MINUTES
Airport Advisory Board
October 13, 2022

CITY COUNCIL CHAMBERS

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1. CALL TO ORDER

The October 13, 2022, Airport Advisory Board meeting was called to order by Chairperson Harrison Earl at 6:00 p.m. in the City Council Chambers.

2. ROLL CALL

Kayla Picciau, Recording Secretary, called roll. Those present were Chair Earl, Vice Chair Melinda Jordan, and Board Members Steve Bliss, Tallis Salamatian, and City Council Member Marcia Martin. Those absent were Board Member Malcolm Dean. Was Russell Robison present? If so, please add his name to the roll call.

Staff present were Phil Greenwald, Transportation Planning Manager; Levi Brown, Airport Manager; and Kayla Picciau, Recording Secretary.

3. PUBLIC INVITED TO BE HEARD

Chairman Earl opened the Public Invited to be Heard.

Al Manley, 940 Rangeview Lane; voiced concerns about the 20-year leases and disagreed with the City having the first right of refusal.

Steve Shook, 2022 Braeburn Court, stated that he has submitted his application to join the Airport Advisory board and wanted to introduce himself. He agreed with the previous speaker about banks not backing less than 30-year leases and that you can't do a 1031 exchange if there is less than 30 years on lease.

David Paul, 3500 Berkley Avenue, Boulder, listed several issues with hangar leases at the airport.

Ron Krenzel, 1219 North 61st Street, talked about improvements that can and should be done at the airport soon, including the Fixed Base Operator (FBO) building and runway. Howard Morgan, ADDRESS, echoed previous speakers regarding issues with hanger leases and improvements that need to be made at the airport.

David Shenk, N 81st Street, presented questions written by Keith Griffith and asked the board to discuss them during the meeting.

4. APPROVAL OF MINUTES

- Sept 8, 2022 – Minutes Revisions needed:
  - Pg 3; 4.i. and 7.i. Jordan misspelled on motions
  - Pg 2; 6.i. - Information Items – "new leases ***will*** be 30 year" ***will*** *needs to be changed to* ***could***.
  - Pg 2; 5. Federal Aviation Administration (FAA)

Inspections – states "will be conducted week **of** September" should be – Corrected to "will be conducted *a week **in** September."*

- Pg 3; Motion to carry should be 5-0; Earl abstained, Page 4 – states, "Levi Brown, Airport Manager, stated that they are not allowed to build another FBO per grant assurance guidelines." Should state "not allow to ***prohibit*** building another FBO per grant assurance guidelines."

BOARD MEMBER ROBISON MOVED, SECONDED BY BLISS, TO APPROVE THE SEPTEMBER. 08, 2022, MINUTES AS AMENDED.

MOTION CARRIED: 5-0, (DEAN ABSENT)

5. UPDATES FROM AIRPORT MANAGER

Levi Brown, Airport Manager, provided the following updates regarding current projects at the Airport:

- Federal Aviation Administration (FAA) inspection received positive feedback but took issue with prairie dogs on the runway. Levi reached out to the City's wildlife control unit to do prairie dog eradication. He will meet with private contractors.
- Southwest sewer project is two weeks from starting. The contracts are signed, and it is moving quickly.
- Starting round of Capital Improvement Projects (CIP) with Colorado Department of Transportation (CDOT) and Federal Aviation Administration (FAA). He noted that all projects have been presented and reviewed by this board.

Levi responded to Vice Chair Jordan's question stating that the sewer project will have minimal impact. Contractors plan to close one taxi lane at a time and provide detours so there won't be any lane closures.

Levi will also check into bringing the budget back as an agenda item.

There was general discussion by the board and Levi regarding repairs to airport surfaces and developing infrastructure.

Responding to Council Martin's question, Levi stated that FAA rules regarding runway safety areas has not changed. It was also brought up that the current Master Plan calls for a runway extension however, there are four parcels that would need to be acquired in order for that to happen. Levi stated that the City could get potential easements on three of the four parcels but the fourth parcel would need to be acquired.

6. INFORMATION ITEMS

i. Presentations to Include for AAB Discussions

Levi asked the board to add sustainability to next month's agenda for discussion.

Phil Greenwald, Transportation Planning Manager, stated that bringing in an expert in certain subject matter to speak or present to the board is something that can be done.

Chair Earl asked that the draft sustainability resolution be included in the discussion as well as the Capital Improvement Projects.

Board Member Salamatian asked for financial sustainability.

Council Member Martin suggested 15 minutes plus Q & A for each presentation.

ii. Engineering Consultant Update

Phil Greenwald, Transportation Planning Manager, gave an update about the Engineering Consultant. The process is currently with the Purchasing Department and staff is working to get the request for quote out.,

Airport Leases –

Levi proposed the change of the airport lease base rate term to 30 years. The Federal Aviation Administration (FAA) stated that a 30 plus 30 lease is a violation of grant insurance. Chair Earl agreed with Levi and referenced the FAA Compliance Manual, Section 12 Aeronautical Lease Agreements.

Chair Earl made a point of order that this topic is an information item only. He encouraged anyone who does not agree to make that known as the last Public Invited to be Heard section.

Levi noted that any concerns in the lease verbiage anything that the board would like to change in the lease would be addressed with the City's Attorney's Office.

BOARD MEMBER ROBINSON MOVED, SECONDED BY JORDAN, TO RECOMMEND A 30 YEAR TERM LEASE WITH A 20 YEAR OPTION TO RENEW.

MOTION CARRIED: 5-0, (DEAN ABSENT)

Levi noted paragraph 2.2 of the lease agreement regarding the City's right to refusal.

Council Member Martin asked that the board review the charter language before passing a recommendation as this is the chartered lease terms for all city land not just for hangers.

Levi clarified that the first right of refusal does not pertain to lease renewals.

Vice Chair Jordan addressed her concerns about how the city will handle exorbitant hanger purchase offers and that the first right to refusal affects generational transferring of a hanger. She suggested that the 30-day window be reduced to three days.

Vice Chair Jordan noted that the following paragraphs were referenced: 3.1, 3.13, 4.3, 4.5, 5.1, 5.1.7, 5.2, 7.1, 15.1, 17.2.3, 21.2, and 21.11.

Chair Earl urged the public to send any additional questions or concerns to Levi and then give that feedback to the Attorney's Office.

7. ACTION ITEMS

i. Rates & Fees Update

Levi reviewed the changes and noted that nothing major has changed since the last time this item was before the board and they are on par with other airports around the region. He reviewed each option and the recommended changes.

Chair Earl read a letter he wrote in July, 2021 on choosing

VICE CHAIR JORDAN MOVED, SECONDED BY BLISS, TO GO FORWARD WITH OPTION 2.

MOTION CARRIED: 5-0, (DEAN ABSENT)

ii. Select Two (2) Board Members for AAB Board Member Selection Committee

BOARD MEMBER SALAMATIAN MOVED, SECONDED BY EARL, TO ELECT VICE CHAIR JORDAN AND BOARD MEMBER BLISS FOR THE AIRPORT ADVISORY BOARD MEMBER SELECTION COMMITTEE.

MOTION CARRIED: 5-0, (DEAN ABSENT)

iii. Finalize Airshow Date

VICE CHAIR JORDAN MOVED, SECONDED BY ROBISON. TO SCHEDULE THE AIRPORT EXPO FOR SEPTEMBER 23rd, 2023.

MOTION CARRIES 5-0, (DEAN ABSENT)

8. FINAL CALL - PUBLIC INVITED TO BE HEARD

Chairman Earl opened the final Public Invited to be Heard.

Don Dolce, 335 Pratt Street, recommended there be one point person to receive lease feedback, collect data and compile a document for the City's Attorney's Office.

Howard Morgan, 1932 Amethyst Drive, recommended keeping the 30 years plus 30-year lease. He also voiced that he disagrees with the reversion clause. He also spoke to his belief of the plausibility of extending the runway.

David Shenk N 81st Street, spoke about the prairie dog issue and his experiences in eradication.

Steve Shook – 2022 Braeburn Court, disagreed with the first right of refusal and spoke about the poor condition of the airport.

David Paul, 2500 Berkeley Avenue, Boulder, spoke to paragraph 9.1, and recommended that the 10-day window be extended to 30 days.

Seeing no one else wishing to speak with the board, Chairman Earl closed Public Invited to be Heard.

9. BOARD, CITY COUNCIL REPRESENTATIVE AND/OR STAFF COMMENTS

Chair Earl agreed with Board Member Robison to invite the City Attorney to the next meeting to review lease drafts and address given feedback and requested it stay an information item for next month's meeting.

Council Member Martin clarified that first amendment rights are not universal. City regulates signage which is governed by city code and there may be restrictions to what signage can be put on a hangar.

She suggested adding a copy of the current lease to compare with the proposed lease. She stated that it is the City Attorney's job to protect the City from liability.
Council Member Martin stated that she is looking forward to a robust, meaningful discussion on Electrification. has been added to the agenda that the state of the sustainable aviation industry and potential code issues be discussed as well.

Board Member Bliss asked there be more justification for the first right of refusal brought back to the next meeting. He stated that the condition of the airport is in terrible shape, and it needs to be updated before we can start advancing into the new generation of aviation with sustainable fuel and electrification.

Phil Greenwald, Transportation Planning Manager, stated he would look into adding the Budget piece back into the packet. He apologized for the delay in the agenda going out, noting that it did get to the board and was published to the website before noon on Monday prior to the meeting. He recommended using the Agenda Management Portal on the City's website.

10. ADJOURN

Meeting was adjourned at 8:01 p.m.

Respectfully submitted,

Chair
Airport Advisory Board

KP 10/13/2022