

**SUBMITTAL TO THE BOARD OF SUPERVISORS  
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**

410



**FROM:** Executive Office

**SUBMITTAL DATE:**  
April 23, 2014

**SUBJECT:** 2013-14 Grand Jury Report: Blythe Airport

**RECOMMENDED MOTION:** That the Board of Supervisors:

1. Instruct Riverside County Economic Development Agency – Blythe Airport - to forward to the Executive Office, within 30 days, a draft of the Board’s response to the findings and recommendations of the Grand Jury that pertain to the Department’s operational areas and direct the Executive Office to submit draft responses to the Board within 60 days.

**BACKGROUND:** The attached report has been issued by the Grand Jury.

Section 933 (c) of the Penal Code requires that the Board of Supervisors comment on the Grand Jury’s recommendations pertaining to matters under the control of the Board and that a response be provided to the Presiding Judge of the Superior Court within 90 days.

Draft responses received from the affected department will be considered and presented for the Board’s consideration; the response ultimately approved by the Board will then be forwarded to the Grand Jury as required by statute.

30dayEDABlytheAirport04.14

Departmental Concurrence

<b>FINANCIAL DATA</b>	<b>Current Fiscal Year:</b>	<b>Next Fiscal Year:</b>	<b>Total Cost:</b>	<b>Ongoing Cost:</b>	<b>POLICY/CONSENT (per Exec. Office)</b>
<b>COST</b>	\$ N/A	\$	\$	\$	Consent <input type="checkbox"/> Policy X
<b>NET COUNTY COST</b>	\$	\$	\$	\$	

**SOURCE OF FUNDS:**

**Budget Adjustment:**

**For Fiscal Year:**

**C.E.O. RECOMMENDATION:**

**APPROVE**

BY: \_\_\_\_\_

George A. Johnson

**County Executive Office Signature**

**MINUTES OF THE BOARD OF SUPERVISORS**

Positions Added  
 Change Order

A-30  
 4/5 Vote

**Prev. Agn. Ref.:**

**District:**

**Agenda Number:**

**3-2**



## RIVERSIDE COUNTY GRAND JURY

(951) 955-8990 OFFICE • (951) 955-8989 FAX

April 22, 2014

Riverside County Board of Supervisors  
County Administrative Center  
4080 Lemon Street, 1<sup>st</sup> Floor  
Riverside, CA 92501

Subject: 2013-2014 Grand Jury Report: Blythe Airport

Dear Board Members:

Please note that Penal Code Section 933 et seq. specifies that you file a response with the following agencies within ninety days.

**Mark A. Cope, Presiding Judge**  
**Superior Court of California, County of Riverside**  
4050 Main Street  
Riverside, CA 92501

**Riverside County Grand Jury**  
Post Office Box 829  
Riverside, CA 92502

**Riverside County Clerk-Recorder**  
2720 Gateway Drive  
Riverside, CA 92507

Further, it specifies that this report be kept **confidential for a minimum of two working days** prior to public release. The contents of this report will be made public after the close of business **April 24, 2014**.

Sincerely,

Barbara A. Schlegel, Foreperson  
2013-14 Riverside County Grand Jury

BAS:gs  
Attach.

# 2013-2014 GRAND JURY REPORT

## Blythe Airport

### Background

Blythe Airport (Airport) is a Riverside County (County) owned, public use airport located six miles west of the central business district of Blythe, in Riverside County, adjacent to Interstate 10. The Airport has two runways and is primarily used for general aviation. In 2010 the County leased 8.3 acres of land to Desert Air Services, Inc. (DAS) a California corporation, as the Limited Service Fixed Base Operator (FBO) business, which provides fuel service for aircraft.

The FBO provides storage for planes and cars, pilot supplies and fuel seven days a week, from 7:00 a.m. to 5:00 p.m. There is night refueling upon request. On May 27, 2010, DAS took over the existing lease and agreed to the terms of the Airport lease contract. The lease is for a term of five years.

The Minimum Standards for Fixed Base Operators, Riverside County Airports, states:

*Any person, firm, partnership, corporation, association, limited partnership, or any other legal entity duly licensed and authorized by written agreement with the airport sponsor (the County) to provide specific aeronautical services at an airport, under strict compliance with such agreement and pursuant to these and all applicable regulations and standards.*

The 8.3 acres of land leased by DAS consists of:

- A general aviation building containing 1,289 square feet
- A main hangar containing 24,750 square feet
- Two above-ground stationary fuel tanks
- One Jet A fuel truck
- One portable AV Gas trailer tank
- Seven privately owned hangars

## Methodology

Interviewees sworn / non-sworn:

- Desert Air Services, Inc. CEO (the FBO)
- Desert Air Services, Inc., Airport Manager
- Economic Development Agency (EDA) Aviation Manager
- EDA Aviation Facilities Specialist
- EDA Deputy Agriculture Commissioner / Sealer
- Critical Care Transport Owner

Toured all five (5) County Airports:

- Blythe Airport
- French Valley Airport
- Hemet-Ryan Airport
- Jacqueline Cochran Airport
- Chiriaco Summit Airport

Reviewed:

- County Ordinance No 576 and Rules and Regulations for Operation of County Airports
- Federal Aviation Agency (FAA) Compliance Manual
- All five County Airport current leases
- Minimum Standards for Fixed Base Operators, Riverside County Airports
- City of Blythe Airport Lease 1997-2010

## Findings

### Security Gate/Fencing

1. The 2013/2014 Riverside County Grand Jury (Grand Jury) investigation revealed minimal security at the Airport. According to testimony, the Airport has never had an electronic security gate at the entrance of the Fixed Base Operator (FBO) office building, which makes it accessible 24/7 to any unauthorized users.

Improper fencing at the entrance of the FBO office building results in lax security, as it allows pedestrian access to the premises without proper verification.

### Asphalt/Concrete

2. The Grand Jury's investigation noted the extremely poor condition of asphalt on the Airport grounds. In addition, the concrete seam sealant is in disrepair. A substantial amount of the sealant has become brittle, loose and has the potential to damage aircraft and could cause bodily injury from debris when the aircraft engines are started. (See Attachment "A")

### Long Term Living Quarters

3. Upon inspecting the Airport hangar, the Grand Jury observed a recreational vehicle (RV) parked in the hangar. The Airport manager stated he resides in the RV. According to the Federal Aviation Administration (FAA) Airport Compliance Manual Order 5190.6B, Chapter 20.5 (b, c), and states in part:

*Under Grant Assurance 19, Operation and Maintenance, airport sponsors will not cause or permit any activity or action that would interfere with intended use of the airport for airport purposes. Permanent living facilities should not be permitted at public airports because the needs of airport operations may be incompatible with residential occupancy from a safety stand point.*

*However, other than the performance of official duties in running an airport, or FBO, the FAA does not consider permanent or long-term living quarters to be an acceptable use of airport property at federally obligated airports. This includes developments known as air parks or fly-in communities, and any other full-time, part-time, or secondary residences on airport property even when co-located with an aviation hangar or aeronautical facility. While flight crew or caretaker quarters may include some amenities, such as beds, showers, televisions, and refrigerators, these facilities are designed to be used for overnights and resting periods, not as permanent or even temporary residences for flight crews, aircraft owners or operators, guests, customers, or the families or relatives of same.*

### Metered Fuel Tanks

4. Upon examination of the two above ground stationary fuel tanks at the Airport, it was observed there is a need for painting these two fuel tanks. According to the Air Quality Management District (AQMD) DAS was informed of this finding on April 23, 2013. The two stationary fuel tanks are owned by the County, but DAS is responsible for all maintenance as stated in the lease agreement.

Riverside County Weights and Measures (Weights and Measures) last certified the accuracy of the fuel meters in 2006 and placed a certified seal on them. The Grand Jury inspected the expired (2006) Weights and Measures certified tamper-proof seals on the three fuel meters (two stationary fuel tanks and one fuel truck). There was no visible seal on the portable trailer tank. According to testimony and County Ordinance No. 599 (as amended through 599.8), Weights and Measures is required to inspect County airport fuel meters annually. (See Attachment "B")

#### Airport Hangar

5. During the two visits to the Airport, the Grand Jury observed the poor condition of the hangar that was built in 1942. The hangar is in desperate need of renovation on the exterior. (See Attachment "C")

The Grand Jury observed a "Wolfe Aviation" sign mounted on the hangar from the previous FBO.

#### County EDA Aviation Website

6. Upon review of the County EDA Aviation website it was noted that Blythe Airport information was "coming soon."

#### County EDA Aviation/DAS Lease

7. In 2010 the lease between the County EDA Aviation and DAS was signed with reservation by DAS. DAS took over the Wolfe Aviation lease completing the remaining terms of the lease with the City of Blythe. In 2011 DAS was told they had no recourse other than to sign the lease. According to sworn testimony, many issues were discussed in this meeting with County EDA Aviation and DAS, with no resolution.

## Recommendations

**Riverside County Board of Supervisors  
Desert Air Services, Inc.  
Economic Development Agency, Director  
Economic Development Agency – Aviation Division, Manager  
Agricultural Commissioner/Sealer – Weights and Measures, Director**

### Security Gate/Fencing

1. DAS shall seek assistance and work with EDA to obtain state and federal grants to install an electronic security gate next to the FBO office building to deter and prevent the unauthorized access onto sensitive areas of the Airport.

DAS shall seek assistance and work with EDA to obtain state and federal grants to replace the fencing across the front of the Airport.

### Asphalt/Concrete

2. DAS shall seek assistance and work with EDA to obtain state and federal grants to replace asphalt and reseal concrete seams for safety and liability concerns. DAS shall be responsible for the maintenance.

### Long Term Living Quarters

3. DAS shall follow the rules and regulations as stated in the FAA Airport Compliance Manual. Therefore, the RV shall be removed from the Airport property.

### Metered Fuel Tanks

4. DAS shall seek assistance and work with EDA to obtain state and federal grants to paint the two above ground stationary fuel tanks to comply with AQMD requirements in accordance with the State of California Air Resources Board, Executive order VR-301-A, Exhibit 1, and Equipment List.

Weights and Measures shall inspect all County airport fuel meters within the County, annually.

Airport Hanger

5. DAS shall:

- Paint exterior of the hangar
- Replace broken windows in the hangar
- Replace "Wolfe Aviation" sign, mounted on the front of the hangar, with current signage

County EDA Aviation Website

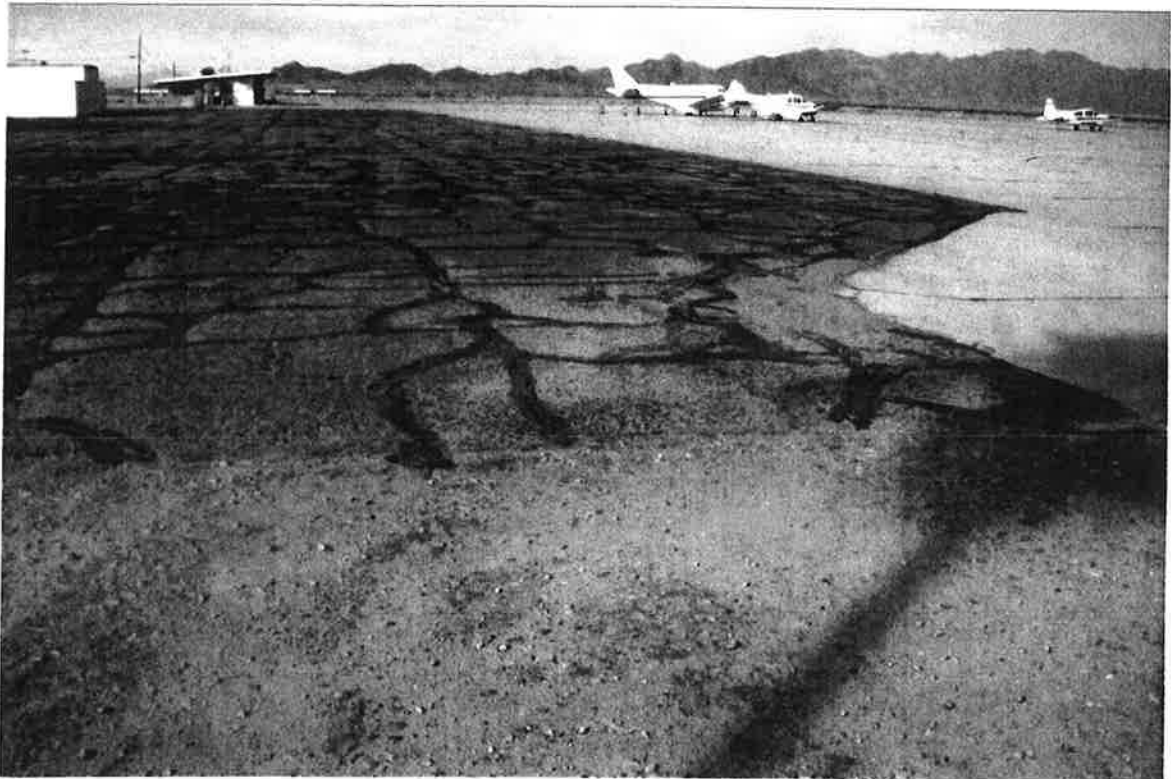
6. County EDA Aviation Division shall update its website for the Airport.

County EDA Aviation/DAS Lease

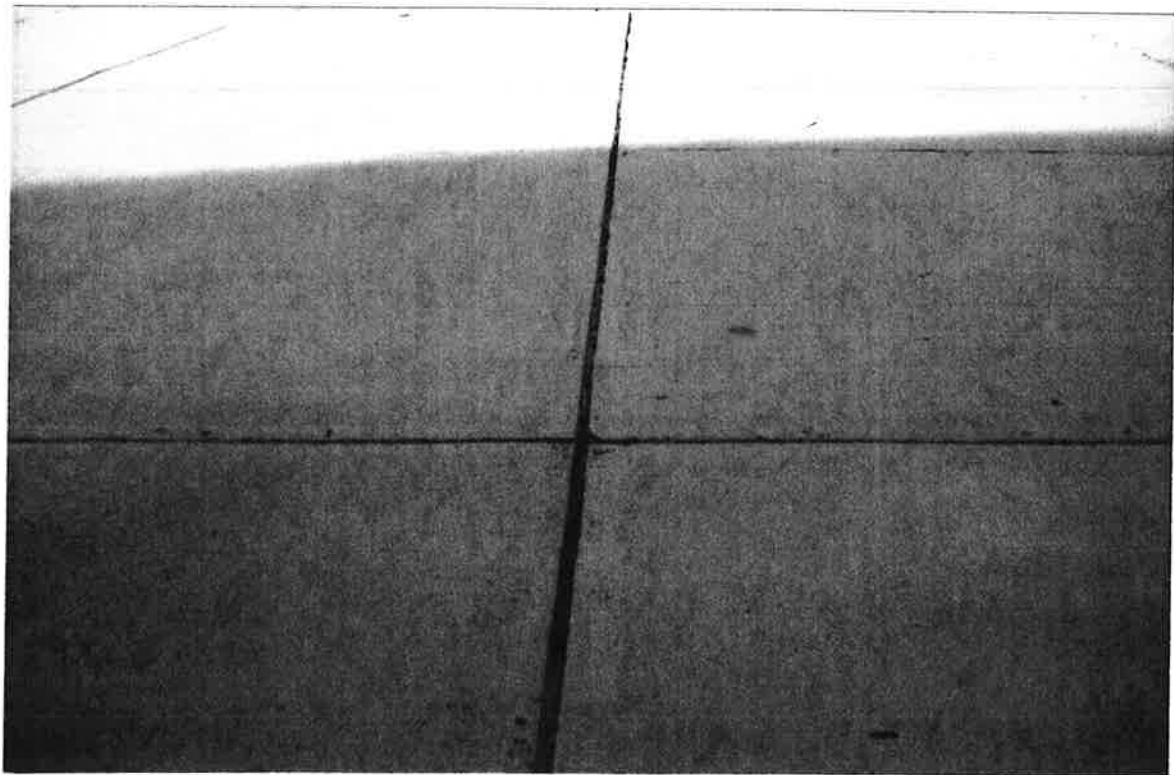
7. Before entering into a new lease with County EDA Aviation, DAS shall have a productive meeting with County EDA Aviation to negotiate the many issues discussed in the 2011 meeting that had no resolution. The current lease expires May 31, 2015.

Report Issued: 04/22/2014  
Report Public: 04/24/2014  
Response Due: 07/21/2014

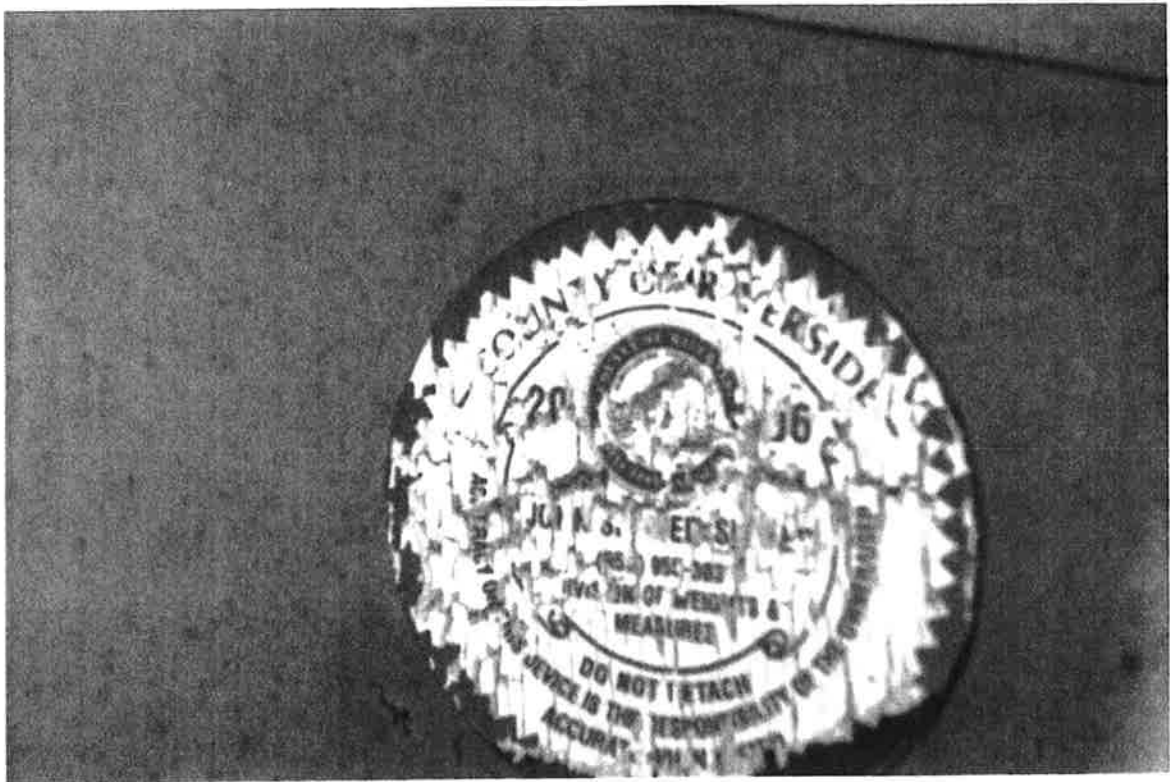




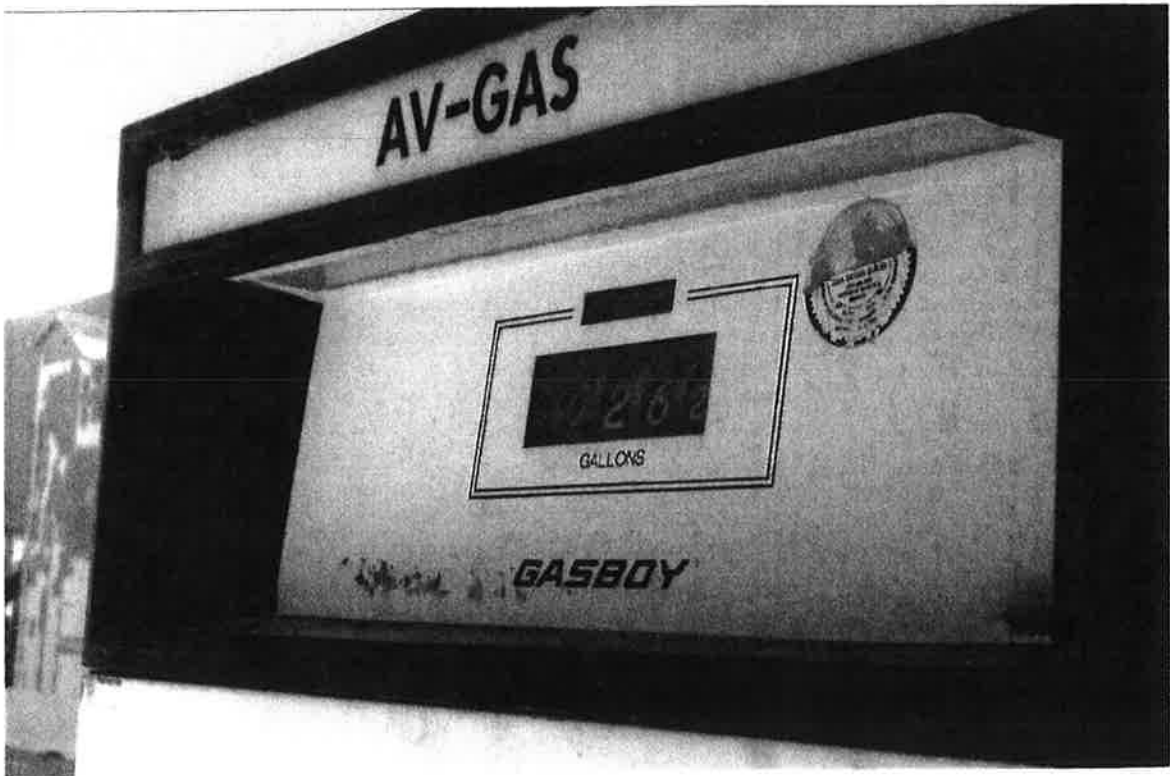
BLYTHE AIRPORT – ASPHALT NEAR OFFICE  
ATTACHMENT "A"



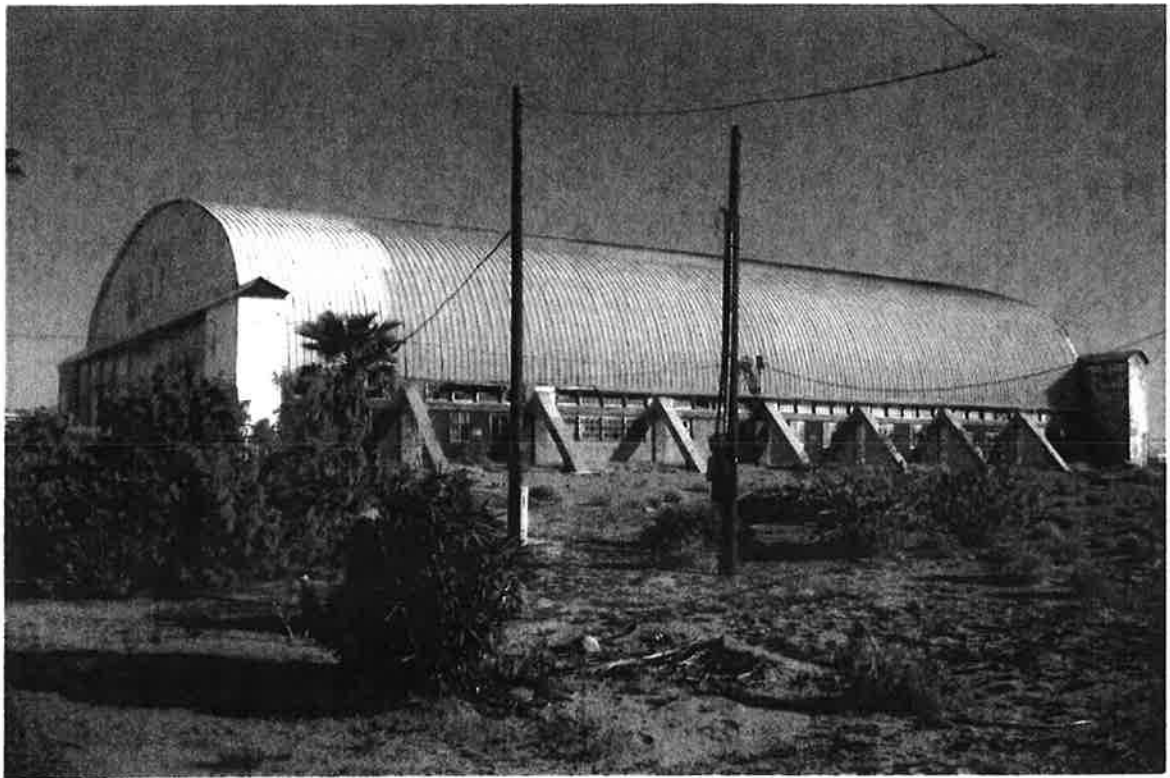
BLYTHE AIRPORT – CONCRETE SEAM SEALANT  
ATTACHMENT "A"



BLYTHE AIRPORT – 2006 WEIGHT AND MEASURES CERTIFICATE SEAL ON AVIATION GAS FUEL PUMP ATTACHMENT "B"



BLYTHE AIRPORT – 2006 WEIGHTS AND MEASURES CERTIFICATION SEAL – DAMAGED, SHOWING ONLY HALF OF SEAL ON FRONT OF FUEL PUMP ATTACHMENT "B"



BLYTHE AIRPORT – 1942 HANGAR, SIDE VIEW  
ATTACHMENT "C"



BLYTHE AIRPORT – 1942 HANGAR, FRONT VIEW  
ATTACHMENT "C"