



Contra
Costa
County

To: Board of Supervisors
From: Keith Freitas, Airports Director
Date: January 12, 2010

Subject: APPROVE AND AUTHORIZE TERMINATION OF T-HANGAR AND SHADE HANGAR RENTAL AGREEMENT WITH JEFF DEUEL

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Director of Airports to terminate the T-Hangar and Shade Hangar Rental Agreement with Jeff Deuel. AUTHORIZE County Counsel to pursue legal action. Pacheco Area.

FISCAL IMPACT:

There is no negative impact on the General Fund. The Airport Enterprise Fund will cover the cost of any legal action.

BACKGROUND:

On May 3, 2003, the County entered in to a T-Hangar and Shade Hangar Rental Agreement (Agreement) with Jeff Deuel (Tenant) for the use of T-Hangar #E-8, which is located on the East Ramp of Buchanan Field Airport. Because of his failure to pay rent in full and the cancellation of mandatory insurance, Tenant is currently in default under the Agreement.

A non-compliance letter was sent to Tenant on September 24, 2009. The letter informed Tenant that to avoid termination of the Agreement, payment in full of past due rent then totaling \$138.64 would have to be delivered to the County by September 30,

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **01/12/2010** ☐ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

AYE: John Gioia, District I
Supervisor
Gayle B. Uilkema, District II
Supervisor
Mary N. Piepho, District III
Supervisor
Susan A. Bonilla, District IV
Supervisor
Federal D. Glover, District V
Supervisor

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: January 12, 2010

David Twa, County Administrator and Clerk of the Board of Supervisors

By: , Deputy

Contact: Beth Lee (925)
646-5722

cc:

BACKGROUND: (CONT'D)

2009. That deadline was not met. On November 6, 2009, another non-compliance letter was sent to Tenant. The letter informed Tenant that to avoid termination of the Agreement, payment in full of the past due rent then totaling \$552.28 would have to be delivered to County by November 20, 2009. Payment in full was not received. On July 14, 2009, County received notice from Tenant's insurance carrier that the aviation insurance had been cancelled.

Airport staff is requesting authority to terminate the Agreement and to pursue legal action against Tenant through County Counsel. Such actions are consistent with adopted Airport policies. In addition, by recovering possession of the Premises, the Airport will be able to make the space available to the next person on the Buchanan Field Airport T-hangar waiting list.

CONSEQUENCE OF NEGATIVE ACTION:

Failure to terminate Agreement and pursue legal action against Tenant would result in the Airport being unable to enforce adopted Airport policies and procedures.