



## TRUCKEE TAHOE AIRPORT DISTRICT STAFF REPORT

**AGENDA TITLE:** Commercial Operating Permit Request for Mr. Kevin Slone of Fly Truckee Tahoe

**MEETING DATE:** 02/23/2022

**PREPARED BY:** Hardy Bullock, Director of Aviation & Community Services

---

**RECOMMENDED ACTION:** Consider application for a Commercial Operating permit from Mr. Kevin Slone to operate a new flight school d.b.a. Fly Truckee Tahoe.

**DISCUSSION:** In 2016 the District adopted Minimum Standards for commercial service offerings on the airport. This best practice ensures consumers of aviation goods and services have access to affordable, safe, and legitimate service providers who have been vetted by the airport to an acceptable standard. These minimum standards cover many services and product offering ranging from rental cars to flight instruction, charter, and maintenance/repair activities.

The requirements are designed to create a commitment of entry that is commensurate with an established, full time, business engaged in offering services for a lasting period of time. The standards are designed to prevent would-be operators from preying on consumers, setting up temporarily, without proper facilities, insurance, or credentials. It is customary that leaseholds and commercial operating permits may require investment on the part of the operator such as tenant improvements and financial contributions.

Based on Federal Grant Assurances the airport will reasonably and fairly evaluate all proposals to provide commercial services. The District has received such a proposal from Mr. Kevin Sloan, d.b.a. Fly Truckee Tahoe. In staff's review the proposal does not meet the airports current minimum standard. The following is an excerpt from the document located here:

<https://truckeeatahoeairport.com/publications/5-airport-policies-fees>



## AIRCRAFT RENTAL OR FLIGHT TRAINING OPERATOR (SASO)

### 5. AIRCRAFT RENTAL OR FLIGHT TRAINING OPERATOR (SASO)

#### 5.1. Introduction

**Aircraft Rental Operator** – Operator engaged in the rental of Aircraft to the public.

**Flight Training Facility Operator** – Operator engaged in providing flight instruction to the public from a facility leased or developed on the Airport by Operator.

In addition to the General Requirements set forth in Section 2, Operator shall comply with the following minimum standards set forth in this section.

#### 5.2. Leased Premises

Operator shall have adequate land and Improvements to accommodate all Activities of Operator and all approved Sublessee(s), but not less than the following, which are not cumulative.

| Leased Premises (square feet) | Standard | Notes   |
|-------------------------------|----------|---|
| Contiguous land (Lessee only) | 21,780   |   |
| Customer area                 |          |   |
| <i>Lessee</i>                 | 250      | Shall include adequate space for customer lounge, class/training rooms, and restrooms.  |
| <i>Sublessee</i>              | 100      | Shall include adequate space for class/training rooms and immediate access to customer lounge and restrooms.  |
| Customer service area         | 250      | Shall include adequate and dedicated space for customer service work areas and storage.   |
| Self-maintenance              |          | Only for Operators engaged in self-maintenance. If Operator provides Aircraft Maintenance on other Aircraft, Operator shall comply with the minimum standards for an Aircraft Maintenance Operator (Section 4). |
| <i>Maintenance area</i>       | 360      | Shall include adequate and dedicated space for employee work areas, shop areas, and storage for Aircraft parts and Equipment.   |
| <i>Hangar</i>                 | 4,800    | Shall be at least equal to the square footage stipulated or large enough to accommodate the largest Aircraft in Operator's fleet at the Airport maintained by the Operator, whichever is greater.               |

#### 5.3. Licenses and Certifications

Employees performing Aircraft proficiency checks and/or Flight Training shall be properly certificated by the FAA, current, and hold the appropriate ratings and medical certifications for the Aircraft being utilized and/or Flight Training being provided.

Flight Training Facility Operators shall have available a properly certificated ground school instructor capable of providing on-demand ground school instruction sufficient to enable students to pass the FAA written examinations for commercial pilot and instrument rating.



**AIRCRAFT RENTAL OR  
FLIGHT TRAINING OPERATOR (SASO)**

**5.4. Employees**

At a minimum, Operator shall employ the following number of Employees who shall be available during required hours of activities.

| Employees                                       | Standard | Notes   |
|---|----------|---|
| Aircraft Rental Operator                        |          |   |
| <i>Employee(s)</i>                              | 1        |   |
| <i>Customer Service Representative(s)</i>       | 1        | An employee may fulfill the responsibilities of the customer service representative unless the employee is performing duties off the Leased Premises.   |
| Flight Training Facility Operator               |          |   |
| <i>Flight Instructor(s)</i>                     | 1        | May be fulfilled through agreement with Independent Flight Training Operators   |
| <i>Certificated ground school instructor(s)</i> | 1        | Capable of providing on-demand ground school instruction sufficient to enable students to pass the FAA written examinations for commercial pilot and instrument rating. May be fulfilled by a properly certified Flight Instructor. |
| <i>Customer Service Representative(s)</i>       | 1        | A flight instructor may fulfill the responsibilities of the customer service representative unless the flight instructor is performing duties off the Leased Premises.  |

**5.5. Equipment**

Operator shall have the following number Aircraft available for rental or Flight Training, as applicable. All Aircraft shall be owned or leased by Operator (and operated under the full and exclusive control of Operator).

| Equipment                                  | Standard | Notes   |
|--|----------|---|
| Aircraft Rental Operator Aircraft          |          |   |
| <i>Fixed wing: single-engine</i>           | 2        | One Aircraft must be IFR capable and four place.  |
| Flight Training Facility Operator Aircraft |          |   |
| <i>Fixed wing: single-engine</i>           | 2        | One Aircraft must be IFR capable and four seats unless Flight Training Operator is only providing sport pilot training. |

Flight Training Facility Operators shall provide training aids necessary to provide ground school instruction.



**5.6. Hours of Activities**

Operator shall be open and services shall be available to meet reasonable demands of customers for these Activities, but not less than the following:

| Hours of Activities | Standard          | Notes |
|---------------------|-------------------|-------|
| Hours               | 8 hours per day   |       |
| Days per week       | 6                 |       |
| Holidays            | Yes               |       |
| After-hours         | Prior arrangement |       |

**5.7. Insurance Disclosure Requirement**

Any Operator conducting Aircraft rental or Flight Training shall post a notice (and incorporate within its rental and instruction agreements) that: (a) identifies the insurance coverages provided to the renter or student by Operator, (b) discusses when and how the insurance coverages apply, (c) indicates where additional information can be obtained, and (d) advises the renter or student that additional insurance coverage is available (i.e., that the renter or student can purchase an individual non-ownership liability policy). Operator shall provide a copy of such notice to the TTAD.

**5.8. Noise Abatement Procedures**

Any Operator conducting Aircraft rental or Flight Training shall be versed and instruct renters and/or students in TTAD noise abatement procedures.

The airport is not obligated to create, identify, or develop any facilities to make way for new business enterprises on the field. That decision is completely discretionary and legally defensible. A shortage of facilities does not commit the District to any action in the present or future to make accommodations.

The District currently has one facility, Hangar 1, occupied by Sierra Aero that meets the requirements of our minimum standards. At the end of each lease term for this facility, it is made available to all parties to submit proposals. This was last done in 2017. The District received 2 proposals and entered into a 10 year lease with a 5 year option to renew with Sierra Aero. At the end of this lease the District will readvertise this facility for proposals from interested parties who would like to lease the facility. We are not required to build facilities for parties wishing to provide services on our Airport. We are obligated to make sure there is open and equal access to the facilities we have through a public RFP process.

The proposal by Mr. Sloan is to provide owned aircraft flight instruction not aircraft rental services. The leased premises (5.2), Employees (5.4) and Equipment (5.5) are the major areas of deficiency. The proposed solution to these is outlined in the proposal and includes the use of existing hangars.

In the Board's consideration of this COP, the Board may direct Staff to modify the Standard to accommodate the proposed business which would need to be considered at a future meeting or they may direct Staff to enforce the current standard in which case the proposal would not meet the standard and the business would not be allowed to operate at the airport.

If the Board chooses to modify the standard, it should be noted that all future applicants will be allowed to perform such activities so long as the standard was met. This may create a proliferation of small, single aircraft flight instructors performing instruction from a hangar. Also, the existing business, Sierra Aero, and Mt. Lion Aviation are currently meeting the entire standard as described in the Primary Management & Compliance Documents. Some complaint may arise for the difference between those standards and the resulting unfair advantage related to the cost of doing business at KTRK.

**WHAT'S NEXT:** Following Board direction, Staff will either:

1. Amend the Minimum Standard at the March Board Meeting establishing provisions to possibly accommodate the proposed COP and allow Mr. Slone to return with a revised Commercial Operator Permit.
2. Hold to the current Minimum Standards and not approve the request for a Commercial Operating permit for Mr. Slone.

**FISCAL IMPACT:** Staff estimates revenue from a new flight school at \$5000-\$12,000 depending on District facilities leased.

**SAMPLE MOTION(S):** I move to (approve, continue, deny) the request for a commercial operating permit for Mr. Slone of Fly Truckee Tahoe based on the following findings:

- List findings.

**ATTACHMENTS:**

Kevin M. Sloan Proposal