



Contra
Costa
County

To: Board of Supervisors
From: Greg Baer, Director of Airports
Date: September 13, 2022

Subject: Contra Costa Airports - Authorization to Negotiate Ground Lease and Development Terms for
Approximately 3-Acres of County-Owned Land at 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 CC Aviation, Inc., as the developer, for approximately three acres of land on the southwest side of the Byron Airport.

FISCAL IMPACT:

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

BACKGROUND:

On June 30, 2021, the Airports Division of the Contra Costa County Public Works Department received a letter of interest from Skyview Aviation, LLC to lease and develop about 2-acres for aviation use located in the southwest area of the airport. In accordance with the Airports Division's standards, staff solicited for competitive interest in developing the parcel prior to making a developer selection. This solicitation of competitive interest was transmitted to current commercial tenants of both County airports and to those individuals who requested to be included

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **09/13/2022** ☒ 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: September 13, 2022

Monica Nino, County Administrator and Clerk of the Board of Supervisors

By: Stacey M. Boyd, Deputy

Contact: Beth Lee,
925-681-4200

cc:

BACKGROUND: (CONT'D)

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. On September 7, 2021, the Board authorized staff to negotiate lease and development terms for this 2-acre site. Subsequent to the Board's authorization, the Bay Area Test Site (BATS) program at the Byron Airport has experienced a large increase in use. The designated BATS site is adjacent to this proposed development site and there were concerns that the close proximity could lead to conflicts in aviation uses. As such, Airport staff worked with this project sponsor to identify an alternative location that would meet their needs and preserve the BATS testing area.

The new proposed development site is approximately 3-acres of vacant land owned by the County and located on the southwest side of the Byron Airport, generally along Falcon Way and southwest of Runway 12/30, approximately 1,500' north of the original location. The site is designated for aviation use on the Airport Layout Plan for Byron Airport.

On June 15, 2022, Airports staff sent a competitive solicitation notice out to businesses and interested parties for the new location. The County did not receive any other letters of interest to develop the new site. Thus, staff is requesting authorization to negotiate lease and deal terms with the project sponsor for the new location. Please note that the project sponsor name has changed as the principal has sold his interest in Skyview Aviation, LLC and the sale will be effective on November 1, 2022. Due to the impending sale, the project sponsor has requested that his other company, CC Aviation, Inc., become the sponsor for this project from this point forward.

This aviation development project will continue to be presented to the Aviation Advisory Committee, the Airport Committee, and any other stakeholder to enhance community relations and public outreach.

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 negotiation process will result in postponement of developing vacant land at the Byron Airport and may negatively impact the Airport Enterprise Fund and County General Fund.