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Heather Ryan
Sr. Board Clerk of the
Board of Supervisors

**BOARD OF SUPERVISORS
COUNTY OF TUOLUMNE**

David Goldemberg, *First District*
Kathleen K. Haff, *Fourth District*

Ryan Campbell, *Second District*

Daniel Anaiah Kirk, *Third District*
Jaron E. Brandon, *Fifth District*

August 15, 2023

Judge of Superior Court
Honorable Laura Krieg
Tuolumne County Superior Court
12855 Justice Center Drive
Sonora, CA 95370

Re: Response to Grand Jury Report – **Airports dated June 30, 2023**

The following is submitted in response to the 2022-23 Grand Jury Report as it pertains to the Airports. The Tuolumne County Board of Supervisors, Public Works Director, Auditor-Controller, Assessor/Recorder, Tax Collector, and the County Administrator extend their gratitude to the Grand Jury members for their time in preparing the final Grand Jury reports. Please accept this as a joint response.

Chapter 1. Airport Operations

Grand Jury Findings - Chapter 1

Finding #1.1: The airports have been poorly managed.

Response: Partially agree. Supervision of the operations and staff of the airports has not been consistent. However, in 2020, airports were moved under Public Works and as a result, management and engagement of operations and staff have improved significantly, resulting in the recruitment of the current Airports Manager.

Finding #1.2: The airports' facilities need upgrading and added maintenance.

Response: Agree. The airports do not generate enough revenue to provide the funding for repairs, maintenance and upgrades. However, staff have been successful in applying and receiving millions of dollars in grant funds for improvements. Staff will continue to seek out these types of opportunities. Furthermore, the Board of Supervisors and staff are anxiously awaiting the release of the airports' feasibility study as it should contain potential opportunities to generate revenue.

Finding #1.3: Deer having access to the runways creates a serious safety issue.

Response: Agree. All runways are exposed to wildlife, not just deer, which can create conflicts with

aircraft operations. The County has addressed the subject of deer at PML in the past, such as meetings before the Board of Supervisors on the subject and testing of an electric fence which was found ineffective, but unique challenges exist in that the airport is not secured by a perimeter fence due to deeded and permitted residential access, and the remote location of the airport. Regular checks and repairs of perimeter fencing at Columbia, as well as repairing electric gates, and informing tenants to ensure gates are closed behind them were all performed in advance of the deer removal project. Under contract with the USDA, all deer were removed from the Columbia Airport as of May 15, 2023, and have not returned to our knowledge. Airport staff continues to perform daily checks for wildlife and fencing failures. The airport team has asked airport tenants again to ensure the gates close behind each vehicle and to immediately report any gate malfunctions. Signs were placed on all gates and letters were sent to airport tenants notifying them of the deer removal project and reminding them of the gate procedures.

Grand Jury Recommendations - Chapter 1

Recommendation #1.1: Customer service and responsiveness need to be improved and monitored by County Management (F1.1)

Response: The recommendation has been implemented by moving airports under the direct supervision of Public Works. This change has allowed for technical expertise to be applied on a daily basis. The Public Works Director also successfully recruited a qualified Airport Manager.

Recommendation #1.2: A concerted effort should be made to improve the look of the airports, with available resources, and make them more inviting to both local and transient users. (F1.2)

Response: The recommendation has been implemented, with a summary regarding the implemented action.

Efforts have already been made to improve the look of the airports by replacing signs, painting and numbering all tie-down areas, and ordering new picnic tables and benches. Payment procedures have been modernized by adding QR codes for ease of payment and the airports website has been updated to make it more user-friendly. The airports team has created a schedule for repainting the main buildings and a request for quotes is out for roof repairs/replacements of the main buildings. Current airport management is actively working on improving maintenance protocols at both airports. All maintenance actions are tracked using the software program MaintainX, to establish a baseline work performance standard. Scheduled maintenance events have been established and new checklists are used to ensure routine protocols are followed. Additionally, the airport team added a part-time/relief airport technician to assist with clearing the backlog of maintenance requests.

Recommendation #1.3: The removal of deer from Columbia Airport should be made a high priority to avoid a tragic accident. (F1.3)

Response: The recommendation has been implemented, with a summary regarding the implemented action.

Under contract with the USDA, all deer were removed from the Columbia Airport as of May 15, 2023, and have not returned to our knowledge. Airport staff perform daily checks for wildlife and fencing failures. The airport team has asked airport tenants to ensure the gates close behind each vehicle and to immediately report any gate malfunctions. Signs were placed on all gates and letters were sent to

airport tenants notifying them of the deer removal project and reminding them of the gate procedures.

Chapter 2. Columbia Airport Hangars and Facilities

Grand Jury Findings – Chapter 2

Finding #2.1: At a cost of almost \$4 million, Project 1906 excavated, rebuilt, and repaved the Airport's ramp, apron, and taxi lane areas. Little or no transition work was done, resulting in major operational safety issues with many hangars.

Response: Requires further analysis. Unfortunately, the work was completed in 2019 under the supervision of former staff. Public Works has confirmed the surface grades in some locations could be improved.

Finding #2.2: Tenant interviewees unanimously agreed that there are cosmetic, structural, and maintenance issues that need to be addressed.

Response: Agree. We acknowledge there is a backlog of maintenance issues that are being addressed by the current airport team. The Board of Supervisors funded an airport feasibility study, which also addresses ideas to generate self-sustaining revenue.

Finding #2.3: Availability of hangar space at Columbia Airport does not adequately meet present demand, which decreases the Airport's ability to potentially increase revenue and serve the population.

Response: Requires further analysis. Staff will have a better understanding of aviation needs once the airport economic and feasibility study is completed.

Grand Jury Recommendations – Chapter 2

Recommendation #2.1: The transition strip between the new and old pavement should be corrected. (F2.1)

Response: The recommendation has not yet been implemented but will be implemented in the future depending on the availability of resources.

Recommendation #2.2: Cosmetic and structural problems should be corrected (F2.2)

Response: The recommendation has been implemented, with a summary regarding the implemented action.

General maintenance and minor cosmetic issues are being addressed as they appear, and the current airport team is working diligently at resolving the outstanding smaller maintenance issues. Many of the older hangars have exceeded their useful life and will have to be replaced.

Recommendation #2.3: Tuolumne County should explore options to increase the availability of hangars. (F2.3)

Response: The recommendation requires further analysis, with a summary regarding the action.

Building new hangars is challenging. The undeveloped area nearest to South Airport Road has been

identified as an area of expansion but faces challenges in meeting water supply for adequate fire flows. The airport team actively pursues funding opportunities for hangar construction and would consider the private construction of hangars on a long-term ground lease. An audit of existing hangar leases and enforcement of hangar agreements could increase the availability of hangars strictly for aviation purposes.

Chapter 3. Pine Mountain Lake Airport

Grand Jury Findings – Chapter 3

Finding #3.1: The airport is presently in good condition; although, the taxiway needs crack repair.

Response: Agree. Unfortunately, “through the fence” deeded access prohibits the airport from qualifying for funding through the FAA. The airport does not generate enough revenue to cover the cost of operations, maintenance, and upgrades.

Finding #3.2: The Pilot Controlled Lighting System is original to the Airport, over fifty years old, and has not been upgraded.

Response: Agree.

Grand Jury Recommendations – Chapter 3

Recommendation #3.1: The taxiway should be repaired. (F-3.1)

Response: The recommendation is being planned, with a summary regarding the planned action. The airport does not generate enough revenue to cover the cost of operations, maintenance, and upgrades.

Crack sealing and painting of the runways are currently being assessed; however, the runway was crack sealed within the last few years based on the time frame recommended by the FAA. Without Federal funding, this work becomes a resource availability issue for the County. Painting options using in-house staff are being assessed, as well as making use of the on-call striping contractor for County roads. Both tasks should be scheduled within the FAA recommendations.

Recommendation #3.2: The Pilot Controlled Lighting system should be assessed for improvement. (F3.2)

Response: The recommendation has been implemented, with a summary regarding the implemented action.

The lighting problem appears to be intermittent and it is being assessed. The County has budgeted funds to replace the Constant Current Regulator; however, this may not be the appropriate repair as some of the outdated lighting system has multiple problems throughout the system. This lighting system likely requires replacement at a great cost to the County. Without federal funding or a new revenue source, this large project will not be completed. The airport does not generate enough revenue to cover the cost of operations, maintenance, and upgrades.

Chapter 4. Airports Financial Review

Grand Jury Findings – Chapter 4

Finding #4.1: County oversight of airport budget and administration has been sub-optimal.

Response: Disagree. The Board of Supervisors and staff have worked within the resources available. The budget is developed based on said resources.

Finding #4.2: The log of airport employee work assignments is only used to capture some work orders.

Response: Agree.

Finding #4.3: Because not all work orders are logged, it is not possible to verify where assigning 20% of Columbia Airport's labor to PMLA is an accurate representation of PMLA's true operating cost.

Response: Agree.

Finding #4.4: Public Works does not currently have a lease or pay rent for their Fleet Services property located on Columbia Airport property, whereas other departments do.

Response: Agree.

Finding #4.5: Property taxes collected on planes are not assigned to either airport; the funds go to the County General Fund.

Response: Agree. However, this is consistent with taxation on boats as well.

Finding #4.6: PMLA would have been revenue neutral, or close to revenue neutral, from 2017 to 2022 had property tax revenue from planes been assigned to the Airports, or if the Airports had been combined into a singular enterprise fund.

Response: Agree in theory. This is a Board discussion. There are consequences to both actions. Combining the two funds will result in the loss of the grant from the State \$10,000. Allocating the airplane property tax to the Airports reduces the tax allocation to the General Fund.

Grand Jury Recommendations – Chapter 4

Recommendation #4.1: To increase airport revenue generation, it may help if the County Administration takes a more active role in budget oversight and airport operations management. (F4.1, F4.2, F4.3)

Response: Already implemented. County Administration works within the resources available. As such, administrative oversight has been thorough and consistent.

Recommendation #4.2: The County should consider combining the Columbia Airports and Pine Mountain Lake enterprise funds for administrative ease and to represent how the airports are managed by one staff (F4.1, F4.2, F4.3, F4.5, F4.6)

Response: The recommendation requires further analysis pending the economic/feasibility study.

County Administration and the Auditor-Controller have been exploring this option. Combining the two airports into one fund will result in an immediate loss of \$10,000 annually. Furthermore, combining the airports into one fund does not change the fact that is not enough revenue generated to support the needs of either or both airports.

Recommendation #4.3: If the enterprise funds stay separate (R4.2), the County should reassess whether charging 20% of Columbia's labor expenses is accurate. (F4.1, F4.2, F4.3)

Response: The recommendation has been implemented, with a summary regarding the implemented action.

All maintenance actions are tracked in a software program MaintainX, as well as tracking actual airport technician labor hours at each airport separately. Administration time will continue to be billed at an 80/20 split between the airports.

Recommendation #4.4: In the absence of information from the FAA to the contrary, the Public Works department should pay rent for the facility on airport groups to ensure the security of Federal funding past and future. (F4.4, F4.5, F4.6)

Response: The recommendation will be implemented by the mid-fiscal year based on the Road Fund purchase of the Fleet/Road buildings and improvements made to the building using the Road Fund, as well as work provided to the airports pro bono.

Recommendation #4.5: The County should consider attributing 50% of property taxes collected on aircraft to the airport at which they reside or include this source of revenue when considering if the airports are revenue-generating or neutral. The remainder should go to schools as required by code, as it is currently. (F4.3, F4.4, F4.5, F4.6)

Response: Requires further analysis. County Administration and the Auditor-Controller are exploring this option. Allocation of taxes to enterprise funds, from the General Fund, falls under the authority of the Board of Supervisors. Should the Board make such a decision, it will reduce revenues in the General Fund.

The duties of the Assessor are to locate all taxable property in the county and identify ownership, establish a taxable value for all property subject to taxation, apply for all legal exemptions, complete an assessment roll showing the assessed values of all property, and transmit the assessed value to the County Auditor-Controller. The Assessor has no comment on F4.4-F4.6. The Assessor does not direct county budgets.

The duties of the Auditor-Controller are to compute the amount of taxes due and apportions and distribute to the various entities the property tax monies collected by the Tax Collector.

The duties of the Tax Collector are to mail the tax bill and collects the amount due that was computed by the Auditor-Controller.

(Under required responses the report references F4.7, however there is no such finding in the report).

Chapter 5. Airport Advisory Committee

Grand Jury Findings – Chapter 5

Finding #5.1: The Board of Supervisors is not receiving valuable and sufficient input, that the AAC can provide, to be able to make decisions about the airports.

Response: Agree. On August 8, 2023, the Board of Supervisors approved a new Airport Advisory Committee. The Clerk of the Board will post notice of vacancies and begin gathering applications for Board consideration.

Finding #5.2: The rules governing the AAC were outdated, overly rigid, and, thus, did not encourage participation.

Response: Disagree. The Board of Supervisors approved a new Governing Body Handbook in 2023, which clearly defines the role of each body and its responsibilities.

Grand Jury Recommendations – Chapter 5

Recommendation #5.1: The AAC should be re-established.

Response: Agree. On August 8, 2023, the Board of Supervisors approved a new Airport Advisory Committee. The Clerk of the Board will post notice of vacancies and begin gathering applications for Board consideration.

Recommendation #5.2: The rules governing the AAC should be rewritten in the following way to encourage more participation:

- A board member is not required to attend.
- Frequency of meetings should be set by necessity and need, not necessarily monthly.

Meeting announcements should be targeted and distributed in such a way as to encourage both public and aircraft owner/user participation.

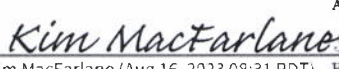
Response: Disagree. The Board of Supervisors approved a new Governing Body Handbook in 2023, which clearly defines the role of each body and its responsibilities. This single handbook was developed to create a single place of reference for all Board created governing bodies and applies to such equally.


We appreciate the opportunity to respond to the above findings and recommendations.

Sincerely,

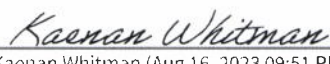

Kathleen K. Haff,
Board Chair


Tracie Riggs (Aug 16, 2023 15:54 PDT)
Tracie Riggs,
County Administrator


Kim MacFarlane (Aug 16, 2023 08:31 PDT)
Kim MacFarlane,
Public Works Director

ATTEST:

Heather Ryan, Sr. Board Clerk
Clerk of the Board of Supervisors
I hereby certify that according to the provisions of Government Code Section 25103, delivery of this document has been made.


Deborah Bautista (Aug 15, 2023 16:40 PDT)
Deborah Bautista,
County Clerk/ Auditor-Controller


Kaenan Whitman (Aug 16, 2023 09:51 PDT)
Kaenan Whitman,
Assessor-Recorder


Justin Birtwhistle (Aug 15, 2023 16:50 PDT)
Justin Birtwhistle,
Treasurer-Tax Collector

Heather Ryan
Sr. Board Clerk
By: 