



# CITY OF NEWPORT BEACH AVIATION COMMITTEE AGENDA

Civic Center Community Room, 100 Civic Center Drive, Newport Beach, CA  
92660

Monday, January 27, 2020 - 5:30 PM

**Aviation Committee Members:**

Council Member Jeff Herdman, Chair  
Council Member Diane Dixon, Vice Chair

Nancy Alston  
Jeffrey Cole  
Alan Guenther  
Roger Ham  
Anthony Khoury  
Stephen Livingston  
Hugh Logan  
Thomas Meng  
Bonnie O'Neil  
Jack Stranberg  
Sharon Ray  
Cameron Verdi

**Staff Members:**

Tara Finnigan, Deputy City Manager  
Aaron Harp, City Attorney  
Shirley Oborny, Executive Assistant to the City Manager

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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.

- I. **CALL MEETING TO ORDER - Council Member Jeff Herdman, Chair**
- II. **ROLL CALL**
- III. **APPROVAL OF MINUTES**

[Minutes - November 18, 2019](#)

**IV. CURRENT BUSINESS**

a) Report on the City Council's January 25 Planning Session - City staff will report on the airport-related information presented to the City Council at its January 25, 2020 Planning Session.

b) Adoption of Committee Priorities for Calendar Year 2020 - Committee Chair Jeff Herdman desires to have the Aviation Committee agree to and work on a set of four priorities this calendar year.

[Proposed Committee Priorities for 2020](#)

c. John Wayne Airport Update - Nick Gaskins of John Wayne Airport will provide a market update and discuss the airport's new, detailed noise reports and the 2019 Million Annual Passenger count.

**V. SUBCOMMITTEE REPORTS**

1. Technical / Departures
2. Government Relations
3. Communication & Outreach
4. General Aviation Improvement Plan (GAIP)

**VI. PUBLIC COMMENTS ON 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, provided the time limit adjustment is applied equally to all speakers. As a courtesy, please turn cell phones off or set them in the silent mode.*

**VII. ITEMS FOR THE NEXT MEETING'S AGENDA**

**VIII. NEXT MEETING - February 24, 2020, 5:30 p.m. (OASIS)**

[Aviation Committee Meeting Schedule 2020](#)

**IX. ADJOURNMENT**



**CITY OF NEWPORT BEACH**  
MINUTES of the  
**AVIATION COMMITTEE**  
(draft until approved by the Committee)

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MEETING DATE & LOCATION: **Monday, November 18, 2019, 5:30 p.m.** at the Civic Center Community Room, 100 Civic Center Dr., Newport Beach, CA 92660

**ATTENDANCE:**

Committee membership:

Council Member Jeff Herdman, Chairman  
Council Member Brad Avery, Vice Chairman  
Nancy Alston – SPON representative  
Jeffrey Cole – District 6  
Alan Guenther – District 1  
Roger Ham – Newport Coast representative  
Anthony Khoury – AWG representative  
Stephen Livingston – General Aviation  
Hugh Logan – District 7  
Thomas Meng – District 4  
Bonnie O'Neil – District 3  
Jack Stranberg – Member at Large  
Sharon Ray – District 2  
Cameron Verdi – District 5

Staff: City Manager Grace Leung, Deputy City Manager Tara Finnigan, City Attorney Aaron Harp, Executive Assistant to the City Manager Shirley Oborny, Consultant Tom Edwards

**1. WELCOME/CALL MEETING TO ORDER**

Chairman Herdman called the meeting to order at 5:30 p.m.

Senior IT Analyst Ivan Juarez provided written instructions for Committee Members to receive City emails on their mobile devices.

**2. ROLL CALL**

Vice Chairman Avery and Committee Members Logan and O'Neil were absent.

**3. APPROVAL OF MINUTES  
**October 28, 2019 Minutes****

**Motion** to approve the minutes of the October 28, 2019 meeting was made by Committee Member Ham and seconded by Committee Member Khoury. The motion carried unanimously with Vice Chairman Avery and Committee Members Logan and O'Neil absent.

**4. CURRENT BUSINESS**

**a. Overview of City Council Policy A-17**

Deputy City Manager Tara Finnigan summarized the key points of Council Policy A-17 (see attached).

Committee Member Khoury recommended that a committee investigate the feasibility of an existing military base serving as an alternative airport site. When negotiating the Settlement Agreement, the County promised to search for another airport site.

Committee Member Alston advised that the County needs to be involved in finding an alternative location, and the City of Newport Beach should involve the County.

Alan Beek suggested Policy A-17 could be improved if it included the City's desire to maintain relationships with commercial air carriers and seek measures that benefit one party without harming the other or that benefit both parties.

Dennis Bress felt the City should demand that the Board of Supervisors initiate and fund a feasibility study of using existing right-of-way infrastructure for alternative transportation from JWA to the Anaheim Regional Transportation Intermodal Center (ARTIC).

Jim Mosher indicated the City Council recently adopted a comprehensive Legislative Platform, which contains priorities derived from Policy A-17. One priority is to preserve and protect the 2006 Cooperative Agreement between the County and the City.

#### **b. Washington DC Trip Recap**

Chairman Herdman reported Mayor Dixon, Deputy City Manager Finnigan, City Attorney Aaron Harp, and he met with elected and government officials in Washington, D.C. The Newport Beach representatives requested support for preserving the 1985 Settlement Agreement; relief from concentrated noise levels created by NextGen; an update regarding JWA's participation in studies required by the Federal Aviation Administration (FAA) Reauthorization Act; and incentives for airlines to transition to newer, quieter aircraft. Representative Eleanor Holmes Norton, on behalf of the Quiet Skies Caucus, sent a letter to the FAA demanding information, within 30 days, on the status of the implementation of the 2018 FAA Reauthorization. The meeting with FAA staff from Washington, DC, and El Segundo revealed that the new Regional Ombudsman's role is to attend and listen at regional meetings; the City should work with other cities in the region through a roundtable or task force; and the FAA appears to be amenable to discussing flight dispersion. In a meeting with the staff director for the Senate Aviation and Space Subcommittee, he explained the role and duties of the subcommittee. Senator Harris' staff offered to have their field representative participate in local airport-related meetings with the City. Staff from the City Manager's Office will meet with Senator Feinstein's new field representative within the month. Deputy City Manager Finnigan added that the team shared their disappointment about the Regional Ombudsman's role during meetings with elected representatives.

Committee Member Jack Stranberg noted the Quiet Skies Caucus' letter addresses issues directly related to the City's concerns. The City's lobbyist should follow up regarding the FAA's response.

Committee Member Alston felt the Regional Ombudsman is nothing more than another layer of bureaucracy.

Dennis Bress recommended the City work with corridor cities; communicate with Representative Norton, who could be a City ally; use public service announcements (PSA) to inform the community about the Aviation Committee's efforts.

Julie Johnson suggested streaming the Aviation Committee's meetings to build community support and awareness.

### **c. John Wayne Airport Update**

Consultant Tom Edwards reported the A220 aircraft is used by Delta flights 1477, 1949, 3057, 1056, and 2747. JWA average daily departures in September totaled 130, 80 utilizing Class A aircraft and 50 using Class E aircraft. In September, commuter carrier departures totaled seven, and general aviation departures totaled 50. Ontario Airport's million air passengers (MAP) is about 4 million, but the MAP will likely reach almost 6 million. Ontario Airport has the capacity for 31 MAP. Ontario Airport had 67 average daily departures in September. Currently, there are no limits on growth at the Ontario Airport. JWA commercial carriers have had to reduce their passengers in recent months because they were on track to exceed the 10.8 MAP limit. At Noise Monitoring Stations (NMS) 5, 6, and 7, the A220 either did not register or was quieter than 737s.

Committee Member Alston noted Disney operates shuttles daily between JWA and Disneyland. If Disney would operate shuttles between Ontario Airport and Disneyland, people could fly into Ontario, reducing some of the congestion at JWA.

Chairman Herdman advised that forming a regional roundtable is one of his priorities, and he will work with Deputy City Manager Finnigan to organize it.

Dennis Bress suggested a shuttle between the ARTIC and Ontario could relieve congestion at JWA. Flights into Ontario are often less expensive than into JWA. Perhaps the City could incentivize airlines to deploy new technology sooner at JWA.

Jim Mosher indicated the JWA noise office has activated its online noise complaint system but has not posted the monthly detailed noise reports.

## **5. SUBCOMMITTEE REPORTS**

### Technical Matters/Departures

Committee Member Guenther reported the subcommittee has been reviewing facts and figures from the past 12 months. The testing with commercial aircraft is not obtaining the desired results. Differences in aircraft altitude and speed has large impacts on perceived noise.

City Manager Grace Leung advised that the subcommittee is exploring methods for carriers to voluntarily fly quieter. A third meeting with all air carriers was held on November 7 to discuss the test results; incentives and penalties for converting to or not converting to Stage 4 and 5 aircraft; and having a productive and data-driven conversation with the community. Aircraft using the NADP1 flight path were a bit quieter at the outer noise monitoring stations, but not enough to be noticeable. The testing showed the type of aircraft makes the biggest impact on noise levels. The next meeting will probably be scheduled in March.

Committee Member Alston felt the government is not applying pressure on Airbus to fly quieter aircraft.

Committee Member Stranberg suggested soft issues, such as air traffic allocation alternatives, yield management alternatives, marketing issues, departure situations, incentives, and public relations alternatives, can be used to build relationships with air carriers.

### Government Relations

Committee Member Alston indicated the subcommittee will meet in December.

## Communication

Committee Member Khoury related the subcommittee's proposal to create an airport update bulletin, to insert it in the monthly municipal service statement, and to post it online. The subcommittee proposes three quarterly meetings with homeowner association (HOA) presidents and airport committee chairs and one yearly meeting with HOA members.

Committee Member Cole reported responses to the General Aviation Improvement Program (GAIP) Request for Proposals (RFP) are due December 19. The County is retaining an outside consultant to oversee the selection process. The subcommittee will review vendors' answers to questionnaire and conceptual renderings and layouts and the County's scores for the vendors. Finally, the subcommittee will make recommendations to the Aviation Committee and oppose any response that does not support the community's best interests.

Deputy City Manager Finnigan advised that staff is not aware of, but will follow up, regarding the status of JetSuiteX's decision to maintain or increase its current passenger allocation. City representatives continue to meet with potential bidders on the GAIP RFP to relay the Newport Beach's concerns and interests.

Committee Member Alston indicated a large Fixed Based Operator (FBO) has contacted a large community organization to provide input.

Dennis Bress suggested the community should have a way to report quiet aircraft as well as noisy aircraft.

Jim Mosher remarked that the Communications Subcommittee should prepare recommendations to the Aviation Committee, an action item should be agendaized, and the Aviation Committee should discuss and vote on the recommendations.

## **6. PUBLIC COMMENTS ON NON-AGENDA ITEMS**

Dennis Bress appreciated the Committee's work and organization.

Committee Member Cole suggested publishing Mayor Dixon's letter as an advertisement in the newspaper. He supported frequent meetings with federal officials.

## **7. ITEMS FOR THE NEXT MEETING'S AGENDA**

Committee Members requested an action item for the subcommittee's communication plan; discussion of a regional roundtable, and an update from the City's lobbyist regarding the December 5 response from the FAA.

## **8. NEXT MEETING – December 16, 2019, 5:30 p.m.**

**Motion** to cancel the December 16, 2019 meeting was made by Committee Member Cole and seconded by Committee Member Khoury. The motion carried unanimously with Vice Chairman Avery and Committee Members Logan and O'Neil absent.

## **9. ADJOURNMENT**

Chairman Herdman adjourned the meeting at 6:58 p.m.



## Highlights of Council Policy A-17

### **Primary Policy Objective**

Protect Newport Beach residents from the impacts of commercial aircraft operations at and from John Wayne Airport.

### **City's Position on Airport-Related Matters**

#### **What the City Supports:**

- Future amendments (extensions) to the 1985 Settlement Agreement
- Programs or proposals to serve Orange County's air transportation demand at facilities other than JWA
- Any plan or project that maintains the existing level of general aviation operations, general aviation support facilities and the General Aviation Noise Ordinance
- Preserving or enhancing the existing remote monitoring system (RMS) and public disclosure of RMS readings
- Promoting circulation and transportation improvements from Orange County to outlying airports

#### **What the City Opposes:**

- Any modifications to the 1985 Settlement Agreement that would materially alter the quality of life of Newport Beach residents.
- Development of a second air carrier runway or runway extension at JWA
- Any modification of the noise-based curfew
- Any physical expansion of the airport
- Any plan or project that proposes any change to the existing level of general aviation operations, general aviation support facilities and the General Aviation Noise Ordinance

### **Legal Framework**

#### **Federal Law Says:**

- An airport owner is the only non-federal entity that can adopt regulations restricting the amount of noise generated by aircraft operations.
- Any noise or access restriction on commercial aircraft must be reviewed and approved by the FAA. (1985 Settlement Agreement predates this law and is grandfathered from its provisions.)

### **Aviation Committee's Role**

Continuously evaluate means and methods to minimize the impacts of JWA, including through the analysis of changes in airport procedures and technological advancements.

### **Other Provisions**

The City Council should continuously pursue support from other public agencies, particularly the Corridor City coalition.

The City Council will support the efforts of any community group or individual that is striving to meet this policy's primary objective in a manner that reflects full consideration and understanding of the legal, political and economic factors that are relevant to the control of airport impacts.

The City Manager, with support from City staff, is responsible for implementing Policy A-17, communicating with interested parties, and monitoring Settlement Agreement compliance, legislation, regional airport activities and regional planning agencies.



# NEWPORT BEACH

## Aviation Committee Staff Report

January 27, 2020  
Agenda Item No. \_\_

**TO:** CHAIR AND MEMBERS OF THE AVIATION COMMITTEE

**FROM:** Grace K. Leung, City Manager - 949-644-3001,  
gleung@newportbeachca.gov

**PREPARED BY:** Tara Finnigan, Deputy City Manager,  
tfinnigan@newportbeachca.gov

**PHONE:** 949-644-3035

**TITLE:** Adoption of Committee Priorities for Calendar Year 2020

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### **ABSTRACT:**

Committee Chair Jeff Herdman desires to have the Aviation Committee agree to and work on a set of priorities this calendar year.

### **RECOMMENDATION:**

Adopt the proposed list of Aviation Committee priorities for 2020.

### **DISCUSSION:**

The City Council approved changes to the structure and composition of the Aviation Committee in mid-2019. The restructured Committee then formed subcommittees to enable small groups of members to accomplish work on specific focus areas approved by the Committee, between its regularly scheduled meetings. Members now serve on at least one of the following subcommittees: Technical Matters / Departures, Government Relations, Communication & Education, and General Aviation Improvement Program.

Committee Chair Jeff Herdman has proposed four priorities, all focused on reducing aircraft noise, to guide the work of the Aviation Committee and its subcommittees in 2020:

1. Work toward increasing altitudes to 4,000 feet over Balboa Island and the Balboa Peninsula.
2. Pursue the “light dispersion” of flights in order to help bring some relief to those residents most impacted by the current departure paths.
3. Ask air carriers to voluntarily wait until after an aircraft crosses the coastline to reapply power (instead of once reaching 3,000 feet altitude).
4. Further develop and advocate for state and federal policies that incentivize air carrier fleet transition.

The priorities are not intended to replace any projects currently in progress nor limit the Committee's work should other ideas or issues arise that need to be addressed this year.

Chair Herdman would like the Committee to discuss the proposed priorities. The Committee can recommend amendments or adopt the priorities in their current form.

**NOTICING:**

The agenda item has been noticed according to the Brown Act (72 hours in advance of the meeting at which the City Council considers the item).



# AVIATION COMMITTEE

## 2020 Meeting Schedule

The Aviation Committee will continue to meet on the fourth Monday of the month with two exceptions (May 18 and November 30) due to holidays.

<b>DATE</b>	<b>TIME</b>	<b>LOCATION</b>
<b>January 27</b>	5:30 p.m.	Civic Center Community Rm., 100 Civic Center Dr.
<b>February 24</b>	5:30 p.m.	OASIS Senior Center Event Rm., 801 Narcissus Ave.
<b>March 23</b>	5:30 p.m.	Civic Center Community Rm., 100 Civic Center Dr.
<b>April 27</b>	5:30 p.m.	Civic Center Community Rm., 100 Civic Center Dr.
<b>May 18</b>	5:30 p.m.	Civic Center Community Rm., 100 Civic Center Dr.
<b>June 22</b>	5:30 p.m.	Civic Center Community Rm., 100 Civic Center Dr.
<b>July 27</b>	5:30 p.m.	Civic Center Community Rm., 100 Civic Center Dr.
<b>August 24</b>	5:30 p.m.	Civic Center Community Rm., 100 Civic Center Dr.
<b>September 28</b>	5:30 p.m.	Civic Center Community Rm., 100 Civic Center Dr.
<b>October 26</b>	5:30 p.m.	OASIS Senior Center Event Rm., 801 Narcissus Ave.
<b>November 30</b>	5:30 p.m.	Civic Center Community Rm., 100 Civic Center Dr.

\*Meetings may be rescheduled or cancelled. Please visit [www.newportbeachca.gov](http://www.newportbeachca.gov) for current meeting information.