

**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.

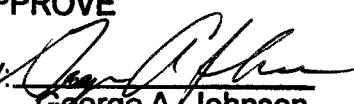
Draft responses received from the affected department will be considered and presented for the Board's consideration; the response ultimately approved by the Board will then be forwarded to the Grand Jury as required by statute.

30dayEDABlytheAirport04.14

Departmental Concurrence

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

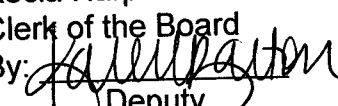
| | |
|-------------------------|---------------------------|
| SOURCE OF FUNDS: | Budget Adjustment: |
| | For Fiscal Year: |

C.E.O. RECOMMENDATION: **APPROVE**
 BY: 
 County Executive Office Signature George A. Johnson

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Benoit, seconded by Supervisor Stone and duly carried by unanimous vote, IT WAS ORDERED that the above matter is approved as recommended.

Ayes: Jeffries, Tavaglione, Stone, Benoit and Ashley
Nays: None
Absent: None
Date: May 6, 2014
xc: E.O. Grand Jury, EDA, COB

Kecia Harper-Ihem
 Clerk of the Board
 By: 
 Deputy

- A-30
- Positions Added
- 4/5 Vote
- Change Order

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, 1st 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

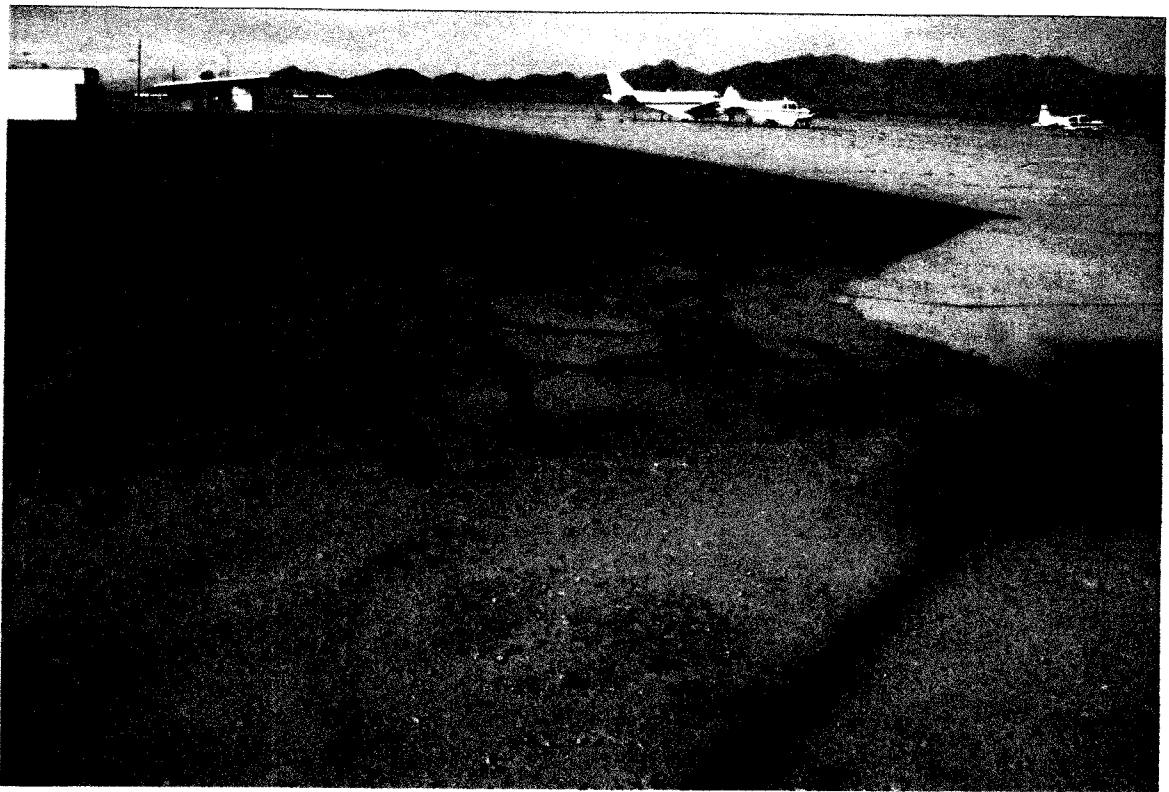
County EDA Aviation Website

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

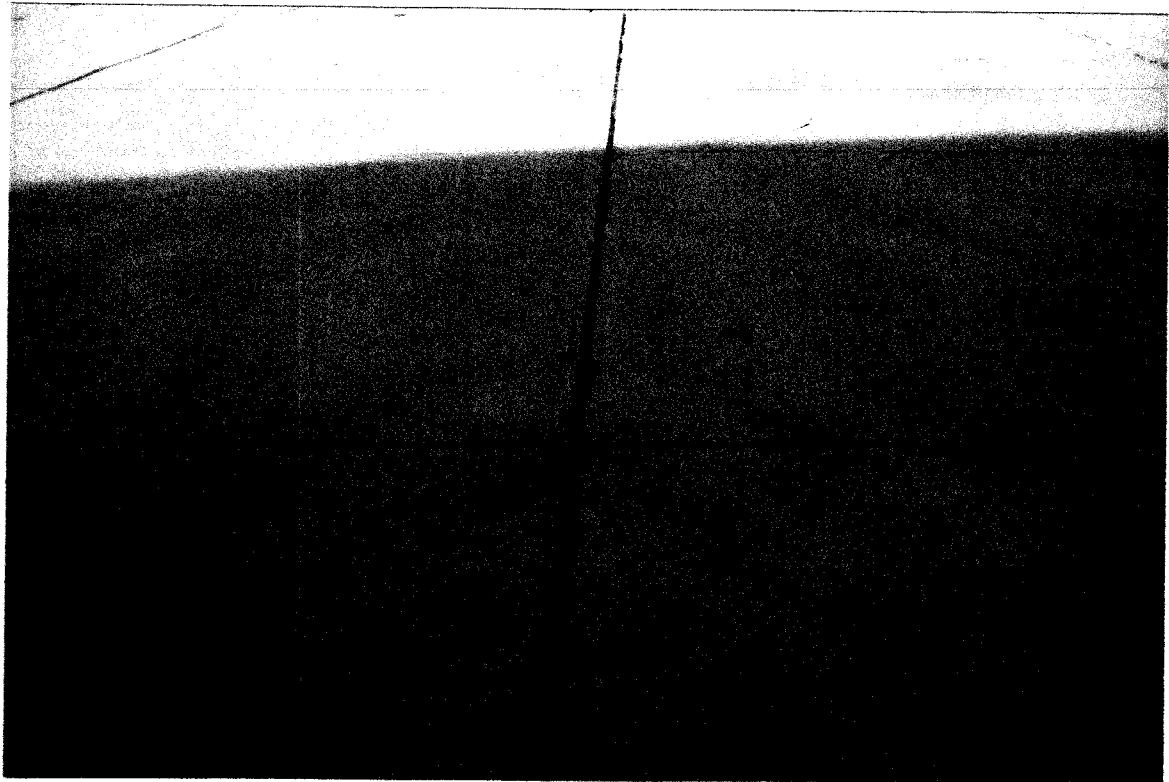
County EDA Aviation/DAS Lease

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.

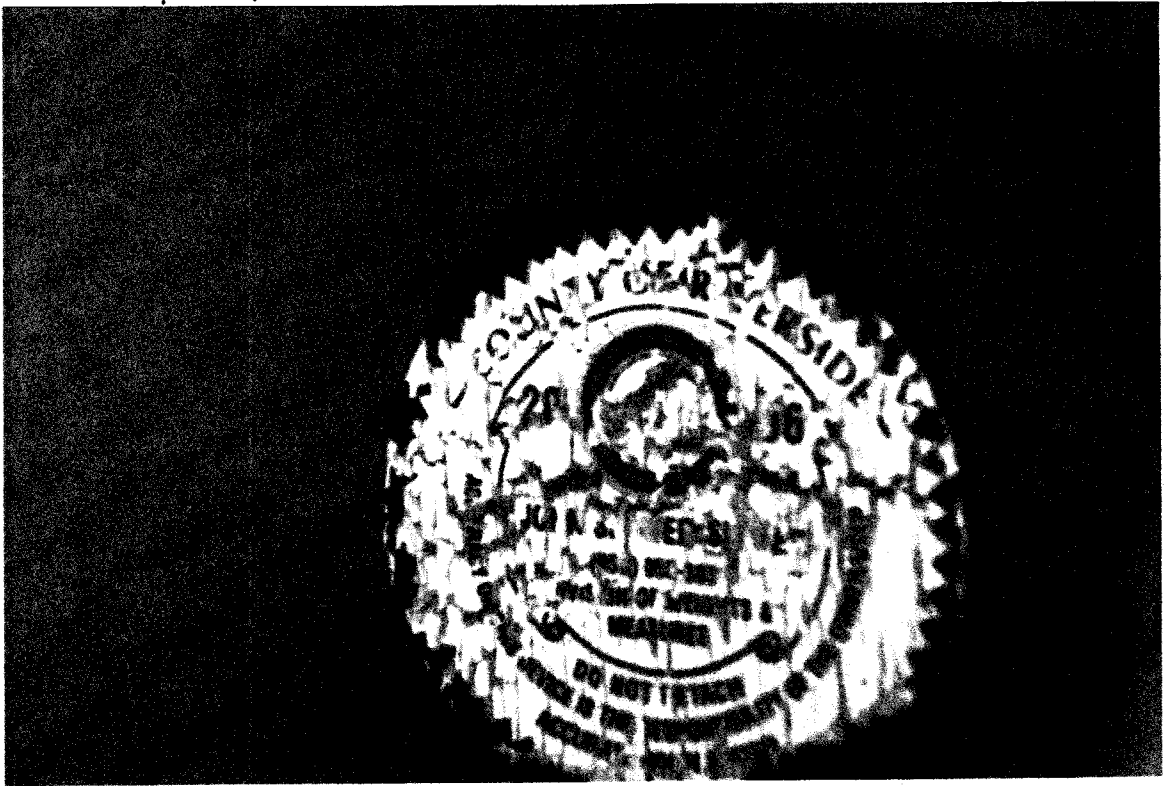
Report Issued: 04/22/2014
Report Public: 04/24/2014
Response Due: 07/21/2014



BLYTHE AIRPORT – ASPHALT NEAR OFFICE
ATTACHMENT "A"



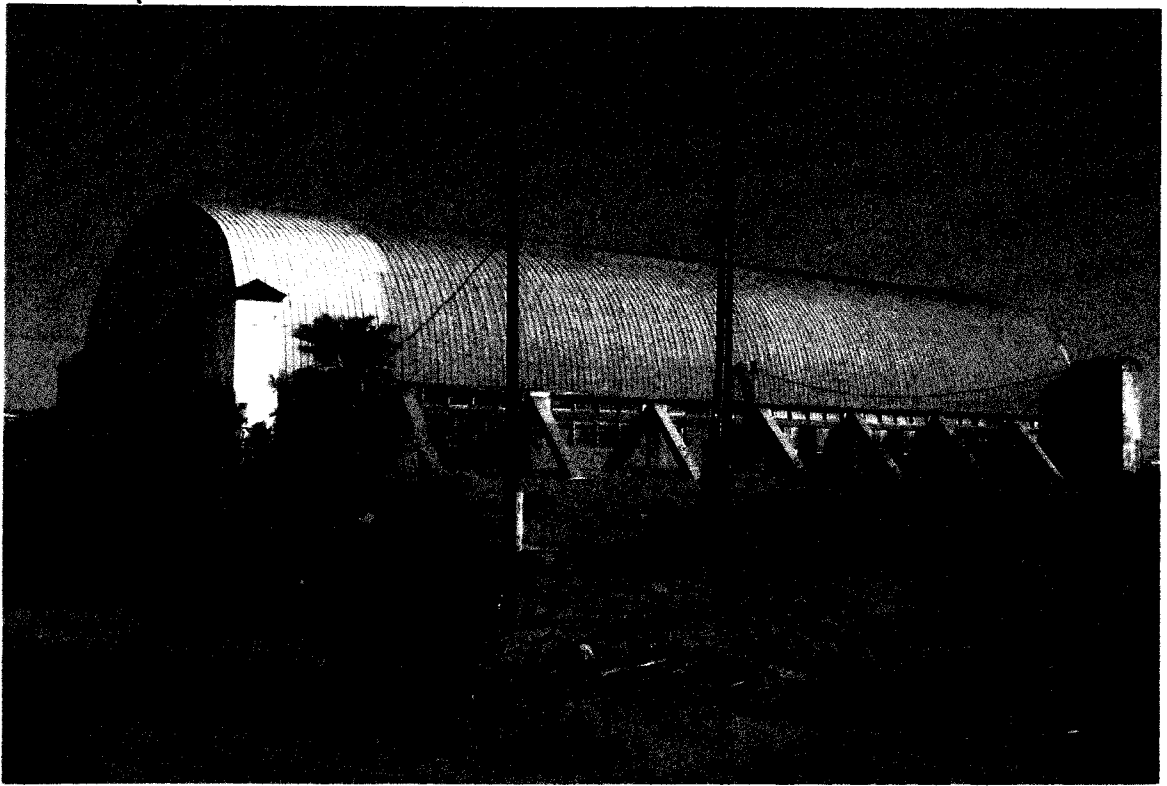
BLYTHE AIRPORT – CONCRETE SEAM SEALANT
ATTACHMENT "A"



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"

**Riverside County Board of Supervisors
Request to Speak**

Submit request to Clerk of Board (right of podium),
Speakers are entitled to three (3) minutes, subject
to Board Rules listed on the reverse side of this form.

SPEAKER'S NAME: Michelle Randall

Address: _____
(only if follow-up mail response requested)

City: _____ **Zip:** _____

Phone #: _____

Date: 5/6/14 **Agenda #** 3.2

PLEASE STATE YOUR POSITION BELOW:

Position on "Regular" (non-appealed) Agenda Item:
_____ **Support** _____ **Oppose** _____ **Neutral**

Note: If you are here for an agenda item that is filed
for "Appeal", please state separately your position on
the appeal below:

_____ **Support** _____ **Oppose** _____ **Neutral**

I give my 3 minutes to: _____

BOARD RULES

Requests to Address Board on "Agenda" Items:

You may request to be heard on a published agenda item. Requests to be heard must be submitted to the Clerk of the Board before the scheduled meeting time.

Requests to Address Board on items that are "NOT" on the Agenda:

Notwithstanding any other provisions of these rules, member of the public shall have the right to address the Board during the mid-morning "Oral Communications" segment of the published agenda. Said purpose for address must pertain to issues which are under the direct jurisdiction of the Board of Supervisors. YOUR TIME WILL BE LIMITED TO THREE (3) MINUTES.

Power Point Presentations/Printed Material:

Speakers who intend to conduct a formalized Power Point presentation or provide printed material must notify the Clerk of the Board's Office by 12 noon on the Monday preceding the Tuesday Board meeting, insuring that the Clerk's Office has sufficient copies of all printed materials and at least one (1) copy of the Power Point CD. Copies of printed material given to the Clerk (by Monday noon deadline) will be provided to each Supervisor. If you have the need to use the overhead "Elmo" projector at the Board meeting, please insure your material is clear and with proper contrast, notifying the Clerk well ahead of the meeting, of your intent to use the Elmo.

Individual Speaker Limits:

Individual speakers are limited to a maximum of three (3) minutes. Please step up to the podium when the Chairman calls your name and begin speaking immediately. Pull the microphone to your mouth so that the Board, audience, and audio recording system hear you clearly. Once you start speaking, the "green" podium light will light. The "yellow" light will come on when you have one (1) minute remaining. When you have 30 seconds remaining, the "yellow" light will begin flash, indicating you must quickly wrap up your comments. Your time is up when the "red" light flashes. The Chairman adheres to a strict three (3) minutes per speaker. **Note: If you intend to give your time to a "Group/Organized Presentation", please state so clearly at the very bottom of the reverse side of this form.**

Group/Organized Presentations:

Group/organized presentations with more than one (1) speaker will be limited to nine (9) minutes at the Chairman's discretion. The organizer of the presentation will automatically receive the first three (3) minutes, with the remaining six (6) minutes relinquished by other speakers, as requested by them on a completed "Request to Speak" form, and clearly indicated at the front bottom of the form.

Addressing the Board & Acknowledgement by Chairman:

The Chairman will determine what order the speakers will address the Board, and will call on all speakers in pairs. The first speaker should immediately step to the podium and begin addressing the Board. The second speaker should take up a position in one of the chamber aisles in order to quickly step up to the podium after the preceding speaker. This is to afford an efficient and timely Board meeting, giving all attendees the opportunity to make their case. Speakers are prohibited from making personal attacks, and/or using coarse, crude, profane or vulgar language while speaking to the Board members, staff, the general public and/or meeting participants. Such behavior, at the discretion of the Board Chairman may result in removal from the Board Chambers by Sheriff Deputies.