



COUNTY OF HUMBOLDT

Legislation Text

File #: 21-1781, **Version:** 1

To: Board of Supervisors

From: Aviation

Agenda Section: Consent

SUBJECT:

Approval of General Aviation Lease and Use Agreement Template and Non-Commercial Aircraft Storage License Agreement Template to comply with Federal Aviation Administration Requirements Outlined in the Land Use Compatibility Inspection

RECOMMENDATION(S):

That the Board of Supervisors:

1. Approve the attached General Aviation Lease and Use Agreement Template;
2. Approve the attached Non-Commercial Aircraft Storage License Agreement Template;
3. Authorize the Director of Aviation to execute General Aviation Lease and Use Agreements and Non-Commercial Aircraft Storage License Agreements using these attached templates; and
4. Direct the Clerk of the Board to return one original executed copy of this item to the Department of Aviation.

SOURCE OF FUNDING:

Aviation Enterprise Fund (3530)

DISCUSSION:

The Federal Aviation Administration (FAA) completed a land use inspection of County of Humboldt Airports in 2018. Following completion of the FAA inspection, the County of Humboldt received a letter identifying numerous compliance matters that required resolution. The second item identified in that list of compliance matters was the need for updated airport use agreements to include a standard subordination clause, a reference requiring the tenant's compliance with the airport's minimum standards, an escalation clause, and compliance with the FAA Hangar Use Policy.

In January of 2020, your Board approved the contract with Aviation Management Consulting Group (AMCG) for consulting services to resolve the findings from the FAA Land Use Inspection Report. One of the many tasks AMCG and their project partners have successfully completed is assisting the Department of Aviation in the development of both a general aviation use and operating agreement template and non-commercial aircraft storage license agreement template that comply with the requirements laid out in the 2018 land use inspection.

These template agreements will convey the requirements and obligations, and related terms and conditions, associated with leasing land and improvements, and engaging in commercial or non-commercial general aviation activities at the airports. Additionally, these template agreements will replace old agreements that were not consistently executed with different tenants and lacked compliance with FAA requirements.

Approving these template agreements and authoring the Director of Aviation to sign will alleviate the need for the Department of Aviation to bring hundreds of individual leases before the board for approval.

FINANCIAL IMPACT:

There are no expenses incurred by approving the lease agreement templates other than staff time to prepare the item. There is no impact to the general fund.

STRATEGIC FRAMEWORK:

This action supports your Board's Strategic Framework by providing community-appropriate levels of service and facilitating public/private partnerships to solve problems.

OTHER AGENCY INVOLVEMENT:

N/A

ALTERNATIVES TO STAFF RECOMMENDATIONS:

The Board may decide not to approve the General Aviation Lease and use Agreement Template and Non-Commercial Aircraft Storage License Agreement Template. However, it is not recommended due to potential impacts outlined below:

- Demand for repayment for all, or a portion, of the \$50,296,566 in past grant funding provided by the FAA as outlined in the 2018 Land Use Compliance Letter
- Risking future grant funding for capital projects through the FAA's Airport Improvement Program (AIP).

ATTACHMENTS:

1. General Aviation Lease and Use Agreement Template
2. Non-Commercial Aircraft Storage License Agreement Template
3. FAA-Land Use Compliance Inspection Letter

PREVIOUS ACTION/REFERRAL:

Board Order No.: C-1

Meeting of: 01/28/2020

File No.: 20-105