

**VAN NUYS AIRPORT CITIZENS ADVISORY COUNCIL**  
**Tuesday, January 05, 2010**  
**MINUTES**

A meeting of the Van Nuys Airport Citizens Advisory Council (CAC) was called to order at 7:15 p.m. by Vice Chair Don Schultz. Members present: Ron Merkin, Wayne Williams, Gerald Silver, Harold Sullivan, Bob Jackson, Ken Miller and Don Schultz. It was noted that a quorum was not reached.

Members Absent: Laurence Rabe, Rick Flam, Harold Lee, Bob Frazier, Wendy Saunders, Dave Sotero and Chris Nassif.

The Council vacancies as of November 3, 2009 are as follows: one appointment from the Office of Councilmember Alarcon, one appointment from Councilmember Cardenas, one appointment from Councilmember Smith and one appointment from Councilmember Krekorian.

The minutes from November 3, 2009 Council meeting were deferred.

**1.) STAFF REPORTS**

Ms. Selena Birk welcomed Mr. Bob Jackson back to the CAC.

**2.) REPORT FROM THE CHAIR**

Mr. Schultz stated that because the CAC did not reach quorum there will not be an approval of the November minutes and there will also not be any action taken on any item that is on the tonight's agenda; only discussion is permitted.

**A. VNY/CAC Vacancies – Discussion**

Mr. Schultz stated that we have a number of vacancies on the CAC panel. He stated that Mr. Jackson will be working on contacting the elected officials who have not filled their numbers of appointees. He also asked that the members of the CAC call their appointees and let them know there is a vacancy.

**B. Helicopter Routes – Discussion**

Mr. Schultz stated that the Chairman wanted him to relay to the CAC the letter from LA Mayor Antonio Villaraigosa to City Attorney Carmen Trutanich regarding the Van Nuys Helicopter routes.

Ms. Birk stated there are two letters. One is a letter from the Mayor and the other one is a response to that letter from the City Attorney.

Mr. Shultz talked about the letter from Mayor Villaraigosa to the City Attorney Carmen Trutanich dated November 5<sup>th</sup>, 2009 and he stated that the City Attorney sent in a correspondence 14 days later; he stated he is impressed with the timeline.

Ms. Birk stated that Mr. Scott Tatro, the Environmental Noise Officer from LAWA's Noise Management Section is here to answer any questions.

Mr. Schultz confirmed with Mr. Tatro that he could be available if the item is placed on the next agenda.

Mr. Silver stated that his understanding is that the Mayor is asking for clarification of the helicopter routes and the City Attorney is mentioning the Part 150 Study. Mr. Silver stated the Part 150 is a voluntary program and what should be mentioned is the Part 161 Study.

Mr. Tatro stated that he believes that Mr. Silver is right in suggesting that the Part 150 Study is the mechanism they are using to make any access restrictions that we proposed under the Part 150 Study. It has to go through the FAA approval process. Mr. Tatro stated they are not proposing restricting access to the airfield; they are talking about which way you get in and out; therefore, the routes themselves do not need a Part 150 Study. What we proposed in the Part 150 Study was rejected by the FAA and it did need Part 161 analysis; the FAA didn't say pending further study under Part 161, they said no, a route change isn't feasible.

Mr. Silver stated that the Part 161 could be an access restriction.

Mr. Tatro stated they are not restricting access to the helicopters; that is not what the proposal is; they are talking about how they want them routed in and out of the airport. He also stated the FAA authority over airspace is exclusive; that was the key part of the decision. He stated that neither airports nor local government have any ability to regulate the flight of an individual aircraft.

Mr. Schultz stated that we have already been rejected on the Part 150 Study; however the Part 161 may be the vehicle where additional input is added on this issue.

Mr. Tatro stated they did not study the routes as part of the 161 process. He also stated that he doesn't think moving the route from Bull Creek to Balboa creates an access restriction which would trigger a 161 analysis; therefore, the 161 process is not the proper vehicle to attempt. The key point is that the FAA has to accept this concept and they rejected it on the Part 150 and Mr. Wythcombe rejected it for other operational reasons.

Mr. Williams stated that we should continue to pursue the avenue of communication with the FAA from VNY Airport based on our roundtable to move that flight path over Balboa and away from Bullcreek. They can hopefully give us the opportunity to try it and see what kind of response we get.

Mr. Jackson suggested that we ask the Tower Chief to come to the CAC meeting and discuss this issue with us.

Ms. Birk stated she will invite him.

There was further discussion regarding this item between Mr. Schultz, Mr. Tatro, Mr. Williams and Mr. Silver. The CAC agreed they will continue this discussion at the next CAC meeting.

### **3.) BOAC AGENDA ITEMS CONCERNING VNY**

#### **A. Aviation Plaza Lease – Discussion/Action**

This item is deferred until February meeting.

#### **B. MPG Aviation Lease – Discussion**

Ms. Monica Milos from LAWA Real Estate Division stated that Los Angeles World Airports (LAWA) and M.P.G., Inc. (MPG) have concluded negotiations for a fifteen-year lease for the continued use of aviation land and a City-owned building occupied under interim Lease No. VNA- 8362. The Lease expired on August 31, 2009. The premises are designated for aviation area-propeller aircraft use by the Van Nuys Airport Master Plan (Plan). MPG is an established propeller aircraft operator at VNY, has a consistent record of good standing, and has made a substantial investment in leasehold capital

improvements to the demised premises. The permitted uses in the proposed lease are consistent with applicable land use plans and all parts of the demised premises proposed to be leased will be used for the permitted uses. LAWA staff and MPG have reached agreement on the terms of a new lease to include aviation land and building rental rates to be effective upon lease commencement. The recommended rates are \$15,686 per acre per year (PAPY) for the aviation land and \$2.77 per square foot (PSFPY) for the hangar. The parties agree that both of these rates are subject to adjustments to Fair Market Rental Value on July 1, 2015 and every five years thereafter. Incremental increases are anticipated during the term of the lease based on automatic annual adjustments as set forth in LAWA's Leasing Policy specific to VNY.

Mr. Schultz asked how these rates compare to FBO's that are similar size on the airport and what is a rate for a jet FBO at the airport.

Ms. Milos stated the only rate they have negotiated has been with the propeller park; they have also offered a similar rate to the Condor Squadron. The rent rate is very close to what MPG Aviation and the Condor Squadron are currently paying. She also stated there isn't a single rate for a jet FBO at the airport; it depends on the leasehold attributes, she believes it ranges from \$35,000 to \$43,000.

Mr. Schultz asked Ms. Milos if she can come back when the CAC establishes a quorum so they can take action if they deem necessary.

Ms. Milos stated yes. She also stated this item will require Council approval and Board action most likely will be delayed until April.

After a brief discussion; Mr. Schultz deferred this item until a later CAC meeting.

#### **4.) PUBLIC COMMENT – NON-AGENDA ITEMS – Discussion**

Mr. Bill Mouzis from the public stated that as too little attention has been paid to the toxins in the air we breathe everyday as a direct result of VNY operations. He stated that he believes there has been an increase in air pollution affecting an ever-expanding area around the airport. It is the same problem affecting residents near the Santa Monica Airport as revealed in LA Times article a few weeks ago. It is particularly obvious when take-off and landing routes are changed due to increased winds. It has a cascading effect also with increased levels of noise.

Mr. Mouzis asked the CAC to take priority action to correct this critical health problem before it becomes absolutely intolerable. Therefore, he recommends that the CAC request an up to date environmental study and report of the VNY surrounding area by the (AQMD).

#### **5.) NEW BUSINESS**

##### **A. Consideration of VNY BOAC-Discussion**

Mr. Schultz stated he had a conversation with the CAC's Chairman today and the Chairman asked not to take any action on this item this evening. Mr. Schultz stated he has been pushing a VNY BOAC for ten years; he believes if the VNY Airport had its own BOAC then we would not be the step child of LAWA and LAX. Mr. Schultz stated this is not a reflection on airport management at VNY; he believes for years the VNY CAC has been trying to get certain things done through management at LAWA and we have relied on LAX BOAC for some things to be done which have not been done. Mr. Schultz stated that all the city's planning Commissions are appointed by the Mayor and approved by the City and there is no reason that VNY Airport should not have its own BOAC. He gave the Council his

phone number and email address (818-786-9344, [dittoschultz@aol.com](mailto:dittoschultz@aol.com)) if anyone should want to discuss this issue with him.

Mr. Silver asked if we want to engage in a discussion that will require a huge amount of effort to change the City Charter.

Mr. Schultz stated he spent ten years with this issue and it has finally reached an agenda item; therefore, he is open to any comments anyone has regarding this issue. He stated this item will be back on the agenda in the future.

## **B. Airport/Neighborhood Improvements-Discussion**

Mr. Schultz stated that the Chairman went around the perimeter of VNY Airport and he felt this was an important issue to add to the agenda. He would like to defer this item to March CAC meeting.

Mr. Silver asked what this is about.

Mr. Schultz stated that long time ago there was a landscaping project for the airport; it was quite comprehensive; however, the money for that project got diverted.

Ms. Birk stated there is an existing landscaping plan from the 1970's and it is up to the tenants who are developing their lease hold.

Mr. Schultz stated that the Chairman is concerned with the neighborhood improvements and not necessarily the tenant improvements; therefore, he has some ideas on this that the CAC will hear in March.

Mr. Miller stated it would be a relatively simple task for someone to go around and take pictures so at the meeting we have beneficial graphics.

Mr. Silver stated that either the tenants will have to spend money to finish this or LAWA will have to give up the monies for this.

After a brief discussion on this item the item has been deferred to the March CAC meeting.

## **6.) UNFINISHED BUSINESS**

**None**

## **7) EMERGENCY ITEMS SINCE POSTING OF AGENDA – Discussion**

**None**

## **8) ADVISORY COUNCIL MEMBERS' COMMENTS - NON-AGENDA ITEMS**

**None**

## **9) ADJOURNMENT:**

8:13 p.m.