



CITY OF NEWPORT BEACH AVIATION COMMITTEE AGENDA

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

Monday, February 12, 2018 - 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
Karen Rhyne
Melinda Seely
Tim Stoaks
Warren Wimer
John Youngblood

Staff Members:

Dave Kiff, City Manager

Aaron Harp, City Attorney

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. WELCOME/CALL MEETING TO ORDER

(Council Member Jeff Herdman)

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. The Committee chair has the discretion to extend or shorten the speakers' time limit on agenda or non-agenda items.

4. **APPROVAL OF MINUTES**

Approval of minutes from the previous meeting(s) (all)

[AC Minutes - October 30, 2017](#)

5. **CURRENT BUSINESS**

(a) Updates from the City regarding:

- 1. NextGen/So Cal MetroPlex changes*
- 2. City's lawsuit against the FAA – including the STAYY*
- 3. Noise analyses by HMMH*
- 4. Departure study, also by HMMH*
- 5. Community engagement on flying quieter*
- 6. Reminder about Friday Forums*

(b) Updates from the County regarding any JWA activity

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**



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

MEETING DATE & LOCATION: **Monday, October 30, 2017**, at the Newport Beach Civic Center (100 Civic Center Drive, 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	not present
Warren Wimer	District #1 (alt)	present
Steve Byers	District #2	present
Vacant	District #2 (alt)	
Tom Anderson	District #3	not present
Bonnie O'Neil	District #3 (alt)	present
Tom Meng	District #4	present
David Cook	District #4 (alt)	not present
Vicki Frank	District #5	not present
Patricia Janssen	District #5 (alt)	present
Jeffrey Cole	District #6	present
Vacant	District #6 (alt)	
Jim Dunlap	District #7	present
Karen Rhyne	District #7 (alt)	not present
Dave Kiff	City Manager	present
Aaron Harp	City Attorney	present
Jennifer McDonald	SPON/Air Fair Rep.	present
Nancy Alston	SPON/Air Fair Rep.	present
Tony Khoury	AWG Representative	present
Tom Naughton	AWG Representative	present
Roger Ham	Newport Coast Rep	not present
John Youngblood	General Aviation Rep	not present

- JWA Representatives present: Nikolas Gaskins, Barry Rondinella
- City representatives present: Tom Edwards, Carol Jacobs, Scott Watson, Shirley Oborny
- Others present:

Mino Ashabi	Veronica Dolleschel	Linda Kensey
Joe August	Sue Dvorak	Lauren Kleiman
Alan Beek	Jim Mosher	Susan Menning
Nick Beale	Vickie Girling	Beverly Moosmann
Anita Brown	Kirsten Graham	Sally Peterson
Mary Ann Bruce	Jo Carol Hunter	Janet Prubst
Kim Charney	Ray Kennedy	John and Michele Sciarra

Rudy Svrcek
Nancy Watkins
Sorrell Wayne
Ronnie Weinstein

1. Call Meeting to Order

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

2. Self-Introductions

3. Approval of the Minutes.

The minutes from the July 24, 2017, Aviation Committee meeting were approved with Committee Members Byers, Janssen, Cole, McDonald and Alston abstaining.

4. Updates/Current Business

(a) Results of recent altitude review by County of Orange

Mr. Kiff explained that the Aviation Committee asked Mr. Gaskins to do a year-to-year altitude analysis of whether planes are flying lower or higher and if so, at which locations. The analysis looked at Noise Monitoring Stations 6 and 7, Balboa Island and Balboa Peninsula. It also looks at the different air carriers and by type of aircraft. It compares the month of August in 2014, 2015, 2016 and 2017.

Mr. Gaskins said they analyzed aircraft that had more than 20 departures per month. The data shows a decrease in 2014 and 2015 and an uptake in 2016 and a little more uptake in 2017. It's consistent with the analysis they did a couple of years ago, where the differences were between 100 to 150'. Frontier's A320 has had a significant increase, 350' from 2016 to 2017. They don't know why and are contacting Frontier to try and determine the cause.

Mr. Gaskins said they saw a consistent pattern from 2014 to 2017 on the Balboa Peninsula. In response to Ms. Janssen, he said the hotter weather in August can sometimes affect the altitude.

Mr. Mosher said he's interested in how the altitude affects noise in the Airbus Neo.

Ms. Kensey said she misses the higher takeoff. Mr. Gaskins said the planes are allowed to use the NADP1 or NADP2 takeoffs. Mr. Harp and Mr. Kiff explained that the noise limits were set in 1985. In 1985 the MD80 was the quietest plane but now there are quieter planes. United Airlines and American Airlines have determined they can use the more gentler takeoff procedure and still be

below the noise limit. The noise limit cannot be adjusted higher because in 1990 Congress passed the Airport Noise and Capacity Act that prohibits any airport from doing what JWA did, controlling an airport's capacity based on noise.

Mr. Sciarra said he understands the data, but the noise has gotten so bad, car alarms are being triggered. They obtained 2,000 signatures, wrote a letter and haven't heard a response. He asked what is a realistic solution.

Mr. Weinstein, President of Dover Shores HOA, said he's had extensive conversations with the FAA, where they asked him to help mediate a settlement before the City filed any legal action. He doesn't believe nothing can be done. The FAA said they would be willing to fly higher. The County can stop the planes on the ground. What needs to happen is for a discussion to take place where negotiations occur. The new concentration of planes and resulting noise and pollutions are unacceptable to any area in Newport Beach. He is willing to negotiate with Bob Henry and Glen Martin of the FAA to see if there are things that can be done. The planes need to fly higher and down the middle of the bay.

Mr. Harp said the City and County are in litigation with the FAA based on the EIR they prepared for the Metroplex project. Mr. Kiff explained the reason for the litigation is because the EIR showed planes flyer over areas of the city where they had never flown before. The FAA said they would stay on the historic patterns over the Upper Bay but the City never received that assurance. The discussions have been cordial. The City wants the routes to be correct, splitting the narrow of the Upper Bay. Currently about 10% of the flights are too far east, and 90% are a little too far west.

Mr. Kiff announced that another change would be coming on December 7, 2017, that would move the two remaining departures that are too far from the east to the one ones that are too far west. We need to find out what the right path is; we're getting closer and the FAA has been willing to work with us and listen to us. He talked about the two turns that will also take place on December 7. This would be the first one in the United States. It may take some time for the carriers to use it because they don't receive training on required navigational departure paths.

Mr. Kiff talked about the locations and function of noise monitoring stations.

Ms. Janssen expressed her frustration with the amount of increased flights and noise over her home on Balboa Island. From 7 a.m. to 10 p.m., she is unable to think, study or have a conversation on her patio. She mentioned other cities having success in getting the flight patterns changed so planes

quit flying directly over homes. She doesn't think it's fair for the FAA to not allow fanning. She feels there needs to be a noise monitor on the bridge on Balboa Island and she never heard about changes to the flight pattern ahead of time.

Ms. Alston suggested the City hire another company to test the noise monitors, other than the one who currently tests them. Mr. Kiff responded that the City is currently soliciting bids from the best companies around. In response to an inquiry about putting monitors in other locations, he explained that only the existing seven included in the Settlement Agreement matter to the FAA.

Ms. Watkins complained about planes taking off every minute over Balboa Island, the resulting soot and pollution, and asked whether there is any hope for fanning. Mr. Kiff explained that the FAA has said that fanning is no longer an option; however, it doesn't hurt to ask. He feels there would be more chance to negotiate a higher and faster takeoff.

Several attendees mentioned they feel NextGen is about saving fuel and increasing profits.

(b) Presentation and discussion of current issues (NextGen, Settlement Agreement, direction by the City Council from September 26, 2017, more)

1. Update of the 2008 ARTS study
Mr. Kiff said he and Mr. Edwards are working to update the 2008 ARTS study. It focuses on which departure is best for most of the community in terms of Noise Abatement Departure 1 or 2 or something in the middle might be better. This study is a 6 to 8 month process.
2. Additional noise studies
Mr. Kiff said Mr. Edwards is working to get the additional noise monitor verification. That should take about 30 days.
3. Assistance in Washington, DC
Mr. Kiff said he's working to hire an advocate to assist with the FAA and the carriers. There are three firms being considered through the City's RFP process. This would be a 5-month process.

In response to Ms. O'Neill's suggestion that the residents write letters to the carriers and ask them to fly higher faster, Mr. Kiff agreed it matters more if the consumers do it as opposed to local government. He is

more than happy to provide addresses and phone numbers to assist with that kind of encouragement.

(c) Consideration of a “Fly Quiet” reward program

Chairman Herdman gave credit to Mr. Mosher who supplied him with information about the Fly Quiet program operating out of San Francisco airport. Rather than getting upset with the air carriers, the program rewards them for their efforts to make flights quieter.

The following people volunteered to be on the committee:

- Jeff Cole
- Kay Mortensen
- Tony Khoury
- Jo Carol Hunter
- Lauren Lleiman
- Sorrell Wayne

(d) Ways to improve communication (all)

Mr. Kiff said in response to feedback about the City not providing enough information about its efforts, he and Chairman Herdman talked about having Friday afternoon updates in a conference room, every other Friday. There was support for this from the meeting attendees.

He suggested he could also send an email update similar to the Insider's Guide a couple times each month about the airport. He asked if anybody is interested. Ms. Janssen said she would be interested in receiving his emails. In response to her statement that a lot of people in Newport Beach don't use email, he suggested doing a mailing.

Another person suggested using the media. Mr. Kiff mentioned *Stu News* or the *Daily Pilot*.

Mr. Mosher suggested the Aviation Committee meet more often than quarterly.

(e) Other

No comments were made.

5. Public Comments on Non-Agenda items

Mr. Beek suggested more monitoring stations be placed around town to see what exactly is going on. The City could work with the airlines to come up with something better for all of us. Some creative experiments could be done to see how different areas are affected.

6. Items for the Next/Other Upcoming Meeting Agenda

Chairman Herdman suggested a group be formed to help draft new statements to add to City Council Policy A-17 that talk about the least number of Newport Beach residents being affected by flight paths, pollution, departure patterns, etc.

Mr. Kiff said more altitude information will be discussed. Ms. Jannsen suggested it be more simple for people to understand.

Mr. Cole suggested information be provided about complaints of flights not going all the way out and coming back and spreading more noise over Corona del Mar and Newport Coast.

7. Set the next meeting

The meeting was tentatively set for December 11, 2017.

8. Adjournment

The meeting was adjourned at 5:41 p.m.

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