



# CITY OF NEWPORT BEACH AVIATION COMMITTEE AGENDA

Civic Center Community Room, 100 Civic Center Drive, Newport Beach

Monday, March 4, 2019 - 4:00 PM

***Aviation Committee Members:***

Council Member Jeff Herdman, Chair

Council Member Brad Avery, Vice Chair

Tom Anderson  
Joel Bergenfeld  
Scott G. Bergey  
Steve Byers  
Jeffrey Cole  
David Cook  
Jim Dunlap  
Vicki Frank  
Roger Ham  
Tony Khoury  
Barbara Lichman  
Tom Meng  
Kay Mortenson  
Bonnie O'Neil  
Melinda Seely  
Tim Stoaks  
Warren Wimer  
John Youngblood

**Staff Members:**

Tara Finnigan, Deputy City Manager

Aaron Harp, City Attorney

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The Aviation Committee meeting is subject to the Ralph M. Brown Act. Among other things, the Brown Act requires that the Aviation Committee agenda be posted at least seventy-two (72) hours in advance of each regular meeting and that the public be allowed to comment on agenda items before the Committee and items not on the agenda but are within the subject matter jurisdiction of the Aviation Committee. The Chair may limit public comments to a reasonable amount of time, generally three (3) minutes per person.

The City of Newport Beach's goal is to comply with the Americans with Disabilities Act (ADA) in all respects. If, as an attendee or a participant at this meeting, you will need special assistance beyond what is normally provided, we will attempt to accommodate you in every reasonable manner. Please contact Shirley Oborny, Executive Assistant to the City Manager, at least forty-eight (48) hours prior to the meeting to inform us of your particular needs and to determine if accommodation is feasible at (949) 644-3001 or soborny@newportbeachca.gov.

**NOTICE REGARDING PRESENTATIONS REQUIRING USE OF CITY EQUIPMENT**

Any presentation requiring the use of the City of Newport Beach's equipment must be submitted to the City Manager's Office 24 hours prior to the scheduled meeting.

1. **CALL MEETING TO ORDER**
2. **SELF INTRODUCTIONS**

3. **PUBLIC COMMENTS ON AGENDA AND NON-AGENDA ITEMS**

*Public comments are invited on agenda and non-agenda items generally considered to be within the subject matter jurisdiction of the Aviation Committee. Speakers must limit comments to three (3) minutes. Before speaking, we invite, but do not require, you to state your name for the record. The Aviation Committee has the discretion to extend or shorten the speakers' time limit on agenda or non-agenda items.*

4. **APPROVAL OF MINUTES**

[November 5, 2018](#)

5. **CURRENT BUSINESS**

- (a) John Wayne Airport General Aviation Improvement Program Draft EIR*
- (b) Review of the Aviation Committee's Structure, Membership and Duties*
- (c) Congressional and Legislative Update*
- (d) Any questions/comments re: Tom Edwards' Monthly Aviation Report*

*During Current Business, Mr. Herdman will ask for Committee comments and questions before going to additional public comment or questions.*

6. **ITEMS FOR THE NEXT/OTHER UPCOMING MEETING'S AGENDA**

7. **SET THE NEXT MEETING**

8. **ADJOURNMENT**



## City of Newport Beach

# MINUTES of the COUNCIL/CITIZENS AVIATION COMMITTEE (draft until approved by the Committee)

MEETING DATE & LOCATION: **Monday, November 5, 2018** at the Newport Beach Friends Room, (100 Avocado Ave., NB), City Council Chambers.

**ATTENDANCE:**

- Committee membership:

Jeff Herdman	Council Representative	present
Brad Avery	Council Representative	not present
Vacant	Council Representative	
Kay Mortenson	District #1	present
Warren Wimer	District #1 (alt)	present
Steve Byers	District #2	present
Vacant	District #2 (alt)	
Tom Anderson	District #3	present
Bonnie O'Neil	District #3 (alt)	not present
Tom Meng	District #4	present
David Cook	District #4 (alt)	present
Joel Bergenfeld	District #5	present
Vacant	District #5 (alt)	
Jeffrey Cole	District #6	present
Scott Bergey	District 6 (alt)	present
Jim Dunlap	District #7	present
Karen Rhyne	District #7 (alt)	not present
Tara Finnigan	Deputy City Manager	present
Aaron Harp	City Attorney	present
Melinda Seely	SPON/Air Fair Rep.	present
Jennifer McDonald	SPON/Air Fair Rep.	present
Tim Stoaks	SPON/Air Fair Rep.	Present
Tony Khoury	AWG Representative	not present
Tom Naughton	AWG Representative	present
Roger Ham	Newport Coast Rep	present
John Youngblood	General Aviation Rep	not present

- JWA Representatives present: Barry Rondinella, Nik Gaskins
- City representatives present: Tom Edwards, Grace Leung, Shirley Oborny
- Others present:

Minoo Ashabi  
 Joe August  
 Mel Beale  
 Allan Beek  
 Joy Brenner  
 Laura Petry

Ted and Beth Cooper  
 Sue Dvorak  
 Roy Englebrecht  
 Alan Guenther  
 Jo Carol Hunter  
 Linda Kensey

Dorothy Kraus  
 Jim Mosher  
 Craig Page  
 Craig Peskind  
 Alan and Pat Rypinski  
 Tim Stoaks

1. **Call Meeting to Order**

Chairman Herdman called the meeting to order at 4 p.m.

2. **Self-Introductions**

Chairman Herdman introduced the new City Manager Grace Leung. Ms. Leung briefly talked about her background. Although she has only been with the City for two months she can already see that one of the top issues is the importance of the airport and aviation issues. She is working to getting more educated on the issues.

Chairman Herdman mentioned that Council Member Kevin Muldoon would be participating in today's meeting by phone.

3. **Public Comments on Agenda or Non-Agenda Items**

Mr. Beek wants to know how much of the information supplied to the City from the airplane manufacturers is available to the public, particularly the noise of the thrust of the various modern engines that are being proposed. That would be very useful in understanding what is going on and what the studies are accomplishing. Ms. Finnigan replied that HMMH is the City's noise consultant. They have prepared a report of their work and she would add it to the website. In response to Mr. Mosher, she clarified that this report is what the carriers are doing according to the FAA model. The consultant is now working to get more actual information from the carriers. The City does not have that second report yet.

Mr. Mosher said the Aviation Committee previously met on the first Monday of the month despite not much going on with the airport. Now that there is a lot happening with the airport, he suggested the committee could meet more frequently. Chairman Herdman said his understanding is that the committee meets quarterly.

Mr. Mosher said in the past, a review of Tom Edwards' monthly update was included on the agenda and he feels it is helpful to put it back on the agenda in the future. Chairman Herdman said he would be happy to include that on the upcoming agendas.

4. **Approval of the Minutes.**

The minutes from the June 18, 2018, Aviation Committee meeting were approved with Committee Members Anderson, Dunlap, Ham, Khoury, McDonald, Seely and Wimer abstaining.

5. **Current Business**

**(a) Updates on:**

**1. John Wayne Airport General Aviation Improvement Program Draft EIR**

Mr. Gaskins said EIR627 was released for public review comments on September 20, 2018, for a 45-day period. On September 26, 2018, there

was a public meeting held at John Wayne Airport (JWA). Comments were received requesting a 15-day extension to November 21. All public comments will be responded to prior to the Board of Supervisor's action.

Mr. Gaskins said the General Aviation (GA) services and facilities have not been studied since 1990; the character of the GA has changed significantly since that time.

Mr. Edwards said this plan has been talked about for at least 10 years. GA are non-commercial jets. These are the non-scheduled Cessnas, beach aircraft, prop planes, etc. The plan proposes to make modifications to buildings and airfield roadway, an opportunity for a GA terminal and a GA international terminal. In addition, there is a proposed reduction in the number of mom and pop GA planes. There will be an increase in the number of GA jet departures. The document itself is a programmatic EIR. It is very general in nature and as the project is built out in phases, there is the potential for more EIRs because there are issues of where certain facilities might be constructed.

Mr. Rondinella said the intention is not to increase large jet GA traffic at the expense of small GA airport. The smaller GA aircraft and pilots are decreasing. There could be a drop in larger GA traffic if larger hangars are built. Currently, the crew of the larger GA planes store their planes at other locations then fly in with the plane to pick up the owner. If they are able to store the plane in a larger hangar at JWA, which JWA currently doesn't have, it will create just one trip instead of two.

Mr. Cook feels there will be more jet traffic because the airport will be reconfigured more for the corporate jets and less for small GA.

Ms. McDonald is concerned this will negatively affect Newport Beach. She understands that the business jets do not have to fly down the center of the bay and are not subject to curfew. Mr. Gaskins responded that the GA do have to fly down the Back Bay because the Metroplex procedures apply to GA and commercial aircraft. Mr. Edwards responded that the GA jets must adhere to the curfew but their noise threshold is less than commercial aircraft. They can depart after 10 p.m. if their noise is under 87.5 at noise monitor 1 and 87.7 at noise monitor 7.

Discussion ensued regarding self-serving fueling stations, fixed base operations reaping the benefits of the increased revenue from the larger hangars, passenger caps from international flights, and corporate jet fleets with higher flight cycles coming to JWA.

Mr. Rondinella encouraged attendees to submit their comments for the EIR.

Mr. Mosher suggested consultant who posted the EIR on the website post a pdf version that is also compatible with older computers.

Mr. Mosher said the noise levels for nighttime flights is essentially the same as it is for daytime Class C flights, which can be very irritating to residents at 3 a.m.

In response to Ms. McDonald, Mr. Harp said the City would be submitting its comments probably next week.

Mr. Bergenfeld asked if there is any way to track the air quality in the Back Bay area and Balboa Island on a more narrow scale for those that have the most impact.

Ms. Petry of Citizens Against Air and Noise Pollution (CAANP) said she feels the City's response is not synthesized. Environmental health is number one. Chairman Herdman assured her that the City would relay all of its concerns.

## **2. FAA Reauthorization Bill**

Ms. Finnigan said the President signed the bill on October 5, 2018, and it went over to the Federal Office of Management and Budget. That office decides which department will be responsible for the hundreds of provisions, the timeline, etc. Our Washington D.C. consultant Terry Heubert says it takes at least 30 days for a bill to get back to the department, which would be the FAA in this case. Some provisions Mr. Heubert will be watching for us have to do with:

- Requiring the potential phase out of Stage 3 aircraft, which would require airlines over time to use more modern planes and quieter engines;
- The FAA establishing regional public liaisons tasked with working with regional communities on airport noise and pollution;
- Requiring the FAA to work with airports and communities in evaluating the feasibility of flight paths to address community noise concerns;
- Requiring the FAA to develop a plan to engage with communities impacted by NextGen;
- The FAA studying health and economic impacts of noise exposure including sleep disturbance and elevated blood pressure, whether it's perceived or whether it's actual noise impacts;
- The FAA evaluating aircraft takeoff speeds and correlated community concerns; and
- Requiring six pilot programs to evaluate environmental mitigation projects that will measurably reduce or mitigate aviation impacts on noise, air and water quality within five miles of an airport.

### **3. Aviation Consultants / Hiring of Airport Specialist**

#### Buchanan, Ingersoll and Rooney PC

Chairman Herdman said Terry Heubert with Buchanan, Ingersoll and Rooney PC is the advocate for the City on the federal level. Mr. Heubert facilitated two Washington DC trips for Council Members and staff; he arranged all appointments with committees, senators, House of Representatives, and agencies. He has been an important asset to the City. We continue to have monthly conference calls with our consultants alongside community members, some of whom are here today.

#### Dynamic Strategies

Chairman Herdman said Dynamic Strategies is a government relations organization who also accompanied them on their first trip to Washington DC to get a feel for what the City is trying to accomplish. One of the outcomes of the City's Messaging Committee is that we need to make the County Board of Supervisors much more aware of issues coming from the airport that are affecting our City. Ms. Dvorak agreed with Chairman Herdman. They are all working to improve the relationship with the Board of Supervisors so the Board will understand how important the airport issues are to Newport Beach. The City wants to partner with them. Chairman Herdman said the City is also talking to the City Councils of surrounding cities.

Chairman Herdman said Lou Penrose with Dynamic Strategies has a lot of experience helping cities with public affairs issues. He is working on a draft public affairs plan the Messaging Committee came up with in order to prepare us for meetings with elected officials and decision makers.

#### Harris Miller Miller and Hansen (HMMH)

Chairman Herdman said HMMH collects data on noise created by airplanes in the process of taking off. Initially, HMMH analyzed the noise monitors to see if they are producing accurate readings. The data confirmed the accuracy. More recently, the City Council renewed their contract with them to analyze the noise abatement departure procedures (NADPs) for the aircraft operating at JWA. They have collected data on different kinds of planes, different motors, the payload of the planes, etc. That information is now being used by HMMH with the five major air carriers at JWA in hopes of higher, quieter takeoffs out of JWA.

In response to Mr. Cole, Chairman Herdman said HMMH is still working on what takeoff is the best and so far one roundtable meeting has taken place with the air carriers.

Mr. Guenther wants to know when some recommendations would be made from the data. He complained that the process is taking too long. Mr. Beale explained that the data is a tool and it's not just sitting on a shelf. It takes a long time and many levels of approval for even a small change in a flight

departure so we need to be sure of what it is we are asking for. Chairman Herdman said we also have a confidentiality agreement with the airlines.

#### Airport Specialist

Chairman Herdman said the City is looking to hire a fourth consultant on a short-term basis, or longer if needed, to assist the City in its goal of seeing the quietest departure possible implemented. The consultant should have a strong aviation background who can interface with the City, the community and perhaps the air carriers and other stakeholders. The deadline for hiring the consultant was November 2, 2018. The community groups will be invited to help evaluate the candidates.

Ms. McDonald said Air Fair did not know the City was looking for another consultant. They are not certain why this is being done or how beneficial or necessary it would be for the community at this time. She questioned what kind of expertise this person would have that we don't already have or can find with the resources available. Mr. Beale agreed with Ms. McDonald. He cautioned about moving too quickly.

Ms. Johnson said we don't have anybody onboard who has an aviation background who knows how to fly these departures out of JWA. She said we're at a critical point now where we need an expert to come in and advocate for us. She disagreed with Ms. McDonald and Mr. Beale.

Mr. Mosher asked about how the Messaging Committee was created and who is on it. He likes the idea of engaging the County Board of Supervisors since they own the airport. He thinks they also need to hear from the City of Tustin since they are affected by the landings of planes at JWA. Ms. Finnigan responded that she helped form the Messaging Committee at the suggestion of some of the community groups in hopes of creating a stronger plan if the community groups, staff, consultants and Council worked together as a team.

### **(b) Updates from the County regarding any JWA activity**

#### **1. Demonstration of VOLANS system's new noise values feature**

Mr. Gaskins stated that over the last six months, the JWA Access and Noise office received quite a few requests for data ranging from flight track data to noise data. The airport has been looking into a detailed noise report. The report provides the ability to view all of JWA's noise data; it should be available in a month. The vendor also has an application called Viewpoint. It allows one to send complaints from a cell phone, laptop, desktop, etc. It also has an automated telephone tree that will also be available in a month or so. The detailed noise report will be available on JWA's website and allows one to choose the dates they want to look at.

In response to an attendee's question about what happens when a complaint is received, Mr. Gaskins said it's reported in a quarterly noise report to the State. Internally, it's used to track an area of concern, for example.

Mr. Gaskins gave a demonstration of VOLANS. It allows the public to go in and look at flight tracks. There is a 60 min. delay for security purposes and accuracy.

Mr. Stoaks asked what VOLANS does to eliminate noise and pollution. Chairman Herdman explained that it's a data tool. Discussion ensued.

Mr. Cole said he represents District 6, Cameo Shores, the flower streets, etc. and he receives a lot of complaints that the planes are turning too early. Mr. Edwards suggested Mr. Cole contact Mr. Gaskins to run a waypoint report for a certain period of time.

6. **Items for the Next/Other Upcoming Meeting's Agenda**

Mr. Cole would like to see the results from HMMH's study that was due in September or October.

7. **Set the Next Meeting**

Chairman would like to try to meet again in February 2019.

8. **Adjournment** - The meeting was adjourned at 5:38 p.m.