

**Marin County Aviation Commission  
Minutes of December 3, 2015 Meeting  
7pm - Board of Supervisors' Chambers  
Marin Civic Center, San Rafael, CA**

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**Commissioners Present at Roll Call:** Richard Beach, Lou Franecke, Richard Nave, Zev Rattet, Douglas Watt

**Commissioners Absent at Roll Call:** Marius Nelsen, Humphrey Ogg

**Staff Present:** Dan Jensen (Airport Manager)  
Eric Steger (DPW)  
Ann Hearty (Recording Secretary)

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**The Vice Chair gaveled the meeting to order at 7:01 pm.**

Vice Chair Franecke announced that both Chair Ogg and Commissioner Nelsen had contacted the Commission and were excused from tonight's meeting.

**1. Minutes of the August 6, 2015 Meeting**

Vice Chair Franecke asked if the commissioners had a chance to review the minutes. He then entertained a motion to approve the minutes. Mr. Beach requested to make a motion to defer the approval of said minutes, pending review by County Counsel of the remarks critical of the comments made by GFCA and stating the rationale of not permitting such comments. The motion failed to be seconded and was therefore tabled. Commissioner Nave made a motion to approve the minutes as presented. Commissioner Rattet seconded the motion.

Commissioner Beach claimed there was an omission of the level of detail in which Commissioner Franecke described the role of the Commission and Mr. Beach asked that it be included in the record. He requested to move the minutes of August 6<sup>th</sup>, 2015 be amended in Section 4a to include Mr. Franecke's expanded list and explanation of the specific functions of the Commission. Commissioner Watt seconded the motion.

**Vote:           Aye – Beach**  
**Nay – Franecke, Nave, Rattet, Watt**  
**Motion Defeated 4:1**

Vice Chair Franecke called for a vote regarding the initial motion still on the table that said minutes be approved as presented.

**Vote: Aye – Franecke, Nave, Rattet**

**Nay – Beach, Watt**

**Motion Passed 3:2**

Mr. Franecke recognized Commissioner Beach to state what he thought should have been in the minutes so he was fairly heard. Mr. Beach wanted Mr. Franecke's examples of entities the Commission is responsive to (including DPW, the Supervisors, GFCA, the public), as well as appropriately characterizing the actual functions of the Commission. The Vice Chair cautioned all commissioners to keep in mind what their role is, what the Brown Act requires, and that no commissioner is to act individually in the name of the Commission. Mr. Franecke requested that the Clerk make a transcript of the remarks made in Section 4a to check the accuracy of Mr. Beach's representation.

## **2. Airport Manager's Report and Comments**

- a. Mr. Jensen said there had been no incidents or accidents since the last meeting.
- b. The Manager noted that regarding the one informal complaint to the Federal Aviation Administration (FAA), the FAA conducted a meeting on November 3 and 4 in regards to the feasibility of a parachute operation and he was expecting a final report. Mr. Beach asked if this activity was connected to denying Golden Gate Skydiving's application for a parachute operation. Mr. Jensen said they were separate; this was the Air Traffic Controller, not Oakland FSDO.
- c. Mr. Jensen reported that on November 10, the BOS accepted the AWOS and Pavement Maintenance awards from the FAA and authorized the 10 percent local matching funds.
- d. The Airport Manager said that on October 17<sup>th</sup>, the deck and the garden maintenance were completed and thanked DPW's Building Maintenance Department for their help.
- e. Mr. Jensen added that he received a notice dated November 25 that Burdell Air Partners wished to install 3,600 solar panels on a vacant property adjacent (northwest) to Gness Field. Comments were due by to the County Community Development Agency (CDA) by December 9. Commissioners requested that reflection issues during takeoff and landing may merit a comment. Vice Chair Franecke asked Mr. Jensen to contact San

Rafael Airport about their experience with the process of solar panels impacting operations.

### **3. Aviation Commissioners' Reports and Comments**

Mr. Beach noted that Supervisor Arnold brought a concern about the function and role of the Aviation Commission to the BOS. He wished the minutes to reflect that he supported and hoped to participate in a review of the Aviation Commission and its role. He offered it did not seem to be achieving the effective inclusion of the voices of members and the public as designed.

Commissioner Beach summarized four topics from his conversation with Supervisor Arnold and County Counsel: 1) the rehabilitation of his reputation; 2) that the Commission serve the public with open and transparent communication; 3) his desire that the Commission take a businesslike approach to supporting organizations involved at the Airport; and 4) disclosure of information of interest to the public. He also mentioned he met with members of DPW to discuss financial operations and the budget.

Mr. Franecke noted that items 2 through 4 have been continuously upheld by the Commission for the number of years the Vice Chair has served.

### **4. Unfinished Business**

The Vice Chair called for any unfinished business. He asked the Airport Manager about the allocation of matching funds for grants. Mr. Jensen indicated that the local match information was detailed in the staff report included in the packet.

### **5. New Business**

Mr. Franecke requested if there was any new business to discuss. Hearing none, he moved to the next item.

### **6. Open Time**

- a. Ken Mercer, President of the Gness Field Community Association (GFCA), requested that a meeting be held to address the role of the Commission and have County Counsel conduct a training on the Brown Act.
- b. Kirby Hughes of Golden Gate Skydiving wanted to know when to expect a recommendation on Gness Field skydiving proposal.
- c. Dan Bedford read from the Brown Act, emphasizing that public comment comes before or during the consideration of any decision regarding an agenized item. He also made other

comments regarding Supervisor Arnold and the Aviation Commission.

- d. Ted Newman, long-time user of Gross, presented a copy of a document he requested be entered into the record which he stated supported Mr. Bedford's claim of conspiracy.

## **7. Adjourn**

The Vice Chair asked for a motion to adjourn. The motion was made by Commissioner Watt and seconded by Commissioner Nave.

**Vote:       Aye – Beach, Franecke, Nave, Rattet, Watt**

**Nay – None**

**Motion Passed 5:0**

The meeting was adjourned at 7:54 pm.