



City of Newport Beach

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

MEETING DATE & LOCATION: **Monday, March 4, 2019** at the Newport Beach Civic Center (100 Civic Center Drive, NB), Community Room.

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)	present
Tom Meng	District #4	present
David Cook	District #4 (alt)	not present
Joel Bergenfeld	District #5	not present
Vacant	District #5 (alt)	
Jeffrey Cole	District #6	present
Scott Bergey	District 6 (alt)	not 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/AirFair Rep.	present
Jennifer McDonald	SPON/AirFair Rep.	present
Tim Stoaks	SPON/AirFair Rep.	present
Tony Khoury	AWG Representative	present
Tom Naughton	AWG Representative	present
Roger Ham	Newport Coast Rep	present
John Youngblood	General Aviation Rep	not present

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

Becky Adams	Ted and Beth Cooper	Alan Guenther
Nancy Alston	Scott Cutshall	Sara Hall
Minoo Ashabi	Craig Davis	Erle Halliburton
Joe August	Robert Drakulich	Julie Johnson
Mel Beale	Sue Dvorak	Linda Kensil (sp?)
Allan Beek	Steve Gallup	Lois O. Levine
Joy Brenner	Joseph Gilmartin	Roberta Lessor
Dennis Bress	Peter Goldbrunner	Beverly Moosman

Maxine Malley
Jim Mosher
Joni Nichols
Lori Petry
Alan Rypinski

Gary Schank
Louise Stuart
__Tussing
Sorrell Wayne

1. **Call Meeting to Order**

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

2. **Self-Introductions**

Chairman Herdman announced that AirFair disbanded on Friday, March 1, 2019. Ms. Seely has been the active chair for years and did a great job. One of the reasons they felt it was not necessary for them to continue was due to the active role the City has taken regarding airport issues.

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

Mr. Mosher encouraged attendees to attend the next John Wayne Airport (JWA) quarterly noise meeting on March 20, 2019, at 2 p.m. in the airport headquarters building.

Mr. Gaskins reported that the total number of passengers out of JWA for 2018 was 10.66 million. The cap is 10.8 million passengers under the Settlement Agreement.

Mr. Gaskins said they are working with a vendor to develop a complaint management system. This will include a mobile app, desktop web port, and an automated telephone system. He can provide a tutorial in the future.

4. **Approval of the Minutes.**

Mr. Khoury said he was not present at the November 5, 2018, meeting so he could not have abstained from approving the June 18, 2018, minutes as indicated. With that correction, the minutes from the November 5, 2018, Aviation Committee meeting were approved with Committee Members O'Neil and Khoury abstaining.

5. **Current Business**

(a) **John Wayne Airport General Aviation Improvement Program Draft EIR**

Mr. Edwards said he has been asked to synthesize 1,200 pages of the General Aviation Improvement Program (GAIP) EIR into a brief PowerPoint presentation. A handout outlining the five alternatives was provided (see attached). Mr. Edwards praised Ms. Finnigan for her hard work in helping him over the weekend to prepare for the presentation.

Questions and Answers

- In response to Mr. Dunlap, Mr. Edwards confirmed that none of the alternatives shows an increase in space for commercial planes remaining overnight.
- Mr. Stoaks asked about curfews at night for general aviation (GA). Discussion ensued.
- In response to Mr. Cole, Mr. Edwards said in his opinion the least impactful alternative would be Alternative 3. It would maintain the GA facilities as they are.

Ms. Finnigan said that after working on this issue over the last several months, the City is recommending Alternative 3. The Airport Working Group (AWG) and Stop Polluting Our Newport (SPON)/AirFair have submitted letters to the City indicating they would be

supportive of Alternative 3. Chairman Herdman and City Manager Grace Leung added that they would like the Aviation Committee to give some thoughts as to whether they should ask the City Council to take a formal position on behalf of the City in support of Alternative 3.

Mr. Schank, Vice-President of the So Cal Pilots Association, said many their members have planes based out of JWA. He feels the GA jets make just as much noise as the commercial jets. His group does not oppose improvements at the airport but they are concerned the first two alternatives eliminate space for the small planes that already exist at the airport. They do not want to move their planes to Fullerton airport; therefore, they prefer Alternative 3 or similar.

Ms. Petry talked about a recent show on NBC that portrayed how easy it is to carry guns and drugs onto the small corporate planes. She referenced it as “Uber in the Sky”. These are becoming more popular. She complained that every time one of these corporate jets take off in the middle of the night, no matter what the noise monitors indicate, it rattles her out of her sleep.

Ms. Alston, member of SPON, said she lives near Noise Monitor 5. In the last quarter, the GA jets registered an average of 82.3 as opposed to Delta’s average of 79.7. Recently SPON presented to the Board of Supervisors the fact that there are currently 185 jets departing daily. In addition, she mentioned a friend who was able to go online to Jet Smarter and book a flight out of JWA. There was no security. It was not a corporate jet; the passengers did not know each other and were able to book their flights online.

Ms. Dvorak said JWA wants to expand international services by building a new FBO, remove a significant amount of small planes, and grow their on demand jet services. These jets can fly 24 hours per day. The JetSmarter jets do have schedules so they should be considered commercial. The definition of GA should be updated. Her group is not recommending any alternatives without this of the definition of GA being vetted.

Mr. Mosher said he supports Alternative 3. He would like to know how close the County is to responding to all of the comments. He asked if there could be mitigation measures put in the EIR that would assure us that even if the assumptions are wrong, the conclusions are protected. For example, to make sure that the number of jets does not go above the projections in the EIR and the noise levels do not go up.

Mr. Beale said he is concerned about attracting a different type of corporate aircraft customer, such as Amazon, for example. Another issue is if they put in International security and customs, other planes at other locations would start using JWA for that purpose. That could be a 30 to 40% increase. He also thinks the more aggressive FBO operators could bring in the corporate clients with more frequent activity levels.

In response to an attendee, Mr. Edwards confirmed that new FBO operators are interested in coming to JWA.

Ms. Lessor is concerned about noise and pollution. She said she appreciates the presentation given today because she was not aware GA did not have to comply with the same restrictions as the commercial planes or that they use leaded fuel.

Mr. Bress expressed his concern that he had not known about what the County was trying to do until last week. He feels more residents need to provide input to the County about what the taxpayers of Newport Beach want.

Chairman Herdman reported that a group of three City Council Members has met with Supervisors Michelle Steel and Lisa Bartlett. They intend to meet with the other three in the future. In addition, he announced that Michelle Steel would be holding an airport town hall meeting here at the City Civic Center on Saturday, April 6 from 10 a.m. to noon. Discussion ensued about what efforts are being made from the community groups and how the residents of the City can help.

Mr. Khoury moved to recommend to the City Council that the Aviation Committee supports Alternative 3 with some additions like security, curfew, international travel, customs, health and safety, etc. Mr. Byers seconded the motion. Discussion ensued. The motion passed unanimously.

(b) Review of the Aviation Committee's Structure, Membership and Duties

Ms. Leung explained that since she came to the City, she has found that JWA and aviation has been one of the biggest topics to cover. She wanted to figure out how to be most effective in dealing with this multilevel issue (active community groups, City Council and the County involvement, State and Federal lobbying, the GA topic, etc). She feels the most powerful tool the City has is the Aviation Committee.

She said the Aviation Committee hasn't been looked at since 2011. As such, the City Council recently created a subcommittee, Mayor Diane Dixon and Council Members Herdman and Muldoon, to look at the purpose, membership and different elements of the structure to see if it could be more effective and a good conduit to provide advice to the City Council. One of the first things looked at was the size of the committee. They would like to reduce it from 23 members to 15, which includes removing the alternate members. She reviewed the proposed membership composition and term limits. Additionally, she said the meeting schedule will be revised from "as needed" to at least quarterly and perhaps monthly if needed during periods of high activity, and the community groups would still have a seat on the committee as long as they have been legally formed as a community group.

In response to Ms. Mortenson, Chairman Herdman said it is the district representative's duty to report back to the HOAs and vice-versa.

Mr. Beale suggested that Aviation Committee members be presented with background information so they are up to speed. Chairman Herdman agreed and said they will need to have Brown Act training as well.

Mr. Warren, District 1 alternate, agrees with the idea of eliminating the alternates from the membership. He also agrees that the district members should keep their HOAs informed.

Ms. Petry said she was not aware that members of the committee should have been keeping the HOAs informed. She also thinks there needs to be a large number of people attending the town hall meeting with the County.

(c) Congressional and Legislative Update

Chairman Herdman said the City asked Congressman Harley Rouda to join the Quiet Skies caucus and he has done so. Congressman Rouda is also a member of the Transportation Committee. He is working very closely with Grace Napolitano because she has a great deal of influence. In addition, our lobbyist Terry Heubert worked with Congressman Rouda's staff to write two letters to help pursue quieter aircraft at JWA. One letter is to the FAA outlining the various noise provisions in the new FAA reauthorization bill and asking them to let us know how these things will be implemented. The second letter is to the Government Accountability Office. Their office is tasked with Stage 3 aircraft phase out. This letter requests their study to be completed expeditiously and includes legislative and regulatory language to codify the phase out of Stage 3 airplanes.

Chairman Herdman talked about the status of HR9786. The Quiet Skies caucus, to put pressure on the US Department of Transportation to pursue aircraft noise initiatives, introduced this piece of legislation.

Chairman Herdman said Mayor Diane Dixon recently met with Congressman Rouda in D.C. and spoke to him about issues at JWA.

(d) Any questions/comments re: Tom Edward's Monthly Aviation Report

Mr. Mosher asked how frequently these reports are expected to be released. He said the last report in December mentioned HMMH's work to develop less impactful departure procedures. He was wondering if there is an update.

Mr. Edwards said the next report would be released in the near future. He said Delta, Southwest and United are now flying the STAA procedure and they hope to have some results of HMMH's work by the end of March. Ms. Leung said the City is working on a voluntary basis with the airlines in hopes of getting them to do quieter departure procedures; using HMMH's modeling data as a baseline to help. She thinks they will have more to update in the next couple of months as the conversations with the airlines progress.

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

Ms. Alston asked if Mr. Harp or Mr. Edwards could talk about how the GA curfew works with regards to the Airport Noise and Capacity Act (ANCA).

7. Set the Next Meeting

Chairman Herdman suggested the committee try to meet again on April 8, 2019.

8. Adjournment - The meeting was adjourned at 6:06 p.m.