

MINUTES OF REGULAR MEETING

January 28, 1982

Members Present: Chairman Rick Enstrom, Commissioners H. R. Barnett  
Louis Brach, Frank Dunn and George White. Airport  
Manager Paul Bowers and Clerk Mary Ann Harms

Guests Present: Gift Shop Owner Joann Smith and Attorney Randall  
Pearce

The meeting was called to order by Chairman Enstrom at 7:12 A. M. Minutes of the January 14, 1982 meeting were unanimously approved as mailed on a motion by Commissioner Brach and second by Commissioner Dunn.

Rick Enstrom was appointed 1982 Airport Authority Chairman on a motion by Commissioner Brach, seconded by Commissioner Barnett. The vote was unanimous in favor of the motion, with Commissioner Enstrom abstaining.

Mrs. Joann Smith addressed the Board regarding her Gift Shop Contract. Mrs. Smith has operated the shop for the past twelve years. She would agree to the new lease terms of ten percent (10%) of gross (6% on magazines and drugs) even though it doubled her payments, if she were granted a first right of refusal to the new terminal for a gift shop concession. Mr. Bowers said it was his understanding that the concession was to be put out for bid and the terms would be based on a square foot minimum charge versus percentage of gross. Commissioner Barnett said the previous rights of first refusal had caused us a lot of problems. However, Mrs. Smith has run an excellent operation and if a first right of refusal is granted it must be clear and concise. Commissioner Brach asked Mr. Bowers if Mrs. Smith could legally be granted a concession space in the new terminal without going through the bid and refusal exercise. Mr. Bowers said yes it would be legal. Commissioner Brach made a motion that Mrs. Smith be given gift shop concession space in the new terminal and that Mr. Bowers and Attorney Pearce resolve lease details. Commissioner White seconded the motion which passed unanimously.

Lease on the old terminal building was discussed per the worksheet sent with the agenda. Terms and conditions of the lease were outlined and maximum flexibility in the area to be leased was emphasized. Mr. Bowers said that a 12 acre site is ultimately necessary for a strong FBO

operation and cited the currently ramp short Horizon Aviation operating on 4 acres. He also stressed the importance of the ramp adjacent to the building as it is stressed for 150,000 pound aircraft and greatly enhances the value of the building.

Monarch Aviation, under their 1975 lease, has a right to negotiate for this entire area if it is to be used for any of the aviation uses listed in their contract. To give the Board a better understanding of the complexity of this provision, this portion of the Monarch lease was read aloud. Commissioner Barnett suggested the Board might consider moving the Administration and Board room into the building and sublease the remaining space for offices. The concensus of the Board was that this would be too costly. A question as to whether Monarch was even interested was broached and Commissioner Barnett said he had discussed this with Mr. Pabst and did not sense any interest.

Mr. Bowers suggested that this package be put out for bid simultaneously with the 30 day negotiation notice to Monarch so the two would dovetail. This would establish a base price for negotiations with Monarch. Chairman Enstrom suggested that he, Mr. Bowers and Attorney Pearce meet with Mr. Pabst. Commissioners Brach and White suggested that Mr. Pearce meet with Mr. Pabst and come back to the Board with the results of that meeting. The Board concurred and asked Attorney Pearce to get a signed release from the terms of the 1975 contract if Monarch was not interested.

The results of the vending concession bid was tabled by Chairman Enstrom upon request from Attorney Nelson.

Chairman Enstrom said that during the executive session after the last meeting the Board decided they needed their own legal counsel to be present at all Board meetings and to handle contract negotiations. The firm of Hall and Pearce had been selected and Attorney Randall Pearce be retained by the Authority.

Mr. Pearce said he had not prepared a proposal but would briefly outline what had been discussed with him. As there was no way to pre-judge the volume of work, rather than be on a retainer, he would submit an itemized statement and work on a \$50/hour basis. He would be available and accessible to the Board. In answer to several questions, Mr. Pearce responded there were no "hidden" costs and copying and secretarial costs were included in the fee. However, he did anticipate using the airport staff for copy work, typing and research. Also, to the best of his knowledge he had no conflicts of interest and does not represent anyone at the airport.

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Commissioner Brach made a motion that Randall Pearce be appointed Airport Attorney for a six month trial period. Commissioner White seconded the motion which unanimously passed.

Three bag claim bids were received from Stearns, Boeing, and Rexnord. The bids were opened January 21, 1982 and Rexnord was the apparent low bidder at \$49,953 for one unit and \$95,143 for two (installed transitread type) baggage handling systems. The engineer's estimate for both units was \$150,000 and the amount budgeted was \$165,000. After brief discussion it was unanimously decided to accept the Rexnord bid for the installation of two units, noting it would provide a backup system and be the most economic method of acquiring the equipment, on a motion by Commissioner White, second by Commissioner Dunn.

Commissioner White reported on the 1/26/82 County Commissioner hearing on the proposed Airport Compatible Land Use Overlay, noting the primary public concern expressed was the four units per acre residential density restriction in the critical zones. A second public hearing is tentatively scheduled March 9, 1982 for additional input. Commissioner White also asked that a FAA representative be present to explain the necessity for jet traffic to fly over Clifton in the current landing pattern and whether this pattern could be moved north over the desert. Commissioner Barnett cautioned against too much compromise of density in the critical zones and Mr. Bowers added that these zones and runway configurations are all as stated in the Airport Master Plan. Commissioners Enstrom and Barnett, both pilots, said high density within the critical zone is undesirable and life threatening and these zones should remain as advertised. Commissioner White was concerned that they would be denying the rights of a few to benefit the majority without proper compensation.

Commissioner Barnett explained the problems with varying standard landing patterns. Mr. Bowers said the density was figured at 4 units per acre as a pragmatic compromise between zero residential density off the ends of runways and typical 6 to 8 units (or higher) often found: 4 units/acre is the upper end of the low density zoning set by the County.

Commissioner Dunn said this airport overlay zone is synonymous in his mind with the flood plain. Once people understood it and became accustomed to it there would not be a problem. Commissioner White said this would cause lawsuits and Commissioner Barnett said this is a growing airport and community and it is better to face these problems now than later. He continued, future buyers must be aware of the airport and this can only be accomplished through compatible land use planning and avigation easements.

The arts committee had only one person volunteer so several people were going to be contacted to see if they were interested. Commissioner Barnett said he would help.

Accounts Payable were approved for payment on a motion by White, seconded by Brach and unanimously passed. In reviewing Accounts Receivable, it was asked that the \$1.65 Dye Construction interest charge be written off and also the \$446.53 Golden Gate charge currently filed in bankruptcy court. Enplaned passengers were down 12% from 1980.

The meeting adjourned at 8:24 A.M.