

To: Airport Authority
From: Steve Tackes, Airport Counsel
Date: 8-13-2018
Re: Airport Counsel Briefing for Meeting of Wednesday, August 15, 2018

1. FOR POSSIBLE ACTION: CARSON AVIATION ADVENTURES LEASE ON 2500 E. COLLEGE PARKWAY HAS BEEN TERMINATED AND BUSINESS DOES NOT HAVE PRESENCE ON AIRFIELD AS REQUIRED BY TITLE 19. TERMINATION OF BUSINESS LICENSE HELD BY PIER28 INC FOR CARSON AVIATION ADVENTURES;
NOTIFICATION TO CITY OF NEED TO REPLACE FBO MEMBER ON CCAA.

Staff Summary: Airport Counsel Steve Tackes to review impact with CCAA as it relates to Title 19 requirements and CCAA enabling legislation Statutes of Nevada Chapter 844. (S. Tackes).

This item results from notification by Mountain West that the lease was terminated for Pier28, Inc. the entity who operates the Carson Aviation Adventures flight school. Based on phone calls received on Friday, there appears to be a dispute over whether the subtenant abandoned the space, is still renting space, or has arranged for other space. Depending on the status, the item may need to be continued until next month's meeting. In short, to be a flight school on the Airport, the school must have sufficient space under lease.

Airport Authority approval is needed to operate an FBO service on the Airport (CCMC 19.02.020.300) The application submitted by Pier28, Inc., identified the Mountain West leasehold as its location for a Part 141 flight school and aircraft rental FBO. The Airport Authority approved the application in part on the basis that the location was of adequate space and facility for the flight school/FBO. (CCMC 19.02.020.315 and .320). Absent alternative space on the Airport, deemed sufficient by the Airport Authority, the conditions upon which the business license was granted are no longer met. As a result, the appropriate action would be to cancel the business license. The Airport Manager has met with Mr. Vowell (owner) and sent communications identifying the problem as well as non-payment of the FBO fee and other concerns which were given to Pier28, Inc.

Secondarily, since Mr. Vowell's position on the Airport Authority is as an FBO, it would be necessary to request that the Board of Supervisors appoint a replacement to that position (FBO member) consistent with NRS 844. Specifically, the law states that member qualifications are as follows:

Sec. 4. Board: Number, appointment, qualifications and terms of members.

1. The Authority is governed by the Board, which is composed of seven members appointed by the Board of Supervisors.

2. The Board of Supervisors shall appoint:

(a) Three members who represent the general public, but, except as otherwise provided in paragraph (b), not including any person described in paragraph (b) or (c). At least one of these members must be a city official selected by the Board of Supervisors and one must be a pilot who, at the time of appointment, owns and operates an aircraft based at the airport.

(b) Two members who are manufacturers and are within a 3-mile radius of the Carson City airport, but not including any person described in paragraph (c). If, after providing notice of a vacancy for the position of a member of the Board described in this paragraph, the Board of Supervisors is unable to find a qualified

manufacturer to fill a position, the Board of Supervisors may appoint a member pursuant to this paragraph who represents the general public.

(c) Two members who are fixed base operators at the airport.

Pending such appointment, the Airport Authority would operate with 6 members.

Proposed Motion: I move we terminate the business license issued to Pier28, Inc. for Carson Aviation Adventures, and request that the Board of Supervisors appoint an FBO member to the Authority for the remainder of the term.

2. FOR POSSIBLE ACTION: DISCUSSION OF MASTER PLAN AIRPORT FACILITY ALTERNATIVES IN ORDER TO PROVIDE CONSULTANT WITH A RECOMMENDED DEVELOPMENT CONCEPT. (B. Fitzgerald; K. Moen).

Staff Summary: *Airport Engineer Brian Fitzgerald will discuss potential airport facility development alternatives to identify a recommended airport development concept.*

This is the Airport Engineer's item.

Proposed Motion: I move we recommend option ___ as the Authority preferred option in the Master Plan alternatives.

3. FOR POSSIBLE ACTION: TO APPROVE LEASEHOLD LOT LINE ADJUSTMENTS TO PARCEL 219B. (B. Fitzgerald, S. Tackes; K. Moen).

Staff Summary: *Brian Fitzgerald will review the proposed lot line adjustments for parcel and 219B to accommodate tenant improvement projects for ground lease held by tenant Dennis Giangreco (Sierra Skyway, Inc).*

This is an Airport Engineer item, and follows a request by the tenant to locate sprinkler riser housing/boxes adjacent to his leasehold. As a result, the tenant needs to do a lot line adjustment to include the areas in his lease. Record of Survey documents were prepared by Manhard Consulting showing a 9 foot by 9 foot area to be added to each row of hangars. Each area results in an increase to the rent in the amount of \$19.44/yr (81 sq ft times \$.024/sq ft/ yr).

Proposed Motion: I move we approve the lot line adjustment and corresponding increase in rent.

4. FOR POSSIBLE ACTION: ACCEPT FAA GRANT AIP PROJECT NO. 3-32-0004-032-2018.

Staff Summary: *Airport Manager Ken Moen to review FAA Grant offer in the amount of \$384,187. CCAA and Carson City Board of Supervisors approved acceptance in July 2018 in the amount of \$352,000. FAA authorized an additional project for AWOS upgrade in the amount of \$32,906. (B. Fitzgerald; K. Moen).*

Legal aspect. The earlier grant approval that we requested and received from the Board of Supervisors did not include the AWOS project as it was added later. This item is to approve the

Grant at the higher level. A similar request is being made to the Board of Supervisors. We have since received the FAA Grant Offer and request that the Authority approve it.

Proposed Motion: I move we approve and accept the FAA Grant for AIP 3-32-0004-032.

5. FOR POSSIBLE ACTION: CCAA RFQ COMMITTEE TO PRESENT DATA COLLECTED AND RFQ SCORE SHEETS REGARDING QUALIFICATIONS FOR AIRPORT ARCHITECTURAL/ENGINEERING AND PLANNING SERVICES CONTRACT.

Staff Summary: CCAA to review RFQ committee rank submissions from qualified firms to provide on-call Airport Architectural/Engineering and Planning Services. (L. Law and K. Moen).

Legal aspect. This has been a fact finding and data collection process. The committee will provide the data collected and offer scoring sheets that can be used by each Authority member to score attributes of each applicant, and thus have better preparation for the next meeting when the Authority will vote to rank or select the applicants and thus allow the Staff to proceed to the contract stage.

Proposed Motion:

6. FOR DISCUSSION AND POSSIBLE ACTION TO APPROVE ATKINS TASK 8 FOR CONSTRUCTION MANAGEMENT ON THE REHABILITATION OF TAXIWAYS PROJECT PENDING BOARD OF SUPERVISORS ACCEPTANCE OF THE AMENDED GRANT OFFER FROM THE FAA.

Staff Summary: Brian Fitzgerald will review the scope of work for construction management services for upcoming rehabilitation of Taxiways AIP 32 project. (B Fitzgerald).

Legal aspect. This is an Airport Engineer item. It was approved on June 20, 2018, presumably without the addition of the AWOS portion which was added later. The earlier action was to approve the construction management subject to Atkins being selected as the Airport Engineer during the construction. The Airport Engineer indicated that the cost estimates were provided by Atkins and thus a change order may be required if a different firm managed the project.

Proposed Motion: I move we approve the contract with Atkins to provide construction supervision conditioned on Atkins being selected as Airport Engineer during the construction.

7. FOR DISCUSSION AND POSSIBLE ACTION TO RESCHEDULE SEPTEMBER CCAA BOARD MEETING TO SEPTEMBER 26TH FROM SEPTEMBER 19TH.

Staff Summary: Airport Manager, Kenneth Moen will be out of town during the regularly scheduled meeting and is requesting to reschedule monthly meeting in order to be in attendance.

Proposed Motion: I move we set the September CCAA meeting for September 26, 2018.

J. LEGAL COUNSEL'S REPORT (*Non-Action Item*).

No additional report at this time.