



Contra
Costa
County

To: Board of Supervisors
From: Keith Freitas, Airports Director
Date: November 5, 2019

Subject: Contra Costa Airports-Authorization to Negotiate Ground Lease & Development Terms for Approximately 3 Acres of County-Owned Land at the Byron Airport

RECOMMENDATION(S):

AUTHORIZE the Director of Airports, or designee, to negotiate a long-term ground lease and development terms between the County, as Landlord, and Mark Scott Construction, Inc., as the developer, for approximately 3 acres of land at the north corner of Falcon Way and Eagle Court at the Byron Airport.

FISCAL IMPACT:

There is no negative impact on the General Fund. The Airport Enterprise Fund could realize lease and other revenues. The County General Fund could realize sales tax and other revenues if a lease is successfully negotiated

BACKGROUND:

The development site is approximately 3-acres of vacant land owned by the County and located on the southwest side of Byron Airport generally at the north corner of Falcon Way and Eagle Court. The parcel is designated for aviation use on the Updated Airport Layout Plan for the Byron Airport.

The Airport Division of the Contra Costa County Public Works Department - Airports

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **11/05/2019** ☒ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

AYE: John Gioia, District I Supervisor
Candace Andersen, District II Supervisor
Diane Burgis, District III Supervisor
Karen Mitchoff, 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: November 5, 2019

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

By: Stacey M. Boyd, Deputy

Contact: Beth Lee, (925)
681-4200

cc:

Division received a letter

BACKGROUND: (CONT'D)

of interest from Mark Scott Construction, Inc. to lease and develop the property for aviation use.

In accordance with the Airport Division's standard, the Airport Division solicited for competitive interest in developing the parcel prior to making a developer selection. This solicitation of competitive interest was transmitted to the current commercial tenants of both County airports and to those persons who have asked to be included on a list of developers interested in developing land at either of the County airports. The County did not receive any other letters of interest to develop this property.

Consistent with the master developer selection process that was approved by the Board of Supervisors on May 23, 2006, projects without a competitive interest are to proceed with the traditional environmental review and lease development processes. The aviation development project will be presented to the Aviation Advisory Committee, the Airport Committee, and any other stakeholder to enhance community relations and collaborative relationships.

Negotiation of lease terms would expand economic activity, provide additional revenues to the Airport Enterprise Fund, and expand aviation-related facilities and services at the Byron Airport. A business proposal must be consistent with the Airport Master Plan and General Plan for consideration. The proposed aviation development is consistent with the Byron Airport Master Plan and General Plan.

Unless and until a final lease agreement is fully executed by all parties, this Board Order, any draft lease agreement, other communications or conduct of the parties shall have absolutely no legal effect, may not be used to impose any legally binding obligation on the County and may not be used as evidence of any oral or implied agreement between the parties or as evidence of the terms and conditions of any implied agreement.

CONSEQUENCE OF NEGATIVE ACTION:

Delay in initiating the developer selection process will result in a delay of developing vacant land at Byron Airport and may negatively impact the Airport Enterprise Fund and County General Fund