



Legislation Details (With Text)

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| File #: | 21-1268 | Version: | 1 |
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| File created: | 7/27/2021 | In control: | Board of Supervisors |
| On agenda: | 8/31/2021 | Final action: | 8/31/2021 |
| Title: | <p>Planning and Building Department, Airports Division, recommending the Board approve and authorize the Chair to sign County of El Dorado Airport Ground Leases for Portable Hangars, that require a rental fee to be paid at commencement of the lease and paid annually thereafter in accordance with fees established by Board Resolution 183-2019 by the Board on October 22, 2019 (Item 31, Legistar 19-0663), in effect at the time payment is due, and upon Board execution, a lease term of ten years as follows (4/5 vote required):</p> <p>1) Lease 2026, between the County and Lessees, Brian and Sue Sanders, for a privately-owned Hangar located on Space TP-03 at the Placerville Airport, representing use of 1,086 square feet of Airport ground, with commencement rental fee due of \$1,068.00 (Attachment B);</p> <p>2) Lease 2032, between the County and Lessee, Frank Ugie, for a privately-owned Hangar located on Space TP-23 at the Placerville Airport, representing use of 1,411 square feet of Airport ground, with commencement rental fee due of \$1,388.40 (Attachment C);</p> <p>3) Lease 2033, between the County and Lessee, Algimantas Balciunas, for a privately-owned Hangar located on Space H-18 at the Placerville Airport, representing use of 1,512 square feet of Airport ground, with commencement rental fee due of \$1,487.76 (Attachment D); and</p> <p>4) Lease 2035, between the County and Lessees, Diane Shariff and James Edison, for a privately-owned Hangar located on Space H-34 at the Placerville Airport, representing use of 1,548 square feet of Airport ground, with commencement rental fee due of \$1,523.28 (Attachment E).</p> <p>FUNDING: Placerville Airport Enterprise Fund - Fee Revenue.</p> | | |
| Sponsors: | | | |
| Indexes: | | | |
| Code sections: | | | |
| Attachments: | 1. A - Counsel Approval Airport Ground Lease, 2. B - Sanders Lease 2026, 3. C - Ugie Lease 2032, 4. D - Balciunas Lease 2033, 5. E - Shariff & Edison Lease 2035, 6. F - Ebix Compliance, 7. G - Resolution 183-2019, 8. Executed Sanders Lease 2026, 9. Executed Ugie Lease 2032, 10. Executed Balciunas Lease 2033, 11. Executed Shariff & Edison Lease 2035 | | |

| Date | Ver. | Action By | Action | Result |
|-----------|------|----------------------|----------|--------|
| 8/31/2021 | 1 | Board of Supervisors | Approved | Pass |

Planning and Building Department, Airports Division, recommending the Board approve and authorize the Chair to sign County of El Dorado Airport Ground Leases for Portable Hangars, that require a rental fee to be paid at commencement of the lease and paid annually thereafter in accordance with fees established by Board Resolution 183-2019 by the Board on October 22, 2019 (Item 31, Legistar 19-0663), in effect at the time payment is due, and upon Board execution, a lease term of ten years as follows (4/5 vote required):

- 1) Lease 2026, between the County and Lessees, Brian and Sue Sanders, for a privately-owned Hangar located on Space TP-03 at the Placerville Airport, representing use of 1,086 square feet of Airport ground, with commencement rental fee due of \$1,068.00 (Attachment B);
- 2) Lease 2032, between the County and Lessee, Frank Ugie, for a privately-owned Hangar located on Space TP-23 at the Placerville Airport, representing use of 1,411 square feet of Airport ground, with commencement rental fee due of \$1,388.40 (Attachment C);

- 3) Lease 2033, between the County and Lessee, Algimantas Balciunas, for a privately-owned Hangar located on Space H-18 at the Placerville Airport, representing use of 1,512 square feet of Airport ground, with commencement rental fee due of \$1,487.76 (Attachment D); and
- 4) Lease 2035, between the County and Lessees, Diane Shariff and James Edixon, for a privately-owned Hangar located on Space H-34 at the Placerville Airport, representing use of 1,548 square feet of Airport ground, with commencement rental fee due of \$1,523.28 (Attachment E).

FUNDING: Placerville Airport Enterprise Fund - Fee Revenue.

DISCUSSION / BACKGROUND

Airport users with portable hangars must enter into a lease with the County for the use of Airport property, in accordance with County Ordinance Code § 3.08.021. Each new ground lease includes language required by the County and the Federal Aviation Administration.

The proposed leases represent new ground leases, upon which a privately-owned portable aircraft storage hangar will be utilized, and recognizes a change in ownership for these hangars occupying:

- Placerville Airport Space TP-03, owners Brian and Sue Sanders (Sanders Lease);
- Placerville Airport Space TP-23, owner Frank Ugie (Ugie Lease);
- Placerville Airport Space H-18, owner Algimantas Balciunas (Balciunas Lease); and,
- Placerville Airport Space H-34, owners Diane Shariff and James Edixon (Shariff & Edixon Lease).

Each lease includes a term effective upon Board execution and expiring ten (10) years thereafter. Upon expiration of the initial term, Lessees shall have the right to extend the term for an additional two (2) ten (10) year lease options under such terms and conditions as may be agreed upon at such time. After expiration, the County may issue a written notice authorizing each Lessee to holdover as a holdover tenant with a month-to-month term under the same lease terms and conditions, including Section 3 regarding payment of a prorated share of the annual rent due. The County may terminate at any time the holdover period upon thirty (30) days written notice.

In accordance with County Ordinance Code § 18.04.100, Fees and Charges, fees for airport ground leases are set by a Board Adopted Resolution; therefore, lease fees are not negotiated. Current Airport fees are in accordance with Resolution 183-2019 adopted by the Board on October 22, 2019, which establishes per Exhibit A (Attachment G) the rental fees now referenced in each lease, as follows:

- Sanders Lease with an annual fee of \$1,068.00 for a Hangar utilizing 1,086 square feet of designated airport property;
- Ugie Lease with an annual fee of \$1,388.40 for a Hangar utilizing 1,411 square feet of designated airport property;
- Balciunas Lease with an annual fee of \$1,487.76 for a Hangar utilizing 1,512 square feet of designated airport property; and,
- Shariff & Edixon Lease with an annual fee of \$1,523.28 for a Hangar utilizing 1,548 square feet of designated airport property.

Each lease provides for an annual adjustment of the rental fee amount should the Board adopt different rates in the future.

A 4/5 vote is required in accordance with County Ordinance Code § 3.08.021(B) as authorized by Government Code Section 25536 or any successor statute.

ALTERNATIVES

The Board could choose to:

- 1) Approve or disapprove on an individual lease basis;
- 2) Approve the Sanders Lease, Ugie Lease, Balciunas Lease, and Shariff & Edison Lease with a different term of the Board's choosing; or,
- 3) Disapprove the proposed Sanders Lease, Ugie Lease, Balciunas Lease, and Shariff & Edison Lease, that will require removal of the portable hangars from County airport property, resulting in the loss of lease revenue until such time as new hangar placement requests are received and airport ground leases are secured.

PRIOR BOARD ACTION

Adoption of Resolution 183-2019 (Attachment G) by the Board on October 22, 2019 (Item 31, Legistar 19-0663), titled "Resolution Establishing Chief Administrative Office, Airports Division Fee Schedule," thereby superseding Resolution 080-2019.

OTHER DEPARTMENT / AGENCY INVOLVEMENT

County Counsel and Risk Management

CAO RECOMMENDATION / COMMENTS

Approve as recommended.

FINANCIAL IMPACT

Lease rates are based on hangar type and square footage set by the Board Adopted Resolution 183-2019. Should the Board adjust rates in the future; the annual lease payments reflected below will also adjust commensurate with Board direction.

Upon commencement, the Placerville Airport Enterprise Fund will receive annual revenue in the amount of \$1,068.00 from the Sanders Lease for use of Space TP-03; \$1,388.40 from the Ugie Lease for use of Space TP-23; \$1,487.76 from the Balciunas Lease for use of Space H-18; and, \$1,523.28 from the Shariff & Edison Lease for use of Space H-34, which combined represents \$5,467.44 in annual revenue.

CLERK OF THE BOARD FOLLOW UP ACTIONS

- 1) Obtain the Chair's signature on the two (2) original copies of the Sanders Lease, Ugie Lease, Balciunas Lease, and Shariff & Edison Lease; and,
- 2) Return one (1) fully executed original copy of the Sanders Lease, Ugie Lease, Balciunas Lease, and Shariff & Edison Lease to the Planning and Building Department, Airports Division, to the attention of Jessica Dillon, for transmittal to the respective Lessees.

STRATEGIC PLAN COMPONENT

Economic Development and Good Governance.

CONTACT

Chris Perry, Assistant Director
Planning and Building Department