MEETING: March 13, 2012
TO: The Board of Supervisors
FROM: Peter Rei, Public Works Director
RE: Approval of New Airport Leases

RECOMMENDATION AND JUSTIFICATION:

Approve new lease documents for privately-owned hangar space leases, County-owned hangar leases and tie-down leases at the Yosemite Mariposa Airport.

For the past several months Public Works staff and County Counsel have been negotiating new lease documents for privately-owned hangar space leases, County-owned hangar leases and tie-down leases with representative of the airport community. Approval of these leases will update the lease requirements.

BACKGROUND AND HISTORY OF BOARD ACTIONS:

ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:

The Board could choose not to approve the newly revised lease agreements. Doing so would leave the current lease documents unchanged. Alternatively the Board could direct staff to make additional changes to the lease documents.

FISCAL IMPACT:
None. There is no change in the lease amounts.

ATTACHMENTS:
Ground Space 2-8-12 (PDF)
RentalHangars 2-8-12 (PDF)
Tie Down 2-8-12 (PDF)

CAO RECOMMENDATION
Requested Action Recommended
Agenda Item 2012-124

RESULT: ADOPTED AS AMENDED [UNANIMOUS]
MOVER: Lee Stetson, District I Supervisor
SECONDER: Lyle Turpin, District II Supervisor
AYES: Lee Stetson, Lyle Turpin, Janet Bibby, Kevin Cann
EXCUSED: Jim Allen
TO: PETER REI, Public Works Director

FROM: MARGIE WILLIAMS, Clerk of the Board

SUBJECT: Approval of New Airport Lease Documents for Ground, Hangar, and Tie Down Spaces (Continued from March 6, 2012)

RES. 12-124

THE BOARD OF SUPERVISORS OF MARIPOSA COUNTY, CALIFORNIA

ADOPTED THIS Order on March 13, 2012

ACTION AND VOTE:

2. Public Works RES-2012-124
   Approval of New Airport Lease Documents for Ground, Hangar, and Tie Down Spaces (Continued from March 6, 2012)
   Supervisor Allen was excused at 9:46 a.m. for this item due to a potential conflict of interest. Discussion was held with Pete Rei relative to the revised lease forms and the status of the existing lease agreements. Rob Binder, representing the County Airport Advisory Committee, advised that the Committee feels that the ground lease form should not be approved, but they are okay with the others. He advised that they object to the last two sentences at the end of paragraph three in the ground lease relative to the linkage of the fees to the tie down space fees. They would like the ground lease fees to be fixed for the term of each lease, and he noted that KMPI has a fixed fee for the term of their lease. Discussion was held. Pete Rei stated he does not feel that the fees have to be linked - that could be changed. Supervisor Bibby suggested that the end of 2014 be used for the expiration of all of the leases to allow time to further review the issues, and she expressed concern with the possibility of subletting. Rob Binder noted that the commercial leases and sublease issues are on the Committee’s agenda to address in the future. Rick Benson/County Administrative Officer, recommended that there be a provision that would protect the County in periods of high inflation. Pete Rei agreed with extending the expired leases to the end of 2014, and with deleting the linkage of the fees until the end of 2014 and with further review to occur.
Input from the public was provided by the following:

Rob Binder, speaking as an individual, presented information and input on how other airports operate.

Ruth Sellers asked whether the personal property tax revenues from the planes go to the Airport Enterprise Fund.

The new Airport lease documents were approved, with the deletion of the last two sentences in paragraph three of the ground lease relative to the linkage of the fees; and with direction that the expired leases be extended to 2014. The motion was amended, agreeable with the maker and second, to clarify that just the ground lease is being changed to delete the linkage of fees and that authorization be given to extend expired leases to December 31, 2014. The rest of the lease documents were approved as submitted.

RESULT: ADOPTED AS AMENDED [UNANIMOUS]

MOVER: Lee Stetson, District I Supervisor
SECONDER: Lyle Turpin, District II Supervisor
AYES: Lee Stetson, Lyle Turpin, Janet Bibby, Kevin Cann
EXCUSED: Jim Allen

Cc: Steven W. Dahlem, County Counsel
Bill Davis, Auditor
File