

Marin County Aviation Commission
Minutes of June 7, 2018 Meeting
7pm – Room 329
Marin Civic Center, San Rafael, CA

Commission Chair: Humphrey Ogg

Commission Vice-Chair: Louis Franecke

Commissioners Present at Roll Call: Thomas Engdahl, Louis Franecke, Richard Nave, Marius Nelsen, Humphrey Ogg, Zev Rattet, Douglas Watt

Commissioners Absent at Roll Call: None

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

The Chair gaveled the meeting to order at 7:00 pm.

1. Chair Announcements –Chair Ogg welcomed all in attendance and reminded those present that the Commission follows Robert’s Rules of Order in its proceedings.
2. Minutes of the April 5, 2018 Meeting – Chair Ogg asked if the members had an opportunity to review the minutes. **M/s Franecke/Nelsen to approve the minutes as presented.** The Chair asked for any public comment, but no one from the public spoke.
Vote: Aye – Engdahl, Franecke, Nave, Nelsen, Ogg, Rattet, Watt
Nay – None
Motion Passed, 7/0
3. Airport Manager’s Report and Comments
 - a. Aircraft/Airport – Incidents and Accidents: Mr. Jensen reported that on May 4th at 5:45 pm, the Airport had a twin engine Cessna 414 land gear up with no injuries. No other incidents or accidents have occurred at Gness since the meeting on April 5.
 - b. 1% Recommendation Correspondence – The Airport Manager distributed the approved Master Lease between the County of Marin and CB Aviation. He noted that at the Aviation Commission meeting of 4/5/18, there was a discussion how the 1% Concession Fees worked at Gness. He went on to report that the Commission unanimously passed a motion to recommend that all new businesses at Gness undergo an audit or review of the Fuel Flow Fees and 1% of Gross Receipts after the second installment

payment has been received by the County. He indicated that the Commission's motion was included in the approved Master Lease with CB Aviation. Chair Ogg commented that the 1%, which was presently limited to CB Aviation and new businesses, can always be addressed by the Commission at a later time.

4. Unfinished Business – Chair Ogg asked if there was any unfinished business that had not already been discussed; hearing none, he moved onto the next item.
5. New Business
 - a. Corporate Lease Review - Mr. Ogg said the corporate leases on the east side will finally expire in May 2019. He presented a draft of the language for the proposed leases, which are a five-year term with a five-year option. He noted that 95 percent of these hangars were not businesses; they were pilot tenants and he found it inequitable that one group of tenants were on 30-day leases and others got five years with a five-year option. Commissioner Watt pointed out Section 25 in the proposed lease, which is a 30-day quit for either party. Commissioner Rattet concluded that the claim of five years was meaningless under Section 25; that indeed these new leases would function as 30-day leases. Vice Chair Franecke suggested that County Counsel rework the language so it makes sense; as presented, it seems no harm for the County, but no benefit to the lessee and it is unclear what the business limitations are. Mr. Steger said the intent under Section 6 is to allow for an adjustment every year, but the language present seems to contradict that. He agreed that the 30-day option did not seem consistent with the spirit of the lease.

The Chair requested any public comment. Mr. Steger said this review and comments are part of the public process; these are opportunities for owners to comment which can occur at the Aviation Commission, the BOS meetings, and during actual lease negotiations. Mr. Mercer made comments provided by Daniel Davids. Mr. Knight commented month-to-month leases could lead to deterioration in upkeep or improvement of the hangars.

M/s Rattet/Engdahl that the DRAFT Corporate Lease is not accepted in its present form.

Vote: Aye – Engdahl, Franecke, Nave, Nelsen, Ogg, Rattet, Watt

Nay – None

Motion Passed, 7/0

- b. Renew Aviation Commission Charter – Chair Ogg reported that the charter is set to expire on August 18. He suggested requesting the BOS continue the Commission as a policy-making and advisory commission. Vice Chair Franecke thought the goals and initiatives are still current, but there seems to be a lack of understanding by the Supervisors in the members' expertise beyond regulating and recommending. Mr. Ogg agreed that the Supervisors are unaware what aviation policies are important to consider. Commissioner Watt commented that the BOS should be reminded to run aviation decisions through the Commission in a timely manner.

M/s Rattet/Franecke that a request is made to renew the Aviation Commission Charter to include policy-making recommendations.

Vote: Aye – Engdahl, Franecke, Nave, Nelsen, Ogg, Rattet, Watt

Nay – None

Motion Passed, 7/0

- c. Review of all Airports and Aviation-Related Operations in Marin County – Mr. Franecke suggested staff send a letter and invite the Seaplane Operation and San Rafael Airport to make a report at the next Commission meeting. Mr. Steger noted that Public Works has no authority over these entities, so the request should come from the Commission, not staff. **M/s Franecke/Nave approve the Commission send a letter to all aviation operators in the County to attend the next meeting of the Commission and provide a status report on their operations.**

Vote: Aye – Engdahl, Franecke, Nave, Nelsen, Ogg, Rattet, Watt

Nay – None

Motion Passed, 7/0

- d. Timely Notice by DPW of all Aviation-Related Business before the Board of Supervisors – Chair Ogg commented that since the Commission only meets every other month, the Liaison Committee was formed to formalize access to the BOS and DPW so the Commission has input on matters with time limitations for consideration. Mr. Ogg stated it was especially important that the public be included in a public forum. Commissioner Rattet thought DPW was meeting its commitment and the Liaison Committee can address the timeliness. Commissioner Engdahl suggested that DPW make a public presentation before every other Commission meeting so there is plenty of time for the public to ask questions. Commissioner Watt thought that a motion regarding DPW notification of the Commission outside of Commission meetings was way too general and he would not support it. The Chair asked if there was any public comment. Mr. Mercer said he always found Mr. Steger easy to get a hold of, so perhaps the Commission needs to reach out to DPW if there is an issue. Chair Ogg closed this item without any action.
 6. Aviation Commissioner Reports and Comments – Commissioner Engdahl invited everyone to the Hayward Air Rally on June 22/23/24. Commissioner Nelsen asked to be excused from the August meeting.
 7. Liaison Committee - Mr. Ogg appointed Commissioner Engdahl to the Liaison Committee. The Chair mentioned the Committee met with the existing tenants of Units 1 and 3 (David Hart and Michael Knight) and was happy to report that Mr. Neff was pleased.
 8. Open Time - Chair Ogg asked if there were any speakers from the public. Ken Mercer mentioned that Ernie Ganas will receive Pilot Award on July 14th.
 9. Adjourn – Chair Ogg asked for a motion to adjourn. **M/s Nave/Watt.**
- The Chair gaveled the meeting adjourned at 8:48 p.m.