

TPW

THE WITHIN INSTRUMENT IS A CORRECT COPY OF THE ORIGINAL ON FILE IN THIS OFFICE.

ATTEST: JUN 14 2011

32
Resolution No. 11-0321

VERONICA A. FERGUSON, Clerk of the Board of Supervisors of the State of California, in & for the County of Sonoma.

County of Sonoma
Santa Rosa, CA 95403

BY  DEPUTY

Date: 06/14/2011

Resolution Of The Board Of Supervisors Of The County Of Sonoma, State Of California, Establishing Rates And Charges For The Use Of Land And Facilities At The Charles M. Schulz-Sonoma County Airport Effective July 1, 2011.

Whereas, Section 3-16 of the Sonoma County Code provides that rates and charges for use of land and facilities of the Charles M. Schulz-Sonoma County Airport shall be those established from time to time by resolution of this Board of Supervisors; and

Whereas, by Resolution No. 10-0487, dated June 15, 2010, this Board established rates and charges for the land and facilities at the Charles M. Schulz-Sonoma County Airport; and

Whereas, on April 21, 2011, the Aviation Commission held a public meeting during which the proposed new rates and charges schedule was discussed and public input was considered.

Now, Therefore, Be It Resolved, that the Board finds the California Environmental Quality Act does not apply to the establishment of fees pursuant to this resolution as such fees are for the purpose of meeting operating expenses (15273, CCR, 21080 PRC).

Be It Further Resolved effective July 1, 2011, the rates and charges at the Charles M. Schulz-Sonoma County Airport shall be levied in the following reasonable amounts:

I. COVERED AIRCRAFT STORAGE

Due to the continued economic climate and fiscal difficulties of Airport tenants, the Board of Supervisors hereby suspends year three of a five-year hangar rate increase schedule and accepts the extension of the Fiscal Year 10-11 rates. The 3% rate increase will resume in Fiscal Year 12-13 and extend the five year hangar rate increase schedule to six years as follows:

This schedule is subject to Board of Supervisors confirmation for each year as required for the Airport fee resolution adoption pursuant to Section 3-16 of the Sonoma County Code.

Hangar Implementation Schedule

Category	Hangar Number	Implementation Schedule					
		Jul-09 Year 1 0% Increase	Jul-10 Year 2 3% Inc.	Jul-11 Year 3 0% Inc	Jul-12 Year 4 3% Inc.	Jul-13 Year 5 3% Inc.	Jul-14 Year 6 3% Inc.
Apron D							
A	1-11	\$139	\$143	\$143	\$147	\$152	\$156
A	12-25	\$162	\$167	\$167	\$172	\$177	\$182
A	18-19	\$180	\$185	\$185	\$191	\$197	\$203
B	26-53	\$198	\$204	\$204	\$210	\$216	\$223
Old Shade	1-21	\$133	\$137	\$137	\$141	\$145	\$150
New Shade	22-39	\$166	\$171	\$171	\$176	\$181	\$187
Ex. Shade	1-3	\$375	\$386	\$386	\$398	\$410	\$422
Butler		\$ 94	\$ 97	\$ 97	\$100	\$103	\$106
Bldg. 303		\$354	\$365	\$365	\$376	\$387	\$398
Port-a-Ports	Pvt. Part	\$64	\$66	\$66	\$68	\$70	\$72
Apron E							
C	106-152	\$304	\$313	\$313	\$323	\$332	\$342
D	62-93	\$395	\$407	\$407	\$419	\$432	\$445
E	205-209, 212-215	\$390	\$402	\$402	\$414	\$426	\$439
E	223-226, 229-231						
E	210 & 216	\$536	\$552	\$552	\$569	\$586	\$603
E	228 & 232	\$506	\$521	\$521	\$537	\$553	\$570
E	211, 222, 227	\$452	\$466	\$466	\$480	\$494	\$509
G	54-61, 94-101	\$723	\$745	\$745	\$767	\$790	\$814
Ex. Hgr	18-21	\$2,012	\$2,072	\$2,072	\$2,135	\$2,199	\$2,265
Ex. Hgr	22-26	\$1,560	\$1,607	\$1,607	\$1,655	\$1,705	\$1,756
Ex. Hgr	200-204	\$1,258	\$1,296	\$1,296	\$1,335	\$1,375	\$1,416
Ex. Hgr	217-221	\$1,258	\$1,296	\$1,296	\$1,335	\$1,375	\$1,416
Ex. Hgr	Sheriff	\$1,872	\$1,928	\$1,928	\$1,986	\$2,046	\$2,107
Apron F							
Middle Row	Pvt. Port	\$64	\$66	\$66	\$68	\$70	\$72
North/South Row	Pvt. Port	\$84	\$87	\$87	\$89	\$92	\$95
Space – F771	Pvt. Port	\$225	\$232	\$232	\$239	\$246	\$253
Space – SP248	Pvt. Port	\$72	\$74	\$74	\$76	\$79	\$81
Space – SP247	Pvt. Port	\$64	\$66	\$66	\$68	\$70	\$72
New - Box	Pvt. Port	\$159	\$164	\$164	\$169	\$174	\$179
New - Box	Pvt. Port	\$239	\$246	\$246	\$254	\$261	\$269
New - T	Pvt. Port	\$91	\$94	\$94	\$97	\$99	\$102
Port-a-Port	217-227, 234-242	\$163	\$168	\$168	\$173	\$178	\$183

STOREROOMS	MONTHLY RATE
Small Storeroom	\$ 88.00
Large Storeroom	\$160.00
Mini Hangar Type Storeroom	\$191.00

COMMERCIAL USE HANGARS

Commercial operations in hangars, including subletting of privately-owned hangars, are subject to prior approval by the County and compliance with the Airport Minimum Standards for that type of commercial activity and lease provisions.

AIRPORT LOCKS

Airport tenants using aircraft storage units with a lockable door system or Airport storerooms are required to use Airport issued lock and key sets. The cost for these lock and key sets is non-refundable and the tenant owns the lock and key set.

Lock and Key	\$40.00 per set
--------------	-----------------

II. NON-COVERED AIRCRAFT STORAGE BY WING SPAN

Tie down Tail to Tail	MONTHLY RATE	NIGHTLY RATE
Less than 42'	\$ 45.00	\$ 7.00
Tie down Taxi Through		
Less than 60'	\$128.00	\$21.00
Over 60' but less than 90'	\$155.00	\$30.00
90' and over	\$187.00	\$52.00

A \$3.00 service fee will be assessed for transient tags if not paid at the Airport and County staff has to mail collection requests to operator.

III. LANDING FEES

Hot Air Balloon Land/Launch/Escort: Recovery escort \$47.50 per hour, with a one-hour minimum charge, plus any other necessary documentable expense associated with a response, or Balloonists may execute and comply with operator permit and pay a \$225.00 per calendar year operating permit fee and have the escort fees waived per the terms of the permit.

Revenue producing commercial flights:

Maximum Gross Weight (lbs.) ¹	Amount Per Landing
Less than 12,500 lbs.	\$0.67/1,000 lbs.
12,500 lbs. to 95,000 lbs.	\$0.93/1,000 lbs.

¹ Per FAA Advisory Circular Aircraft Data AV 150/5325-5B as amended.

Over 95,000 lbs. \$1.49/1,000 lbs.

Non-Commercial flights (excluding aircraft based at the Charles M. Schulz - Sonoma County Airport):

Maximum Gross Weight (lbs.) ²	Amount Per Landing
12,500 lbs. to 95,000 lbs.	\$0.93/1,000 lbs.
Over 95,000 lbs.	\$1.49/1,000 lbs.

Fire Suppression Flights:

Aircraft Type ³	Amount Per Landing
OV-10 and C337	\$ 20.00
S2A/T	\$ 40.00
P2 and P3	\$150.00
SP2H	\$150.00
DC-4	\$150.00

A \$3.00 service fee will be assessed for landing fee tags if not paid at the Airport and County staff has to mail collection requests to operator.

IV. VEHICLE PARKING FEES

Long Term	\$8.00 per day (24-hr. period)
Short Term (first two hours free)	\$1.00 per ½ hour (max. of \$11.00 for 24-hr. period)

The Airport Manager is authorized to negotiate rates with the operator of the restaurant for validating parking for their customers when using the short-term parking lot.

Assigned Parking (on Airport)	\$55.00 per month
Discount Pass for daily commuters (long-term lot)	\$85.00 per month
Employee Pass	No charge
Parking Penalties	PAA Schedule ⁴

V. TERMINAL BUILDING USE

In addition to signing a license agreement or lease, each user of the Airport terminal building lobby, office and storage areas, except car rental tenants, will pay as a minimum the following rates (these rates include utilities except phone):

A. Lobby and Offices	\$1.49/sq. ft. per month
B. Security Screening Building	\$332.00 per airline operator per month full service

² Per FAA Advisory Circular Aircraft Data AV 150/5325-5B as amended.

³ These aircraft types represent the majority of aircraft flown by Cal Fire. If the aircraft operated by Cal Fire is not shown above, then the Revenue Producing Commercial landing fees shall apply.

⁴ Contract of agreement with the Treasurer/Tax Collector, Parking Administration & Adjudication (PAA) established by Resolution No. 93-1309 to administer the responsibilities of AB 408 Notice of Parking Violations.

VI. AUTOCROSS TRACK USE FEE

Single Event Use	\$540 per event
Yearly Use	\$6,425 per year
Anticipated actual airport employee expenses	\$47.50 per hour
Anticipated actual airport employee overtime expenses	\$72.50 per hour

Anticipated Actual Airport Employee Expenses will be estimates, based on discussions between Airport management and event organizers, in advance of the event. The event organizer shall approve unanticipated additional expenses when possible. Any actual, unforeseen and unavoidable actual expenses above the initial estimate incurred by the Airport shall be due and payable by event organizer within 30 days of billing and may result in denial of future event permits if not paid in a timely manner. It is not anticipated that unforeseen costs above the original estimate will develop very often. Also, event organizers should not expect any level of effort by the Airport above that indicated in the estimate.

Both of these charges will be paid in advance of the event. After completion of the event, actual Airport expenses will be calculated. If the actual expenses are less than the anticipated expenses by \$100 or more, a refund will be rebated to the Special Event organizer. Additional unexpected actual expenses will be billed and due/payable by the event organizer within 30 days of billing.

VII. FUEL FLOWAGE FEES

Eleven cents (\$0.11) for each gallon of turbine fuel, aviation gasoline or auto fuel dispensed on the Airport.

VII. LATE FEE

Monthly rates and monthly charges shall be due and payable on the first day of each month for that month. A late fee shall be levied in the amount of ten percent (10%) of the amount due for any amount not received in the office of the Sonoma County Airport, 2290 Airport Boulevard, Santa Rosa, CA 95403 by the fifth day of the month due.

IX. NON-REFUNDABLE APPLICATION FEES

The following fees are to cover a portion of the reasonable administrative costs to process certain types of agreements and to ensure the applicants have the means and desire to enter into the agreement. Application fees shall also apply to proposed assignments of such agreements where the County is being asked to consent to the assignment, and to any amendments of such agreements.

Aircraft Storage Waiting List	First Month's Rent
Lease Concession Agreement (year to year)	\$1,300
Operating or License Agreement (3 year max.) ⁵	\$3,125
FBO Building or Ground Lease Application Fee (3 yrs. +)	\$6,500

⁵ Excluding Hot Air Balloon operators.

In addition, for any agreement that is subject to CEQA, the applicant shall reimburse the Airport its reasonable costs for processing the environmental documents.

X. TAXES AND ASSESSMENTS

It shall be conclusively presumed that any aircraft stored at the Sonoma County Airport pursuant to a tie-down agreement, lease, sublease, operating agreement, or other written arrangement with the County are "habitually situated" therein as that term is defined at Revenue and Taxation Code 5362.

XI. SPECIAL EVENT CHARGES (using Airport Facility)

Administrative Fee for Permit Processing and Use of Facilities and Grounds	\$1,300 per day ⁶
Anticipated Actual Airport Employee Expenses	\$47.50 per hour ⁷
Anticipated Actual Airport Employees Overtime Expenses	\$72.50 per hour ⁸

Anticipated Actual Airport Employee Expenses will be estimates, based on discussions between Airport management and event organizers, in advance of the event. The event organizer shall approve unanticipated additional expenses when possible. Any actual, unforeseen and unavoidable actual expenses above the initial estimate incurred by the Airport shall be due and payable by event organizer within 30 days of billing and may result in denial of future event permits if not paid in a timely manner. It is not anticipated that unforeseen costs above the original estimate will develop very often. Also, event organizers should not expect any level of effort by the Airport above that indicated in the estimate.

Both of these charges will be paid in advance of the event. After completion of the event, actual Airport expenses will be calculated. If the actual expenses are less than the anticipated expenses by \$100 or more, a refund will be rebated to the Special Event organizer. Additional unexpected actual expenses will be billed and due/payable by the event organizer within 30 days of billing.

The Airport Facilities Manager is hereby authorized to waive these fees for small events sponsored by non-profit organizations where there is no gate entrance fees charged.

XII. SECURITY IDENTIFICATION DISPLAY AREA (SIDA) BADGES

SIDA Badge with Background/Finger Print Check (STA & CHRC)	\$115.00
SIDA Badge without Background Check (CHRC only)	\$ 95.00
SIDA Badge without Finger Print Check (STA only)	\$ 65.00
SIDA Badge without Background and Fingerprint Check	\$ 45.00
SIDA Badge Replacement (due to expiration)	\$ 45.00
SIDA Badge Replacement (due to card failure after warranty period)	\$ 25.00
SIDA Badge Replacement (due to card loss) plus penalty	\$ 45.00

⁶ May include percentage of gross receipts depending on type of event

⁷ Includes vehicle and one employee regardless of classification of employee involved

⁸ Includes vehicle and one employee regardless of classification of employee involved

Missed Appointment without notification \$ 20.00
 (CHRC – Criminal History Records Check, STA – Security Threat Assessment)

The badges will be replaced free of charge if they fail during the 45 day warranty period. The Airport Manager is authorized to modify the security badge fees during the fiscal year if needed to reflect changes in background check fees from the government and changes in supply costs related to printing. In addition, the Airport Manager is authorized to change or charge fees as necessary to recoup fees resulting from changes in FAA or TSA regulations requiring payment from the Airport.

There will be a \$10.00 per occurrence reactivation fee for each device for tenants who have their SIDA Badge deactivated for failure to respond when contacted for the annual audit concerning their SIDA Badge, failure to pay rent, or for any other reason that caused the Airport to deactivate the SIDA Badge from the proximity system.

XIII SIDA BADGE ADMINISTRATIVE REMEDIES

The following administrative remedies will be enforced by the Airport if it is found that a SIDA badge holder has violated TSA regulations and/or Airport regulations. The Airport Manager is authorized to change or charge administrative remedies as necessary resulting from changes in FAA or TSA regulations or requirements. The regulations and security updates are available on the Airport website at www.sonomacountyairport.org.

	Violation	1st Offense	2nd Offense
1	Badge is not returned within 72-hours after card expiration, individual's separation from employment, or demand from the Sonoma County Airport.	\$150	N/A
2	Badge holder is found without their badge while within the SIDA.	\$100	\$200
3	Badge holder is found without their badge while within the AOA.	\$50	\$100
4	Badge holder alters their SIDA badge in any manner by covering up the picture, expiration date, name, or company name.	\$100 and badge revoke	Badge revoke
5	SIDA badge is not properly displayed while within the secure area.	Written warning	\$100
6	Badge holder does not close security gate properly and it is found left open and unattended.	\$50	\$100
7	Badge holder piggybacks through a secure door or allows another individual to piggyback behind them through a secure door (except if under escort by the badge holder).	\$100	\$200
8	Badge holder allows a different individual to use their SIDA badge or another security access medium (key, gate device, etc.) to access the SIDA or AOA.	Badge revoke	N/A
9	Badge holder does not report their badge lost, stolen or destroyed within 24-hours to the Airport Manager's office.	\$150	\$300
10	Cost of SIDA badge if it is lost or stolen, regardless if it is reprinted	\$100	\$150
11	Reprinting cost of lost or stolen SIDA badge (in addition to the fee in	\$25	\$25

	penalty #10)		
12	Badge holder escorts more than three (3) individuals into the secure area.	\$200	Badge revoke
13	Badge holder escorts more than four (4) individuals into the AOA without prior permission from the Airport Manager.	\$100	\$200
14	Badge holder escorts individual(s) into the SIDA for non-work related purposes (e.g. family members and friends) without prior written permission from the Airport Manager or his/her designee.	Written warning	\$100
15	Badge holder is escorted into the secure area and does not have their assigned SIDA badge with them, or escorts a different SIDA badged individual into the SIDA after they have been issued a badge.	\$100	\$200
16	Badge holder leaves escorted individual(s) unattended within the SIDA.	\$200	\$300
17	Badge holder leaves escorted individual(s) unattended within the AOA.	\$100	\$200
18	Non STS badged individual escorts individuals into the SIDA.	\$250	\$500
19	Non STS badged individual is found unescorted within the SIDA.	\$250	\$500
20	Badge holder does not challenge individual in the SIDA or call the Airport Manager's office or Duty Phone to take over the challenge.	\$100	\$200
21	Authorized Signer or SIDA badge holder does not complete the Annual SIDA badge or key audit.	\$200	Badge Revoke
22	Company fails to assign an Authorized Signer for badge sponsorship within 72-hours of request from Airport or when original Authorized Signer has given up their duties.	\$100	\$200

XIV. AIRPORT OPERATION AREA (AOA) BADGES

AOA Badge - 1st issuance	\$ 40.00
AOA Badge Replacement (due to expiration)	\$ 25.00
AOA Badge Replacement (due to card failure after warranty period)	\$ 25.00
AOA Badge Replacement (due to card loss) plus penalty	\$ 25.00
Missed Appointment without notification	\$ 15.00

The badges will be replaced free of charge if they fail during the 45 day warranty period. The Airport Manager is authorized to modify the security badge fees during the fiscal year if needed to reflect changes in supply costs related to printing. In addition, the Airport Manager is authorized to change or charge fees as necessary to recoup fees resulting from changes in FAA or TSA regulations requiring payment from the Airport.

There will be a \$10.00 per occurrence reactivation fee for each device for tenants who have their AOA Badge deactivated for failure to respond when contacted for the annual audit concerning their AOA Badge, failure to pay rent, or for any other reason that caused the Airport to deactivate the AOA Badge from the proximity system.

XV. AOA BADGE ADMINISTRATIVE REMEDIES

The following administrative remedies will be enforced by the Airport if it is found that

an AOA badge holder has violated TSA regulations and/or Airport regulations. The Airport Manager is authorized to change or charge administrative remedies as necessary resulting from changes in FAA or TSA regulations or requirements. The regulations and security updates are available on the Airport website at www.sonomacountyairport.org.

	Violation	1st Offense	2nd Offense
1	Badge is not returned within 72-hours after card expiration, individual's separation from employment, or demand from the Sonoma County Airport.	\$150	N/A
2	Badge holder is found without their badge while within the fenced area of the Airport.	\$50	\$100
3	Badge holder alters their AOA badge in any manner by covering up the picture, expiration date, name, company name or hangar number.	\$50	\$100
4	Badge holder does not wait for a vehicle gate to close before proceeding in or out of Airport property.	\$50	\$100
5	Badge holder tailgates through a vehicle gate or allows another individual to tailgate behind them through a vehicle gate (except if under escort by the badge holder).	\$100	\$200
6	Badge holder allows a different individual to use their AOA badge or another security access medium (key, gate access device, etc), regardless if other individual is STS badged or not, to access the Airport fenced area.	\$100	\$200
7	Non STS badged individual is found within the AOA without a proper badged escort.	\$50	\$100
8	Badge holder does not report their badge lost, stolen or destroyed within 24-hours to the Airport Manager's office.	\$100	\$200
9	Cost of AOA badge if it is lost or stolen, regardless if it is reprinted	\$100	\$150
10	Reprinting cost of lost or stolen AOA badge (in addition to the fee in penalty #8)	\$20	\$20
11	Badge holder escorts more than four (4) individuals onto Airport property without prior permission from the Airport Manager.	\$100	\$200
12	Badge holder is escorted into the AOA because they do not have their assigned AOA badge in their possession.	Written warning	\$50
13	Badge holder leaves escorted individual(s) unattended within the AOA.	\$100	\$200
14	AOA or non STS SIDA badged individual, except for TSA and FAA inspectors, escorts individuals into the secure area.	\$250	\$500
15	AOA or non STS SIDA badged individual, except for TSA and FAA inspectors, and Airline on-duty flight crew, is found unescorted within the secure area.	\$250	\$500
16	Authorized Signer or AOA badge holder does not complete the Annual AOA badge or gate device audit.	\$200	Badge revoke
17	Company or hangar tenant fails to assign an Authorized Signer for badge sponsorship within 72-hours of request from Airport, or when original Authorized Signer has given up their duties.	\$100	\$200

XVI. VIOLATION RESPONSIBILITIES

Any person or entity whose actions or failure to act causes the Airport or any agent or employees of the Airport to incur a fine or other sanction imposed by the TSA, FAA or any other agency having jurisdiction over the operation of the Airport, shall be responsible for paying all fines assessed and/or for paying the costs of addressing and/or complying with the sanctions imposed, including required staff time and attorney fees.

XVII. COMMERCIAL HANGAR OPERATOR LEASE ADJUSTMENT

Due to the continued economic situation, the Airport Manager has determined that the annual 4% rent escalator clause in commercial hangar operator lease agreements may be onerous while those businesses work to continue their operations. As such, the Board hereby authorizes the Airport Manager to offer a credit to lessees of commercial operator leases which is equal in amount to the 4% rent escalator clause in such leases for Fiscal Year 11-12. The 4% increase will be applied as required in those lease agreements. Lessees will be notified of the offset credit amount and that they may reduce their business percentage payments made during Fiscal Year 11-12 up to the full amount of the credit. This credit offer/program does not constitute an amendment to the commercial operator leases and may be modified or revoked by the Board at any time.

XVIII. AIRPORT REMOTE GATE ACCESS DEVICES

Due to recent upgrades to the Airport Security System and requirements from TSA, the Airport will no longer be able to sell remote gate access devices to Airport Tenants. For those tenants who have these devices, and these devices are still active in the security system and they are current tenants of the Airport, those devices will continue to function at the gates until such time that the device malfunctions or fails. At that time, the device will be removed from the proximity system. If a tenant fails to respond to the annual audit concerning their remote gate access device, the device will be deactivated and will not be reactivated into the proximity system.

XIX. DRIVERS TRAINING

Due to Federal Aviation Administration requirements, the Airport is required to provide drivers training annually to any operator who accesses the Airport Movement Area. To comply with this requirement the Airport provides one class per month free of charge to vehicle operators during normal operation hours. Should the vehicle operators need special dates or times for their training, or need to be retrained during the calendar year, the operator shall pay the hourly employee rate as outlined in this resolution. These rates are set at \$47.50 per hour and \$72.50 per hour for training needed after business hours.

Be It Further Resolved that landing fees and fuel flowage fees as set forth above are due and payable within twenty (20) days of the last day of the month in which the charges were accrued. Unless otherwise negotiated by contract, a late fee shall be levied in the amount of ten percent (10%) of the amount due for any amount not received in the office of the Sonoma County Airport, 2290 Airport Boulevard, Santa Rosa, CA 95403 by the 25th day of the month due.

Be It Further Resolved that all other buildings and grounds rental fees shall be established by negotiation.

Be It Further Resolved that the Airport Manager is hereby authorized to enter into month-to-month leases, licenses or operating agreements for Airport buildings and premises.

Be It Further Resolved that the rates and charges herein established are to remain in full effect until further order of the Board of Supervisors.

Supervisors:

Brown: Rabbitt: Zane: McGuire: Carrillo:

Ayes: 5 Noes: Absent: Abstain:

So Ordered.