

**City of Hayward
777 B Street
Hayward, CA 94541**

**Council Airport Committee Meeting
Thursday, July 26, 2007
5:30 p.m.
Work Session Room 2A**

A G E N D A

5:30 p.m. Call to Order - Pledge of Allegiance

Public Comments: (The PUBLIC COMMENTS section provides an opportunity to address the Committee on items listed on the agenda, as well as other items of interest. The Committee welcomes your comments under this section, but is prohibited by State law from discussing items not listed on the agenda. Your item will be taken under consideration and referred to staff.)

- 1. Approval of May 31, 2007 Summary Minutes**
- 2. Approval of June 28, 2007 Summary Minutes**
- 3. Annual Evaluation of Performance-Based Noise Ordinance for Calendar Year 2006**
- 4. Informational Item Regarding Very Light Jets (VLJ)**
- 5. Future Agenda Items**

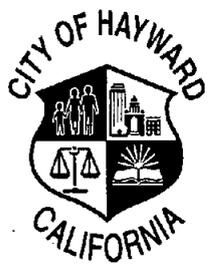
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Mayor and City Council
City Manager
Assistant City Manager
City Attorney
Public Works Director

City Clerk
FAA Tower Manager
Airport Tenants
FBO's

Interested Parties
Daily Review
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COUNCIL AIRPORT COMMITTEE

Summary Minutes for May 31, 2007

CALL MEETING TO ORDER

Council Member Henson called the meeting to order at 5:32 p.m. with Council Member Halliday and Council Member Quirk present.

City staff: Jesús Armas, City Manager
Robert Bauman, Director of Public Works
Ross Dubarry, Acting Airport Manager
Jenny Donnelley, Acting Airport Operations Manager
Maureen Conneely, Assistant City Attorney

Members of the public present: (List attached)

PUBLIC COMMENTS:

Mr. Andrew Detsch, Hayward Airport hangar tenant, offered his personal recommendation that Acting Airport Manager Ross Dubarry, be promoted to permanent Airport Manager position.

1. Approval of Summary Minutes – January 27, 2007 Meeting

Summary Minutes were approved as submitted.

2. Recommendation for Updated Airport Rules & Regulations and Minimum Standards

Public Works Director, Robert Bauman, presented the staff report. Mr. Bauman outlined the scope of the project.

Mr. Bauman reported that on February 7, 2007, following the January 26 Council Airport Committee Meeting, the entire draft document of the Airport Rules & Regulations and Minimum Standards was available to all airport tenants/users. The draft document was posted on the City's website as well as the Aviation Management Consulting Group's (AMCG) website for 30 days for review and comment. The 30-day deadline for submission of public comments was March 8, 2007. Airport staff received five responses and AMCG received none.

A final Working Group meeting was held on April 4, 2007 and it was determined that several of the comments be incorporated into the final draft, specifically in Section 54 – "City Hangars and

Tiedowns” and in Section 76 K – “Specialized Aviation Service Operator” (“SASO”), also in Definitions – “Private Flying Clubs.”

After the final Working Group meeting, a recently organized Airport Tenant Group identified some additional revisions, which staff shared with the Working Group and incorporated into the final draft. At this time, staff is requesting that the committee move on to the next step and recommend the document for review and adoption by the full City Council.

Council Member Halliday asked why “Private Flying Clubs” as defined in the document were not required to meet the Minimum Standards stipulated for aircraft rental or flight training operations.

Acting Airport Manager, Ross Dubarry explained, the guidelines for qualifying a “Private Flying Club” versus a commercial aircraft rental or a flight training business are as follows; they are a non-profit, non-commercial entity, sharing an owned aircraft for personal pleasure and private instruction. If they follow these guidelines they are not considered a commercial business and do not have to meet the Minimum Standards.

Council Member Quirk questioned the deletion of “race cars, boats, etc...,” prohibited from being stored in a hangar, in Section 54 I of the Rules & Regulations. Mr. Bauman explained that staff decided not to differentiate the type of vehicle so long as it was properly registered. Council Member Quirk also questioned why Section 54 E, requiring tenants to adhere to recommended Noise Abatement procedures was deleted. Mr. Bauman stated that Noise Abatement procedures are defined and regulated by the City’s Noise Ordinance and addressed in the tenant’s lease agreement.

Council Member Henson questioned why in Section 37 A, “Weapons and Explosives,” it does not prohibit weapons or explosives in individual hangars only in public areas. Staff asked Assistant City Attorney, Maureen Conneely, if the City had the ability to prohibit a lessee from carrying a weapon into their hangar. She stated that she would look into it.

PUBLIC COMMENTS:

Mr. Jim Nelson commented that many flying clubs have flight instructors as members and they provide private flying lessons to other members for a fee. He asked if this would preclude them from qualifying as a “Private Flying Club” and place them in the category as a “Commercial Business” as defined by the Minimum Standards. City Manager Armas explained that one of the requirements for a non-profit organization under California law is that the organization’s revenues do not exceed their expenditures. He added that City staff would look into the definition to make sure it is stated correctly according to California Law. Mr. Roger Bohl asked if shared ownership of an aircraft would also exempt them from being considered a “Commercial Business” under the Minimum Standards. Mr. Dubarry responded that if the owners of the aircraft were not in a business for profit they would not be considered a “Commercial Business.”

Hayward hangar tenants Mr. Raymond Gallarate, Mr. Yon Perras, Mr. Larry Goldfield, Ms. Carol Simpson, and Mr. Jim Larsen, expressed concerns regarding the definition between

“stored” and “parked vehicles” and the quantity of vehicles allowed in a hangar. City Manager Armas pointed out that the definition of parked versus stored is better defined in Section 54 L of the Rules and Regulations. Council Member Henson asked staff for a clearer definition.

The Council Airport Committee recommended The Rules & Regulations and Minimum Standards with additional clarification to Sections 37 A, B, & C, 76 K, and 54 I, as previously discussed.

3. Discussion of Market Rent Study

Acting Airport Manager, Ross Dubarry, reported that in accordance with the City’s Master Fee Schedule, every four years, staff must conduct a market analysis to ensure that rents are consistent with the prevailing market rates. The City entered into an agreement with Aviation Management Consultants Group (ACMG) to perform the study comparing airports that most closely resemble Hayward’s facilities and geographic location. As a result of this study, staff proposes that the Master Fee Schedule incorporate the new rate over a two-year period due to the significance of the increase.

Council Member Halliday expressed concerns regarding pricing some of the long-standing tenants out of their hangars.

Council Member Quirk noted that when the City was interested in building new “T” hangars it was determined that the project was not financially feasible and the City would have to charge much higher rents than what it was currently charging for their existing hangars. Mr. Bauman added that private developers are planning to build ‘box’ type hangars that would hold multiple aircraft and the rent would be significantly higher than what the City now charges.

Council Member Henson inquired when the last study was done four years ago, where did the Hayward Airport fall compared to other airport rents. Mr. Bauman stated that four years ago, the study placed the Airport somewhere in the middle; however, it was not as extensive of a study. The current rent study places Hayward below the middle. The study not only took into consideration competitive airports, it also included the age and condition of the City’s hangars.

PUBLIC COMMENTS:

Mr. Stephen Murray, Hayward Airport tenant, noted that Hayward tenants pay a property tax bill in addition to their hangar rent. He stated that at some other airports the property tax was included as part of the rent and asked if the consultants considered that when they did their study. Mr. Dubarry responded that the consultant considered many factors; however, he was not positive that property tax was specifically included. Council Member Henson instructed staff to contact the consultant to determine how property tax was considered in the collection of the rent study data.

Mr. Andrew Detsch, Hayward Airport hangar tenant, spoke against the staff proposed rent increase and asked that the current formula using a percentage of the CPI be maintained.

Hangar tenant Gerry Turney gave a presentation and handed out information he compiled that places Hayward Airport's rental rates in the middle when compared to Concord, San Carlos, Livermore and Oakland (North Field) Airports. Mr. Turney also pointed out that Palo Alto, a city used in the consultants study, is not a comparable airport because the hangars in Palo Alto were privately owned. He asked that the Council Airport Committee not consider staff's proposal tonight.

Council Member Quirk noted that two airports, Palo Alto and San Jose, were excluded from Mr. Turney's report and were included in the consultants report.

Ms. Barbara Shinn asked how the additional revenue from increased rents will be used. City Manager Jesús Armas responded that all revenue from hangar rents stay in the airport budget. Revenues are used for capital improvement projects as indicated in the Airport's Master Plan.

Mr. Sherwin Harris, a longtime tenant at the Airport, stated that the City is not in the rental business but in business to serve the public. He stated that he was opposed to this rent increase.

Hayward Airport tenants, Mr. Jim Larsen, Mr. Steven Macica, Mr. Peng Leong, Mr. Doug King, Mr. John Conway, Mr. Larry Goldfield, and Mr. Yon Perras spoke against the hangar rent increase.

Council Member Henson and Council Member Quirk with Council Member Halliday dissenting moved to send the Market Rent Study and staff's recommendations along with the testimonies made by the audience tonight to the full Council for their recommendation.

4. Consideration of a Special Meeting for Discussion of FBO Development on Airport's South Side

Council Member Henson asked Council Member Halliday and Council Member Quirk to check their calendars for a date preferably in June for a special meeting to discuss the South Side Development. After some discussion, there was a consensus of the Committee to hold the meeting on June 28, 2007. Due to a conflict with another meeting scheduled for Room 2A the Council Members decided to hold the special meeting at 5:30 p.m. in Room 7 at Centennial Hall.

AGENDA BUILDING

1. Presentation by Council Member Henson on newly developed very light jets, (VLJ's).
2. Report by Council Member Henson on NOISE, another group concerned with noise issues.
3. Update on Master Plan projects.

ADJOURNMENT

The meeting adjourned at 7:14 p.m.

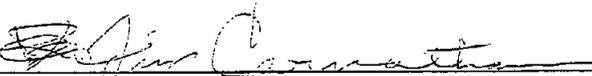
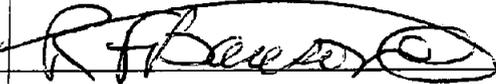
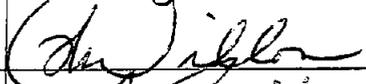
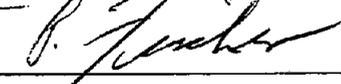
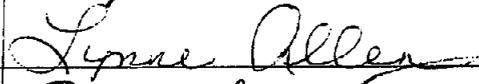
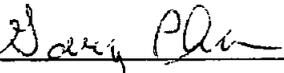
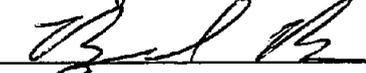
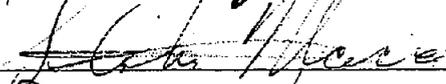
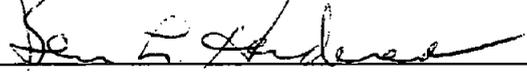
**SPECIAL
COUNCIL AIRPORT COMMITTEE MEETING**

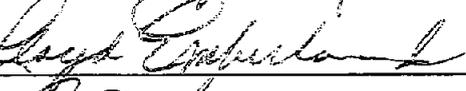
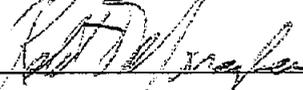
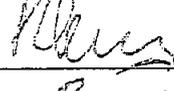
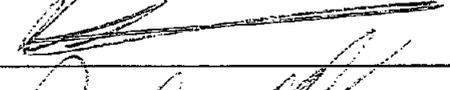
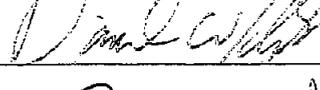
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Worksession Room 2A
Hayward, CA

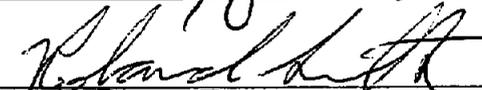
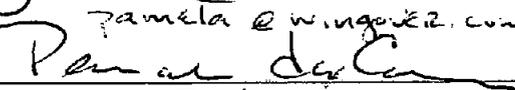
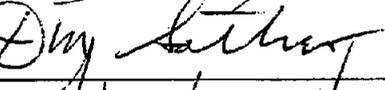
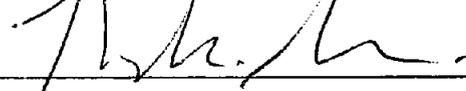
Thursday, May 31, 2007
5:30 p.m.

SIGN-IN SHEET

NAME (Please Print)	SIGNATURE
JOHN Kyle	John W. Kyle
Raymond DOSSA	Raymond Dossa
JAMES T. NELSON	James T. Nelson
Doug King	Douglas M. King
Raymond Gallarate	Ray Gallarate
Clarence Mc Master	Clarence McMaster
Betty SALLEDO	Betty Salgado
STEPHEN SCOTT MURRAY	S. Scott Murray
Kate Turney	Kate Turney
Roger Bohi	Roger Bohi
Bud Lael	Bud Lael
NIKKI Field	Nikki Field
KEN BARNE	

NAME (Please Print)	SIGNATURE
LARRY GOLDFIELD	
ION PERRAS	
JIM LARSEN	
JIM CARNATHAN	
GORDON PRATT	
ROSS F. BAUSONE	
JERRY TUONEY	
W.M. "Bill" DILLON	
PAUL FISCHER	
LYNNE ALLEN	
JOE ILMBERGER	
BILL GOTHEA	
GARY PHILLIPS	
BRAD BOSAM	
CLAUDE COOLEY	
JAVE MACICA	
BEN L. HENDERSON	
IAN MARSH	

NAME (Please Print)	SIGNATURE
Chuck SANDFORD	
ANDREW DETSCH	
GARY STREHE	gary strey
GARY BRIGGS	
SCOTT BRIGGS	
GEORGE MENDONCA	G. Mendonca
LE GRAY	L. Gray
LLOYD EMBERTLAND	
Rob Monaghan	
Earl Hubler	Earl Hubler
PENG LEONG	
Robert Cutchas	
Daniel W. Schuck	
William G Thorman	William G Thorman
DAVID A. MONTGOMERY	
Len Peters	Len Peters
NORMAN RAMIREZ	
ROBERT PINEO	

NAME (Please Print)	SIGNATURE
John J. Conway	
Sherwin Harris	
Roland Smith	
Ron Carlson	
Pamela de Castro	<p data-bbox="925 651 1364 682">pamela@winguiz.com</p> 
Victoria Ulrich	
Don Jather	
Harry Shin	



AGENDA DATE 07/26/07

AGENDA ITEM 2

**COUNCIL AIRPORT COMMITTEE
Special Meeting held at Centennial Hall
Room 7 at 5:30 p.m.**

Summary Minutes for June 28, 2007

CALL MEETING TO ORDER

Council Member Henson called the meeting to order at 5:32 p.m. with Council Member Halliday and Council Member Quirk present.

City staff: Jesús Armas, City Manager
Fran David, Assistant City Manager
Robert Bauman, Director of Public Works
Ross Dubarry, Acting Airport Manager
Jenny Donnelley, Acting Airport Operations Manager
Maureen Conneely, Assistant City Attorney

Members of the public present: (List attached)

PUBLIC COMMENTS:

Mr. Gerald Turney, Hayward Airport hangar tenant, expressed his support for the proposed Bud Field project.

1. Discussion of FBO Development on Airport's South Side

Public Works Director, Robert Bauman, presented a brief Power Point presentation reviewing the Airport's Master Plan growth projections and the significant increase in fuel sales over the past several years. Mr. Bauman reviewed the project proposal by Mr. William ("Bud") Field, dba Bud Field Aviation, for constructing hangar and fueling facilities on the south side of the Airport.

During discussion of the new Airport Rules and Regulation and Minimum Standards, two Fixed Based Operators (FBOs) expressed their concerns that a third full service FBO (Bud Fields's south side project) could dilute the existing market share of fuel sales. Staff met with the FBOs; Atlantic Aviation and Hayward Jet Center to understand their concerns and engaged services with a consultant firm Aviation Management Consulting Group (AMCG) to review Mr. Field's Business Plan.

Based on both the consultant's and staff's review, it was determined that Bud Field's proposal meets all the minimum standards. Staff recommended Mr. Field be granted full FBO status

subject to successful Ground Lease negotiations with the City and Final FAA approval of the updated Airport Layout Plan as it relates to this development.

Council Member Henson asked for a more detailed explanation of Bud's project regarding adherence to the minimum standards. Mr. Bauman explained that the amount of fuel, type of fuel service, amount of aircraft parking, size of facilities and the type of services were aspects of the project that were taken into consideration when determining adherence to the minimum standards.

Council Member Quirk commented on a recent advertisement placed in the newspaper stating that Bud Field's project would result in triple the noise, jet fumes and jet traffic. Mr. Bauman stated that currently jets represent a very small portion of total operations at the Airport and this number has and will increase with or without Mr. Field's project due to the trend in general aviation operations. There are several projects currently being constructed and planned for the future that are going to bring more jet traffic to Hayward. With the introduction of VLJs (Very Light Jets), jets are becoming quieter. Mr. Bauman pointed out that as an integral part the project, the FAA requires analysis regarding noise and pollution issues. When the analysis is completed the information will be brought back to the committee. Mr. Bauman noted that the committee's task tonight was to render a decision on staff's recommendation allowing full FBO status to Bud Field's project based on his Business Plan meeting all the requirements of the minimum standards.

Council Member Halliday inquired about tanker fueling. Mr. Bauman explained that if Mr. Field could not fuel aircraft on the south side, it would be necessary for tanker trucks full of fuel to cross the Airport/Runways from fueling stations on the north side and this practice is unsafe. The same thing holds true for the fuel trucks coming from the south side to the north side. Mr. Bauman added, the FAA would not allow the Airport to place restrictions on which FBO a pilot can purchase fuel.

Council Member Henson asked if the fifteen-minute standard for fueling response time would be applicable to the north side as well as the proposed fueling on the south side. Mr. Bauman responded that there are currently wait times that do not meet that standard on the north side.

Council Member Henson stated that the City received responses from "The Boyd Group," a consultant hired by the attorney for Atlantic Aviation and Hayward Jet Center, challenging some of AMCG findings. He asked Jeff Kohlman of AMCG, about the process his group went through in the analysis of Bud Field's Business Plan.

Mr. Kohlman responded that their group, AMCG, was asked by the City to determine if Mr. Field's Business Plan complied with all aspects of the Minimum Standards including acreage, square footage, equipment, hours of operation and insurance; essentially all the Business Plan requirements in the Minimum Standards. AMCG determined that Mr. Field's Business Plan is compliant with the Minimum Standards.

PUBLIC COMMENTS:

Mr. Bud Field came forward to answer questions from the committee. Council Member Quirk asked if his existing hangar on the north side would remain in business and if so, will the aircraft hangared there receive fuel from the FBOs on that side. Mr. Field responded that yes, his hangar would remain on the north side and the aircraft would receive fuel from the FBOs on that side of the Airport. Council Member Quirk asked how critical the fueling aspect of his business plan was to his project. Mr. Field responded that it was critical to south side operations.

Mr. Robert Norris and Yon Perras, Hayward Airport tenants, spoke in favor of Bud Field's project.

Ernie Delli Gatti, representative for the San Lorenzo Home Owners Association, questioned full service FBO status and asked for clarification regarding Mr. Field's Business Plan.

City Manager, Jesús Armas stated that Mr. Field's Business Plan included, line servicing, fueling, aircraft maintenance and hangaring; meeting all the criteria for a full service FBO.

Hayward residents, David Jefferies and Joanna Gross spoke regarding noise and their opposition to more jet aircraft at the Airport.

Lisa Gudjohnsen, San Lorenzo resident, noted that if there was construction on the south side of the Airport, having access to fuel on that side was considerably safer than tankering fuel across the airfield from the north side.

Hayward residents John Kyle, Deanna Bogue, and Brian Schott, spoke in favor of Bud Field's project.

Ronald Peck, attorney representing Atlantic Aviation and Hayward Jet Center, stated that the primary concern for the committee should be, if they are willing to support a project that will potentially double air traffic and fueling at the Airport. Mr. Peck continued that he and his clients still have major concerns as to whether Bud Field's Business Plan meets the Minimum Standards. Mr. Peck stressed the fact that current airport operations cannot support three (3) full service FBOs.

Timothy Sieber, representative of The Boyd Group, summarized their report and response to AMCG's report. In conclusion, Mr. Sieber stated that after reviewing Bud Field's Business Plan, the group concluded that the Hayward Airport could not support a third FBO.

Attorney Ron Peck, pointed out that tankering fuel over to the south side is currently being done and so far, there have not been any incidents or accidents.

Michael Dworkin, San Francisco attorney specializing in aviation matters stated, there are many questions unanswered in Mr. Field's Business Plan. Mr. Dworkin pointed out that an environmental study has not been done associated with a fueling station on the south side of the Airport.

Mr. Gary Briggs, Hayward Airport Hangar Developer, commented that he did not believe that the Airport could support a third FBO and expressed his concerns regarding the effect a third full service FBO would have on the existing two FBOs. He also asked staff for a detailed plan regarding sharing utility costs for south side projects in the future.

Council Member Quirk summarized the many emails he received in support of Bud Field's project and full service FBO status.

Council Member Halliday commented regarding an email committee members received from former Hayward Airport Manager, Mr. Brent Shiner, in support of Bud Field's project. She added that Mr. Shiner also recommended there be some restrictions on a third FBO on the south side servicing the north side in order to prevent soliciting fueling business away from the existing FBOs.

City Manager Armas noted that Mr. Field had already agreed, and the issue will be discussed further during his lease negotiations with the City.

A motion was made and carried, recommending Mr. Field be granted full FBO status for his proposed project on the Airport's south side. Council Airport Committee members unanimously concurred that Mr. Field's business plan met all the requirements in the Airport's Minimum Standards.

Council Member Henson closed the meeting with a special thanks to outgoing City Manager, Jesús Armas.

AGENDA BUILDING

1. Presentation by Council Member Henson on newly developed very light jets, (VLJ's).
2. Update on Master Plan projects.

ADJOURNMENT

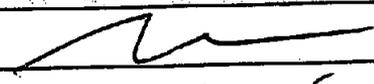
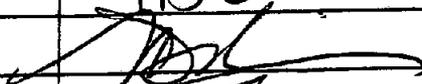
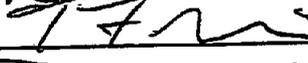
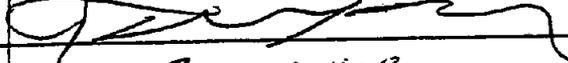
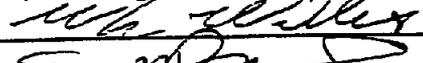
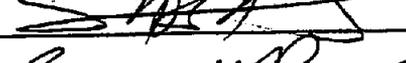
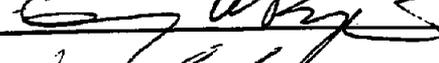
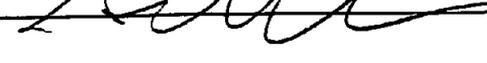
The meeting adjourned at 7:35 p.m.

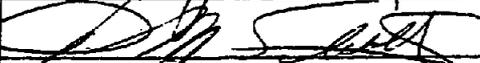
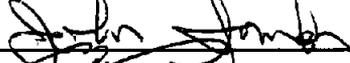
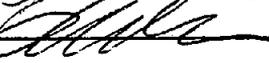
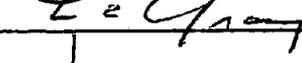
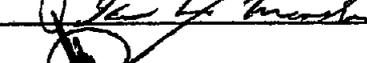
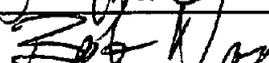
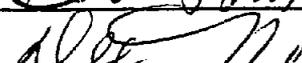
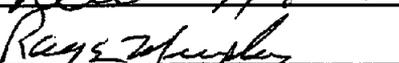
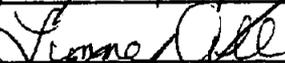
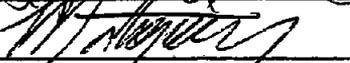
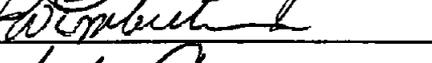
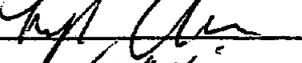
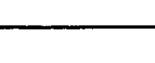
SPECIAL COUNCIL AIRPORT COMMITTEE MEETING

City of Hayward
Room 7, Centennial Hall
Hayward, CA

Thursday, June 28, 2007
5:30 p.m.

SIGN-IN SHEET

NAME (Please print)	SIGNATURE
Nancy Van Huff	
Deanna Bogue	DEANNA BOGUE
Kate Turney	KATE TURNEY
Jerry Turney	
Jeff A. Kohlman	
Bud Field	
John Kyle	JOHN W. KYLE
David and Judy Cooper	DAVID AND JUDY COOPER
Rosari Pinedo	ATLANTIC AVIATION
Kyra Busam	HJC
Kyra Busam	HJC
Michael Dworkin	
Timothy Sieber	
Daniel A. Randall	
Bill Willis	
Scott Briggs	
Gary Briggs	
BILL GOTCHED	
Mike Wyatt	
Matt Terpstra	
GARY EVANS	

NAME (Please print)	SIGNATURE
Rob MILLER	
Brian Schott	
Gene Rapp	
Gt C...	
JOHN SANDS	
E. J. ...	
Robert Cutchers	
DAVID JEFFERIES	
Rachel Cohen	
Ron Pede	
Le Gray	
KEN BAROFF	
Ian Marsh	
WOLF BIRSCHER	
JoAnne Gross	
Rick Felson	
Bob Norris	
Doc Norris	
RAY MURPHY	
Lynne Allen	
DAVID MONTGOMERY	
EDWARD BOGUE	
NORMAN RAVINEZ	
Victoria Utvik	
LLOYD EMBERLAND	
TULSI OISOW	
Tom Wice	
PETER BULENA	



CITY OF HAYWARD
STAFF REPORT

AGENDA DATE 07/26/07

AGENDA ITEM 3

TO: Council Airport Committee
FROM: Director of Public Works
SUBJECT: Annual Evaluation of the Performance-based Noise Ordinance for Calendar Year 2006

RECOMMENDATION:

It is recommended that the Committee review and comment on the attached "Annual Evaluation of the Performance-Based Noise Ordinance for Calendar Year 2006" report.

DISCUSSION:

Each year, Airport staff prepares a report (Attachment A) that evaluates the effectiveness of the City's Performance-Based Noise Ordinance. The findings for calendar year 2006 can be summarized as follows:

1. There were 133,462 aircraft operations at Hayward in 2006, an increase of approximately 4 percent from 2005.
2. There were 829 complaints filed from January 1, through December 31, 2006. Two households in San Lorenzo filed 752 (or 91 percent) of those complaints. As staff was unable to associate any reportable activity to many of the complaints, those that were not correlated to violations or exceedances of the noise ordinance were considered anomalies and separated from this report.
3. With the San Lorenzo anomalies removed, there were 109 complaints from 33 households as a result of aircraft operations at Hayward, representing only .10 percent of the 133,462 total operations.
4. There were 136 exceedances of the noise limits. This represents a slight increase from 2005 (123). Of these 136 exceedances, 48 of them also correlate with a specific complaint.
5. Approximately 84 percent of the exceedances of the noise ordinance (114 of 136) were caused by aircraft exempt from restrictions by state or federal laws, or by provisions of the City's noise ordinance.
6. The 22 non-exempt exceedances were .01 percent of the total operations for 2006. This reflects nearly 100 percent adherence to the noise ordinance.

7. Approximately 44 percent (48) of the noise complaints received were associated with a noise decibel limit exceedance. Of these, only 11 percent of the total complaints (12) were associated with a violation of the noise ordinance.

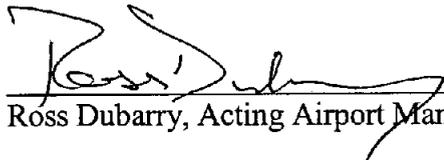
Staff concludes that, overall, the noise ordinance has been highly effective in accomplishing the objectives established by City Council. Since 1993, the number of complaints caused by exceedances of the noise ordinance's decibel limits has dropped from 156 to 48, a reduction of 69 percent. Staff believes that its focus on noise abatement and promoting Hayward's "Fly Friendly" User Education Program may have contributed to this result.

As part of the City's ongoing effort to monitor and ensure compliance with the Noise Ordinance, an Airport Noise and Operations Monitoring System (ANOMS) upgrade was approved in the Airport's Capital Improvement Program budget for FY 2006-2007. The upgrade from Unix based ANOMS 6 to the latest state of the art Windows based ANOMS 8 will deliver capabilities and benefits in the area of reporting and the collection of accurate data. Data can be used and presented with more comprehensive and improved reporting methods.

CONCLUSION:

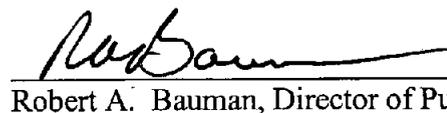
Staff believes that the noise ordinance is achieving its goal of reducing excessive aircraft noise, and is available to answer any questions Committee members may have.

Prepared by:



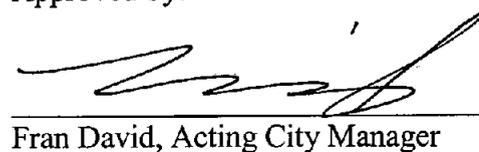
Ross Dubarry, Acting Airport Manager

Recommended by:



Robert A. Bauman, Director of Public Works

Approved by:



Fran David, Acting City Manager

Attachment A: Annual Evaluation of the Performance-Based Noise Ordinance for Calendar Year
2006

HAYWARD EXECUTIVE AIRPORT

Annual Evaluation of the Performance-Based Noise Ordinance For Calendar Year 2006

OPERATIONS AND NOISE COMPLAINT DATA:

During the period from January 1, 2006, through December 31, 2006, there were 133,462 aircraft operations (130,433) FAA daytime count, 7:00 a.m. to 9:00 p.m., and (3,029) night operations count, (9:00 p.m. to 7:00 a.m.) at the Hayward Executive Airport (HWD). There were 829 complaints filed during that period.

Graphs for calendar year 2006 depicting complaints received per month, by neighborhood, time of day, and type of operation are attached as Exhibits 1 through 4. CY 2006 complaint data has also been compared to years 2004 and 2005, which are displayed for reference purposes (Exhibit 5).

The breakdown of aircraft operations and available noise information for CY 2006 is as follows:

1. Of the 829 complaints, 752 were from two households in San Lorenzo. As in years past, complaints from these two households (not correlated with an exceedance or violation of the noise ordinance) have been separated from this report. This is due to the inability of staff to associate any reportable noise activity to many of the complaints and staff's objective to manage limited resources.
2. A total of 33 households filed 109 complaints in CY 2006. In CY 2005, 47 households filed 131 complaints and in CY 2004, 61 households filed 154 complaints.

The percentages of total complaints filed by households were:

	<u>2006</u>	<u>2005</u>	<u>2004</u>
San Lorenzo	81%	72%	68%
Longwood	5%	7%	10%
Mobile Home Park	5%	1%	1%
Southgate	5%	8%	9%
Other	4%	13%	12%

When the statistical anomalies generated by two households are removed; 556 in 2004, 816 in 2005, and 752 in 2006, the annual complaint numbers from San Lorenzo become: 104 in 2004, 131 in 2005, and 88 in 2006.

A total of 4 complaints for 2006 were filed from neighborhoods not in the vicinity of the airport. Most of these complaints were from San Leandro, Castro Valley, Union City, Fremont and Oakland. These complaints were not necessarily from aircraft operating to or from the Hayward Airport.

3. The majority of complaints (87) were received between the hours of 7:00 a.m. to 7:00 p.m. The number of complaints received during the same time period in CY 2005 was 114 (Exhibit 3).

4. Causes of the 109 complaints by type of operation and by type of aircraft are (Exhibit 4):

Departures	86	Helicopter	11
Police	4	Jet	63
Touch and Go's	4	Multi Engine	12
Landings	3	Single Engine	<u>23</u>
General Complaints	11		109
Run-ups	<u>1</u>		
	109		

5. The percentage of total complaints (829) relative to total operations (133,462) is 0.6%. When the statistical anomalies are removed (752), the percentage of complaints (109), to operations is .08%. In 2005 complaints/operations percentage removing the statistical anomalies was .10%.

EXCEEDANCE OF NOISE LIMITS:

In 2006, there were 136 exceedances of the noise ordinance resulting from 133,462 operations. Therefore, only .10% of operations resulted in an exceedance. This is a slight increase from last year's 123 (.09%). One (1) exceedance represents an SENEL (Single Event Noise Exposure Level) measuring above the level allowed in the ordinance that is recorded at any given Noise Monitoring Terminal (NMT). Therefore, a single aircraft operation, i.e. a landing or take-off, can cause more than one exceedance if the noise level is exceeded at two or more NMT's. Of the 136 exceedances, 114 involved operations exempt (Lifeguard and Stage III) from being considered in violation of the noise ordinance (Section 2-6.123).

Lifeguard	3
Stage III Jet Aircraft	<u>111</u>
	114

EXCEEDANCE OF NOISE LIMITS AND RELATED COMPLAINTS:

A total of 48 complaints were received as a result of the 136 exceedances of the noise limits during CY2006. There were 36 complaints received on aircraft exempt from noise restrictions by state or federal law, or by provisions of the City's Noise Ordinance, i.e., a Lifeguard flight, Police operation or an ATC request. There were 12 complaints received on aircraft, which operated in violation of the noise ordinance. When a complaint is received by our office and staff investigation determines there was an exceedance of the City's established noise decibel level in accordance with the Noise Ordinance, the owner/pilot of

the aircraft is contacted by phone or by mail whenever possible. Airport staff instructs him/her on proper noise abatement procedures and our "Fly Friendly" program. This occurs even for exempt operations.

VIOLATIONS INCURRED BY AIRCRAFT:

HWD Based

There were 6 violations of the noise ordinance by HWD based aircraft. These violations generated 2 complaints from neighboring residents. The pilots involved were informed of the violation. Staff worked closely with the aircraft owners to bring them into compliance. The pilots and/or owners were very cooperative with Airport staff, and are not willful violators or repeat offenders.

Transient

There were 15 transient aircraft, which created 16 violations of the noise ordinance. These aircraft were a mixture of out-of-state and out-of-area aircraft from a variety of cities. The aircraft owners were contacted regarding Hayward's noise limits and procedures.

RADAR FLIGHT TRACKING:

As part of the City's ongoing effort to monitor and ensure compliance with the Noise Ordinance, an Airport Noise and Operations Monitoring System (ANOMS) was installed and certified operational in early 2002 and is now scheduled for an upgrade from "ANOMS 6" to "ANOMS 8" by the end of this fiscal year. This new and updated state of the art system is Windows based and more user friendly. The new program can be run from a laptop providing Airport staff with the ability to go out to the community using live data and thus making it possible to discuss and educate a wider audience on noise and flight track monitoring capabilities. Through information obtained from the Noise Monitoring Terminals (NMTs, Exhibit 6), radar flight tracking data and local air traffic control communications, a significant number of noise and low overflights can be comprehensively investigated. In addition to improved reliability, ANOMS 8 will further reduce the time necessary to analyze and respond to the public's inquiries.

24 HOUR NOISE ABATEMENT RADIO TRANSMISSION AND NEW COMMUNITY GUIDE:

In early September, 2004, after receiving authorization from the Federal Communications Commission (FCC), Airport staff established a 24 hour, 7-days a week, continuous radio broadcast of the City's noise abatement and operational procedures. This broadcast allows staff to communicate our "fly friendly" program to local and transient pilots nonstop. Additionally, in our ongoing effort to remain sensitive to the needs of the surrounding airport community, staff designed and printed an *Aircraft Noise Reduction Community Guide* (Exhibit 9). This comprehensive guide provides information to concerned citizens regarding what, how, and when to report aircraft they believe may be in violation of the City's Noise Ordinance.

NOISE ABATEMENT AND OPERATIONAL PROCEDURES GUIDE FOR HELICOPTERS:

In January of 2005, due to an increase in noise complaints associated with increased helicopter presence at the Airport, staff proposed to undertake a helicopter arrival and departure procedures study. With the assistance of an outside consultant a “working group” comprised of representatives from the FAA, Longwood and Winton Grove neighborhoods, helicopter operators and City/Airport staff was established. After numerous meetings, including two public meetings, utilizing the information obtained, the consultant and City staff developed a Noise Abatement and Operational Procedures Guide for Helicopter Operators (Exhibit 10). Established arrival and departure routes along with pilot education regarding the noise sensitive areas surrounding the Airport should significantly reduce the number of helicopter-related noise complaints.

SUMMARY OF NOISE VIOLATIONS FOR CALENDAR YEAR (CY) 2006:

Violations incurred by based aircraft operators:	6
Violations incurred by transient operators:	<u>16</u>
Total:	22

SUMMARY OF FINDINGS FOR CALENDAR YEAR (CY) 2006:

1. There were 133,462 aircraft operations at Hayward in 2006. This is an increase of approximately 4% from 2005 (128,184).
2. There were 136 exceedances of the noise limits. This represents a slight increase from 2005 (123).
3. There were 109 complaints from aircraft operations at HWD, representing only 0.08% of the 133,462 total operations. The number of households submitting complaints substantially decreased from 47 in CY 2005 to 33 in CY 2006.
4. Approximately 83% of the exceedances of the noise ordinance (114 of 136) were caused by aircraft exempt from restrictions by state or federal laws, or by provisions of the City’s noise ordinance.
5. The 22 non-exempt exceedances were .01% of the total operations for 2006. This reflects nearly 100% adherence to the Noise Ordinance.
6. Approximately 44% of the noise complaints (48) received was the result of a noise decibel limit exceedance. Only 11% of the complaints (12) were the result of a violation of the Noise Ordinance.

CONCLUSIONS:

Staff is committed to accomplishing the objectives established by City Council. Conclusions can be summarized as follows:

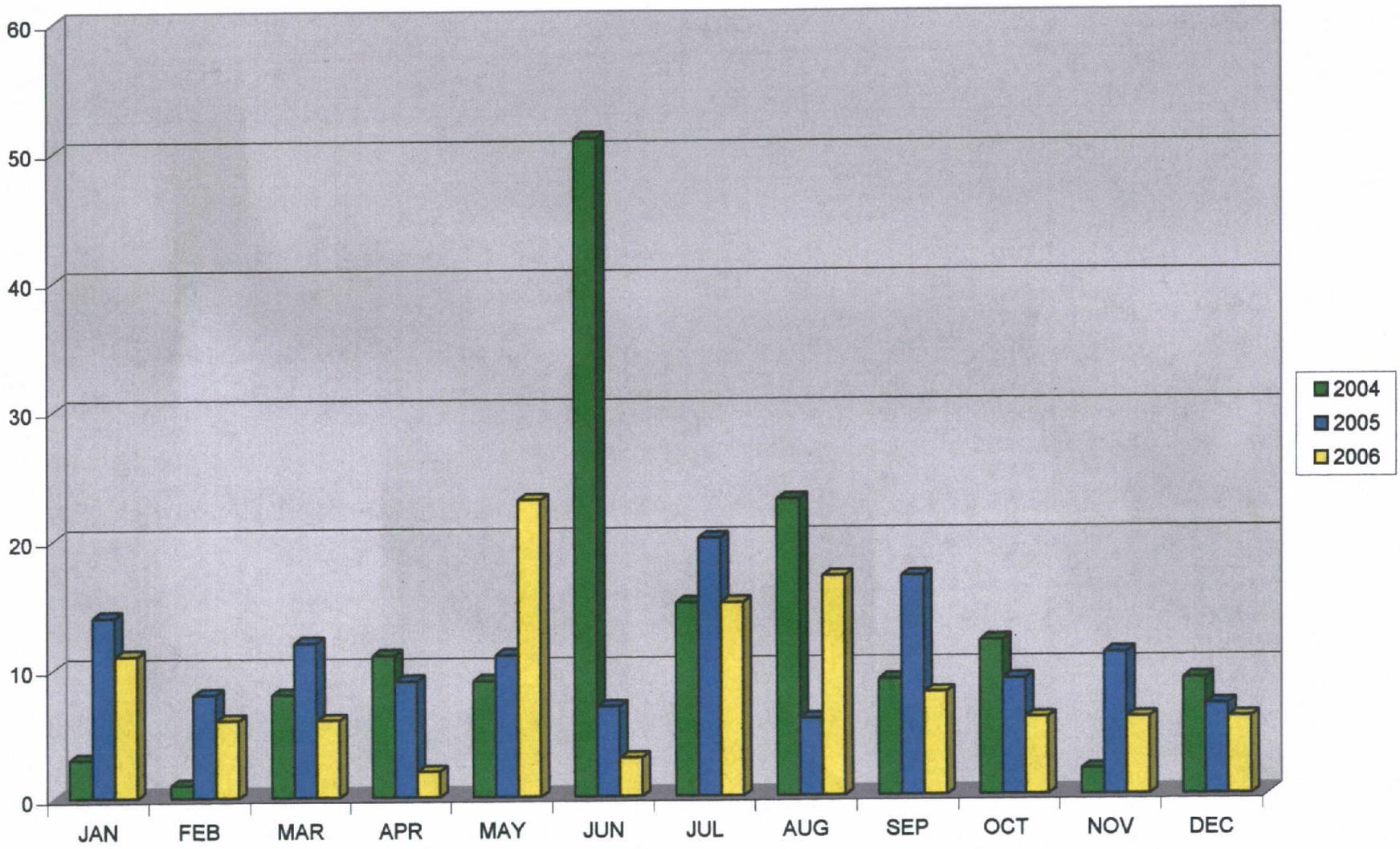
1. Since 1992, the number of complaints caused by exceedances of the noise ordinance has dropped from 156 to 48, a reduction of 69%.
2. Aircraft not in compliance with FAA's estimated maximum A-weighted sound levels in accordance with Advisory Circular 36-3F are unable to operate at the airport without detection, subsequent investigation and appropriate correction.
3. Aircraft noise has been reduced to decibel levels that respond to the environmental concerns of the community, yet are not so severe as to preclude HWD from serving the general aviation needs of the community.
4. The noise ordinance is reasonable and reflects significant positive input from the community and a number of airport users.
5. The "Fly Friendly" User Education Program continues to be effective by instructing local and transient pilots in quiet-flying techniques and in the use of the noise abatement procedures at HWD. The procedures are designed to reduce aircraft over-flights in the surrounding communities of the airport; through mandatory noise briefings for new tenants, providing information on proper operational procedures in our newsletter, sending instructional fliers to various flight schools in the area and investigating aircraft flights via our radar tracking system.

The program has been effective in reaching both local and transient operators as evidenced by the low percentage of violations and 99.92% adherence to the noise ordinance by local and transient operators. A toll free telephone number is maintained to encourage pilots and corporate groups to inquire about noise abatement procedures and the noise ordinance prior to using HWD. They can also direct inquiries to staff through airport email on the City's website.

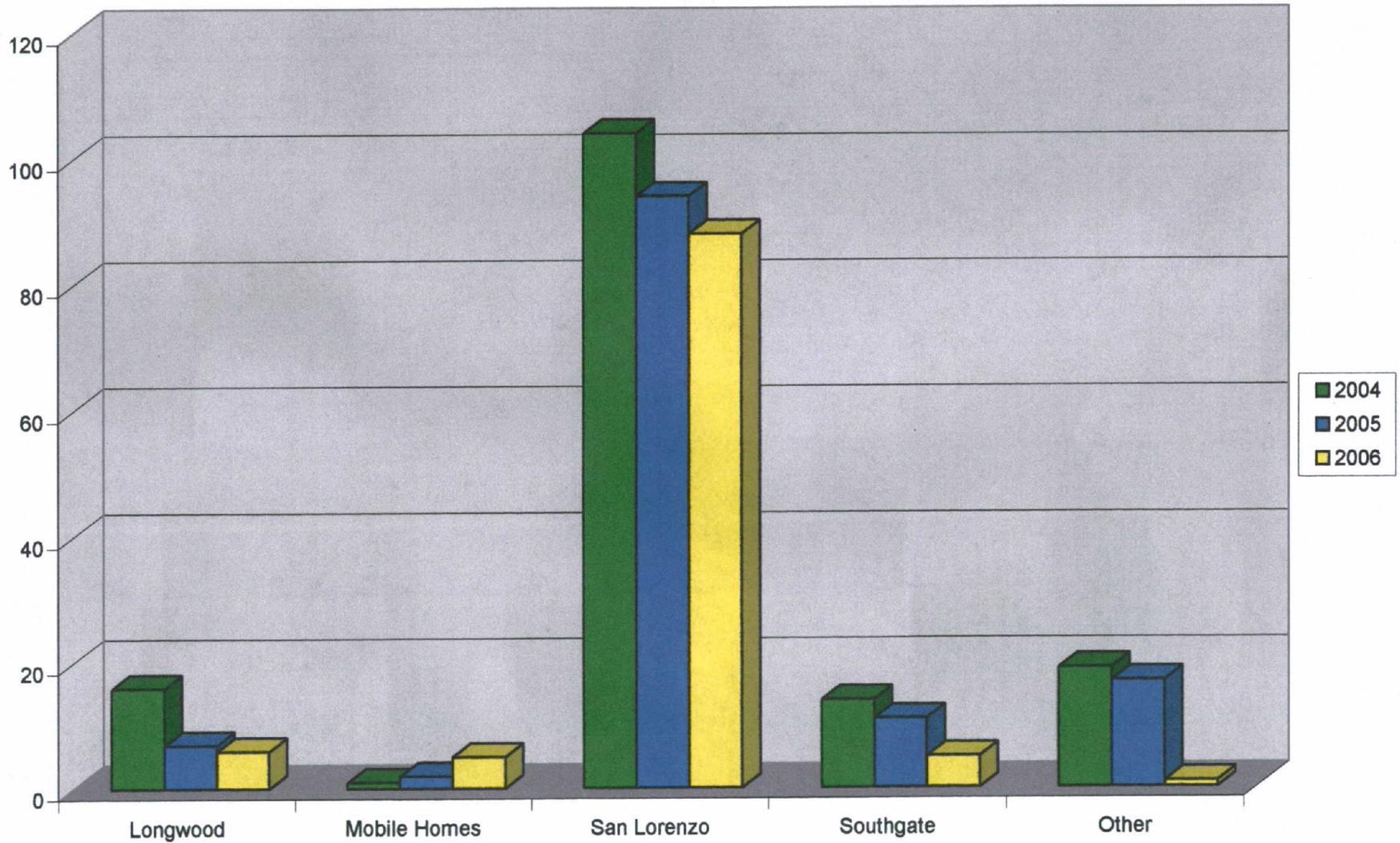
EXHIBITS:

1. Complaints Received/Month
2. Complaints by Neighborhood
3. Complaints by Time of Day
4. Complaints by Type of Operation and Type of Aircraft
5. Complaint Comparison 2003-2005
6. Noise Monitor Locations Map
7. Radar Flight Tracks
8. Appendix A History
9. Aircraft Noise Reduction Community Guide
10. Noise abatement and Operational Procedures Guide for Helicopter Operations

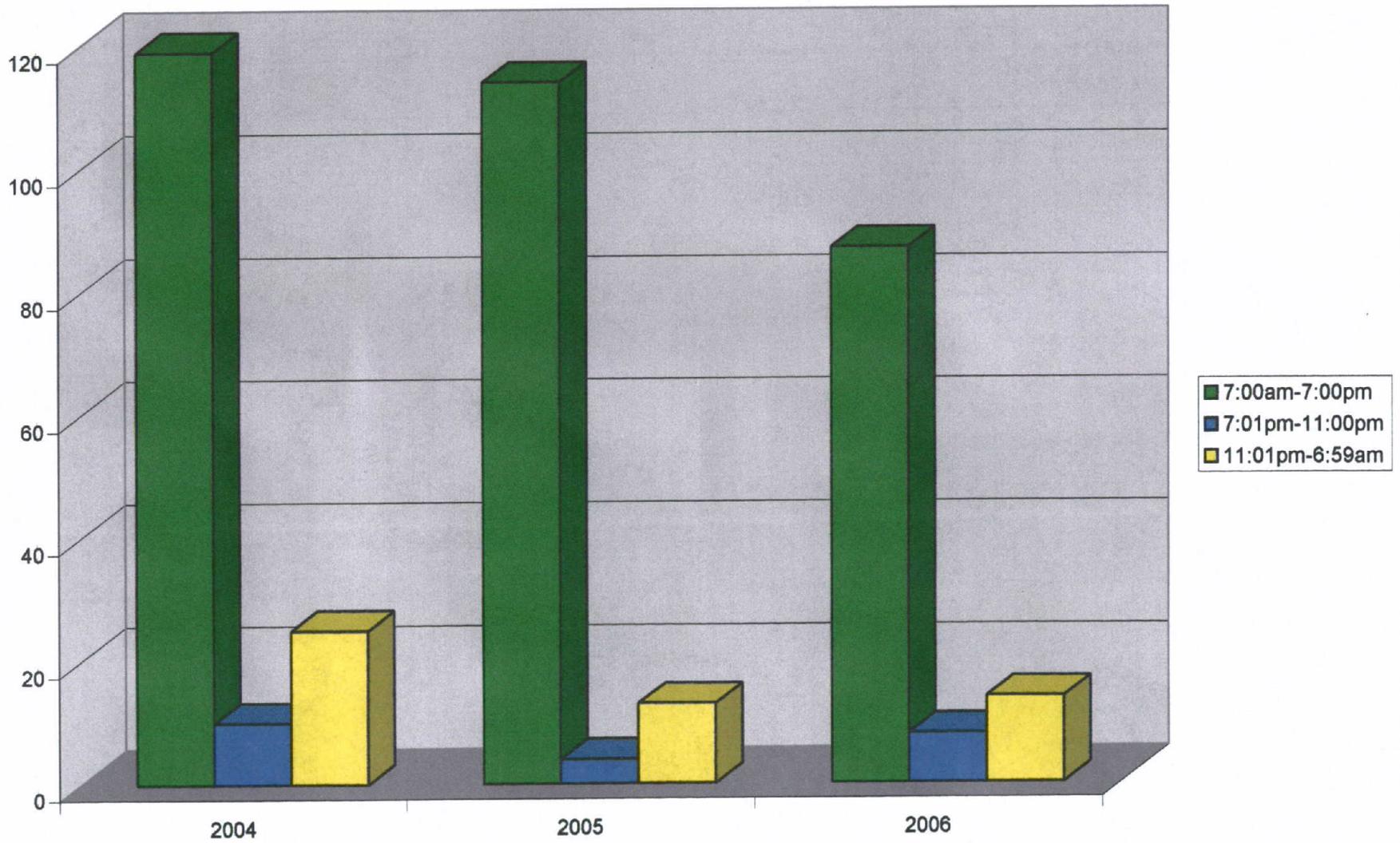
Complaints by Months



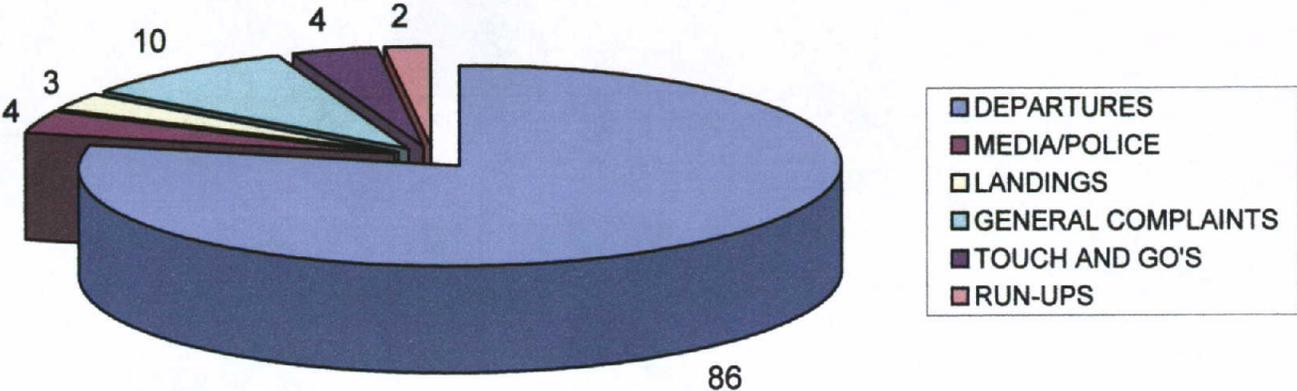
Complaints by Location



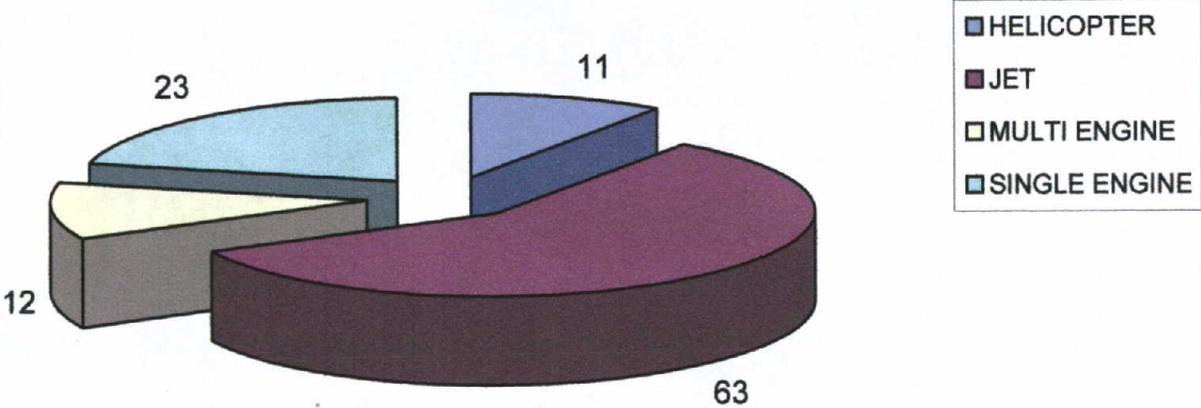
Complaints by Time of Day



COMPLAINTS BY OPERATIONS 2006



COMPLAINTS BY TYPE OF AIRCRAFT 2006



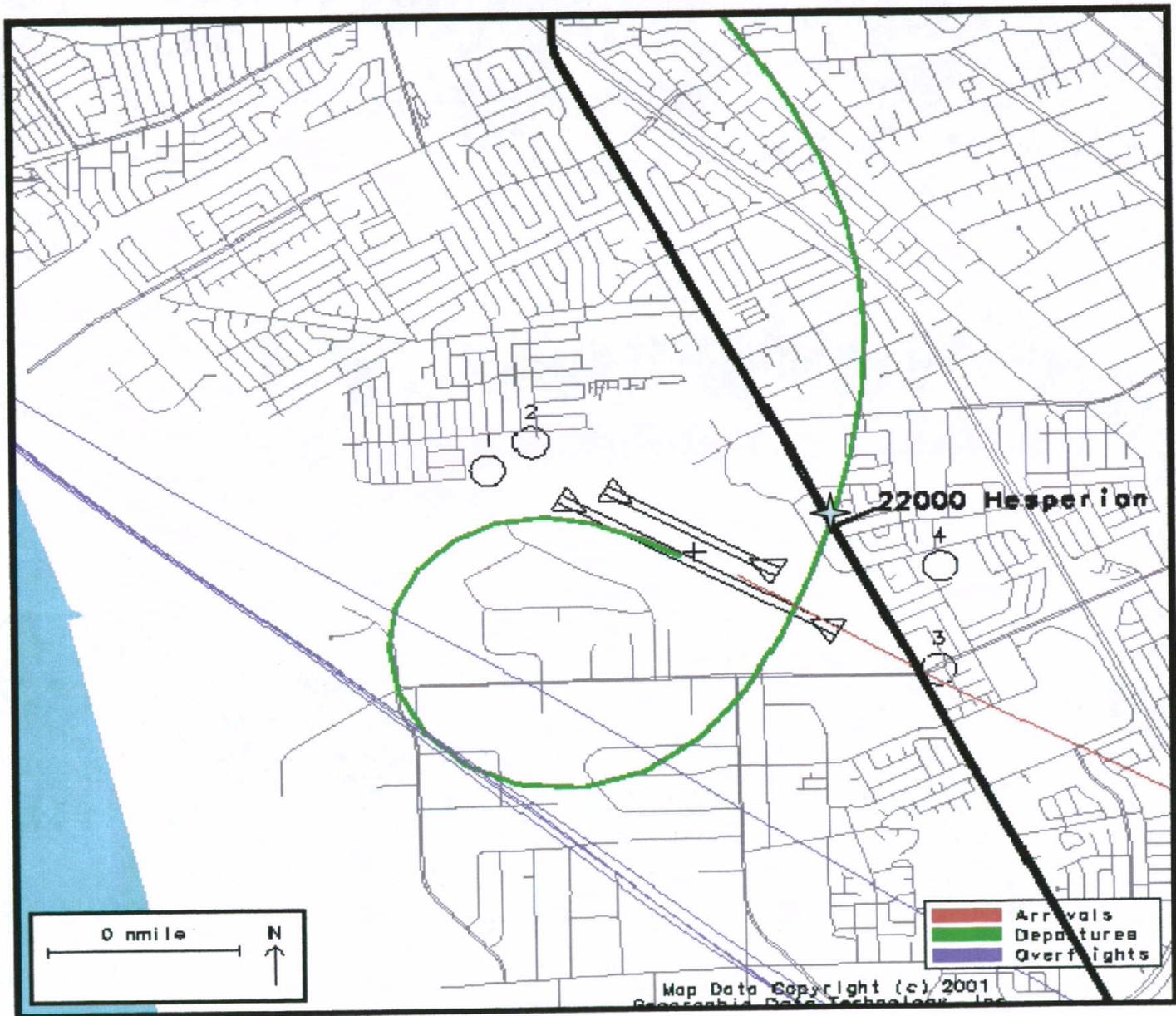
Complaint Comparison by Years





 Noise Monitoring Terminals (NMT'S)

TYPICAL RADAR FLIGHT TRACK DATA



✦ = Track Target
Latitude: 37.6611
Longitude: -122.1149
Altitude: 1033 ft
Time: 20:13:02
SENEL: 73.6 dB

APPENDIX A

History of the Performance-Based Noise Ordinance

BACKGROUND:

On January 1, 1988, the Hayward City Council enacted an aircraft noise ordinance. The ordinance set noise decibel limits for aircraft which relied upon measured decibel levels contained in the Federal Aviation Administration (FAA) Advisory Circular (AC) AC-26-3F. This Advisory Circular is a published list of certified maximum decibel levels for specified aircraft on takeoff. The 1988 ordinance was an interim measure taken by the City Council until a performance-based noise ordinance could be implemented.

In November 1988, a permanent noise monitoring system consisting of four noise monitoring terminals was installed in the community. Data collected from these monitors during the 19-month test period, as well as analysis of information in AC-36-3F, provided the basis for the maximum aircraft noise limits contained in the Performance-based Noise Ordinance. The ordinance was implemented on February 1, 1992.

In order for aircraft to operate at the airport within the parameters established under the Performance-Based Noise Ordinance, they must not exceed certain maximum noise decibel levels contained within the ordinance. The noise levels generated by aircraft are monitored and recorded 24 hours a day. Specialized equipment records the sound levels at which aircraft are actually being operated. Aircraft must not exceed the maximum noise limits established for any of the four individual noise monitors stationed in the community.

Section 2-6.120 of the Performance-Based Noise Ordinance sets forth aircraft noise limits for each noise monitor in the system, taking into consideration the runway in use and the time of day.

In summary, the Performance-Based Noise Ordinance states that no aircraft may take off, land, or otherwise operate at the airport between the hours of 7:00 a.m. and 11:00 p.m. if it generates a Single Event Noise Exposure Level (SENEL) exceeding the following values measured at any one of the four Noise Monitoring Terminals (NMT). They are:

<u>Noise Monitoring Terminal</u>	<u>Runways 28L/28R</u>	<u>Runways 10R/10L</u>
NMT #1	98	98
NMT #2	98	98
NMT #3	98	100
NMT #4	98	99

Additionally, no aircraft may take off, land or otherwise operate at the airport between the hours of 11:01 p.m. and 6:59 a.m. if it generates a SENEL which exceeds the following values as measured at any one of the four Noise Monitoring Terminals (NMT):

<u>Noise Monitoring Terminal</u>	<u>Runways 28L/28R</u>	<u>Runways 10R/10L</u>
NMT #1	95	95
NMT #2	95	95
NMT #3	95	97
NMT #4	95	96

For the location of each Noise Monitoring Terminal, see Appendix A, page 3.

OBJECTIVES OF NOISE ORDINANCE:

The ordinance was designed to accomplish the following objectives as set forth by the City Council:

1. To reduce the number of aircraft operations at the airport which generate excessive noise decibel levels resulting in consistent complaints, subject to regulations which may be imposed by state or federal laws; and
2. To reduce aircraft noise decibel levels in response to the environmental concerns of the community without impairing the ability of the airport to serve the general aviation needs of the community and the national air transportation system; and
3. To adopt reasonable rules that would be legally defensible; and
4. To implement noise enforcement standards allowing operators of aircraft which exceed established noise levels the flexibility to modify their aircraft or otherwise bring their performance standards into compliance with the noise ordinance.

Fly Friendly Program

The City also promotes a “Fly Friendly” program which is voluntary and non-regulatory. The “*Fly Friendly*” program includes pilots, instructors and students in an ongoing educational program aimed specifically at noise abatement and quiet flying techniques. All new tenants to the airport receive a noise abatement briefing by Airport Management. Additionally, signage and printed information serve as a constant reminder to “*Fly Friendly*.”



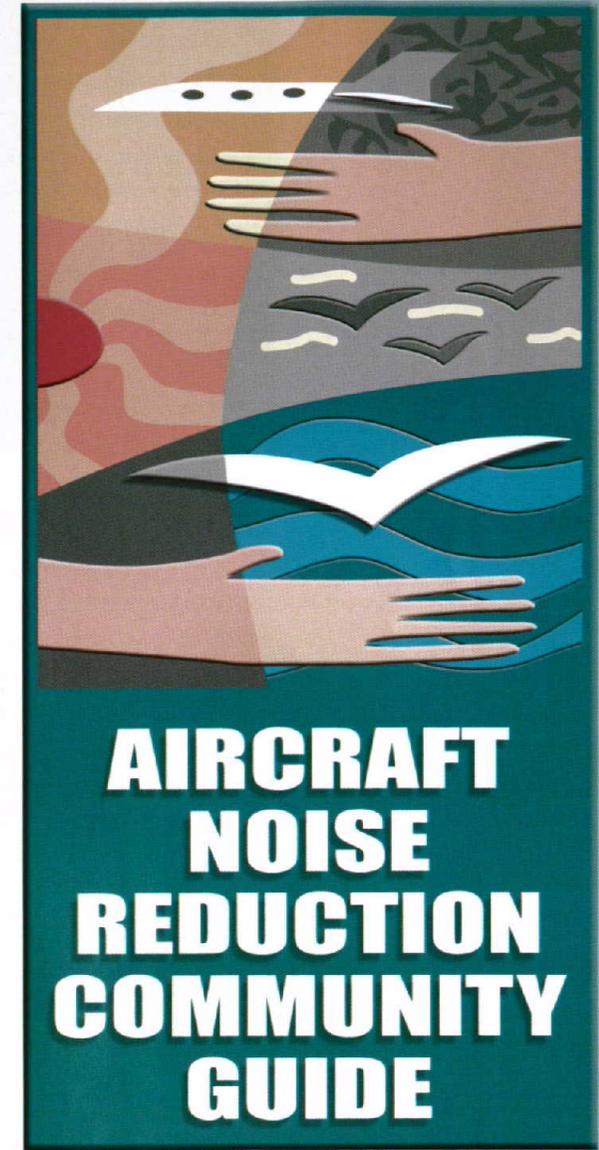
Our Commitment to the Community

- To monitor aircraft noise at HWD and to abate it whenever possible.
- To provide written or verbal responses to the public who have aircraft noise concerns.
- To achieve effective aircraft noise reduction through pilot education & awareness programs.



CITY OF
HAYWARD
HEART OF THE BAY

The Hayward Executive Airport
20301 Skywest Drive
Hayward, CA 94541



CITY OF
HAYWARD
HEART OF THE BAY

Hayward's Noise Ordinance

The City of Hayward and the Hayward Executive Airport (HWD) strive continually to reduce aircraft noise in the residential communities adjacent to the airport. A Noise Ordinance was adopted by City Council in 1992. The Ordinance provides for a comprehensive noise monitoring program which includes the placement of four noise monitoring stations at several noise sensitive areas surrounding the Airport. These noise monitoring microphones record the noise levels of all aircraft arriving and departing HWD 24 hours a day.

If you wish a copy of the City's Noise Ordinance, please download from the City's website: www.hayward-ca.gov

Registering an Aircraft Noise Complaint

When should I register a noise complaint?

Everyone perceives noise differently. However, if you believe that an aircraft is particularly noisy or flying at too low an altitude over your home, a complaint may be warranted.

How do I register a complaint?

To register a complaint, you can go online at www.hayward-ca.gov; look under City Enterprises, then Hayward Executive Airport and click on Airport Administration. Or, you could call the 24 hour Noise Information Hotline at 293-8692. Please speak slowly and clearly; leave your name, address, and a

telephone number where you can be reached during the day. Also, include the day, date, and time of the incident, as well as the type of aircraft, (jet, single or multi-engine, if known) and the nature of your concern.

What happens after I register a complaint?

Airport staff will log your complaint and collect the flight track data from the noise monitoring system. If it is established that there has been a violation of the City's Noise Ordinance, the owner of the aircraft will be contacted and Airport staff will instruct him/her on proper noise abatement procedures. Our goal is to achieve effective aircraft noise reduction through pilot awareness and education programs. However, repeat offenders will be cited.

Will I be contacted?

Staff will make every effort to contact you as to whether or not there has been a violation of the City's Noise Ordinance. The Airport's written response should address your concerns and be as thorough as possible.

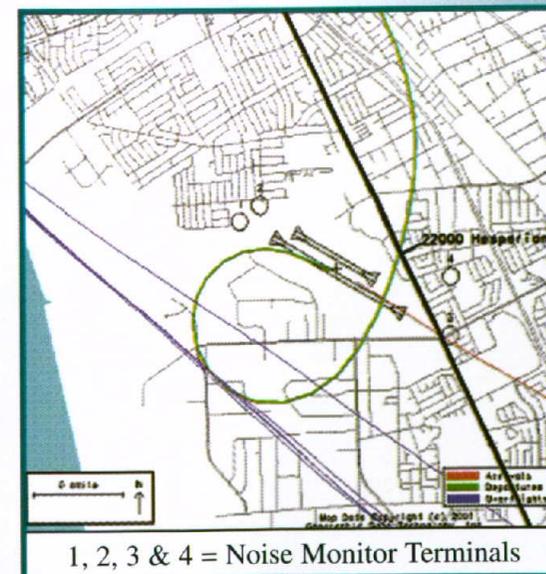


Administrative Offices: (510) 293-8678
Office Hours: 8:00 am to 5:00 pm (M-F)
Noise Hotline: (510) 293-8692 (24 hrs.)
Website: www.hayward-ca.gov

Improved Tracking System (ANOMS)

As part of the City's ongoing effort to monitor and ensure compliance with the Noise Ordinance, an Airport Noise and Operations Monitoring System (ANOMS) was installed and certified operational in early 2002. This new, state-of-the-art, system provides airport staff with the increased ability to accurately monitor aircraft arriving and departing, track flights and altitudes, and establish aircraft identification. Through information obtained from the Noise Monitoring Terminals (NMT), radar flight tracking data and local air traffic control communications, a significant number of noisy and/or low over flights can be comprehensively investigated. In addition to increased accuracy, ANOMS reduces the time necessary to analyze and respond to public inquiries.

Typical ANOMS Flight Track Data



HAYWARD EXECUTIVE AIRPORT (HWD)

ATIS	126.70	BAY APP CON	135.4
	(510) 786-3988	CLNC DEL	128.05
HWD TWR	120.20	OAK TWR	118.3/127.20
HWD GND	121.40	OAK FSS	122.5
UNICOM	122.95	Noise Information	122.85

LEGEND

-  Departure Routes
-  Departure Routes Over Roads
-  Helicopter Touch & Go Pattern
-  Oakland Class C Inner Surface
-  Airport Property Line
-  Helicopter Base
-  Generalized Path to Join Departure Route
-  Noise-Sensitive Areas

Safety is a priority. These procedures are not intended to preempt the prerogative or responsibilities of the pilot-in-command for aircraft operation. The procedures are not intended to conflict with air traffic control instructions, which are the exclusive authority of the FAA.

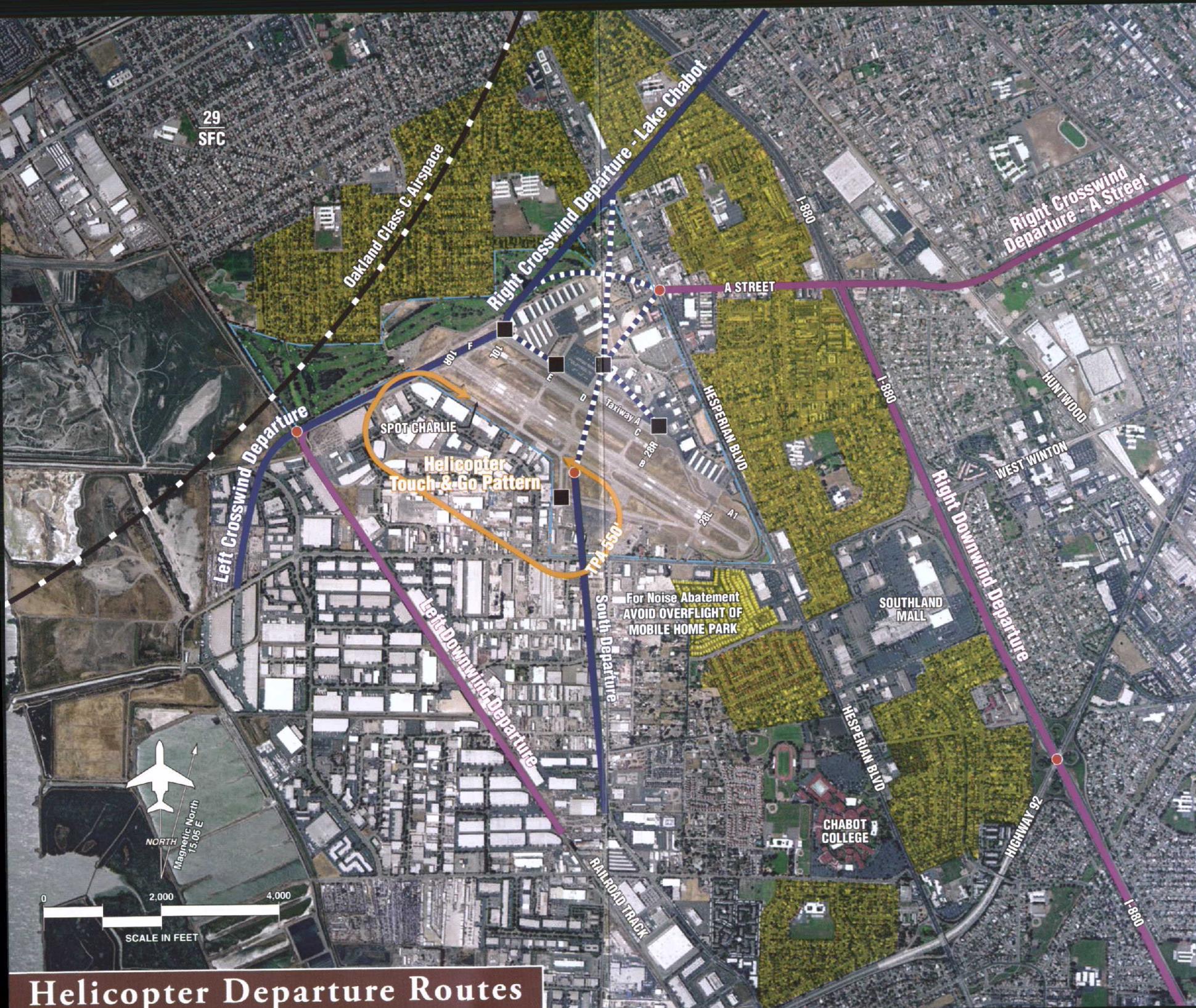
Noise Abatement Procedures:

- Pilots should be considerate of the noise impacts to resident's directly beneath their flight path.
- Avoid noise-sensitive areas when possible.
- Observe low-noise speed and descent settings.
- Avoid sharp maneuvers.
- Use high takeoff and descent profiles.
- Approach at the steepest practical glide slope.
- Minimize early morning or late night flights.

BE A GOOD NEIGHBOR FLY QUIET

For further information, or to provide suggestions for improving Hayward Executive Airport's Noise Abatement Program, please contact:

Airport Operations • Hayward Executive Airport
 20301 Skywest Drive • Hayward, California 94541-4699
 (510) 293-8678 • www.haywardair.org



Helicopter Departure Routes

HAYWARD EXECUTIVE AIRPORT

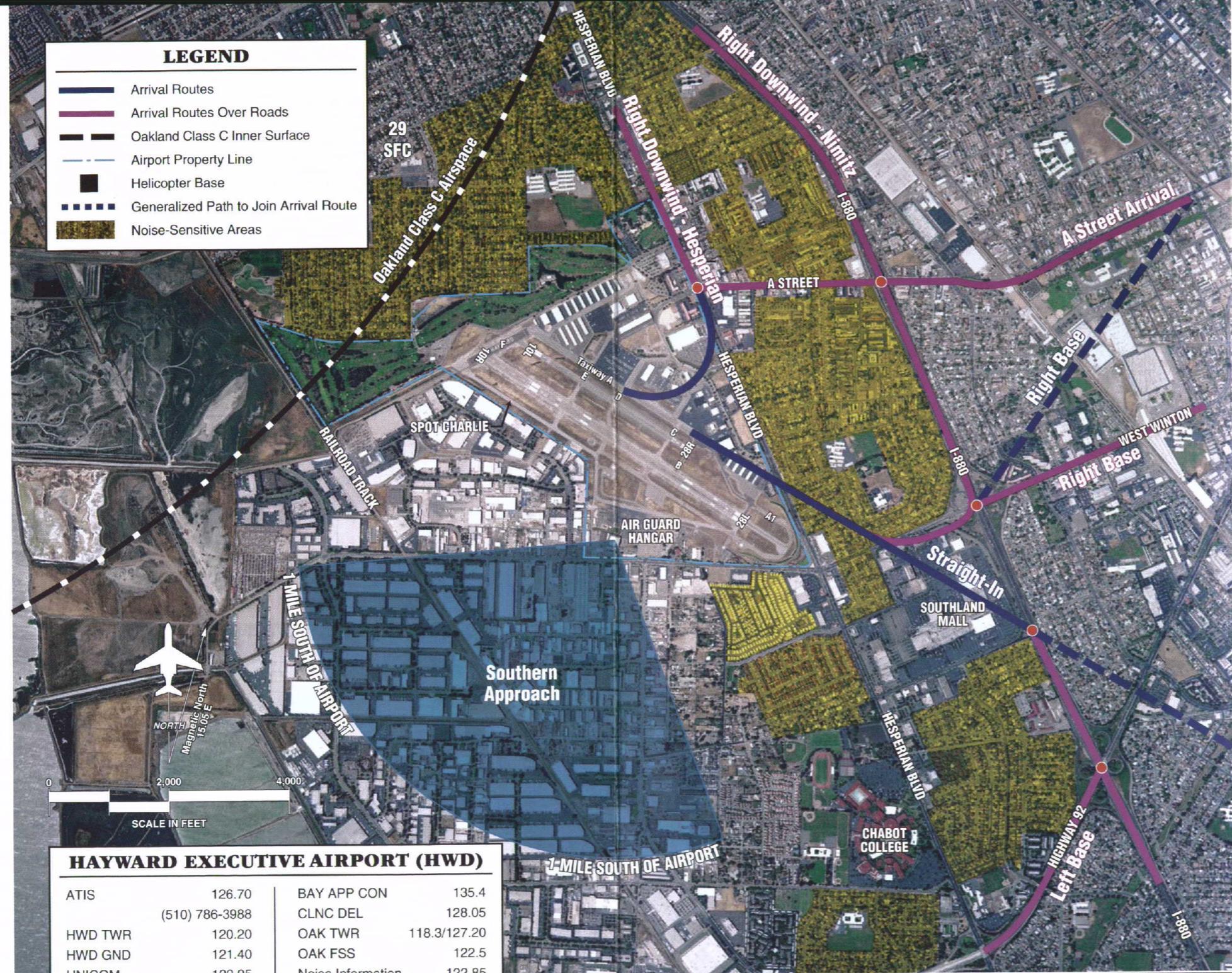
Noise Abatement and Operational Procedures Guide for Helicopter Operations



The Hayward Executive Airport strives to be a good neighbor and has established a noise abatement program to assist pilots in operating their aircraft in the quietest manner possible. The noise abatement procedures detailed in this guide are intended to avoid any unnecessary overflights of residential areas. Pilots are encouraged to comply with these procedures unless deviations are made necessary by weather, air traffic control instructions, an in-flight emergency, or other safety considerations.

LEGEND

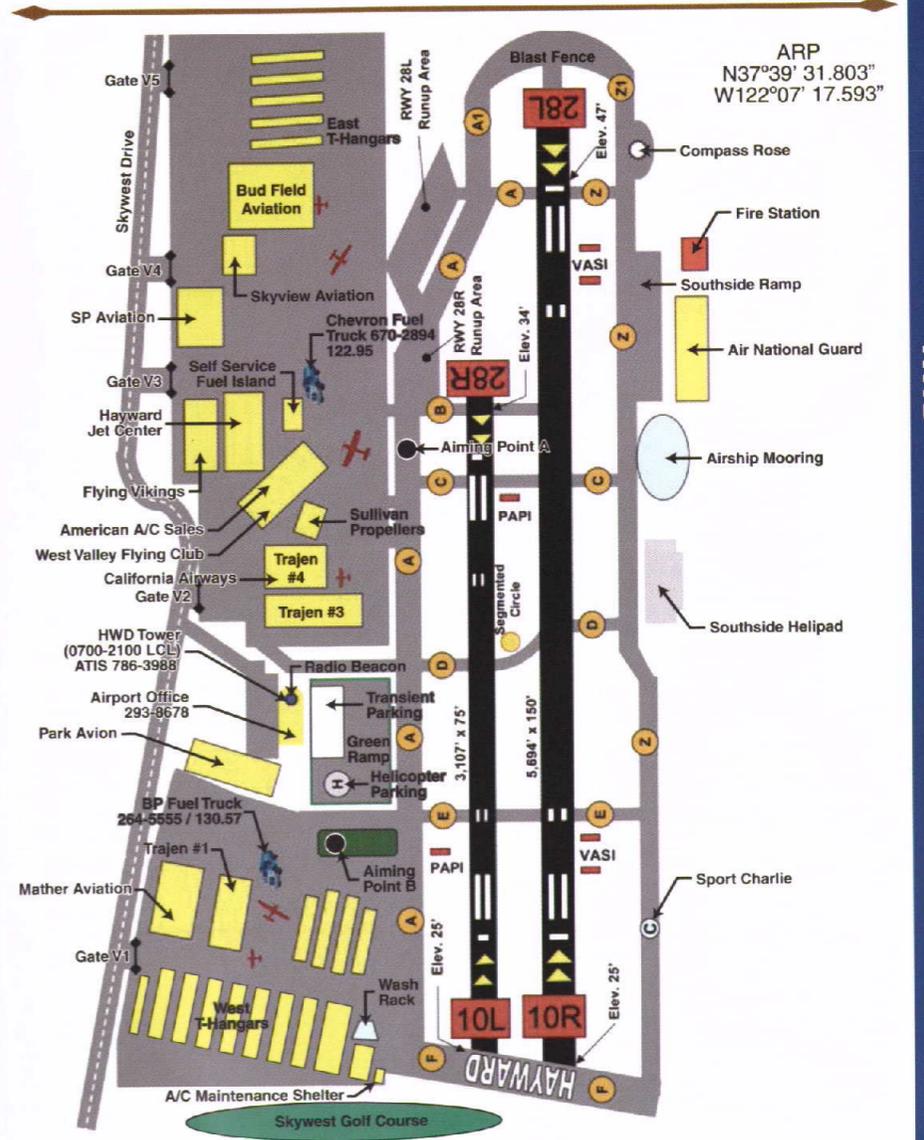
- Arrival Routes
- Arrival Routes Over Roads
- Oakland Class C Inner Surface
- Airport Property Line
- Helicopter Base
- Generalized Path to Join Arrival Route
- Noise-Sensitive Areas



HAYWARD EXECUTIVE AIRPORT (HWD)

ATIS	126.70	BAY APP CON	135.4
	(510) 786-3988	CLNC DEL	128.05
HWD TWR	120.20	OAK TWR	118.3/127.20
HWD GND	121.40	OAK FSS	122.5
UNICOM	122.95	Noise Information	122.85

Helicopter Arrival Routes



HWD
HWD
HWD