



Legislation Details (With Text)

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8/21/2007	1	City Council	approve recommendation	Pass

Recommendation to receive and file the attached Airport activities report. (District 5)

Included are the Monthly Airport Activity Reports for June 2007.

Airport Passenger, General Aviation (GA) and Cargo Activity - The Monthly Airport Activity Report provides monthly and year-to-date statistics for airline passengers (total and enplaned), aircraft operations by user category, and cargo carrier tonnage. Total passenger counts through June were 1,433,582 compared to last year's 1,374,939 an increase of 4.3%. GA operations, year-to-date, compared to last year are up 19.4%, (194,734 operations vs. 163,154). Cargo volumes, year-to-date, are down 3.3% (24,746 tons vs. 25,580).

Noise Activity - The Monthly Airport Noise Statistics Report includes four separate reports with current month and year-to-date totals. The four reports are as follows:

- . Noise Complaints - Summarizes noise complaint information for commercial (which includes cargo carriers), GA, and other operations.
- . Noise Complaint Plot Map - Identifies the origin of the complaint.
- . Commercial Late Night Activity - Summarizes activity between 10:00 p.m. to 11 :00 p.m. and 11 :00 p.m. to 7:00 a.m. by airline.
- . Noise Violations - Summarizes violations for airline and GA operations. Provides a complete listing of each violation, includes violator's name, date and time of violation, aircraft type, aircraft noise level, and the time specific allowable noise level.

The Airport's Noise Office receives and investigates noise inquiries and complaints from local residents and residents who live outside of Long Beach. For the month of June the Noise Office received 501 complaints compared to 455 complaints received during the same period in 2006.

Further analysis of the June noise complaints revealed the following:

- . Total number of complainants: 49
- . 37% (183 of 501) of the complaints were related to operations between 10:00 p.m. and 7:00 a.m.
- . 4% (21 of 501) of the complainants reside in Seal Beach or Huntington Beach.

The above referenced information is displayed on the Airport's website (www.lqb.org).

OTHER AIRPORT ACTIVITY

. **Southern California Regional Airport Authority Update**

Although there will likely be another Southern California Regional Airport Authority (SCRAA) meeting in the September timeframe to consider revisions to their Joint Powers Agreement (JPA) content, no date has yet been finalized. The City of Long Beach's position regarding the form and content of the JPA, as expressed by City Council resolution dated April 3, 2007, has been forwarded to the SCRAA Board, and their staff (staffing temporarily being done by Los Angeles World Airports personnel). Since June, SCRAA staff has drafted different possible JPA language amendments, for consideration by the Board when they have their next meeting, however the most recent version still contains provisions which are problematic from the standpoint of not addressing the City of Long Beach's primary concerns (and the concerns of the County of Orange, which have tended to mirror those of Long Beach). Specifically, the most recent draft - dated July 12 - does not consider a less structured format such as an MOU (vs. JPA), does not contain a clear mission statement which makes it clear that the involvement of SCRAA would only be relative to airports where additional activity is desired, does not totally eliminate eminent domain from its powers (it is limited in the draft document to ground transportation facilities, however the definition of applicability is quite general), and there is no veto power given to individual members regarding future changes in SCRAA powers/authority/mission (instead, a 2/3 majority vote of members is suggested). SCRAA staff has agreed to give additional consideration to Long Beach and Orange County concerns, and have indicated that there will be ample time for consideration of their next draft document prior to any scheduled Board meeting. They also indicated that, notwithstanding the specific draft language options presented to the SCRAA Board at their next meeting, the Long Beach and Orange County concerns would be part of the agendized packages presented to the Board.

. **Passenger Facility Charge (PFC) Update**

Following Council approval, an application increasing the Airport's PFC to \$4.50 will be submitted to the FAA. The Airport will ask for "impose and use authority" for design of the terminal improvements; and "impose only" authority for construction. This limitation will ensure that the Council has further opportunity to approve the subsequent PFC amendment that would allow the Airport to proceed with construction.

Should the Council decide not to approve construction of the Terminal Area Improvements, the PFC funds collected for construction would be used to fund required major renovation, rehabilitation and improvements to existing facilities, and the overall collection period shortened.

. **Interim Explosive Detection System (EDS) Implementation**

On August 8, 2007, the Airport began using a new semi-automated, EDS-based baggage screening system. System implementation was a joint effort by the City and the Transportation Security Administration (TSA), with TSA providing the EDS units, and the Airport supplying the supporting infrastructure and managing system installation. The new system increases capacity to handle daily peak traffic loads and reduces bag delivery related delays. The increased automation reduces the need for employee lifting and handling of bags, thereby resolving work safety issues associated with the older manual system.

. Sea Festival - Capture the Wind

For the second year, the Airport was the title sponsor for the Sea Festival-Capture the Wind event. On Saturday, August 18 hundreds of children from throughout the City came out for a free day of sun, fun and kite flying. This year's event included free kites and lunch for all attendees, as well as exhibits by the Aquarium of the Pacific, Tomorrow's Aeronautical Museum, Young Eagles and Public Works, Windows-On-Our Waters Tidepool Cruiser.

Proposed Revisions to Airport Noise Compatibility Ordinance to Increase Administrative Surcharges (Penalties)

The City Attorney's Office has prepared a proposed amendment to Chapter 16.43 of the Municipal Code which, if adopted by the City Council, would significantly increase the administrative "surcharges" (penalties) that are assessed against aircraft operators who violate the provisions of the Airport Noise Compatibility Ordinance. The current Ordinance provisions provide for a maximum surcharge of \$300.00 to be assessed against operators who violate the Ordinance at least four times within a twenty-four month time period.

The proposed amendment to the current Ordinance would increase the administrative surcharge to \$1000 for a fourth violation, \$2500 for a fifth violation, and \$10,000 per violation for the sixth and subsequent violations. An operator having six or more violations would continue to pay a \$10,000 surcharge per violation, until such time as the operator did not violate the Ordinance for a period of twenty four (24) months.

In 2000, the FAA's Office of Chief Counsel, allowed a similar restructure of San Diego's Airport noise penalties. The FAA permitted San Diego to significantly increase its penalty structure, provided that the increase did not serve to limit existing flight operations, and that it be adopted only on the purpose of deterring and penalizing willful violations of San Diego's aircraft noise ordinance.

The number of noise violations recently existing at the Long Beach Airport indicates that the current surcharge structure is not a significant deterrent to late night noise violations. The proposed penalty increases are well within what the FAA has previously approved at other Airports operating with late night restrictions. Outside legal Counsel, Mike Gatzke, has advised that the City is not required to seek permission from the FAA prior to implementing the proposed increases. However, Mr. Gatzke does advise including a provision in any amended ordinance, that would revert to the current penalty structure, should an aircraft operator (or the FAA) successfully challenge the proposed penalty increases.

The City Attorney's Office would suggest that the implementation date for any amended ordinance be set at a date that would allow carriers sufficient time to adjust their current schedules, so as to avoid future violations, if possible.

City Council action is not time critical.

None.

Approve recommendation.

CHRISTINE F. ANDERSEN
DIRECTOR OF PUBLIC WORKS

NAME
TITLE

APPROVED:

ANTHONY W. BATTS
CITY MANAGER