

City of Newport Beach



MINUTES of the

COUNCIL/CITIZENS AVIATION COMMITTEE

(**draft** until approved by the Committee)

MEETING DATE & LOCATION: **Monday, September 28, 2015**, at the Newport Beach Civic Center (100 Civic Center Drive, NB), Community Room.

ATTENDANCE:

- Committee membership:

Tony Petros	Council Representative	present
Kevin Muldoon	Council Representative	not present
Duffy Duffield	Council Representative	present
Kay Mortenson	District #1	present
Don Hecht	District #1 (alt)	not present
Eleanor Todd	District #2	present
Gerald Scarboro	District #2 (alt)	present
Tom Anderson	District #3	not present
Bonnie O'Neil	District #3 (alt)	not present
Tom Meng	District #4	not present
Jock Marlo	District #4 (alt)	not present
Vicki Frank	District #5	present
Walt Richardson	District #5 (alt)	not present
Shirley Conger	District #6	not present
Bud Rasner	District #6 (alt)	present
Jim Dunlap	District #7	present
Karen Rhyne	District #7 (alt)	present
Dave Kiff	City Manager	present
Aaron Harp	City Attorney	present
Melinda Seely	SPON/Air Fair Rep.	Rep present
Tom Naughton, Tony Khoury	AWG Representative	Reps present
Roger Ham	Newport Coast Rep	present
Vacant	General Aviation Rep	N/A

- JWA Representatives present: Eric Freed
- City representatives present: Mayor Pro Tem Dixon, Tom Edwards, Shirley Oborny
- Others present:
 - Eric Auckerman
 - Ann Beale
 - Amy Balts
 - Edwina Broderick
 - Lynn Cathcart
 - Chelsea Crager
 - Thomas Damiani
 - David Devick
 - Win Fuller

- Gret Goeser
- Tabitha Hasin
- Jim Jordan
- Patti Jansen
- Terry Janssen
- Marion Jordan
- Brynn Kelly
- Louise Kistner
- Lois Levine
- Stanley Levine
- Barbara Lichman
- Aly Marei
- Patsy Metcalf
- Jim Mosher
- Jan Neu
- Lee Pearl
- Darcy and Ned Post
- Dan Rudd
- Marion Smith
- Nanci Stacey
- Sherman Stacy
- Lisa Stanson
- Dr. Tom Staple
- Gordon Wanlass
- Sorrell Wayne
- Ronnie Weinstein
- Chris Wilkinson

AGENDA ITEMS:

1. **Call Meeting to Order.** The meeting was called to order by Council Member Petros at 4 p.m.
2. **Self-Introductions.** Council Member Petros introduced the newest committee member, Vicki Frank. Ms. Frank said she was born and raised in Newport Beach and has been a pilot with a major airline for the last 20 years.
3. **Approval of the Minutes.** The minutes from the August 6, 2015, Aviation Committee meeting were approved.
4. **Current Business**
 - (a) **Noise Monitoring Equipment/Settlement Agreement Amendment**

Mr. Kiff said the County Board of Supervisors, following the action of the City, SPON and the Airport Working Group (AWG), signed the amendment to the Settlement Agreement which implements the new monitoring program that the City Council and Aviation Committee learned about in August.

Mr. Mosher said he felt there was a lack of foresight by the City and the other groups agreeing to these changes. He expressed his concern that they relied on what they were told rather than looking at the documentation.

(b) So Cal Metroplex effort by the FAA

Mr. Kiff provided a PowerPoint Presentation (attached). Mr. Kiff said there are two concerns that the City expressed to the FAA in the letter ([click here to view letter](#)):

- 1) It appears that TOING was removed and it needs to be put back. All the flights should be lining up so they fly over the big mound behind the Newport Dunes. They shouldn't be flying over Westcliff, Dover Shores, or Eastbluff.
- 2) STREL should be a flyover instead of a flyby. More information is needed including more noise analysis and more detail in the maps shown in the PowerPoint Presentation. He said the City asked for a test period of 180 days for whatever is approved.

Mr. Kiff said what we're seeing today is a shift in flights to the west. That has to do with an error that the FAA made when it worked with JWA to change the runway designation of the big runway. It has to do with the gradual shift that occurs with the magnetic pole. As such, every so often the airports will change their airport heading even though the runway didn't move. We think when this occurred, there was a mistake made in the flight patterns that are produced monthly. They should have replicated the previous month's flight patterns. Mr. Freed, JWA, has been working with the FAA to get that changed back. It was supposed to be changed back on September 15 but so far it doesn't appear that it was. We're hoping by October 15 it will get changed back.

Mr. Kiff said the runway issue is completely different from the Metroplex effort. If the City's comments are successful and the flights go over TOING, residents in the upper part of the bay will see the narrowing occur over TOING, not over the other side of the bay.

Council Member Petros asked what discretion the City has related to the departures at JWA. Mr. Kiff said neither the County nor the FAA controls the air space. The County only controls on the ground operations. This is a nationwide effort causing consternation in many communities that do not want the narrowing. They prefer the fanning; however, the FAA is marching forward.

Council Member Petros said the FAA only consulted the airlines, their stakeholders. The City is taking its concerns and the concerns of the residents to the FAA. The City is also providing contact information for the residents to also voice their concerns to the FAA.

Ms. Jansen, Balboa Island resident, Ruby Ave., feels the FAA lacked disclosure to the residents and they should be more responsible to surroundings areas being negatively affected by the proposed route changes. She prefers the fanning out of the flight paths.

Mr. Stacey, Balboa Island resident, Ruby Ave., reported that Collins Ave., Ruby Ave. and Diamond Ave. are specifically affected by the departures. The echo from the planes is enormous and constant from 7 to 7:45 a.m. In addition, the altitudes of the planes are lower. The adverse effects are significant and need to be addressed.

Mr. Weinstein, a Dover Shores resident, feels it's the City's job to protect the community. He's been told the FAA cannot arbitrarily narrow the path and affect the inhabitants of an area. He's been talking to airport directors in Phoenix and LAX and was told the fuel mixture is taking place at 10,000 feet and subsequently affects the environment. He feels the City should take the lead, not the community.

Ms. Kelley, a school teacher, complained about the planes flying over the schools yards and exposing the children. She feels it's not going to get better and we need to focus on the future.

Mr. Wanglass, a Dover Shores resident, thinks a simulation of the different flights should be done to allow the residents hear what they sound like. He feels the air pollution is killing us and the City should sue the FAA.

Ms. Post, a Dover Shores resident and non-smoker, had a portion of her lung removed last year. She was told it was cause by an inhalant.

Mr. Selby, Balboa Island, Ruby Ave., feels the City should advocate for the residents. He supports fanning.

Mr. Marei said he talked to a pilot recently and was told that starting about six months ago, the planes are no longer taking off with full thrust. They are back to the old, lower altitude takeoff procedures. Mr. Kiff said the thrust-up, level-off procedure is not required. What is required is that the planes meet a certain decibel over each of the seven decibel monitors. Over time, planes have become more quiet so they don't need to thrust up as they did in the past.

Another Santiago Drive resident said the planes have been going straight over his house. He feels that the FAA is government and so is the City so they should be able to do something. As a physician, he's aware of many studies that show the fine particulates cause lung cancer.

Mr. Pearl, Balboa Island resident, said he thinks the City should be doing what is in the best interest of the majority of the residents. He feels the City's position hasn't been stated to the FAA. He said those directly under the flight pattern are being bombarded with particulates.

Mr. Shar, a Dover Shores resident, feels there should be a collaborated effort from the City and all the HOAs. They are sending a letter to the FAA and the City will receive a copy. The letter focused on noise and jet fuel pollution and supported a fanning out flight pattern.

Council Member Petros said the City is corroborating with the County. He has also brought back to the City Council all the comments made at the Aviation Committee meetings. In addition, he called the Mayor in Phoenix and will follow through to learn from Phoenix. He encouraged the community to continue to contact the FAA to voice their concerns.

Council Member Duffy, who also lives under the flight path, also encouraged the community to make their voices heard. He will ask the City Council to make funds available to allow the City to go visit other cities that have been faced with the same issues and learn from them.

(c) Other updates from John Wayne Airport staff

1. Pending correction of departure path documents following new runway designations

Mr. Freed said JWA is monitoring the flight departures to see if any changes have occurred since September 17. They will also provide the flight tracks to the City to compare that to what the City is seeing. Discussion ensued.

5. Public Comments on Non-Agenda items

Mr. Mosher suggested the City encourage the County to add single event noise exposure levels as they're registered by the individual noise monitors. He feels it would be helpful for the public to see the information in real time, instead of an average of three months.

6. Items for the next/other upcoming meeting agenda

- Continued follow-up on the Metroplex project

7. Set the next meeting

The next meeting was tentatively set for November 24, 2015.

8. Adjournment

The meeting was adjourned at 5:22 p.m.

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