

Sept 15, 2016 AIRPORT COUNSEL BRIEFING for
CARSON CITY AIRPORT AUTHORITY MEETING OF Sept 21, 2016

1. FOR POSSIBLE ACTION: ELECTION OF CHAIRMAN AND VICE CHAIRMAN
PER NRS 844 SECTION 6.

Staff Summary: A vote on officers can occur at any time under NRS 844 Section 6, and must occur in July of odd years. Since the Chairman's term is expiring, the Vice Chairman would typically take over as Chairman. To address the vacancy, the Authority will vote to elect a new Chairman and new Vice-Chairman.

Procedurally, the Chairman should open the matter to nominations from the Authority board. Nominations can be made by any Authority member, including the Chairman. The Chairman would then close the nominations and call for a vote. This process can be done for each position. Or it can be done all at once. I would suggest replacing the Chair position first, then Vice-Chair. While all items are subject to public comment, I have never seen comment occur on any vote of officers. Still, it is prudent to permit public comment after the nominations close and prior to the vote.

I will be present to assist with the process.

Recommended Motion: Not applicable. This is a nomination and vote process. Once the votes are placed and someone is voted in, the matter is complete.

2. FOR POSSIBLE ACTION: AUTHORIZATION OF INVESTIGATION OF REMEDIES
FOR LOW FLYING AIRCRAFT, NOISE AND SAFETY CONCERNS DUE TO
AIRCRAFT FLYING LOW OVER THE APOLLO LANE AREA ADJACENT TO THE
AIRPORT; REMEDIAL ACTION AGAINST OFFENDING PILOTS AND
IDENTIFICATION OF OTHER SOLUTIONS. (G.Myler)

Staff Summary: Mr. Myler appeared last month during the public comment portion of the Agenda and complained that aircraft are flying dangerously low over his and his neighbor's homes on Apollo Lane. Mr. Myler subsequently sent a letter with a log of offending aircraft events.

As you know the FAA has jurisdiction over aircraft *in the air* and we have jurisdiction (at least some) over aircraft *at our airport*. His complaints are largely based on where he thinks aircraft should not be flying. Per the FAA AC-90-66A (shows the traffic patterns; relevant pages attached; the pictures should look familiar to all pilots) and the FAA's Airplane Flying Handbook (relevant chapters attached; full book at this link http://www.faa.gov/regulations_policies/handbooks_manuals/aircraft/airplane_handbook/media/FAA-H-8083-3B.pdf), the correct pattern is a rectangular pattern at an entry altitude of at least 500 feet agl for light aircraft and 1,000 ft AGL (above ground level) or more for other aircraft. The published altitude of the pattern entry for the Carson City

Airport used to be 800 ft AGL. The Airport Authority did take action several years ago to post our recommended traffic pattern altitude (TPA) at 1,000 ft instead of the prior 800 ft. This is recommended but is not mandatory. We did have EAA volunteers fly at both altitudes and found that it did reduce the ground noise. As for the width of the traffic pattern, that is determined largely by the size and safe operating speeds of the individual aircraft. As you know, there are now sport aircraft and ultralight aircraft operating at the Airport and those aircraft are typically flying a lower and closer pattern than other aircraft. These aircraft are also quieter than other aircraft. We updated the posted traffic pattern diagram on our webpage to show pilots and others where to expect to see the aircraft. (Smaller aircraft lower and in closer, larger aircraft higher and out further.) That said, it is not a precise location. The FAA regs specify that the pilot make the safety decision.

As for the 2 incidents mentioned (Dr. Jensen's landing in a tree; Mr. Fletcher's landing on the road), both resulted from fuel starvation issues. Both occurred prior to the recommended traffic pattern changes. I am not aware of any such incidents since the raising of the TPA.

As for noise, this is typically not an issue since aircraft are in landing configuration which is lower power, or even idle settings. Mr. Myler does not appear to be complaining of noise.

Mr. Myler says that the aircraft are flying low over their houses but not low enough to read the N numbers. Frequently people perceive altitudes differently. It is difficult to get an accurate identification of the actual altitudes from the Complaint.

The Airport Manager speculated that it could be that instructors who are practicing engine out procedures with students. The Airport Manager has since talked with instructors on the Airport and asked them to practice those maneuvers elsewhere.

Mr. Myler also complains that the security at the Airport is insufficient. We are not a Part 135 airport (eg. Reno, etc). Our security meets the FAA standards and we have a security service that does patrol. (It is not appropriate to talk about timing or procedures in a public forum.) In addition, we comply with the TSA program to report all suspicious activity. In truth, there are a lot of eyes watching the Airport.

In terms of remedial action, the Authority does not have the power to penalize pilots for the altitudes or course they fly. We can talk to them and if the pilot is careless in the air, the pilot could also be careless on the ground---something which we can penalize under Title 19. To the extent that we can identify aircraft and pilots, we could have the Airport Manager talk to the pilots and ask them to be more considerate of the neighbors. If the Airport Manager determines that certain pilots are intentionally harassing the neighbors then we should scrutinize that pilot's behavior on the Airport for violations of Title 19 for which we can assess penalties or refer to the DA for prosecution under Title 19.

Proposed Action: I move that we direct the Airport Manager to followup with aircraft

and pilots identified by Mr. Myler (to the extent possible), and urge the pilots to be considerate of the homeowners. Further, the Airport Manager should be directed to report to the FAA pilots that are found to intentionally be flying in an unsafe manner.

3. FOR POSSIBLE ACTION: TO APPROVE TRANSFER OF CLASS II FBO STATUS OF CARSON AVIATION SERVICES, LLC LOCATED AT 2640 COLLEGE PARKWAY AT THE CARSON CITY AIRPORT TO CONDUCT IT'S AIRCRAFT MAINTENANCE AND AVIONICS BUSINESS FROM ITS CURRENT OWNER STEVE POSCIC TO NEW OWNER BETTY CREEKS. (B. Creeks)

Staff Summary: Betty Creeks have acquired Carson Aviation Services from Steve Poscic and will continue to provide aircraft maintenance and avionics services at the Sterling Air, ltd. Hangar.

The application has been supplemented. When last reviewed it was still missing some evidence of financial resources of the applicant and needed some correction on the insurance information. Assuming the information submitted is deemed acceptable to the Authority, the application should be approved subject to correction of the insurance information.

Proposed Action: I move that we approve the transfer of the Class II FBO license for Carson Aviation Services LLC from Steve Poscic to Betty Creeks.

4. FOR POSSIBLE ACTION: APPROVAL OF AMENDMENT TO INTERLOCAL COOPERATIVE AGREEMENT BETWEEN THE AIRPORT AUTHORITY AND CARSON CITY TO PERMIT USE OF THE CITY'S HEALTH, DENTAL, VISION AND LIFE INSURANCE FOR AUTHORITY EMPLOYEES; DETERMINATION ON MEDICAL COVERAGE TO BE ELECTED, PAYMENT BY AUTHORITY, AND OPTION TO EMPLOYEE TO INCLUDE SPOUSAL AND DEPENDENT COVERAGE AT EMPLOYEE EXPENSE; AUTHORIZATION TO COUNSEL TO PRESENT INTERLOCAL AMENDMENT TO THE BOARD OF SUPERVISORS. (M. White)

Staff Summary: Per the Authority efforts to reduce administrative costs, this Amendment to the existing interlocal agreement with Carson City would permit the Authority to utilize the City's insurance program for coverage of the Authority employees in place of the more expensive insurance policies currently in place. Member White and counsel have worked with City staff to determine whether such an arrangement would be feasible if approved by the Authority and the City. This item will also address the inclusion of optional coverage for the employee's spouse/dependents.

This is Member White's item. I would only add that I worked with him and the City Staff to structure the amendment to the InterLocal Cooperative Agreement and it meets the legal requirements and the City Staff's criteria. Upon approval, we will present the matter to the Board of Supervisors for approval.

Proposed Motion: I move we approve the amendment to the interlocal cooperative agreement, authorize counsel to present the amendment to the Board of Supervisors, and upon approval by the Board of Supervisors, move the health insurance coverage for Authority employees to the City program with the option of each employee to cover their spouse or dependents at their expense.

5. DISCUSSION AND POSSIBLE ACTION ON ITEMS RELATED TO THE CARSON CITY AIRPORT PROJECT TO REHABILITATE THE NORTH APRON (FAA AIP No 3-32-0004-30), INCLUDING MONTHLY STATUS REPORTS, POTENTIAL CHANGES TO THE WORK OR WORK SCHEDULE, CONSTRUCTION CHANGE ORDERS, AND OTHER RELATED ITEMS (J. Clague)

Jim's item.

- I. LEGAL COUNSEL'S REPORT (*Non-Action Item*).
 - a. The Carson City Board of Supervisors did their first approval of the changes to Title 19 to allow over-the-counter building permits and website posting of the traffic pattern diagram. During the discussion, they made some minor grammatical changes on the over-the-counter item but there was no substantive change. Here is how it turned out.

....plans shall be submitted for Carson City approval within 60 days of Airport Authority approval. Without Airport Authority approval no Carson City permits will be issued, **except that permits to be issued under the Carson City over-the-counter permit criteria shall not require ~~additional~~ prior approval by the Airport Authority.** All construction shall be completed within the schedule set forth in the lease. In the absence of...
 - b. FAA land use audit followup. On Sept 14, 2016, we got a followup request for information from the FAA auditor, mostly related to the number of hangars and the use of hangars. The Airport Manager and I are collecting the data to respond to the followup questions. Please be aware that the new FAA hangar policy is more lenient in allowing non-aviation uses that do not interfere with the primary use of each hangar, namely the aviation use. In addition, the FAA has informed us that we are required to do compliance inspections of hangars at least annually. We will know more when we get the final report.