



Contra
Costa
County

To: Board of Supervisors
From: Keith Freitas, Airports Director
Date: November 10, 2020

Subject: Second Amendment to Lease for Byron Airport Hangar Owners Association, 760 Osprey Court, Byron Airport

RECOMMENDATION(S):

APPROVE and **AUTHORIZE** the Director of Airports, or designee, to execute, on behalf of the County, a second amendment to lease that modifies the ground lease between the County and Byron Airport Hangar Owners Association for property located at 760 Osprey Court, Byron, to establish ground rent through August 2029, modify the timing of the transaction fee payment obligation, and create a community service obligation.

FISCAL IMPACT:

There is no impact on the County General Fund. If the lease is amended, the Airport Enterprise Fund will continue to receive ground rent, a percentage of all gross receipts, and, if applicable, fuel flowage fees. In addition, the General Fund will continue to receive property, sales and possessory interest tax revenue from the lease.

BACKGROUND:

On August 10, 2010, the County and Byron Airport Hangar Owners Association entered into the Amended and Restated Lease,

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **11/10/2020** ☒ 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 10, 2020

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

By: Stacey M. Boyd, Deputy

Contact: Beth Lee
925-681-4200

cc:

BACKGROUND: (CONT'D)

under which the Byron Airport Hangar Owners Association is leasing approximately two acres at Byron Airport for the purpose of constructing and operating executive hangars.

Under the terms of the Lease, ground rent is periodically revalued based on fair market rental value of the Premises. Under this second amendment, ground rent will be fixed through August 31, 2029. In addition, Tenant is agreeing to provide extensive community service through September 1, 2029, to youth organizations throughout the County in support of careers in the aviation and aerospace industries and the study of science, technology, engineering and math (STEM). Finally, the amendment defers until September 1, 2025, the Tenant's obligation to pay the \$3,500 transaction fee due for this second amendment.

CONSEQUENCE OF NEGATIVE ACTION:

Failure to approve the Second Amendment to the Lease which will make it financially difficult for Byron Airport Hangar Owners Association to provide the extensive community services to County youth during the next nine years.

ATTACHMENTS

2nd Amend to Amend Restated Lease