



CITY CLERK'S OFFICE  
*Agenda* DATE 7/2/14 TIME 10:41 a  
SERVED BY Anita Medina  
RECEIVED BY [Signature]

**AIRPORT ADVISORY BOARD**  
**Santa Fe Municipal Airport**  
**Building 3002 (Just North of Terminal Building)**  
**Thursday, July 10, 2014**  
**4:00 PM**

1. Call to Order
2. Roll Call
3. Approval of Agenda
4. Approval of May 1, 2014 Minutes  
Approval of June 5, 2014 Minutes
5. From the Airport Manager
  - a. Month in Review
  - b. Status - Construction Projects in Progress
    - i. TWY F Extension
    - ii. RWY 2/20 MIRL Upgrade
    - iii. RWY 10/28 MIRL Flight Check
  - c. Upcoming Projects
    - i. Postponed
      1. Rules, Regulations, Minimum Standards,
      2. RWY 33 Safety Area
6. Discussion Item:
  - a. Ethics Summary
7. Items from the Board
8. Public Comment:

**\*REMINDER: ALL PUBLIC COMMENTS BE LIMITED TO 5 MINUTES**
9. Items to be Discussed at the August 7, 2014 Airport Advisory Board Meeting
10. Adjourn

Persons with disabilities in need of accommodations, contact the City Clerk's office at 955-6520, five (5) working days prior to meeting date.

AIRPORT ADVISORY BOARD  
INDEX  
July 10, 2014

Cover Page		Page 1
Call to Order and Roll Call	The Chair convened the Airport Advisory Board meeting at 4:00 pm, Santa Fe Airport, Building 3002, Santa Fe, New Mexico. A quorum was declared by roll call.	Page 2
Approval of Agenda	<b><i>The Chair added: Economic Impact of Santa Fe Airport</i></b>  <b><i>Mr. Ortega moved to approve the agenda as amended, second by Mr. Miller, motion carried by unanimous voice vote.</i></b>	Page 2-3
Approval of May 1, 2014 and June 5, 2014 Minutes  Corrections reflected in minutes, July 10, 2014 meeting	<b><i>Mr. Krohn moved to approve the minutes of May 1, 2014 as amended; second by Mr. Miller, motion carried by unanimous voice vote.</i></b>  <b><i>Mr. Ortega moved to reapprove the minutes of June 5, 2014 as amended, second by Mr. Padilla, motion carried by unanimous voice vote.</i></b>	Page 3-4
From the Airport Manager A. Month in Review B. Status – Construction Projects in process – - RWY 2/20 MIRL Upgrade - RWY 10/28 MIRL Flight Check C. Upcoming Projects	<b><i>Informational</i></b>	Page 4-6
Review and Discussion Items a. Ethics Summary	<b><i>No formal action.</i></b>	Page 6-10
Items from the Board	<b><i>Informational</i></b>	Page 10-11
Public Comment	<b><i>Informational</i></b>	Page 11-13
Items to be discussed at the August 7, 2014 meeting	Agenda Topics - Mission statement as an Action Item	Page 14-16

	<ul style="list-style-type: none"> <li>- Continued Discussion of Lease Agreement</li> <li>- Tie Down Agreement – as an action item</li> <li>- Discussion on the word “worthiness”</li> </ul>	
Adjournment/Signature Sheet	<b><i>There being no further business to come before the Airport Advisory Board, the meeting was adjourned at 6:20 pm</i></b>	Page 16

**AIRPORT ADVISORY BOARD  
Santa Fe Municipal Airport  
Building 3002 (Just North of Terminal Building)  
Thursday, July 10, 2014  
4:00 pm – 6:20pm**

**MINUTES**

**1. Call to Order**

Carolyn Cook, Chair for the Airport Advisory Board called the meeting to order at 4:00 pm at the Santa Fe Municipal Airport, Building 3002, Santa Fe, NM. A quorum was declared by roll call.

**2. Roll Call**

Present:

Carolyn Cook, Chair  
Elizabeth Hunke  
Chris Ortega  
Ron Krohn  
Troy Padilla  
Mark Miller

Others Present:

Kent Freier, Molzen Corbin  
Bob Wood, SAF ATCT  
Jim Robins, Midwest Equity Leasing  
Ken DeLapp, SFAC  
Dee Cerda, Envoy Air  
William Aneshensel, Aviation Association of Santa Fe  
John Elling, Cielo Azul Hangar Condo Assn.

Staff Present:

Francey Jesson, Airport Manager  
Anita Medina, Executive Assistant  
Joseph Maestas, City of Santa Fe

Others Present:

Anna Serrano for Fran Lucero, Stenographer

**3. Approval of Agenda**

The Chair added on: Economic Impact of Santa Fe Airport

***Mr. Ortega moved to approve the agenda as amended, second by Mr. Miller, motion carried by unanimous voice vote.***

**4. Approval of May 1, 2014 Minutes and June 5, 2014**

***Corrections:***

Page 1 – Item 10 – July 3<sup>rd</sup> should be July 10<sup>th</sup>

Page 2: Others Present: delete James Gill

Page 3: Updates: ~~assimilated~~ plane crash simulated

Page 4: 4<sup>th</sup> paragraph: have ~~block-wise~~ enhance markings

Page 5: terminal expansion: ~~Mr. Miller~~ asked if the \$890,000 sufficient to do the project? Mr. Krohn asked the questions.

Page 5: \$890,000 was received from State CIP money – Correction: CIP should be Capital Outlay money

Ms. Jesson went before the Public Works Council – Committee

Page 6: According to the FAA FAR's only an AFP ANP with Inspector authority or the pilot at landing in command can make the determination of airworthiness.

Page 6: the FAA an AFP ANP

Page 7: airworthiness is when an AFP – airworthiness in when an ANP

3<sup>rd</sup> line: ~~airworthy certificate~~ air worthiness

~~Airworthy~~ air worthiness

~~dilapidated~~ or derelict aircraft – should read: functional or derelict aircraft

Page 8: and ~~part~~ their airplane – park

Page 9: 2<sup>nd</sup> paragraph: Maybe what we are really talking about ~~is~~ an aircrafts operation that is operational.

Page 10: airworthiness ~~aircraft~~

***Mr. Krohn moved to approve the minutes of May 1, 2014 as amended; second by Mr. Miller, motion carried by unanimous voice vote.***

***Corrections:***

Page 5: July meeting date changed to July 11, 2014 and reflected as ~~July 3~~, 2014. Should be July 10<sup>th</sup>

PSCs can be used for terminal projects. Should be: PFCs throughout paragraph

Page 5: for ~~marketing~~ – should be advertising

Page 7: ~~and would have to follow the rules.~~ Should say: be subject to disparate treatment

Page 8: Item 8 - It was noted that there were 5 interested candidates for the ***vacant*** position and they have been submitted to the Mayor for selection and approval.

**Items to be Discussed at the July 11, 2014 Meeting - July 10<sup>th</sup>**

Page 3: 5A - Ms. Jesson made a request ~~was made~~ for

Page 4: Once it is signed it can be sent to the FFA FAA

Page 5: Ms. Jesson was pleased to be in the black for EXP Taxiways A&C.

Page 7: Their final findings were that ~~revisionary~~ clauses – should be reversionary

Page 8: The FAA has made it very clear that they ~~do not approve~~ reversionary clauses. – should be: ***“prefer”***

*Mr. Ortega moved to reapprove the minutes of June 5, 2014 as amended, second by Mr. Padilla, motion carried by unanimous voice vote.*

## **5. From the Airport Manager**

### **a. Month in Review (Francey Jesson, Airport Manager)**

Included in the packet were current through end of June deplanement numbers. The Airport Manager reported that for the last few months American and United flights have been operating at 100% load factors. They are packed at 38 seats for sale on a 50 seat jet. A significant number of flights each day are overbooked. Dee Cerda said that some people are not making it to the 7:00 flight. Some mornings are not cool enough.

Mr. Padilla asked how many people are turned away.

Ms. Cerda said today 13 were ready to board and 7 stayed behind. They had to find availability through Albuquerque. Denver and LA are new flights for the summer mornings. History on flights will help for next season.

Ms. Jesson stated that these were all good point to be making and it is important to understand that as they launch the Airport Master Plan and this is something that will be looked at as far as runway strength. The number of how many people wanted to fly out of Santa Fe and couldn't fly out of Santa Fe will be a big discussion when they launch the master plan.

Also included in the board packet is a combined AE/UAX flight schedule for information.

Mr. Padilla stated that at the last meeting they were concerned about the 3 overnights and terminal congestion and requested an update.

Ms. Jesson responded that the feedback that she has received from her staff and Dee's staff at night is that there is congestion in the terminal and in the morning you can see the congestion from the night before and start with congestion with the AM outbound flights. Terminals are not as clean with only one custodian.

Dee Cerda reported that that parking is working well. People comment on the walk to the aircraft; some like it and some don't.

Francey Jesson said that some aircrafts leave early and this is a challenge for ground staff. Staff is adjusting well.

### **b. Status – Construction Projects in Progress**

- TWY F Extension paving.  
Pavement is completely down and none of the electrical is back up. Some of the electrical conduit has been put in but materials for the actual lights and the

regulators have not arrived yet. That taxi is not commissioned until the lighting is in and paperwork has to be sent to the FAA so they can document that the taxiway exists. Lighting is not required on that runway by FAA standards but because it is a brand new taxiway the Airport Manager would rather wait to open it up and fully commission it when it is completely operational. Contractor has not given a specific date for completion, the hope is that all supplies will be received and installed by August. Ms. Jesson will send a save a date invite for ribbon cutting ceremony once she can identify a firm date.

Ms. Jesson clarified for the board that the pavement is in and they are waiting for the lights.

- RWY 2/20 MIRL Upgrade.  
Lighting upgrade started last week, they are 2 weeks in to that project. 2,500 ft. of lighting is completed; they are averaging about 600 ft. a night. Runway 220 closes at 9:00 pm and opens at 5:00 am. It has not affected any of the commercial flights getting in as they come before 9:00 pm or land on RRW 5. They are installing edge lighting and conduit lighting.

Mr. Ortega asked if the electrical work was the reason the vasi is out of service.

Ms. Jesson said no, the vasi is out of service because the ILS has to be up. If you close a runway, the FAA has a rule that all ILS have to be out of service at the same. When this project was started a great deal of discussions took place with the FAA about the ILS. What would be the capability of shutting down the ILS at 9:00 pm and turning it back on at 5:00 am when the runway opened up. What we came to find was that everyone around the ILS and the vasi on those runways had to come out every night and shut everything down and turn everything on in the morning. The vasi can operate separately from the ILS it still creates a navigation light that can lead the pilots to a closed runway and that creates the admirable aviation code. For legal, safety, financial and logistic reasons we all agreed that the easiest and safest thing to do was to turn off all ILS and vasi at the beginning of the project and turn them back on at the end of the project. We did consult with United and American to assure it would not impact their operations. Visual Approach Slope Indicator (vasi).

Mr. Padilla: During this phase of construction, do you have an estimate on when they will be working on the intersection and will they be closing the airport?

Ms. Jesson: No not yet. As soon as we have a general idea of work at the intersection, closure will become much more complicated and we will notify everyone hopefully within 72 hours.

It was noted that no commercial flights will be cancelled and the contractor is aware of that.

- RWY 10/28 MIRL Flight Check.  
The FAA flight check has not been issued due to the closing of the fiscal year. Follow up will take place this week with the city to get the check processed and mailed to the FAA.

**c. Upcoming Projects**

- Postponed until after the master plan is complete.
  - Rules, Regulations, Minimum Standards
  - RWY 33 Safety Area

**5. Review and Discussion Items**

**a. Ethics Summary**

The Chair reported that Ms. Jesson had received correspondence from Zach in the City Attorney's office regarding the code of conduct. The city attorney's office said that there was no need to summarize the code of conduct.

Mr. Ortega said that in his opinion the city has disappointed him as they were trying to summarize the resolution that establishes this board, summarize the code of ethics so they would have it available to the board members as a simple document that would be clear in understanding. In reading the e-mail it should be made clear that the board was not asking for a signed code. Clearly it feels like the city attorney did not understand what the board was trying to accomplish.

Mr. Padilla asked who presented this document to the city attorney and what instructions were given at that time.

Ms. Jesson said that she wrote the memo to the city attorney and said that the intent was a summary of the existing code.

The Chair said that she felt like the new board members should have a guideline other than the loose ordinance. The Chair said it might be easier to discuss with new members on the board and keep it as a guideline.

Ms. Hunke said that she agrees with the city attorney on his directive of the code of conduct.

Mr. Ortega said that he does not feel there is any harm in giving this document as an informational sheet to new members.

Mark Miller made the recommendation to read the entire code of ethics along with the memo.



Mr. Padilla said if they went down that road, they would hand it out in conjunction with the Code of Conduct and the guidelines would be a separate document.

***Mr. Ortega asked that this item be placed on next month's agenda as an action item and include the mission statement.***

Ms. Hunke said that the resolution that sets up the Airport Advisory Board does not say how to conduct business but the code of ethics doesn't say that either. They are two separate things. Ms. Hunke stated that the reason for summarizing the code of ethics is not to clarify their role; they are not related to each other.

In summary there were many comments made by the board members regarding: time allowed for public participation, conflict of interest for board members and when to recues themselves, financial interest and board member to recues themselves, procedure for leases, planning for topics of discussion for monthly agenda's, board members who would recues themselves – would there be a quorum? A comment was made on the time allowed for public participation and further stated that results or action on public comments are not included in future airport agenda's.

Ms. Hunke said that there could be questions for example about Troy Padilla serving as a board member when he works at the airport.

Mr. Padilla said that he is very careful on what he can and can't talk about such as commercial leases.

The Chair commented they the board has always followed the Code of Ethics. Change is hard. The previous Airport Manager would bring in the leases for review. The Chair reiterated that they are here to work for the financial stability and good of the airport.

The Chair said that it might be beneficial to have Zach from the City Attorney's come to a meeting of the board to direct questions to him. The Chair encouraged discussion amongst the board members. Anita Medina, Admin. For the Airport will follow up to inquire about the City Attorney's availability.

Ms. Hunke is concerned that the public is not allowed to participate in the discussion. It seems that they are not allowed to say much and it makes it look like the board is not doing their job. Repeatedly there are things that don't reappear on the agenda as requested for discussion.

Individual board members were very specific in their questioning and it was again reiterated that it is important to get the City Attorney to attend a meeting in the near future to extend the discussion on the conflict of interest understanding and Code of Conduct. Board members who felt that they would have a conflict of

interest are very concerned to receive more information. The Chair reiterated that the job of the Airport Advisory Board is to work for the good of the airport.

Mr. Padilla encouraged the board members to reflect on the mission of the board members; to support the airport manager in many of the needs goals and mission of the airport to come to realization, i.e., leases, master plan, tie down agreements, etc.. There are going to be many times that the airport advisory board members will be challenged with difficult decisions and yet to stand together for the better of the airport is what is important and if need be should recuse themselves or step down.

Mr. Ortega made reference to a power point presentation that the airport manager made on timelines for airport projects and administrative procedures. One way to bring the board together is to provide updates on those key items. It was also stated that the board members should send suggested topics to the airport manager if they feel that discussion items are not inclusive of needs.

Mr. Krohn stated that Board members do not set policy or issue directives to management in relation to the operation of the airport as an advisory board. The board serves the public interest by providing a level of transparency and accountability for the operations for this important public asset. Mr. Krohn made reference to the Economic Impact Letter drafted by Ms. Jesson to Councilor Bushee talking about \$150 million dollar annual fiscal impact to the community; that makes this very valuable. Mr. Krohn stated that he believes that all of the members are on the board because they have knowledge of aviation and that inherently involves a conflict of interest. To provide recommendations, we need to foster discussion.

The Chair said it is very clear to her that if you have a financial interest you are not to participate and you are not to vote.

Mr. Krohn said the board is here in an advisory capacity and should discuss the items on the agenda.

Ms. Hunke said she cannot remember when this board voted on a certain lease in question; Tri-State Air Flight lease. She would like to have the airport manager bring an update on this specific lease.

Ms. Jesson said that this specific lease did not require city council approval and therefore it did not have to come to the board. Ms. Jesson said that she acted on this lease with direct advice and supervision from the City Attorney's office. Ms. Jesson offered Ms. Hunke to take this matter up with the City Attorney if that was her desire.

Ms. Hunke also questioned the status of a contract for United Airlines that did go to the City Council that the board did not see.

Ms. Jesson said that it did not go to the City Council.

Ms. Hunke said that she is feeling like the board is not being advised.

Mr. Padilla said that there have not been any leases that went to the City Council.

Ms. Hunke said that she will reference the city council minutes and bring back to this board her question on airport actions.

Ms. Jesson said that items that have gone to city council are contract extensions for existing contractors, change orders for existing contracts. With all respect, Ms. Jesson is not going to bring administrative items to the board and she is following direction from her immediate supervisor. She also noted that any item she needs to take to city council will take 45-days. It was also advised that if items that do not need board action should come to the board before they go to city council, the timeline will not allow that action.

Ms. Hunke said even though some items don't require board approval she would have liked to hear the specifics on the care flight lease agreement.

Ms. Jesson said that it was not required as the negotiations were between 2 independent agencies.

Discussion continued regarding the need to get involved in leases that do not require board action. The question and discussion resurfaced on the board having to recues themselves on some topics.

Ms. Hunke stated that in regards to the board members recusing themselves, several of the board members pay for hangars and tie downs and she would like to know about new non-commercial agreements. She has a concern with the length of time before property reverts back. She reiterated that her problem is that the board was not able to discuss the tri-state lease, not her own financial interest.

Mr. Padilla said that he knows that Ms. Hunke has read the Tri-State lease in detail which the board members have not. There will always be personal interest from one perspective or another. These issues should be brought up so that when it does go to the City Council answers can be provided.

Ms. Hunke restated that she is very concerned that this item was not on the agenda.

The Chair restated that the board has not been following the Code of Ethics. The leasing process is looking at the next 20 years where the possibility of leasing back un-used buildings can generate revenue for the airport. The Chair wants to see the airport be in the black.

Mr. Padilla said that with the reversionary clause, it was debated heavily and he asked the airport manager in Denver and Scottsdale if those clauses exist in their leases and they both said yes. They said they were in their commercial and non commercial leases and the clauses were a little longer term than what was suggested here. The question to them was, what was the reason for that and they said it allows the airport to develop and the master plan gets updated periodically. As that master plan gets updated than new properties get identified and a review of existing properties is done. It then gives the board time to comment on the growth of the airport.

Mr. Ortega stated the resolution that established the airport advisory board; there are two places that say why the board exists and he translates that to mean, “what should we see vs. what we should not see.” Board cannot make recommendations if we don’t see them. The board should make recommendations to the governing board on the development at the airport. If there issues at the airport they cannot make recommendations if they don’t see it as well as making recommendations for short and long range planning goals. The resolution also says that the board shall makes reports and recommendations relating to the on-going operations of the airport. Whatever that means, on-going operations could mean what is happening out there and that is under Ms. Jesson’s administrative control. Mr. Ortega would like clarity on these statements from the resolution.

The Chair stated that they have hired a professional person that has the credentials to bring our airport to a new level, and I believe that is where we want the airport to go. Our job is to discuss but we also need to trust Ms. Jesson to do her job and take the airport to a new level. She reiterated that the airport advisory board will follow the Code of Ethics.

## **6. Items from the Board**

Ms. Hunke requested follow up on the La Bajada National Monument. She asked if the FAA has been contacted. Mr. Padilla answered that Mark Cowen took that on and he has not received any feedback from him.

Secondly, are there blueprints for the new terminal building?

Ms. Jesson said no. Preliminary drawings are in process through the city managers coordination.

Ms. Hunke asked if there was an exit strategy?

Ms. Jesson said that she will need to see the preliminary drawings and know what the master plan will entail, it could be 5 years. More work is needed in defining the needs for the expansion of the terminal and the financing for a permanent structure could be 10 years out. This temporary structure might outlast those 10 years.

Ms. Hunke: Referenced June 2013 minutes. Mr. Allison moved to develop a stakeholders committee, the board was to approve the stakeholders meeting. Question to Ms. Jesson is what is the procedure to set up a stakeholders meeting for the rules and regulations and minimum standards.

Ms. Jesson stated that as she reviews her list of priorities to include the master plan, terminal expansion and working through the process of the city. There is not enough staff to take on other projects at this time. Once the master plan is vetted all other items will fall in to place. Question is, what would you like the airport manager to pull back on?

The Chair asked if the Mayor has chosen a new board member. Ms. Jesson stated that the letter of interest has been taken to the Mayor and Mr. Bulthuis is pursuing an answer from the Mayor.

The Chair asked the committee if they had read the Letter to the Editor. The Chair said she had cut it out and it was a lovely letter. Thank you to the board.

## **7. Public Comment**

William Aneshensel, Aviation Association Santa Fe: It was noted that the Aviation Association of Santa Fe will have a workshop in September and he hoped that everyone was receiving the newsletter; if not to please let him know and he would assure that the board receives it. He also said if there are others that the board would like to receive the newsletter to submit those names to him.

Mr. Aneshensel said, on a larger scale, being a member of the public, being a stakeholder and speaking on behalf of approximately 35 members of the Association and listening to the discussion and also having been CEO of a couple of companies; he suggested that rather than worry about the minutia of the process of government and endless documents, that the Airport Advisory Board focus on the bigger issues in advising the government body. For example you might want to advise the Mayor and the City Council that it is hard to have a large amount of people at the same place at the same time, they might be able to expand the terminal for some large amount of money. We might need to have ramps analyzed and rebuild runways to accommodate aircraft to land at the same place at the same time. They're are X-number of people that rent hangars that have some concerns and as at result of the stakeholders meeting they suggest that some percent of it should come here. If you are advised of non-aviation employee and government entities they will have no use for advice. Yes, if you have a tie down and by the way 25% increase in the tie down should be done to keep it simply as a tie down. It isn't going to make them criminal if you talk about it or violate their ethics? I think it is prudent for example, that Francey thinks that the economic analysis on a tie-down is \$130 a month taken out of the paper or figure you can give advice to the board, 6 of them by the way tie their airplanes down. It will be useful information to the governing body and what I

heard here was focusing on a process that might get in the way of hearing useful advice and getting the message to the Mayor. I have no idea on aviation or general aviation, commercial aviation. If I were Mayor that is the kind of advice I would want. Should I spend some money to compartmentalize the process? What are you going to do? Last comments, Ethics are behaviors and not rules.

John Elling, Hangar Owner

I think you are misinterpreting the conflict of interest guidelines, I have served on a number of boards and I am very familiar with conflict of interest guidelines set forth. In those cases and in those boards people disclose the conflict of interest before they enter any discussion. In fact the discussion was more valued because the conflict of interest comes with familiarity than the discussion. I have never seen a conflict of interest because the guidelines say you can't discuss something. If you disclose your conflict of interest prior to the discussion and if you result in voting in your self-interest, I think that is confirmed in Mr. Ortega's reading of the guidelines. What is the point of disclosing a conflict of interest if you are not going to discuss it? So disclosing the conflict of interest allows you to discuss. You can also be very comfortable if the conflict of interest at the end of the day you cannot vote in your own self-interest. You can vote to provide something to the city council but they are the ones who will exercise the vote. It is arguable; which is a Segway to my second comment that the board should adopt a task force to recommend to the City Council a draft of the commercial lease and a draft of the non-commercial lease for the airport to use for applicants. I think it is important that the Airport Advisory Board act as a clearinghouse for external comments and discuss it; the board itself has a lot of expertise in this area. In a previous meeting, Mr. Elling commented as follows:

*[I own a hanger at the Santa Fe Airport.*

*Standard Lease Agreement follow up was from Mr. Elling. Mr. Elling said that he heard that this was the standard lease agreement and he opposes that it should be part of the airport lease. It is also dangerous and unfair for present owners who have been here for 10, 20 years. When their lease runs out in 20, 30 years they will be confronted to sign a new lease with this new clause. People want to fly out of this Santa Fe Airport. I was told that this reversionary clause would be required in all leases. I heard FAA would support this, I can't understand why they would support this lease. I have started talking to some of the other hangar owners and again I was told this was the standard lease. I think it should be reviewed by the city council and it should have public debate. You can't put a removable building on this airport, which has 3 walls. If we are starting to invest in a standardized lease, than I think we should discuss it with the public and the city council.]*

Madam Chair, "you said that this was the way the Airport Advisory Board is reporting back to the Mayor and City Council, they are not reporting this." The reversionary policy as currently written does not have to be implemented and that is the way it is. Other versions of the reversionary policy give the airport the right to buy the buildings. I think the reversionary clause is that of an economic development concern for the airport. It is very bad for the current populates of the airport. Other than the reversionary clause there

are other things that the board should fit in the draft lease for example; in the draft lease there was a ticketing fee where if you fueled the airplane below the airport number of cents per gallon, I don't remember. This makes performance sense as a standard but not in a lease, because if someone leases the land and builds a hangar, now they are not allowed to re-fuel in the hangar so now they are re-fueling out on the ramp. Something like that should not be in the lease. You need to get input from the people, on the board and off the board because there are other things in the lease that you wouldn't necessarily have unless you were involved in the process. There is a paragraph that says the airport has to get as built drawings from the hangar after it is constructed. Unless you are involved in the field you don't know if that is going to increase the cost of the site. The reason is because the only way you get as built drawings is if the Architect delivers the drawings to provide the billing. Things like that are really important to people who might raise this question and not be apparent to the public at large. I think and I would like to encourage the Airport Advisory Board to take it upon them to work and come up with a lease that they can recommend to the Mayor and City Council. You can take that project off the timeline and you can make it public if you are going to do that. I think it would be a good service to the community and to the public and you tack on the purpose of the Airport Advisory Board, which is to advise the development at the airport.

The Chair said, thank you.

Bob Wood, Manager of the Tower

I have 3 points: The first is what I suspect is a time limited factor, I would so wish that the Board would allow Public Comment during the discussion rather than at the end of the meeting. The one major reason for this is that I feel that would further additional discussion by the Board members because what one of us from the peanut gallery might bring up is additional information towards the discussion. The second point is that being in agreement with what John and Bill said about the Airport Advisory Board; the Advisory Board is to recommend, you don't formulate or dictate laws and therefore the idea of prohibiting discussion because you have an interest in the airport to me is incorrect. To carry it one step further, anybody that you have on the board that flies here commercially or owns a plane or leases a hangar needs a tie down that bought aviation gas for their race car couldn't discuss anything pertaining to those things, that makes no sense to me. I believe that everybody should be able to discuss in very limited circumstances, which you have to recuse yourself because again your vote is an advisory vote it is not a policy vote. Thirdly, the idea of a runway expansion was brought up when discussing commercial service, it has always been my understanding that there is never going to be any changes of the runways available because of the surrounding agreements that have been entered into. I think that the only way you are going to get more aircraft is to rebuild the runways for strength and even that it may or may not get you more. The idea of encouraging flights is the way it should be. Thank you.

The Chair commented that she has met with the City Attorney to ask what could we do and report to the Mayor and City Council. The Chair asked for any further comment. No further comment.

## **8. Items to be discussed at the August 7, 2014 Airport Advisory Board Meeting**

### **Agenda Items:**

- Mission Statement as Action Item
- Leasing Business (Commercial and/or non-Commercial)
- Standard Lease and Tie Down – board recommendations and discussion. Ms. Hunke would like this lease discussion as an action item. It would be nice to have some type of agreement on what the Advisory Board would like things to look like as a recommendation.
- Discussion on word – “worthiness”

Ms. Jesson stated that the reason this came forward is because there was a pending issue and this is why she brought the lease forward. It is her understanding that the lease is still pending and in the City Attorney's office. The City Attorney has the final say on what goes before City Council; nothing goes before the Mayor and City Council unless the City Attorney office has approved it. Ms. Jesson said she could put it on the agenda for next month if that is what the Board wishes but going back to the fact that the City Attorney's office is 2 attorneys done and one of those attorney's is the one she has been working with since she came on board and in fact she is the one assigned to the Airport and she is no longer working for the city anymore. So the one attorney in the City Attorneys Office who was acutely aware of what was going on at the airport no longer works for the city. Ms. Jesson is not sure that even in a months time she will have gotten much feedback out of the city attorney's office on any of things that are pending in the City Attorney's office right now. Ms. Jesson said that she does not even know which individual is going to be assigned to the airport, that said she will not have anything to report on in a month until the decision is made by the City Attorney on who is going to work on issues at the airport she does not have anybody to talk to about these things.

Mr. Padilla said that even before that they were talking about tie down agreements and we should try to finalize the agreements. We haven't gotten past the tie down agreements. Mr. Padilla said that he felt they were very close to concurring on the tie down agreements; it would be nice to get to a point of agreement on the work that has been done. To John's comments, some of the language that is put in some of these leases will assist the Airport Advisory Board and staff to develop those minimum standards and regulations.

Ms. Jesson suggest that some of the definitions that were needed, especially with the tie down agreements, definitions that got discussed, she proposed to forward the last draft of the tie down agreement that the Advisory Board reviewed to the City Attorney and ask for interpretation of the proposed language. Ms. Jesson said that they could continue to discuss the definition of the changes; if she could get the City Attorney to give her some language that they would be comfortable giving their approval on, that could be a better way to move the process up.



Mr. Ortega said that might be a good idea although it still leaves me a little uncomfortable from the standpoint that when we had that discussion was, were we going to use the word or alternative words like, operational or functional or something like that. If you send the City Attorney a draft of a tie down agreement with their words and they do the research they are going to care a lot less of what it means than we do. Whereas if you choose to use the word functional, you see what I am saying, it comes back from the City Attorney's office and they use a different word. I would advise to use caution on what you give the City Attorney's office with work that we haven't decided what we wanted to use. I thought that the next step was to have it come back to us with other municipality's definitions, functional and operational. I get nervous when you mention City Attorney.

Ms. Jesson said, you can all decide on whole host of things but if the City Attorney says no, you have all wasted a lot of your time. This is why I am saying that ultimately I cannot say anything, I can send no document or contract, I can send nothing to the Mayor or City Council unless the City Attorney has signed off on it, nothing.

Mr. Ortega stated that he understood that but ultimately the job of the City Attorney's office is to review and approve documents as a legal form not as a technical form. The question is what the law has to do with the function of that part of the contract. That is why I am saying about air worthy or functional, that is not a legal.

The Chair stated that the City Attorney is not an Airport Attorney.

Ms. Hunke said that by discussing it at an airport advisory board meeting the city attorney doesn't have to be concerned on what the definition is. I discovered how others work with that term and what they do is instead of saying that the airplane has to be air worthy it means the same thing, air worthy definition is pretty clear.

Mr. Padilla stated that by asking the City Attorney for specific verbiage it would be the same problem that they are having with the lease; it will not be back in time for another meeting for the advisory board to review. I believe there is a lot of work that still needs to be done.

Mr. Krohn: In the course of this discussion it has been that one of the functions is to get things before they go to the City Attorney's office and before they go to City Council and that I think is the process we should be focusing on instead of sending a draft to the City Attorney, getting a rubber stamp before the board has a chance to vet it. As Chris has said, he doesn't know what air worthy means and he is not going to take the time to research it. It is our job to vet that stuff before it gets sent out, that is part of what it means to be an advisory board.

Ms. Jesson said that she has done that; she brought the samples from the other airports for review.

Mr. Ortega said that is where they left off with operational and functional and he believed they wanted to get more information on what they meant.

Mr. Krohn: Based on the discussion we are looking at a revised draft so we can discuss again, I believe that is the point. The last time was the starting point, we had the discussion we get a revision and we discuss that, which is the process.

Ms. Jesson asked, "What do you want me to revise?"

Mr. Ortega said that as he recalls it was to define the words operational or functional. He recalls that several of the advisory board members favored some form of operational functional not use the definition of air worthy. It could be as simple if we had something to revisit and discuss and come to an agreement it of using a word like operational. What does operational mean?

Mr. Padilla said it should be placed on the agenda for discussion noting the terms. We can research the terms and come back with another term that everyone agrees on. Between now and then we do our research on the term that we would use.

The Chair reiterated that the consensus is to discuss the tie down agreement that has been presented to the airport advisory board.

Ms. Hunke asked if there was any reason why it couldn't be listed on the agenda as an Action Item if there was agreement on the term that it then is sent to the office of the City Attorney? She would like to see it as an Action Item not just as a Discussion Item.

The Chair accepts the recommendation of the Board and directed staff to place this item on the agenda as an Action Item.

## 9. Adjourn

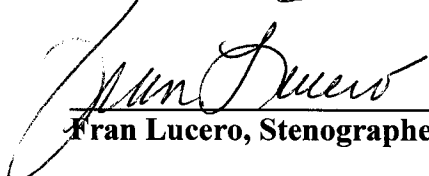
*Mr. Krohn moved to adjourn at 6:20 pm, second by Mr. Padilla, motion carried by unanimous voice vote.*

**Signature Page:**



**Carolyn Cook, Chair**

*Stephen C. Cross*



**Fran Lucero, Stenographer**