

ORANGE COUNTY AIRPORT COMMISSION
Airport Commission Hearing Room
3160 Airway Avenue
Costa Mesa, CA 92626

MINUTES OF REGULAR MEETING

December 15, 2021

COMMISSIONERS PRESENT: Bruce Junor, Bert Ashland, Susan Dvorak

COMMISSIONERS ABSENT: Brendan O'Reilly and John Clarey

STAFF PRESENT: Rick Francis, Interim Airport Director
Carolyn Khouzam, Deputy County Counsel
Mark Sanchez, Deputy County Counsel
Evanna Barbic, Interim Deputy Airport Director, Business Development
Amy Goethals, Operations Manager, Business Development
Kellie Billante, Real Property Agent III
Elizabeth Gallegos, ASR Manager

CALL TO ORDER: Chair Junor called the meeting to order.

PLEDGE OF ALLEGIANCE: Chair Junor led the assembly in the Pledge of Allegiance.

1. **APPROVAL OF MINUTES:** On Commissioner Dvorak's motion and Commissioner Ashland's second, the Regular Meeting minutes of December 1, 2021, were approved as written.
2. **APPROVE CONSENT TO ASSIGNMENT OF SPECIALTY COFFEE CONCESSION LEASE (ASR 21-001095)** - Operations Manager, Business Development Amy Goethals presented the Consent to Assignment of Specialty Coffee Concession Lease from Bambuza South Waterfront, LLC dba Bambuza OC Ventures, LLC dba The Coffee Bean & Tea Leaf to Bambuza OC Ventures, LLC dba The Coffee Bean & Tea Leaf. Section 8.01 of the Lease requires the County's written consent to change the name of Bambuza in the Lease. This formal process approving the name change will allow the Specialty Coffee Concession Lease transfer and development to continue without interruption at John Wayne Airport.

Amy Goethals responded to the Airport Commission's questions regarding whether Bambuza South Waterfront, LLC still exists or if everything else has been changed to Bambuza OC Ventures, LLC, if other leases will be affected by this name change, and why this process is needed.

On Commissioner Ashland's motion and Commissioner Dvorak's second, this item was unanimously approved.

3. **APPROVE CONSENT TO ASSIGNMENT OF CASUAL DINING & BAR CONCESSION LEASE (ASR 21-000963)** - Operations Manager, Business Development Amy Goethals presented the Consent to Assignment of Casual Dining & Bar Concession Lease from Greenleaf JWA, LLC (Greenleaf) to Mission Yogurt, Inc. (Mission Yogurt). On August 27, 2019, the Board awarded the Casual Dining & Bar Concession Lease for Site 13 (Terminal A) to Greenleaf and Site 3 (Terminal C) to Mission Yogurt. In early 2020, Greenleaf and Mission Yogurt approached JWA regarding approval to assign the Greenleaf Lease to Mission Yogurt. They stated that the owner of Greenleaf would be relocating to another state, and he desires to assign his Terminal A Lease to Mission Yogurt. If this Lease is assigned, and once permitting is approved, construction can commence. Amy presented the Commission with renderings of the future spaces.

Commissioner Ashland requested that future presentations begin with a Terminal map of the discussed locations.

Amy Goethals and Deputy County Counsel Mark Sanchez responded to the Airport Commission's questions regarding whether Greenleaf's owner will retain ownership of Greenleaf, if this is just a transfer of the Lease and management to Mission Yogurt, and what the Commissions/Airport role is in this transfer. Mark Sanchez answered further questions clarifying that this request is to assign the Lease and the concept, pursuant to the License Agreement, to Mission Yogurt. They will be responsible for carrying out the Lease and the terms. Amy and Interim Airport Director Rick Francis responded to Commissioner Dvorak's question regarding what the plan is by the Airport to recruit local businesses and if there are any incentives for local businesses.

Amy Goethals, Rick Francis, and Deputy Airport Director, Business Development Evanna Barbic responded to Chair Junor's request to clarify the language on page two of the Agenda Staff Report, where it is written, "On December 10, 2019, the Board approved Amendment One to the Leases. Amendment One corrected the amount of the Tenant Infrastructure Fee, due upon the Rent Commencement Date, from \$8.00 per square foot per month throughout the term of the Lease to \$8.00 per square foot per year, payable monthly in pro-rata installments throughout the term of the Lease." Chair Junor stated that this language needs to be removed or it needs to be explained.

Rick Francis responded to Commissioner Dvorak requesting an update concerning the Airport's meetings with the Board of Supervisors regarding concessions and when the Commission might get a briefing.

On Commissioner Ashland's motion and Commissioner Dvorak's second, this item was approved 2 – 1, with Chair Junor voting no.

4. **SUMMARY OF RELEVANT ACTIONS BY THE BOARD OF SUPERVISORS (Board)** – Rick Francis stated that on December 7, 2021, the Board approved as recommended Amendment No. 1 with JBT AeroTech Corporation. In addition, there were two other items not captured on the Summary of Relevant Board Actions from the December 14, 2021, Board Meeting. On December 14, 2021, the Board approved as recommended the Subordinate Contract for Private Security Services with Allied Universal Security Systems and continued Amendment Number Two to Concession Leases for January 11, 2022, due to Mission Yogurt requesting a longer extension period the Airport had offered

5. ADDITIONAL BUSINESS

A. PUBLIC COMMENTS – Newport Beach General Aviation, Community Member Steve Livingston stated his role was to oversee the implementation of the resulting contract of the General Aviation Improvement Program (GAIP) RFP. In the RFP, the Airport would maintain the general aviation (GA) presence for small planes and would fulfill this by making a number of tie-down spots available at reasonable rates. Steve Livingston stated within two years, the rates have gone from \$140 monthly for a small GA plane to \$395 with Jay's Aircraft (Jay's). Steve Livingston passed out handouts to the Commission and Airport staff with other FBO rates. He stated that the fees in Orange County are significantly higher than the other areas, which Jay's attributes to the delay in construction per Steve's email he received. Steve Livingston is asking the Airport to look into what can be done regarding the delay in construction causing these monthly fees to be increased substantially. He also stated his concerns over the amount of space that has been removed for small GA and the number of jets that have been placed in those areas.

Interim Airport Director Rick Francis responded to the public comment regarding the GAIP program and the FAA issue delaying construction. Deputy Airport Director, Business Development Evanna Barbic responded to Commissioner Dvorak's question regarding the rates for GA.

Commissioner Ashland requested going forward if the Airport can give the Commission a five or ten-minute briefing at each meeting to provide an update of the improvements on the West and Eastside.

B. AIRPORT DIRECTOR COMMENTS – None.

C. AIRPORT COMMISSION COMMENTS – None.

6. ADJOURNMENT OF PUBLIC MEETING The meeting adjourned at 5:59 pm.

Respectfully submitted

A handwritten signature in black ink, appearing to read "Elizabeth Gallegos", written in a cursive style.

Elizabeth Gallegos