contra Costa County Airports stakeholders to assist communities in East Contra Costa County with aerobatic aviation noise disturbances. Maurice and Tom, as members of the AAC, were aware of aerobatic noise complaints from communities in Brentwood and independently tapped into their aviation network to ascertain information regarding aerobatic activity, potential locations and sources of the activity, and the related Federal Aviation Administration (FAA) regulations. Through multiple meetings and conversations with Airport staff and pilots, including Dale Roberts, Maurice and Tom were able to identify possible sources of the disturbance at nearby airports and confirm that Contra Costa Airports was most likely not related to the reported activity. Dale Roberts, an aerobatic pilot, was influential in dispersing information through the aerobatic pilot network notifying them of the disturbance that this type of activity is creating for nearby neighborhoods and the need to abate the disturbance by operating as far away as possible, within FAA regulations, from the growing neighborhoods. In addition, their actions provided valuable information to Airport staff that was used to assist and respond to East Contra Costa County aerobatic noise disturbances. These combined actions led to an immediate reduction in aerobatic disturbances for East Contra Costa County.

BUCHANAN

AIRPORT ADVISORY COMMITTEE (AAC) AIRPORT
BUCHANAN FIELD TENANT RECOGNITION PROGRAM
*** NOMINATION FORM *** 2017 MAY -4 P 4: 24

Nominee: PSA

Award Category (check one): _____ Individual Commercial

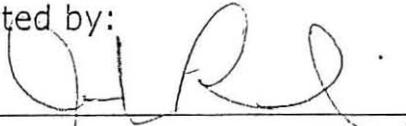
Award Criteria (check one or more):

- Advancing the airport or aviation in general
- Community service
- _____ Environmental consciousness
- _____ Noise abatement
- Quality of products or services

Brief summary of reason(s) for nomination (attach supporting documentation if desired):

THEY TAKE SUCH GOOD CARE
OF ME AND MY PLANE.

THEY ELEVATE THIS AIRPORT TO BEING
THE BEST IN THE WHOLE COUNTRY.

Submitted by:  (signature) Date: 4 MAY 2017

JACK ROMANSKI (printed name)

AIRPORT ADVISORY COMMITTEE (AAC)
BUCHANAN FIELD TENANT RECOGNITION PROGRAM
*** NOMINATION FORM ***

Nominee: SHERIFF AIR SUPPORT UNIT

Award Category (check one): _____ Individual Commercial

Award Criteria (check one or more):

Advancing the airport or aviation in general

Community service

Environmental consciousness

Noise abatement

Quality of products or services

Brief summary of reason(s) for nomination (attach supporting documentation if desired):

SEE ATTACHED.

Submitted by:

ANONYMOUS (signature) Date: 6/7/2017

_____ (printed name)

Contra Costa County Office of the Sheriff

Air Support Unit

STARR – Sheriff’s Tactical Airborne Reconnaissance and Rescue

The Office of the Sheriff is responsible for providing public safety in a county that spans over 700 square miles and over 88 square miles of waterways. Dedicated to maintaining a safe and peaceful life for its residents, the Office of the Sheriff established the Air Support Unit in 1997 as an innovative means to better serve the public by reducing crime and increasing boater safety on the Bay and Delta waterways. The program was envisioned to actively promote private and public partnerships to include supporting nearby allied law enforcement agencies by providing directed airborne patrols and support; however, continued budget reductions have prevented local agencies from contracting for airborne law enforcement services today.

Staffing

The Air Support Unit is comprised of one full-time contract civilian pilot and two Sheriff’s deputies trained as Tactical Flight Officers. The air crew maintains a flexible flight schedule specifically designed to maximize their ability to support Patrol and Marine Patrol personnel during the busiest hours and days of the week.

Mission Priorities and Current Capabilities

The Air Support Unit provides critical assistance to patrol personnel during a variety of calls for service, pursuits of fleeing suspects, searches for criminal suspects, search and rescue missions, transport and deployment of tactical teams, crime scene photography, and aerial surveillance and reconnaissance. The STARR helicopters conduct daily security patrols over the critical infrastructure and key resources within the county to include refineries, bridges, railways, reservoirs, chemical plants, and a military ocean terminal.

The STARR helicopters conduct daily patrols of the vast Delta waterways and support the Sheriff’s Marine Services Unit by conducting timely searches for missing boaters, boaters in distress, providing top cover during boating enforcement stops, and enhancing the security of planned maritime events in the region.

Aircraft and Equipment

The Air Support Unit currently operates two helicopters: STARR 1, a 1996 turbine powered Bell 407 and STARR 2, a 2002 turbine powered Bell 206-B3 Jet Ranger. In 2014, the Contra Costa County Office of the Sheriff purchased a second Bell 407 to replace STARR 2. The new aircraft, STARR 3, is expected to be equipped and delivered by the summer of 2015.

STARR 1 and STARR 3 will soon be equipped with the following law enforcement equipment:

- FLIR Star SAFIRE 380 HDC dual sensor
- SPECTROLAB NightSun XP spotlight

- CHURCHILL GPS moving map system
- Night Vision Capability

Enhancement of Mission Capabilities

The “Morgan Territory Fire” on Mt. Diablo in 2013 burned nearly 3,500 acres of the mountainside and highlighted the pressing need to develop and maintain an effective first strike aerial firefighting capability. The recent acquisition of a second Bell 407 helicopter and the receipt of State Homeland Security Grant Program funding for external load operations has enabled the Air Support Unit to implement a robust long line/short haul program. The implementation of the long line and short haul rescue program will enable the Office of the Sheriff to become the only public safety agency in the county capable of providing the most efficient, cost effective resource for these types of emergencies.

- As the potential for wild fires is greatly increased during the current severe drought conditions, the ability of the STARR helicopters to provide timely firefighting services will significantly enhance public safety within Contra Costa County.
- A wide variety of outdoor activities for tourists, bikers, boaters, and hikers in the county’s recreational areas presents the need for a timely and effective airborne rescue response to incidents involving serious injury. The Office of the Sheriff Air Support Unit maintains the ability to respond to critical incidents in remote areas within minutes and recently developed the ability to perform safe, efficient technical rescues in an effort to transport victims to immediate medical care personnel.

Short Haul Rescue Program and Fire Bucket Operations

- State Homeland Security Grant provided funds for equipment acquisition and training.
- Consulted with numerous agencies with established long line rescue and firefighting programs.
- The implementation of the program required rigorous daily training.
- Effective collaboration between the members of the Air Support Unit, the Contra Costa Fire District, and the Sheriff’s Search and Rescue team combined with the specialized training provided by Air Rescue Systems have provided the air crew with the ability to conduct effective short haul rescues for years to come.

AIRPORT ADVISORY COMMITTEE (AAC)
BUCHANAN FIELD TENANT RECOGNITION PROGRAM
*** **NOMINATION FORM** ***

Nominee: Rashid Yahya

Award Category (check one): Individual Commercial

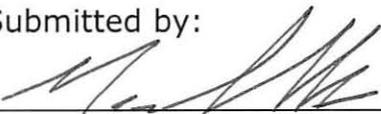
Award Criteria (check one or more):

- Advancing the airport or aviation in general
- Community service
- Environmental consciousness
- Noise abatement
- Quality of products or services

Brief summary of reason(s) for nomination (attach supporting documentation if desired):

Recognized as the FAA's
Flight Instructor of the Year

Submitted by:

 (signature) Date: 10-2-17

Mike Bruno. (printed name)



U.S. Department
of Transportation
**Federal Aviation
Administration**

Western-Pacific Region
San Francisco Airports District Office

1000 Marina Boulevard, Suite 220
Brisbane, CA 94005-0001

August 30, 2017

Gerald M. Murphy
Lubin, Olson, & Niewiadomski
600 Montgomery Street, 14 Floor
San Francisco, CA 94111

Keith Freitas
Director of Airports
Contra Costa County Airports
550 Sally Ride Drive
Concord, CA 94520-5550

Dear Messrs. Murphy and Freitas:

**Buchanan Field (CCR)
Vietnam Helicopter Museum vs. Contra Costa County
Informal Regional Determination**

2017 SEP -5 A 8:50
 RECEIVED
 BUCHANAN
 AIRPORT

This letter provides the final informal determination of the Airports Division, Western-Pacific Region, in accordance with Title 14 Code of Federal Regulations Part 13.1, *Report of Violations*, in response to the complaint by Vietnam Helicopters Museum, Inc. (VHM) against Contra Costa County (County) at Buchanan Field (CCR). We have examined a series of submissions from VHM alleging that the County is not complying with federal obligations stipulated in the Grant Assurances as well as the responses from the County.

Beginning on January 13, 2017, VHM provided several submittals complaining that the County had unjustly discriminated by refusing to approve the transfer of the TDMC hangar and the assignment of the TDMC lease to VHM; the rejection of VHM's proposal in response to the County's May 16, 2016 request for letters of interest to lease the TDMC hangar; and the selection of Conco and PSA over VHM in a bid competition resulting from a solicitation dated November 15, 2016, for the lease of the TDMC hangar.

VHM further alleges that the County systematically discriminated against VHM, for the period beginning in 2010 to the present, by unfairly pursuing a policy to obstruct airport access or to prevent VHM from acquiring an airport hangar. Initially, VHM reports that it was told that helicopters are not allowed at the airport. Subsequently, the County prevented access to hangars in which VHM had an interest, such as, but not limited to, Buchannan Aviation Services, 1500 Sally Ride Drive; Rabobank/NWK2, 1448-1450 Sally Ride Drive; and TDMC, 700 Sally Ride Drive.

Compliance Program

Federal assistance in the form of Airport Improvement Program (AIP) grants and surplus property conveyances is made available to state and local governments (airport sponsors) for the preservation and development of public-use airports. The FAA administers these programs that provide taxpayer funds and other assistance to local communities, such as the

County. In exchange, airport sponsors agree to obligations, specified in the legally binding agreements with the federal government, to operate safe airports that are available to public users to engage in a variety of aeronautical activities. The FAA does not own or direct the operation of airports. Rather, it monitors the administration of the valuable rights pledged by airport sponsors to the citizens of the United States in exchange for federal assistance to ensure that the public interest is being served.

The FAA Compliance Program is designed to achieve voluntary compliance with federal obligations accepted by owners and operators of public-use airports developed with FAA-administered assistance. Therefore, in addressing allegations of non-compliance, the FAA will make a determination as to whether an airport sponsor is currently in compliance with the applicable federal obligations and seek cooperation and corrective action when the airport sponsor is not in compliance.

The burden of proof is borne by the complaining party. When evaluating a complaint, the investigating FAA office must identify the facts and separate facts from unsubstantiated allegations. Only complaints supported by facts may be considered in finding an airport in non-compliance for purposes of withholding discretionary funding. The complaining party has the responsibility to provide sufficient factual information to support the allegation(s). A supported fact is one that can be substantiated through corroborating evidence.

Criteria

Among the specific obligations that are relevant to this case are the following:

Grant Assurance 22, *Economic Nondiscrimination*

- a) It will make the airport available as an airport for public use on reasonable terms and without unjust discrimination to all types, kinds and classes of aeronautical activities, including commercial aeronautical activities offering services to the public at the airport.
- c) Each fixed-based operator at the airport shall be subject to the same rates, fees, rentals, and other charges as are uniformly applicable to all other fixed-based operators making the same or similar uses of such airport and utilizing the same or similar facilities.
- h) The sponsor may establish such reasonable, and not unjustly discriminatory, conditions to be met by all users of the airport as may be necessary for the safe and efficient operation of the airport.
- i) The sponsor may prohibit or limit any given type, kind, or class of aeronautical use of the airport if such action is necessary for the safe operation of the airport or necessary to serve the civil aviation needs of the public.

Grant Assurance 24, *Fee and Rental Structure*

It will maintain a fee and rental structure for the facilities and services at the airport which will make the airport as self-sustaining as possible under the circumstances

existing at the particular airport, taking into account such factors as the volume of traffic and economy of collection.

Regarding efforts to be self-sustaining, Title 49 United States Code 47107(k)(3) stipulates that sponsors, when entering into new or revised agreements or otherwise establishing rates, charges, and fees, undertake reasonable efforts to make their airports as self-sustaining as possible.

The Policy and Procedures Concerning the Use of Airport Revenue (Revenue Use Policy) (64FR7711, February 16, 1999) provides guidance for the application of the self-sustaining principal to not-for-profit aviation museums. The Revenue Use Policy permits, but does not require, below-market rental rates, including nominal rates, for non-profit aviation museums. Therefore, an airport sponsor may treat a qualified aviation museum as it would any other aeronautical activity in setting rental rates and other fees to be paid by the museum.

Analysis of Allegations

VHM believes that the County has demonstrated deliberate discrimination by restricting access to helicopters and obstructing VHM's attempts to rent or secure ownership of a hangar at CCR. VHM is aggrieved because it believes it was unjustly prevented from acquiring a leasehold interest in the TDMC property at 700 Sally Ride Drive. VHM had responded to a solicitation of interest for the TDMC property, but was not selected as the winning bidder. VHM was rated third behind two other bidders who also responded to the solicitation for proposals to lease the TDMC property.

VHM cites a series of examples prior to the TDMC episode to describe how the County unjustly discriminated by preventing VHM from acquiring hangar space to store VHM aircraft and operate a non-profit air museum.

Silver Pacific Aviation

VHM reported that it became aware of an opportunity in March 2010 to lease space at 180 Buchanan Road from Silver Pacific Aviation, which planned to build and lease aircraft storage hangars. VHM notified the Airport Director about the proposed lease agreement and the Airport Director advised VHM that they needed to discuss the lease before VHM finalized an agreement. Additionally, the Airport Director allegedly told VHM that helicopters would not be allowed in the Silver Pacific Aviation lease site.

The County explained in its reply to the complaint that VHM's proposed sublease was untenable because Silver Pacific Aviation was in default under its own lease with the County. It was unlikely that Silver Pacific Aviation would ever build any facilities for VHM to occupy and Silver Pacific Aviation was not authorized under its lease agreement to sublease space in any of its existing hangars because they were supposed to be demolished to make way for the construction of new hangars. Clearly, VHM could not occupy any of the existing hangars because Silver Pacific Aviation was not allowed to sublease these hangars. Furthermore, it was not yet known if and how Silver Pacific Aviation would

accommodate helicopters as well as lighter general aviation aircraft in the new hangars once they were built. The aircraft mix and space allocation would have had a bearing on whether or not helicopter operations could be accommodated without restrictions. Since the project never came to fruition, the issue of helicopter restrictions is moot. Based on the facts, the County could not have unjustly discriminated against VHM because there was never a hangar facility that VHM could have occupied. Consequently, VHM was never denied reasonable accommodation and it did not face unjust discrimination. For this reason, there is no violation of Grant Assurance 22.

Buchanan Air Services

In 2010, VHM states it approached the Airport Director about subleasing space in a hangar at 1500 Sally Ride Drive from Buchanan Air Services. VHM was allegedly told by the County that “Huey’s aren’t allowed at the airport” and “there can be no helicopters in this hangar.”

In response to the allegation, the County confirmed that Buchanan Air Services was a subtenant in a hangar owned by the Picchi Family Trust. Buchanan Air Services never notified the County of its desire to sub-sublease space to VHM, likely because the Buchanan Air Services agreement with the County did not allow sub-subletting of the facility. In addition, the County explained that the Buchanan Air Services hangar is located in an area where helicopter operations are restricted. Therefore, Buchanan Air Services could not offer space to a helicopter operator and VHM would not be eligible to operate helicopters from this area. VHM claims that no regulation exists that bars helicopters from this area. Contrary to the VHM claim, Ordinance 78-8 has been in existence since 1987 and restricts helicopter operations in various airport locations, including the Buchanan Air Services hangar.¹ Clearly, the Airport Director’s disclosure to VHM that helicopters were not allowed was an accurate statement that did not represent an unreasonable restriction nor unjust discrimination against helicopters. As a result, there is no non-compliance with Grant Assurance 22.

Rabobank/NWK2 – APEX Aviation

In 2014, VHM reported that Rabobank/NWK2 queried the County about a sale to VHM of the APEX Aviation hangar at 1448-1450 Sally Ride Drive since VHM had offered to purchase the foreclosed assets of APEX Aviation. Although no written proposal was submitted to the County, VHM claims that the County rejected the offer claiming that “no helicopters are allowed” in APEX Aviation hangar location. Apparently, the agent for Rabobank/NWK2 never referred VHM’s offer to the County when it became aware that helicopters were not permitted in the APEX Aviation site.

¹ Airport Ordinance 87-8, implemented in 1987, states “Rotorcraft shall not be operated within 200 feet of any area where light aircraft are parked or operating, except for designated helipads or on areas leased by FBO’s and then only with their prior permission.” As a result, CCR has designated areas where helicopters cannot operate. The ordinance was established to safeguard people and property in accordance with Paragraphs “h” and “i” of Grant Assurance 22 that permits airport sponsors to establish prohibitions and limitations that are necessary for the safe operation of the airport.

The County reported that rotorcraft operations are prohibited in this area in accordance with Airport Ordinance 87-8. Therefore, VHM did not qualify for a lease agreement that would involve helicopters operations in this area where they were not allowed. In view of the helicopter restrictions authorized by the Airport Ordinance, the County's denial of VHM's offer is not unreasonable and does not represent unjust discrimination. Therefore, there is no violation of Grant Assurance 22.

TDMC Hangar – Initial Solicitation

In 2015, VHM made the first of several solicitations to acquire the TDMC hangar located at 700 Sally Ride Road. VHM claims that the hangar owner offered to donate the hangar and assign the lease to VHM. In response, VHM alleges that the County obstructed VHM's desire to consummate a deal with TDMC by imposing certain regulatory and policy requirements on VHM in order for the lease agreement to be assigned to VHM. The requirements included an environmental review, zoning compliance, airport master plan compatibility, and the formulation of a business plan. In response, VHM stated that "This is nonsensical as VHM is a non-profit, it is not a business." When the County advised VHM that its proposal should be formulated into a business plan that follows the guidance contained in *Contra Costa Airports Development Timeline and Pathway*, VHM called the guidance "a complex and expensive lengthy procedure." As a result, VHM disregarded the County's instructions and then complained that "The County did not advise VHM and TDMC of the steps required to obtain approval of a request for lease assignment."

In response to VHM's criticisms, the County explained that TDMC had informed the County that it was considering several options for disposing of its hangar. They included a donation, a lease assignment, or a public sale. VHM was not party to TDMC's communication with the County. In its communication with the County, TDMC did not disclose that it ever considered donating the hangar and assigning the lease to VHM. Furthermore, TDMC never provided the County with an official written notice requesting to assign its lease to VHM, as required by the lease agreement.

TDMC initially made a decision to terminate its lease with the County pursuant to propositions contained in the lease agreement. Subsequently, TDMC notified the County of its desire to rescind its termination decision and requested the County approve an assignment of the lease to Pacific States Aviation. Although VHM's first attempt to acquire the TDMC hangar was unsuccessful, there is no evidence that the County unjustly prevented VHM from acquiring the TDMC hangar. The information presented by VHM and the County discloses that VHM failed to fulfill certain requirements that might have allowed it to acquire the TDMC hangar. First, VHM never obtained a commitment whereby TDMC actually made a formal written request to the County disclosing that it wished to donate the hangar and assign the lease to VHM. Second, VHM failed to comply with the County's leasing standards by not providing a business plan and fulfilling the other regulatory and policy requirements that the donation and assignment would mandate. VHM's opinion that the County's leasing standards are nonsensical, complex, and expensive does not provide VHM with a right to circumvent them and thereby claim a right to acquire the TDMC hangar on its own terms. Consequently, the County did not fail to comply with its obligations. As a result, there is no Grant Assurance violation.

In the context of the above episodes, VHM makes allegations that “the County never provided the criteria that would have to be satisfied for it to consider a request for a lease assignment” and that “the County never requested VHM’s financials, yet rejected VHM because it was not financially viable.” Clearly, the record shows that the County requested information from VHM related to its business plan, financial assets, and more. In those cases where VHM was not eligible to lease airport facilities that were located in areas where helicopters could not operate, there was no need for the County to provide leasing information and engage in good faith negotiations. VHM appears to suggest that the burden is on the County to engage in outreach to prospective tenants and guide them through the solicitation and leasing process. Furthermore, VHM proffers that the County must treat a prospective tenant the same way it treats an existing commercial tenant, although there is a difference between the two. The former is an unknown entity that must prove it is qualified to enter into a commercial lease agreement. The latter is a known entity with a track record at the airport, so the County may feel confident that the tenant has already been deemed qualified and, thereby, will be able to adhere to the airport’s leasing standards. Therefore, we cannot conclude that the County’s sharing of information orally or informally with airport tenants represents a Grant Assurance violation, even if the same was not done with VHM.

TDMC May 11, 2016 Solicitation

On May 11, 2016, the Airport Director issued a public notice announcing that the Airports Division had received a “letter of interest to lease a 40,000 square foot executive hangar” (the TDMC property) for which the other interested parties were being solicited to express their interest in leasing the hangar facility. VHM conveyed its interest by responding to the County’s solicitation on May 27, 2016. The County responded to VHM on June 7th and requested additional specific information for VHM to remain eligible for consideration. In response to the County’s instructions, VHM submitted its proposal on July 8th in which the cover letter stated the information serves as VHM’s “preliminary expression of interest” for the TDMC property and hangar. In addition, the letter states, “Upon receiving an official request from Contra Costa County to submit a complete proposal, we will collaborate more extensively with PSA (Pacific State Aviation) and concurrently engage...professional services...upon receiving a ‘Request for Proposals’ authorized by the Board of Directors.” VHM’s proposal did not provide all the information that the County had requested on June 7th. For instance, VHM did not provide financial data that might substantiate VHM’s financial capability to undertake the acquisition of the TDMC hangar and the management of the TDMC leasehold property. It should be understood that the County was asking for information that demonstrated VHM was qualified professionally and financially to undertake the business endeavor it was soliciting of the County. Furthermore, the County already had a request from Pacific State Aviation seeking the County’s approval for the assignment of the TDMC lease. The lease assignment to Pacific States Aviation would not change the rental rate for the property that amounted to \$20,191.85 per month. The County indicated that it sought to preserve the income generated by the TDMC property. As a result, when VHM failed to provide financial information and a rental rate offer, its solicitation became inferior to the proposal offered by Pacific State Aviation to the County.

As a result, the County decided to proceed with the offer made by TDMC and Pacific State Aviation.

By assigning the TDMC lease to Pacific States Aviation, the County chose a commercial tenant who already had a record of operating a commercial aeronautical business at CCR and offered the County the same rate of return that it was already getting from TDMC. The County notified VHM on August 23, 2016 that VHM's preliminary expression of interest was no longer under consideration. Based on our analysis of the facts in this case, there is no evidence of any non-compliance with the Grant Assurances. The County's decision to set aside VHM's preliminary offer and pursue another more formal and lucrative solicitation by Pacific State Aviation does not represent unjust discrimination. The FAA has consistently recognized an airport sponsor's right to plan and manage its airport in accordance with its airport policies and procedures so long as they do not violate the Grant Assurances. In this case, the County's decision did not violate the Grant Assurances.

Non-Aeronautical Use of Hangar E-18

VHM alleges that the County notified Equipo, a VHM affiliate, that it could not store a helicopter in Hangar E-18 because it was necessary to have an operating airplane in the hangar. VHM contends that this episode represents another example of the County's antipathy towards helicopters. The County explained that Equipo was issued an eviction notice due to rental agreement violations and not unjust discrimination related to helicopters. The Equipo hangar agreement contains a provision that requires the hangars be used for aeronautical purposes. When County staff inspected the hangar in November 2015, they found it did not contain an aircraft, but rather all sorts of paraphernalia that prevented the storage of an aircraft. The County issued three warnings to Equipo to bring the hangar into compliance with the rental agreement. When Equipo failed to cooperate, a 30-day Notice to Quit was issued on August 22, 2016. Following its receipt of the notice, Equipo put an inoperable helicopter in the hangar. The County withdrew the 30-day notice, allowed Equipo to continue using the hangar, and instructed Equipo to provide reports demonstrating the restoration work of the helicopter is making steady progress. The actions taken by the County to ensure compliance with the terms of the rental agreement do not represent unjust discrimination. Therefore, there is no Grant Assurance violation related to the County's seeking accountability from Equipo for its non-compliance with the rental agreement.

TDMC November 15, 2016

VHM reported that it received a competitive "interest solicitation and proposal information response" from the County on November 15, 2016. The notice was disseminated to aviation businesses and, to reach a wider audience, by marketing brochures, nationwide advertising, and targeted announcements. In response to the solicitation, the County received three proposals: VHM, Pacific State Aviation, and Conco. The County reported that the proposals were evaluated by a five-person selection committee and ranked on the basis of uniform criteria. Conco received the top ranking. Pacific State Aviation came in second. VHM was ranked third. VHM characterized the two other submissions as vague and incomplete. Yet the information in each bid was sufficient to easily compare and rank the proposals. A reasonable person could easily judge the three proposals and conclude which bid offered the highest financial benefits with the least amount of risk based on the bidder's

business experience and financial profile. The following table provides a summary comparison of the three bidders' submissions:

The Conco Companies

Monthly Rent:	\$10,000 per month
Additional Rent:	\$1.2 million up front or \$300,000 upfront followed by annual payments of \$108,217 for ten years.
Lease Term:	30 years
Improvements to Hangar:	The addition of office space, a lobby, pilot ready room, conference room, and restrooms. Construction to be completed in phases with the cost of the first phase estimated at \$600,000. The cost of future phases is unknown. A potential future phase is construction of a fuel farm at an estimated cost of \$100,000.
Proposed Use:	Corporate aircraft storage with an emphasis on large business jets.

Pacific States Aviation

Monthly Rent:	To be based on appraisal, but inferred the current fixed-base operator rate which would be equal to \$7,325 per month.
Additional Rent:	A long-term lease purchase price; the amount to be determined by a fair market value appraisal.
Lease Term:	40 years
Improvements to Hangar:	The addition of 2,000 to 5,000 square feet of office space. Estimated cost unspecified.
Proposed Use:	A combination of commercial aviation services (comparable to fixed-base operator services) and aircraft storage.

Vietnam Helicopter Museum and Blackhawk AviationBU

Monthly Rent:	\$7,325 per month
Additional Rent:	None
Lease Term:	50 Years
Improvements to Hangar:	The addition of office space, a lobby, conference room, and restrooms. Estimated cost unspecified. The tenant would also construct a self-fueling tank facility. Estimated cost unspecified.
Proposed Use:	One-half of the hangar would be used as a commercial fixed base operation and one half would be used as the base of operations and for aircraft storage by VHM. Visits to the museum would be by appointment only.

The FAA could not conclude that the County's selection was unreasonable or unjust. Furthermore, the FAA does not put itself in the role of airport sponsor to replace a sponsor's decision with an FAA-preferred outcome. If there is no clear and convincing evidence demonstrating non-compliance with the Grant Assurances, the FAA is deferential to the sponsor's decision-making. In this case, there is no evidence of unreasonable, arbitrary, or unjust discrimination. The facts clearly support this conclusion. Therefore, the County selection of Conco does not represent non-compliance with Grant Assurance 22.

Supervisor Karen Mitchoff

VHM disclosed that it sought the assistance of County Supervisor Karen Mitchoff and expressed dissatisfaction with her responses. The FAA provides no commentary regarding the interactions of the Supervisor and her constituents. This episode does not demonstrate non-compliance by the County at CCR. Therefore, VHM interaction with Supervisor Mitchoff is not relevant to the specific allegations made by VHM.

Conco Lease Approval

VHM is aggrieved because the County Board of Supervisors approved the lease with Conco on March 28, 2017. VHM believes that the County had no authority to make an award of the lease agreement during the pendency of the FAA's investigation of the complaint. We remind VHM that the FAA does not own or direct the operation of airports. Rather, it monitors the administration of the valuable rights pledged by airport sponsors to the citizens of the United States in exchange for federal assistance to ensure that the public interest is being served. In reviewing allegations contained in a complaint, the FAA will determine whether an airport sponsor is in compliance with commitments it made to the FAA. The FAA Compliance Program seeks to benefit the public's civil aviation interest. The FAA's adjudication process is intended only to determine current compliance with Federal obligations and does not provide restitution or compensation for damages whether real or perceived. As a result, the County's approval of the Conco lease agreement is not a matter for the FAA to address. Considering there has not been any non-compliance with Federal obligations, this is a moot issue.

Additional Analysis

VHM's complaint that the County was unreasonable and unjustly discriminated against VHM and helicopters was not corroborated. VHM provided other examples of purported unjust discrimination that were not borne out by the evidence. For example:

VHM sought hangar space on several occasions in locations where helicopters were not allowed. The County was clearly within its right to deny access to these facilities based on published airport regulations. A sponsor does not violate a Grant Assurance by enforcing an established airport rule or policy.

VHM disclosed to the County that it wished to operate an aviation museum. The County reported that it requested on numerous occasions following VHM arrival at CCR that VHM disclose its qualifications by submitting a business plan to the County. Evidence of the County's request for a business plan was eventually documented in an e-mail dated May 14, 2015 from Keith Freitas to Christopher Miller. However, when VHM responded to the

County's May 11, 2016 solicitation of interest for the TDMC hangar, the submittal lacked important information that would demonstrate VHM's business and financial qualifications and ability to assume the TDMC lease. Furthermore, it did not disclose sufficient information to describe what kind of aviation museum VHM intended to operate. These shortcomings repeated themselves when VHM attempted to compete for the next solicitation dated November 15, 2016. The record shows that VHM promised to deliver many commercial aeronautical services, but did not demonstrate that it had a track record of actually and successfully performing these business activities.

The VHM complaint also contains assumptions that are not supported in fact.

Bona fide non-profit aviation museums are recognized as aviation entities that qualify for reasonable access to federally obligated airports, much like all other aeronautical activities. However, aviation museums do not enjoy preferential treatment that allows them to take priority over other aeronautical commercial enterprise.

The *Policy and Procedures Regarding Airport Revenue* (FR647711, February 16, 1999) permits, but does not require, below market rental rates, including nominal rates for aviation museums. This privilege represents a financial benefit for aviation museums. However, to qualify for the benefit, the museum should provide tangible and intangible benefits to the airport and civil aviation. The benefit can include the education that creates a better understanding of aviation, promotion of public support for aviation, and the delivery of in-kind services to the airport. When evaluating museums, an airport sponsor is free to treat a qualified aviation museum as it would any other aeronautical activity in setting rental rates and other fees to be paid by the museum as well as the terms and conditions contained in the lease agreement.

The Grant Assurances represent a list of obligations with which airport sponsors must abide. The Grant Assurances are not ranked from most important to least important. Sponsors are expected to comply with them all. As a result, sponsors must allow reasonable public access for aeronautical activities as well as seek to make the airport as self-sustaining as possible. The latter does not make the sponsor greedy while the former makes it genteel, as VHM appears to suggest in its complaint. To fully comply with its federal obligations, a sponsor must consider both Grant Assurance 22 and 24. Therefore, if a choice exists between two qualified aeronautical entities, the sponsor would be exercising reasonable judgment to select the one that offers the higher rate of return and also provides aeronautical services that serve airport users.

Lastly, the VHM complaint presented the premise that the County by its actions and omissions systematically discriminated against VHM, in particular, and helicopters, in general. Beginning with VHM's arrival at CCR, VHM accuses the County of unfairly denying access to the airport facilities that VHM sought to occupy. The record does not support this premise. First, the County reports that helicopters have been based and operating at CCR for at least 30 years. Second, VHM has successfully secured storage space at CCR for its helicopters. Third, VHM's failure to secure space in certain facilities was not due to unjust discrimination against VHM. It was actually due to failure by VHM

to be aware of and adhere to airport rules and regulations because VHM sought storage space in locations where helicopters were not allowed. VHM also failed to provide the County with information that the County had repeatedly requested to allow the County to evaluate VHM's qualifications to operate a commercial aeronautical business and museum at CCR. The County's denial of access of VHM solicitations was not unjust or discriminatory. VHM is expected to abide by the County's rules, regulations, and minimum standards. The County's response to VHM's failure to fully comply with airport rules, regulations, and minimum standards does not represent non-compliance with the Grant Assurances.

Conclusion

Based on the foregoing, it is our determination that there is no non-compliance by the County with its Grant Assurance obligations. The County did not violate Grant Assurance 22 or Grant Assurance 24. Therefore, this matter is closed as it relates to the informal adjudication of the VHM complaint by the Airports Division, Western-Pacific Region.

If there is disagreement with this regional conclusion, either party to the dispute may file a formal complaint in accordance with the rules of practice prescribed in Title 14 Code of Federal Regulations Part 16. If availing yourself of this option, be mindful to ensure the filing requirements are followed, the complaint package is complete, and it is sent to the proper address in Washington DC.

If you have any questions, please contact

Sincerely,



James Lomen
Manager, San Francisco Airports District Office

cc: Airport Compliance Division, ACO-100
Safety and Standards Branch, AWP-620