




Department of Public Works

MEMORANDUM

TO: The Honorable David Herrick
Presiding Judge of the Superior Court

FROM: Scott De Leon, Director 

SUBJECT: Grand Jury Report Response

DATE: September 8, 2015

The 2014-15 Grand Jury Report (Report) performed a review of Lampson Field Airport and made a number of recommendations as a result of their investigation. The following is my response to those recommendations:

R1: Department of Public Works and Treasurer/Tax Collector review the Lake County Policy and Procedures, Section 7 Chapter 8, concerning collections of past due accounts and take the appropriate actions to collect all past due accounts for Aeronautical Use Fees and Lease Payments

It is presumed that this recommendation is directed at one specific tenant, who for a variety of reasons (and over many years) has become significantly in arrears with his lease payments. The business owned by the tenant is a viable enterprise, and in my discussions with the tenant he has expressed his commitment to bringing his account current. In fact, as of August 30th he has lowered his past due amount nearly \$10,000. Unless directed by the Board of Supervisors, I propose to work with the tenant to continue reducing the past due balance until he is current. I recognize this is not in accordance with the Policies and Procedures, but I would like an opportunity to work cooperatively with the tenant to correct the problem rather than turning him over to collections which could have significant negative ramifications on his business.

R2: The Airport Manager should review and equitably enforce the Lake County Codes and Ordinances (Article X of Chapter 19 of the Lake County Code) to all property owners who own property abutting or adjacent to the Airport with access to the taxiway and have any aeronautical activities

This recommendation is duly noted, and though the recommendation seems straightforward, it is significantly more complicated than simply enforcing the code. To equitably enforce the codes to all owners of property that conduct aeronautical activities requires controlling the access to the airport – and that involves such issues as, fencing, design standards and safety, ingress egress control, and of course funding for same.

R3: Department of Public Works should (in conjunction with the Fire Department) perform periodic site inspections of hangers, fueling points, and other facilities to ensure the buildings are in compliance with building codes and the National Fire Protection Association Codes

As the Grand Jury discovered, much of the land surrounding the airport is privately held, and many of the activities around the airport are conducted on private property. We were able to enact some changes in the fueling station (ground wire replacement) using the Aeronautical Use Agreement we have with the vendor as leverage, but that was a unique situation. The Department of Public Works can comply with the recommendation for the structures that are on County property or with vendors that we have contracts with, but that will be the limit of our ability.

R4: The transit parking lockbox and envelopes should be made more prominent and available to advise visiting airmen that transit fees are required and must be paid

The Department concurs with the recommendation, and we intend to combine this with Recommendation #13.

R5: Develop a five to ten year plan to perform maintenance to the taxiway and tarmac pavement to address the cracking and washout of the pavement. The worse areas should be repaired first. This would help preserve the existing asphalt until a re-pavement project can be funded and accomplished.

This plan exists in the form of the Pavement Management Plan (PMP) and the Airport Capital Improvement Plan (ACIP). These plans provide a five to ten (5-10) year plan for future airport projects and development. The projects the Grand Jury recommends are already listed in the ACIP.

R6: Due to the differences in various listings and reports the County Auditor should perform a special audit of the Department of Public Works accounting system. They should cross-reference the accounts in the Tax Collectors office with the Assessor's Office and Department of Public Works office.

This recommendation is unclear, as the report contains no discussion regarding the offices of the Tax Collector or the Auditor. I fail to see how this Recommendation addresses Findings #1 and #7, and in fact, I object to the suggestion that the Department's accounting system requires a "special audit" which would imply that our system is flawed or spurious.

R7: Establish the Airport Advisory Committee to advise the Board of Supervisors of the needs toward maintaining and improving the Airports operation and safety.

This would be at the discretion of the Board of Supervisors. My personal belief is we don't need another committee to accomplish those objectives, but rather increased communication between the users of the airport, this Department and the Board of Supervisors. I believe we have made good strides toward improved communication between the Department and the users, and I recommend that the Department make

annual presentations to the Board regarding the status of the airport. This would be a public hearing where the users would be able to share their opinions, good or bad, about the airport. Our targeted date for the Board update will be in October. This will give the Board an opportunity to provide comments on goals and objectives for the future, prior to the process of adopting the annual ACIP or Airport Layout Plan (ALP) updates.

R8: Install signs with information on how to report concerns and safety problems, or deficiencies, from both resident and transient airmen.

The Department concurs with the recommendation, and we intend to combine this with Recommendation #13.

R9: Continue efforts to upgrade the AWOS-A to an AWOS-II or III to improve the weather reporting system.

The Department concurs with the recommendation, however the Discussion and Analysis provided by the Grand Jury fails to provide the history surrounding this issue – history that staff spent significant time detailing with written documentation. Contrary to the implied lack of action by the Department, we have been actively pursuing the upgrade. The original AWOS II was installed 20 years ago with an FAA grant. When that equipment needed replacement, the FAA decided unilaterally that our airport did not merit an AWOS II, and they downgraded what they would fund to the AWOS A. We had already prepared construction documents and entered into a contract with a vendor for an AWOS II when we were advised by the FAA that they would not fund the project, and we were forced to re-bid the project for the lessor equipment. We had to complete the project with the FAA in its entirety before we could begin working on an upgrade using our own local funds. The equipment for the upgrade has been ordered, and it is anticipated that installation will occur in October.

R10: Establish a remote office at the Airport for the Airport Manager and maintenance personnel. This would provide a location to perform various administrative duties and function as a physical point of contact.

This recommendation is disappointing, as we apparently were not able to clearly express that the airport is woefully underfunded and that we are currently struggling to provide the minimum administration. To suggest that we establish a remote office, without any discussion of how to fund such an operation, is not helpful in any way. To put the situation in perspective, our Airport Manager is also the Right of Way Agent, as we do not have sufficient funding for a full-time manager. In fact, with current funding, he is able to spend approximately 55 hours per month on airport activities. Our "maintenance personnel" consists of a single extra help employee who we budget for 800 hours per year. While I would concur that a full-time presence at the airport would be an improvement, we don't have the funding. In lieu of an on-site office, we have been increasing our presence at the airport through meetings and personal visits with the fixed-base operators and users of the facility.

R11: The Board of Supervisors should review the Aeronautical Use Fee Ordinance, to consider increasing fees based on CPI increases since the last increase of 2009.

The Department concurs with the recommendation.

R12: Improve the signage indicating the name of the Airport, the name of the Airport Manager, the elevation and contact information.

The Department concurs with the recommendation, and we intend to combine this with Recommendation #13

R13: Install a kiosk which would provide visitors with local information, a lockbox and envelopes for daily tie-down fees, information on public transportation, taxi and car rental information as well as points of interest in Lake County. This should be located prominently in the area of the Transit Parking Area.

The Department concurs with the recommendation, and we intend to work collaboratively with the private property owners and Airman's Association on this project.

R14: Install signage at each taxiway entrance prohibiting autos, truck, and other vehicles from entering, or crossing the taxiway and active runway in accordance with Lake County Code (Article X, Chapter 19)

This signage exists, and I have attached photographs of some of the signs.

R15: The Department of Public Works should expedite the installation of the security fence around the airport.

This is another extremely frustrating recommendation, as we clearly were not able to adequately explain all the complications surrounding this issue. The concept of security fencing around the entire airport is not a simple endeavor and involves so many ancillary issues that it's very difficult to prepare a simple response. For example, if the County were to place a security fence around the airport along our property line (a necessity for compliance with Recommendation R2), the fence would actually be an obstruction within protected airspace and we would be in violation of FAA rules. Additionally, an initial estimate of a project of this nature was approximately \$800,000. We have proposed a fencing plan that will provide security around the airport, but it will not serve as a barrier between the public and private property. This plan was vetted through the property owners in a series of meetings, and was the preferred alternative. The proposal was made in part with our updated Airport Layout Plan (ALP) and we are waiting for FAA's comments on the proposal.

R16: The Department of Public Works should actively pursue action to resolve the sewage problems with the property. This will allow for further action to proceed toward the Airport Improvement Plan.

In a review of the numerous documents provided to the Grand Jury (GJ), they did not request any information regarding this issue, so it's unclear what the basis is for Finding F8. Though I don't necessarily disagree with the recommendation, the wording of it gives the impression that the Department has been doing nothing to work on sewage

disposal issues at the Airport, when in fact we have been working with the FAA on this for the past several years. In 2012 for example, using FAA Airport Improvement Program (AIP) Grant funds, the County entered into an agreement with our consultant, Mead and Hunt, to prepare the environmental studies necessary for the Westside Aviation Development Project. This was the first step toward the development of the seventeen (17) acres of land that is referenced in the GJ Report. Soil explorations were performed as part of the overall environmental analysis and the project was well underway when a change in FAA personnel in 2015 resulted in the FAA deciding that this project was a low priority, and they cancelled the grant for the study. This is a perfect example of the complexity of the issues we face at Lampson, and a testament to the challenges of dealing with the FAA and the reliance of grant funds to accomplish projects. Because this project has been dropped by the FAA, it is likely that any work toward this recommendation will require local funds.

In conclusion, I am disappointed with the overall Discussion and Analysis Section of the Grand Jury's report, wherein they address "Safety", "Funding", and the "Airport Master Plan". The misstatements in each of these sections are too numerous to list, and most of the resulting "Findings" are flawed and do not represent proper context. Each of the issues: funding, security fencing, airport fees, the AWOS, pavement maintenance, sewage disposal – are all extremely complicated and in some cases have years of history. My staff and I responded to all the Grand Jury requests with diligence, and we have a substantial amount of man-hours expended in the gathering of documents, preparation of responses and personal meetings. I am dismayed that the information that was provided to the Grand Jury was either not correctly reflected, only partially reflected, or was omitted completely. In contrast to their report, I am of the opinion that conditions at the airport are improving. Staff has worked tirelessly with our consultant and the FAA to develop reasonable and achievable capital improvement goals, and our relationship with the pilots and fixed-base operators continues to improve. Though in my opinion this report is not an accurate reflection of the airport, there are a few statements that I do concur with, one of which occurs in the Summary wherein the report states: "Lampson Field Airport can be and should be a source of pride for all of Lake County citizens." This Department completely agrees and my staff and I are committed to making that happen.

Attachments

