



Council Agenda Report

SUBJECT: ADOPTION OF REVISED AIRPORT RULES AND REGULATIONS AND NEW MINIMUM STANDARDS FOR COMMERCIAL ACTIVITIES AND AIRPORT TENANTS AND INTRODUCTION AND WAIVE FIRST READING OF AN ORDINANCE AMENDING TITLE 11 OF THE RIO VISTA MUNICIPAL CODE

MEETING

DATE: OCTOBER 7, 2010

RECOMMENDATION

Staff recommends that the City Council of the City of Rio Vista adopt Resolution No. _____, “Adoption of Revised Airport Rules and Regulations,” adopt Resolution No. _____ “Adoption of Minimum Standards For Commercial Activities and Airport Tenants” and introduce and waive the first reading of an ordinance amending Title 11 of the Rio Vista Municipal Code concerning the Rio Vista Airport.

BACKGROUND

The City has operated the Rio Vista Municipal Airport at its present location since 1994. The Airport is located at 3000 Baumann Road near Airport Road on 273 acres with two runways, a heliport, administration building, and 48 hangars. In 1994, when the Airport opened, the City Council adopted Resolution 94-5, which governed the rules and regulations of the Airport. The City never adopted a document setting minimum standards for commercial development, which the Federal Aviation Administration (FAA) recommends for attracting new development to the Airport. Finally, Title 11 of the Rio Vista Municipal Code governing the Airport has not been updated since 2003.

The effort to update these three documents dates back to 2004, when the newly appointed Airport Advisory Commission (AAC) discussed updates to the Rules and Regulations, Title 11 of the Rio Vista Municipal Code and the creation of a new minimum standards document. The AAC, as well as the former Airport Manager and Public Works Director commissioned a consultant to research other airport’s rules and regulations and minimum standards for commercial development. Once the draft documents were prepared by the consultant, the AAC working with staff made refinements to the documents and reviewed them to ensure consistency with each other as well as FAA’s standard grant assurances.

As a result, the airport rules and regulations have been completely rewritten and incorporate portions of Resolution 94-5 with additional clarity regarding each specific regulation. Title 11 of the Rio Vista Municipal Code has also been redrafted. Both the revised Airport Rules and Regulations and the proposed minimum standards for commercial development document are consistent with the proposed changes to Title 11.

Public outreach was conducted in July and August 2010 for a period of 25 days through notices in the mail to each tenant, a public notice in the newspaper, presentation to Friends of the Airport, Rio Vista Pilots Association, and AAC, notices placed on each hangar and in the Airport Administration Building and online at www.flyriovista.org. In addition, staff consulted with the City Manager, the City Attorney, the Fire Marshal and the Police Chief in regard to the three documents for comment. Staff received very little comment from the public. Most of the comments were received internally from departmental review or from the AAC. The comments related to language corrections to Title 11 of the Rio Vista Municipal Code, the inclusion of a revocation process for licenses and tenants and additional regulations governing the Fire Code, and enforcement of licenses through hangar inspections. These comments were incorporated into the final draft documents. Staff also provided the draft documents to FAA and Caltrans for review and comment.

Additionally, staff presented the documents for City Council consideration and discussion during the Council's August 25th special meeting. The Council asked questions and sought minor changes and clarifications, which have been incorporated into the final documents.

REVIEW AND ANALYSIS

Airport Rules and Regulations

This document was completely rewritten to ensure clarity on each regulation governing the Rio Vista Municipal Airport and to ensure compliance with FAA standard grant assurances. This document would supercede Resolution 94-5, which provides basic guidance and rules governing use of a hangar and tiedown. Portions of revised Title 11 of the Rio Vista Municipal Code have been incorporated into the Rules and Regulations either directly or by reference to ensure that readers of the Rules and Regulations are aware of all applicable governing provisions related to the Airport. Because portions of the revised Municipal Code have been incorporated and are relied upon within the Rules and Regulations, the new Rules and Regulations will go into effect at the same time as the ordinance's effective date.

Title 11 of the Rio Vista Municipal Code

The last revisions made to Title 11 of the Rio Vista Municipal Code occurred in 2003, when the Airport Advisory Commission was reconstituted. There have been no additional updates since then. The proposed rewrite of the airport rules and regulations incorporated sections of the revised Title 11 to ensure consistency. The revision included minor edits and clean up to correct misspellings or misinterpretation throughout the entire title and significant word changes or new paragraphs added to Sections 11.08.050 (duties and powers of airport manager), 11.08.110 (use of airport for commercial activities), 11.08.250 (default of obligations), 11.12.020 (membership—appointment—terms), 11.12.030 (election of officers—meetings), and 11.20.024 (procedures for rental of hangars and tie-downs).

In addition, a chapter was provided for reserving height restrictions surrounding the airport and elimination of section 11.36.020 (prior permission required for flying ultralight aircrafts), as well as reference to the prior code numbering.

Staff has presented the entirety of Title 11 with the proposed changes to the Airport Advisory Commission, interested members of the public, and the City Council showing all changes to be made to Title 11. The proposed ordinance for the Council's consideration does not show the entirety of Title 11 as many provisions will remain the same and, thus, do not need to be included in the ordinance. However, staff has available for public review the previous versions showing all changes to Title 11.

Minimum Standards For Commercial Activities and Airport Tenants

This brand new document provides the minimum standards and requirements for commercial aeronautical and non-aeronautical activities to ensure the safe and efficient operation of Rio Vista Municipal Airport; to enhance its orderly growth; to preclude the granting of an exclusive right to conduct an aeronautical activity in violation of applicable federal, state, and local laws; and to assure the availability of airport property on fair and reasonable terms, without unjust discrimination, to all individuals or entities desiring to lease airport property or operate a commercial enterprise on the airport.

The City is obligated to adopt these documents by the terms of its grant agreements and assurances executed with the Federal Government when funding was provided for the airport. The grant agreements and assurances require the City to impose certain requirements and restrictions in every license and/or lease of airport property to ensure that it remains in compliance with FAA regulations. Staff intends in the future, in coordination with the AAC, to provide periodic reviews of these documents.

Enforcement of the rules and regulations, minimum standards for commercial activities and airport tenants, and Title 11 of the Rio Vista Municipal Code is vested with the Airport Manager or his/her designated representatives, which may include the Police and Fire Departments and the Transit & Airport Coordinator. While the Airport Manager has the authority to manage the airport (including the authority to interpret, administer, and enforce airport agreements and airport owner policies and the authority to permit temporary, short-term occupancy of the airport), the *ultimate authority* to grant the occupancy, make modifications to the rules and regulations, grant exemptions, and to approve, amend, or supplement all leases and permits is expressly reserved to the City Council of the City of Rio Vista.

The operations at Rio Vista Municipal Airport would be governed by Title 11 of the Rio Vista Municipal Code, the Airport Rules and Regulations, and the Minimum Standards For Commercial Activities and Airport Tenants.

Next Steps

It is anticipated that once the revisions to Title 11 of the Rio Vista Municipal Code have been codified by mid-November, 2010, staff will work with the Police and Fire Departments to begin hangar inspections to ensure that all license holders at Rio Vista Municipal Airport are operating in compliance with the proposed Airport Rules and Regulations and adopted Minimum Standards for Commercial Activities and Airport Tenants.

FINANCIAL CONSIDERATIONS

Only the cost to publish the required notice(s) in the local paper.

ALTERNATIVES

- To not consider revisions to the Airport Rules and Regulations and Title 11 of the Rio Vista Municipal Code and adoption of the Minimum Standards for Commercial Activities and Airport Tenants.
- Strive to seek more public comment.



Transit & Airport Coordinator

Finance Manager

City Manager

Attachments: Resolution No. _____ Adopting Airport Rules and Regulations
Resolution No. _____ Adopting Minimum Standards for Commercial Activities
and Airport Tenants
Ordinance No. _____, Revising Title 11 of the Rio Vista Municipal Code

RESOLUTION NO. 10-___

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIO VISTA ADOPTING
REVISED AIRPORT RULES AND REGULATIONS**

WHEREAS, the City of Rio Vista owns and operates the Rio Vista Municipal Airport;
and

WHEREAS, the Federal Aviation Administration (FAA) recommends that its grantees
develop rules and regulations and minimum standards for commercial activities; and

WHEREAS, the City has developed revised rules and regulations that will supercede
Resolution 94-5 and provide additional clarity to rules and regulations governing the airport in
concert with Title 11 of the Rio Vista Municipal Code.

NOW, THEREFORE, BE IT RESOLVED by the **RIO VISTA CITY COUNCIL** that
it hereby adopts the revised airport rules and regulations, attached hereto as **Exhibit A**, which
shall become effective upon adoption of Ordinance No. _____, which revises Title 11 of the
Rio Vista Municipal Code.

BE IT FURTHER RESOLVED THAT the revised airport rules and regulations shall
be transmitted to all tenants at Rio Vista Municipal Airport, kept on file with the City Clerk and
Airport Manager, and be made available online.

BE IT FURTHER RESOLVED THAT any revisions made to the airport rules and
regulations shall be brought before the Airport Advisory Commission for review and
consideration and the City Council for adoption.

PASSED, ADOPTED AND APPROVED this seventh day in October 2010 by the
following roll call vote:

AYES: COUNCILMEMBERS _____

NOES: COUNCILMEMBERS _____

ABSENT: COUNCILMEMBERS _____

ABSTAIN: COUNCILMEMBERS _____

ATTEST:

Carolyn Parkinson
Interim City Clerk of the City of Rio Vista

RESOLUTION NO. 10-__

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIO VISTA ADOPTING
MINIMUM STANDARDS FOR COMMERCIAL ACTIVITIES AND AIRPORT
TENANTS**

WHEREAS, the City of Rio Vista owns and operates the Rio Vista Municipal Airport;
and

WHEREAS, the Federal Aviation Administration (FAA) recommends that its grantees
develop rules and regulations and minimum standards for commercial activities; and

WHEREAS, the City has developed new minimum standards for commercial activities
and airport tenants to govern new development and foster business opportunities at the Rio Vista
Municipal Airport.

NOW, THEREFORE, BE IT RESOLVED by the RIO VISTA CITY COUNCIL that
it hereby adopts the minimum standards for commercial activities and airport tenants, attached
hereto as **Exhibit A**, effective upon adoption of Ordinance No. ____, which amends Title 11 of
the Rio Vista Municipal Code.

BE IT FURTHER RESOLVED THAT the minimum standards for commercial
activities and airport tenants shall be transmitted to all tenants at Rio Vista Municipal Airport,
kept on file with the City Clerk and Airport Manager, and be made available online.

BE IT FURTHER RESOLVED THAT any revisions made to the minimum standards
for commercial activities and airport tenants shall be brought before the Airport Advisory
Commission for review and consideration and the City Council for adoption.

PASSED, ADOPTED AND APPROVED this seventh day in October 2010 by the
following roll call vote:

AYES: COUNCILMEMBERS _____

NOES: COUNCILMEMBERS _____

ABSENT: COUNCILMEMBERS _____

ABSTAIN: COUNCILMEMBERS _____

ATTEST:

Carolyn Parkinson
Interim City Clerk of the City of Rio Vista