

VAN NUYS AIRPORT CITIZENS ADVISORY COUNCIL
Tuesday, October 5, 2010
MINUTES

A meeting of the Van Nuys Airport Citizens Advisory Council (CAC) was called to order at 7:19 p.m. by Rick Flam. Members present: Rick Flam, Don Schultz, Ron Merkin, Wayne Williams, Bob Jackson, Gerald Silver, Roger Oeland, Elliot Sanders, David Rankell

Members Absent: Harold Lee, Wendy Saunders, Laurence Rabe, Ken Miller, Harold Sullivan, Bob Frazier, Chris Nassif

The Council vacancies as of May 4 are as follows: one appointment from the Office of Councilmember Alarcon, and one appointment from Councilmember Cardenas.

The minutes from September 7, 2010 meeting were unanimously approved with one minor correction.

1.) STAFF REPORTS

A. Propeller Park status update – Discussion/Action

Karen Hoo, City Planner, LAWA Facilities Planning Division, described in detail the California Environmental Quality Act (CEQA) process. The following is a synopsis of her presentation:

CEQA stands for the "California Environmental Quality Act". It is a state law that requires government agencies to identify the significant environmental impacts of their actions and to avoid or mitigate those impacts prior to making a decision to approve a project.

CEQA was enacted by the state legislature to ensure that the decision-maker understands the consequences of their action and how it would impact the environment. People generally have a misconception that the word "environment" when used in CEQA means "the complex of physical, chemical, and biotic factors (as climate, soil, and living things) that act upon an organism or an ecological community and ultimately determine its form and survival". But actually, as found in Webster's dictionary, this definition is more appropriate: "the circumstances, objects, or conditions by which one is surrounded". The CEQA statutes define the word as follows: "Environment" means the physical conditions which exist within the area which will be affected by a proposed project, including land, air, water, minerals, flora, fauna, noise, objects of historic or aesthetic significance."

CEQA allows the decision-maker to know what a project is like when it is built and operational; what it looks like, how it operates, how it interacts with its surroundings. It is much like being able to put a person in a time machine and setting the date in future when the project is completed and operational. However, without this capability, we have to rely on words to describe the project. Appendix G in CEQA assists in this description of the project by covering many different aspects of the project. One would have to answer all the questions in detail to explain the project's impact on the various environmental topics. This step is called the "Initial Study".

Questions were asked by the CAC on what are the differences between a Negative Declaration, a Mitigated Negative Declaration and an Environmental Impact Report. Ms. Hoo explained that in answering the various questions asked in Appendix G, the analysis would lead one to a conclusion whether the project had "No Impact", "Less than Significant Impact", "Less than Significant Impact with Mitigation", or Significant Impact". In the analysis, established thresholds are compared against the project's potential impacts. If the analysis in the Initial Study shows that the project's potential

impacts have no impact or have impacts that are less than significant, a Negative Declaration can be prepared. If a project requires mitigation measures to reduce the impact to less than significant levels, then a Mitigated Negative Declaration can be prepared. If a project has significant impacts even when mitigation measures are incorporated into the project, an Environmental Impact Report must be prepared and the decision-maker in approving such a project must also make a "Statement of Overriding Considerations" stating the reasons for approving a project even though they understand that the project will have a significant environmental impact.

Ms. Hoo explained that it was her duty to ensure that the decision-makers have a complete and accurate CEQA document so that they can have all the facts before them and make an informed decision. Besides her review, she relies on the public to review the adequacy of the Initial Study. The public is encouraged to review the document and submit comments identifying any inaccuracies. The comment letters, staff's response to the comment letters and any changes to the document, as warranted by the comment letters, are compiled in the final document to be presented to the decision-maker for their review and consideration.

There was discussion between Ms. Hoo and the CAC regarding this process as it pertains to the Prop Park project. Much of the discussion concerned the prolonged delay for this project to move forward.

Mr. Flam stated that Mr. Argubright has informed the CAC that this project is two years behind schedule.

Ms. Hoo stated that this developer was not familiar with LAWA's standards for the preparation of a CEQA document and that the level of detail and analysis necessary in these documents requires the use of experts in certain environmental fields and that it does take some time to prepare these documents.

Mr. Flam stated that he does not get any sense of urgency from either LAWA or the developer to get this project done.

Mr. Flam requested that Mr. Argubright again be invited to attend the November CAC meeting to address the CAC's concerns and questions.

Mr. Flam also requested a timeline with a commencement date with significant events concerning this project from Ms. Hoo.

Ms. Hoo stated that she could provide this information.

Mr. Rankell stated that this will help the CAC see where the delays are occurring in the process.

The CAC thanked Ms. Hoo for her presentation.

B. VNY FlyAway - Discussion

Meighan Langlois, Director, LAWA Landside Business Management, described the FlyAway Bus Service. Her presentation was as follows:

FlyAway Service

The Van Nuys service provides scheduled passenger bus service between the Van Nuys Airport (VNY) FlyAway Terminal and Los Angeles International (LAX) Airport Central Terminal Area (CTA).

Passengers are carried via 55 passenger tour-style buses. The buses are equipped with undercarriage luggage bays.

Due to safety and DOT regulations, standing passengers are not allowed from VNY to LAX. Standing passengers are allowed from LAX to VNY. The maximum capacity for each bus is 55 seated passengers plus approximately 12 standing passengers depending upon the number of rows, for a total of approximately 70 passengers. A bus is also determined to reach maximum capacity when the luggage bays are full. The driver cannot pick up passengers when there is no room to safely stow their luggage. Due to safety reasons, luggage is not allowed in the passenger area of the bus with the exception of small parcels placed on the parcel rack above the seats.

FlyAway Service within LAX CTA

Buses are scheduled to depart the CTA approximately every 30 minutes on the half-hour between 5:30 a.m. – 11:30 p.m. To address ridership levels, we have inserted buses on the 15 and 45 minute marks between 11:15 a.m. and 4:15 p.m. with a few additional buses on the 15 through the rest of day.

FlyAway Overload Plan within the CTA

When a bus experiences an overload, the driver contacts bus dispatch via radio and reports the terminal where the bus experienced an overload and passengers were left waiting. Dispatch instructs the next bus to start the next scheduled run at the terminal where the bus overloaded.

Occasionally, by the time a driver has reported an overload, the next bus might already be at T1 starting their run. In this case, it might take until the second bus after the overload is reported to send a bus directly to the overloaded terminal. In this scenario, the wait time may range from 15 to 60 minutes with an average expected wait time of 30 minutes for the next bus.

Mr. Rankell stated that there is no sufficient signage on the FlyAway buses from LAX.

Ms. Langlois stated that some buses are generic and have no final destination sign in order to put them on any of the routes. However, there is supposed to be a placard in the window and on the side of each bus specifying the location of that bus.

Mr. Williams stated that rather than having the bus driver pull into each terminal and announce the bus is full, perhaps the bus driver of the “full” bus could display a sign that reads “bus full, next bus in 15 minutes or 30 minutes.”

Mr. Rankell stated if this sign could be digital.

Mr. Jackson stated that he has never seen a bus with a full baggage carriage where the bus driver would not take anymore passengers. And he has only seen one bus with passengers being allowed to stand. He did discuss his concerns with the bus driver. Mr. Jackson shared his past experiences with the VNY FlyAway. He believes that a roving manager from the bus company should patrol the terminals to identify problems and immediately address them.

Ms. Langlois stated machines accepting cash/credit card will only be accepted for parking at the VNY FlyAway but no cash will be accepted to purchase the bus tickets.

Mr. Romo stated that no passenger is turned away if they do not have a credit card, they will be asked to fill out a “promise to pay” form.

C. Curfew Violations what is the legal authority

Mr. Flam asked Mr. Krugler about KA Investors again being in the top three on the Noise Exceedance Report.

Mr. Krugler stated that this particular aircraft is departing heavy out of VNY to Shreveport, Louisiana. He is unaware of why they are continuing to fly out to the same location.

Mr. Flam asked Mr. Krugler who SKA Consulting LLC is. Mr. Krugler stated that this is a leasing company.

Mr. Krugler stated that he has spoken to all pilots and some of them fly for different companies and they try different techniques to adhere to this program. Pilots will first try to fly safely and may exceed the noise levels for various reasons out of their control.

Mr. Flam questioned why certain companies are able to adhere to this program but the others continually violate this program.

Mr. Silver stated that the Fly Friendly Program is entirely voluntary. It is more a public responsibility, rather than a legal responsibility for these pilots/operators.

Mr. Flam stated that he would like more data regarding these aircraft, specifically, where they are going and what/how much cargo they are carrying.

Mr. Silver read the public records request he sent to LAWA on August 24, 2010: "List of all filings/prosecutions by City Attorney against noise curfew violators at VNY during period of 1/1/05 to 8/12/10." Mr. Silver received a response letter from LAWA that stated that the document is attorney work product and is protected under the California Public Records Act., 6254.

Mr. Silver quoted excerpts from the Public Records Act (Sections 6250 and 6262). He also stated that he has never in the past had a problem obtaining these documents from LAWA.

Mr. Silver introduced a motion as follows:

"The Citizen's Advisory Council requests a list of all filings/prosecutions by the City Attorney against noise curfew violators at Van Nuys Airport during the period of January 1, 2005 to August 12, 2010. If this request is refused, the CAC requests the specific case authority (not statute) relied upon by LAWA or the City Attorney supporting the refusal to provide the documentation."

The motion passed unanimously.

D. Holiday Dinner

Mr. Romo stated that the Holiday Dinner for the VNY CAC and LAX Advisory will be held on December 9, 2010, at the Flight Path Museum. CAC members will receive invitations at their home address.

Mr. Jackson stated if a bus could be provided to transport the CAC to the dinner. He suggests attendees park their cars at the FlyAway and board the bus from that location.

Mr. Romo stated that he will try to have a bus available for that night.

E. VNY Golf Course RFP

Mr. Flam added this item to the agenda under Staff Reports.

Mr. Jim Bickhart, from the Mayor's Office, stated that the file for approval of the lease for Van Nuys Golf Association came through Council to the Mayor's Office, Mr. Bickhart initialed it and he sent it forward for further approvals.

Mr. Romo stated the lease still needs City Council approval.

Mr. Flam asked Mr. Romo for a status report/update on this item.

Mr. Romo stated that he will have the update emailed to the CAC before the next meeting.

Mr. Schultz stated that in the past the CAC had a Golf Committee. He requested a presentation from the gentleman whose RFP has been approved at the November CAC Meeting.

2.) REPORT FROM CHAIR

Mr. Flam stated he spoke to Steve Martin regarding the landscaping issues. He was advised that the reason for putting a halt on the project was legal and not financial.

Mr. Romo stated that the landscaping along Hayvenhurst has begun using in house resources. The project is currently moving along. India Griffin was instrumental in getting contracts in place, securing materials, and coordination of this project. She is leaving LAWA at the end of this week to take a promotion at General Services. Mr. Romo stated that he can share the most current photos of what has been accomplished so far. Mr. Flam stated that he would rather see photos when more members of the council are present and more information is available.

3.) BOAC AGENDA ITEMS CONCERNING VNY

No items were addressed.

4.) PUBLIC COMMENT

Mr. Mouzis, member of the public, stated his complaint about LAPD and LAFD continuing to fly their helicopters over residential areas. He also stated that the air quality around the airport is very bad for all the residents.

5.) NEW BUSINESS

No items were addressed.

6.) OLD BUSINESS

A. Helicopter Routes Motion – Discussion/Action

Mr. Romo stated that he is meeting with Gina Marie, Michael Feldman, and Scott Tatro on Thursday, October 7th to discuss this Motion.

B. Committee Reports – Discussion/Action

Mr. Merkin stated that he is very happy with the progress of the beautification project along Hayvenhurst.

C. Van Nuys Airport BOAC

Mr. Flam stated that will be meeting with Commissioner Alan Rothenberg to discuss this motion. Mr. Flam thanked Jim Bickhart for arranging this meeting.

7.) EMERGENCY ITEMS SINCE POSTING OF AGENDA – Discussion/Action

No items were addressed.

8.) ADVISORY COUNCIL MEMBERS' COMMENTS – NON-AGENDA ITEMS

Mr. Flam requested only the reports of those who exceed the Quiet Departure Program be distributed to the CAC.

9) ADJOURNMENT:

9:19 p.m.