

**Summary Minutes**  
**ALAMEDA COUNTY AIRPORT LAND USE COMMISSION**  
**Wednesday, January 16, 2008**

The meeting was called to order at 3:02 p.m.

**1. Roll Call**

<u>Commissioners Present:</u>	<u>Commissioners Absent:</u>	<u>Guest Presenter:</u>
Max Morris	David Needle	Lisa Harmon, ESA
Leander Hauri	Janet Lockhart	Phil Wade, ESA
Steve Grossman		Vijay Patel
Woody Pereira	<u>Staff Present:</u>	
Olden Henson	Cindy Horvath	
	Maria Elena Marquez	

**2. Approval of Minutes of October 17 and December 19, 2007**

Commissioner Henson abstained to vote on the October 17 minutes  
Commissioner Hauri had a minor correction for the December 19 minutes, first paragraph should say Marshall instead of Michael. Commissioner Pereira seconded. Motion carried 7/0.

**3. Open Forum – None.**

**4. Harbor Bay Hotel – The Commission will review proposed 160 room hotel project to be located within the Safety Zone for Oakland Airport North Field. Action Item.**

Ms. Horvath summarized the staff report. She noted a correction on top of the staff report. She indicated that initially they had an issue with the map, the lot 1 adjustment map was obtained by the applicant. There was an issue with the safety zone because a base map that does not even contain most of the streets that are there now. She said that she wanted to see a map used measurement of 150 feet from the edge of the runway when in fact the correct measurement is 750 feet. In fact, this project is not in compliance with our plan. However, with the 750 feet measurement is complying with our plan in that the part of the parcel that would have the hotel is outside of the safety zone boundary. She wanted the Commission to see this project and see where it is in relation to the safety zone. She would recommend that we find this project inconsistent with our policy plan. Vijay Patel, applicant, is here to answer questions.

Commissioner Henson said he would like to see the design of it to see if it is sprawling or heighten type of structure. Ms. Horvath said this project was submitted at the 7460 study on the side and the FAA came back with 6 different forms that essentially found this project was not a hazard to air navigation.

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Red Wetheril, proxy for David Needle, asked Ms. Horvath if the 750 feet is something that is crucial. Ms. Horvath said yes and it is on page 9 of our policy plan. Mr. Wetheril said that the edge of the runway unless black line on the drawing seem not quite parallel if you extend the line out to the property, it may be little bit less than 750 feet.

Commissioner Grossman said that at this scale the black line almost takes up 100 feet. We have some assurance that the hotel will be on a portion of the parcel that is outside of the safety zone.

Commissioner Pereira asked what was planned for the balance of the property.

Vijay Patel said that they tried to make it so they can put the building in the area that was not a safety zone. Once the development is done, it is going to be a one time construction project. They do not plan to add more rooms on the way. They max the site basically, it is a 4 story building, C-shaped, they coordinated such that it kind of envelopes and creates a courtyard field. It is going to be a mid to full service hotel which will have a limited restaurant and bar, as well as mini suites. Their goal is to have the best hotel in that market.

Commissioner Pereira said that it appears that the adjacent land to the site is quite large for parking. Mr. Patel said that they are going to develop the entire parcel, whatever is not developed. It will be landscaped because of the easements that are required for landscaping. Most of all will be parking.

Commissioner Henson made a motion to pass Resolution 01-2008. Commissioner Hauri seconded. Motion carried 5/2/0 with commissioners Lockhart and Needle absent.

Ms. Horvath said that she will develop the correct resolution and if all the commissioners agree, she will work with Steve to finalize it.

**5. Commissioners Workshop – Continued Discussion on the Administrative Draft Airport Land Use Compatibility Plans (ALUCP) for Hayward, Livermore and Oakland Airports. Action Item.**

Ms. Horvath said that the focus will be in Oakland but she is still taking comments on any of the other two as well. She said that originally the intention was to have all 3 plans approved for public dissemination in anticipation of the evening public hearing on January 31<sup>st</sup>. We have new information regarding the LP approval by the FAA for the Livermore airport. That will not occur until early February. Essentially, what we are looking today is approval to send Oakland and Hayward out for public dissemination and we will come back next month with a request for approval to disseminate that next month.

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Commissioner Grossman asked how this will affect the evening meeting. Ms. Horvath said that we will schedule another evening meeting, the County has a facility in Dublin and it will be just on the Livermore Plan. Commissioner Grossman asked if it was an option to cancel the one evening meeting and do it in late February or March. Ms. Horvath said it is a good possibility.

Commissioner Hauri asked if it was possible as it was discussed at the last meeting, to move forward with the Livermore plan and have staff trash the plan portion and pending approval.

Commissioner Grossman asked Commissioner Hauri if there was something significant in the ALP. Commissioner Hauri said yes. Commissioner Grossman asked Commissioner Hauri if it was a requirement that the FAA had approved the ALP before this Commission does. Commissioner Hauri said yes.

Commissioner Grossman said that the Commission is not going to approve the ALP that night. The Commission can take testimony on it and then approve the whole thing at the next meeting. He said we will have one public hearing here and just re-schedule it for after the ALP is approved.

Ms. Horvath said that this body does not need to approve any of the ALP's. Commissioner Grossman said we just need to approve the plan. He asked if March would be OK. Ms. Horvath said the first week in March or March 17.

Commissioner Grossman said that looking at the Oakland plan, the only thing is to tweak the language as it relates to our master plan because the basic issue there was that their master plan looking 25 years out and in their constraint environment, they have 35 million passengers, they are not planning for that. He suggested that you get together with Christie and work out those tweaks in the language.

Commissioner Pereira said that when the Commission review the plans and make reference to tables 1 and 2, Heliports in Alameda County, he has a list of heliports that was generated by the Alameda County Fire Department in cooperation with the East Bay Regional Park District, there are some heliports listed in their records that are not shown here, and there are three private heliports, one is not active but the other two are active, one is in Sunol, one on Fairview Avenue and the Ruby Hills site. He would like to see that table revised.

Commissioner Grossman asked Commissioner Pereira how the commissioners know where the heliports are. Commissioner Pereira said that it should be acknowledged that they exist here.

Commissioner Henson asked if there was adequate attention paid to those things that may be in the master plans for each jurisdiction that may have not come to

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fruition yet. There are ton of items in the Hayward Master Plan that might have some impact on these plans.

Commissioner Hauri asked Ms. Horvath about two attachments. Ms. Horvath said she just received them from Ms. Harmon.

Ms. Harmon said that last week there was a question about what was included in the noise contours with regards to aircraft operations at airports that were not having to do with flight, for example two ground ups and taxing count in the noise contours. She was not sure so she revised the language. What commissioners have is the new and the old policy language. There is not a lot different in the policy but she tried to provide a little bit more background on what is included and what is not. They focused on what is included in the contours and in most cases the **round** up noise may be associated with maintenance activity or taxing usually not included in the noise contours, it can be but the model is not particularly set up for it. If you want to find out those things, you can but they tend to be very specific. They are not included in their ALP's. What noise must be associated with an airport ...Actually, **round** ups having to do with maintenance may or may not having in an airport depending on facilities and the airport. Basically, they did not change the policy much but if you need to know this because if you have a project that could be affected by this sort of noise, you should explore on a case by case basis because it is going to require more information than we have available.

Commissioner Grossman said that the Commission does not need to take any action on this. The next step in this process will be the public hearing. Since the Commission may or may not get together before the public hearing, he wanted to talk about the ground rules. Generally speaking, at public hearings they take public comment, no dialog. He asked Ms. Horvath if there will be a presentation. Ms. Horvath said yes and also comment period. Also, there will be a sub-consultant who is developing the media outreach. She estimates that it will be a 1.5 hour meeting from 7 to 8:30 p.m.

## **6. ALUC Commissioner Forum**

Commissioner Morris asked if the Commission is going to release the reports for Hayward and Oakland for the public. Ms. Horvath said we could, but she understands based on this discussion that we are going to do all of them at one time. Ms. Horvath said that we will have to convene in February to have that action from the Commission to approve the release of the documents to the public.

Ms. Harmon requested the commissioners to send their comments on Hayward and Oakland by the end of January.

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Commissioner Henson requested to be brought up to date. Ms. Horvath said she will meet with him.

Commissioner Grossman said that we are starting to see changes in aircraft routes and is now noticeable enough that the economy is coming into play, the price of fuel, etc. The sub-prime problem that we are facing really affects aviation, 73% of the sub-prime related foreclosures are in Alameda and Contra Costa counties, as we start seeing less passenger traffic, part of it is related to that. Airlines react very directly by canceling routes and by putting fuel surcharges. It may not affect traffic that much but it is kind of like the perfect storm coming together that is going to put us from an airport perspective into recession.

Commissioner Hauri said that for the first time in 2007 he saw an 8% lower in the sale of jet fuel at the Livermore airport.

Regarding Hayward, Ross Dubarry said that they saw an increase in operations.

Ms. Horvath said that Commissioner Hauri and Ms. Harmon expect the FAA to give the Commission the final approval at the beginning of February. Commissioner Hauri said the first or second week of February from the approving person. Ms. Horvath asked Commissioner Hauri if at that point he will have different data to give to the consultant. Commissioner Hauri said that the consultant already has it.

Commissioner Grossman asked Ms. Horvath how much public notice you have to give. Ms. Horvath said she is more concerned about is if we will have enough time for the commissioners to get a copy before the meeting on February 20<sup>th</sup>.

Commissioner Grossman said that some commissioners are concerned about that. At that point, we just need to get a copy to approve it because we are not going to change it.

Ms. Harmon said we should be ready to produce it. Ms. Horvath said on the 20<sup>th</sup> the 3 plans for public dissemination.

Commissioner Grossman asked Ms. Horvath the amount of time that the public has to review the document. Ms. Horvath said that at this point we are not sending it out before the 20<sup>th</sup> for public review, this is the administration draft and just falls under the Brown Act, she just has to be able to post it and make it available within 72 hours. She is more concerned with the Commission to have enough time to review the document. Commissioner Grossman said the Commission will take heat if this document is only out for 3 days. He asked if it was the practice of the County Planning Department to have these documents out there for 2 weeks. Ms. Horvath said that if we don't have our public hearing on the matter until March. Commissioner Grossman told Ms. Horvath that is not going to be published until February 21<sup>st</sup> after the Commission's approval and we

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are looking at the 3<sup>rd</sup> week in March, that is not quite 30 days. If the public review process is going to be 30 days and we have the public hearing on the 21st, then that is OK.

Commissioner Morris commented on the hotel resolution and wanted to make it clear that no park at the building will encroach upon the safety zone. Ms. Horvath said that according to the drawings is right up against it, it is not going to go. Commissioner Grossman said that the Commission's approval is conditioned on the information and analysis that was done that that site was not on the safety zone. Ms. Horvath said that she can make that as a condition of approval.

Commissioner Pereira asked how many 70 foot redwood trees are they going to plant there.

## **7. Adjournment**

Commissioner Pereira made a motion to adjourn the meeting at 3:42 p.m.  
Commissioner (?) seconded.