

September 21, 2010  
City Manager's Office

**TITLE: APPROVE A RESOLUTION FOR JOINT COOPERATIVE EFFORTS BY  
THE CITY OF LIVERMORE AND THE CITY OF PLEASANTON  
REGARDING THE LIVERMORE AIRPORT**

**SUMMARY**

In recognition of the regional economic enhancement provided by the Livermore Municipal Airport, while simultaneously being sensitive to local concerns about noise resulting from jet operations in particular, the City Councils of the Cities of Pleasanton and Livermore are considering a resolution for joint cooperative efforts regarding the airport.

The communities' goals would include: seeking Federal laws to phase-out old and noisy jets; establishing a joint community forum of stakeholders; implementation of technology and other voluntary noise mitigation measures; sharing information with residents about noise sources and reduction efforts; coordinating noise monitoring; and re-establishing the Livermore / Pleasanton Liaison Committee to address such issues.

**RECOMMENDATION**

Approve the attached joint resolution.

**FINANCIAL STATEMENT**

Implementation of joint cooperative efforts may require allocation of staff resources, and potential sharing of costs with the City of Livermore for noise monitoring studies and/or monitoring devices. The City Council retains the discretion to approve any such expenditures as these joint cooperative efforts proceed.

## **BACKGROUND**

The Livermore Municipal Airport has been serving Tri-Valley residents and businesses for over forty years. Operated as a self-sustaining enterprise fund, airport facilities provide a base for privately-owned planes, flight training, emergency medical evacuation services, aircraft maintenance and fueling, charter flights, and aerial advertising. Tri-Valley businesses use the airport to transport personnel and bring in time-sensitive materials.

In March 2010, the Livermore City Council considered a General Plan Amendment and Rezoning to create an Air Zoning District, as well as rescind what Livermore considered its out-dated 1975 Airport Master Plan. While this project decreased the intensity of use from what was allowed by the 1975 plan, it still permits airport operations to eventually increase beyond that which is currently taking place. As such, the City of Pleasanton's Community Development Department provided comments to the City of Livermore as it processed an environmental impact report (EIR), as some Livermore and Pleasanton residents are concerned about noise impacts arising from airport operations.

When approving the project, the Livermore City Council also adopted a resolution establishing airport operational and development policies, and specifically expressed a desire to reduce aircraft noise through voluntary noise reduction efforts and cooperate with other Tri-Valley cities regarding noise (see attached Livermore resolution, points 5 and 6). The Cities of Pleasanton and Livermore have previously worked together regarding airport noise, where the cities have jointly funded noise studies, including having noise monitoring equipment placed at locations in both communities.

Because of Federal laws that pre-empt the ability of local airports to restrict airplane noise, members of the Livermore / Pleasanton Liaison Committee (two elected members from each City Council) met to discuss how the two communities could work together to address residents' noise concerns, both at a Federal and local level, while remaining sensitive to the economic benefit provided to the region by the airport. This Liaison Committee meeting resulted in the subject proposed Resolution for Joint Cooperative Efforts regarding the Livermore Airport. (Attached.)

## **DISCUSSION**

The proposed resolution is for joint efforts by the Cities of Livermore and Pleasanton regarding the Livermore Municipal Airport to:

1. Coordinate efforts to change Federal law to phase-out old, noisy jets.
2. Establish a community forum of stakeholders to evaluate noise concerns.
3. Consider implementation of technology and mitigation measures to address noise.
4. Provide more access to the public about airport noise.
5. Coordinate future noise studies.
6. Resume regular meetings of the Livermore/Pleasanton Liaison Committee.

Each of these proposed joint efforts is described in more detail, below.

1. Change Federal Law. Livermore staff have advised that the noisiest planes are generally older jet aircraft of specific types. While Federal legislation previously has been proposed to phase-out such noisy older jets, such legislation has not been adopted.

This element of the proposed resolution would have Tri-Valley cities jointly lobby their Federal representatives to support legislation to phase-out such jets. It is anticipated that multiple jurisdictions, speaking in a coordinated manner, will be more effective than just one jurisdiction advocating this view. The Tri-Valley Councils, mayors' visits to Washington D.C., and other joint venues, would be avenues for the Cities of Livermore and Pleasanton, and even Dublin and Alameda County, to coordinate on this issue.

2. Establish a Community Forum. The Livermore / Pleasanton Liaison Committee members and staff also discussed jointly establishing a community forum of airport stakeholders to meet and discuss noise issues. Stakeholders could include pilots, any fixed base operator (FBO), the airport manager, and residents of Livermore and Pleasanton.

Pleasanton Liaison Committee members were inspired by similar airport commissions in Hayward and Concord. Hayward's Community Airport Noise Forum meets quarterly; includes residents from San Leandro, San Lorenzo, Hayward and Southgate, a pilots group, helicopter pilots and jet operators; and discuss noise and operational issues about noise. The Aviation Advisory Committee for Buchanan Field in Concord includes residents from Concord, Pleasanton Hill, Diablo Valley College, residents from each of the County Supervisors' Districts, members at large, and a representative from the airport.

The proposed resolution provides for such a community forum to be jointly established by the cities, as a complement to the existing Airport Advisory Commission. It could meet twice a year to receive: updates regarding the airport manager's responses to noise complaints; information provided to pilots regarding voluntary noise reduction efforts; and noise monitoring reports, when such reports are prepared. The membership and other duties, if any, of such a forum, would be jointly decided.

3. Consider Measures to Address Noise. The proposed resolution also discusses considering implementation of technology to track planes which generate high noise levels, and then using that information to seek voluntary noise reduction. The Pleasanton Liaison Committee members suggested this approach based on information about the Hayward Airport's use of similar noise monitoring devices on their runways.

This Section 3 of the proposed resolution also includes language about cooperative efforts for other voluntary mitigation measures to achieve noise reduction. Such measures can be explored based on existing tools, as well as new technology as it develops.

4. Public Access to Noise Information. Livermore staff advise that the airport manager already prepares a monthly report about noise complaints, and how each complaint is researched and handled. The Livermore / Pleasanton Liaison Committee members and staff expressed interest in wider public dissemination of this information, as many complaints are in fact related to noise from jets heading to Oakland or San Jose, which just fly-over the Tri-Valley. And, the airport management, pilots based at the airport, and pilots flying to the airport, can share additional information about voluntary noise reduction efforts that the community likely would be interested in learning.

5. Coordinate Future Noise Studies. As noted above, the Cities of Livermore and Pleasanton have already coordinated on two previous airport noise studies. The proposed resolution would provide for continuing joint efforts regarding noise studies so that concerns of each community can be addressed when selecting consultants, determining where to place monitors, types of monitoring, costs, etc.

6. Livermore/Pleasanton Liaison Committee. Community concerns about airport noise were a catalyst for Livermore Mayor Marshall Kamena and Councilmember Jeff Williams meeting Pleasanton Councilmembers McGovern and Sullivan as the Livermore / Pleasanton Liaison Committee. The proposed resolution was one result of this meeting, and it provides for the resumption of quarterly meetings of the Liaison Committee to improve communications and promote mutual understanding of airport operations.

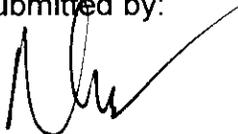
#### **CITY OF LIVERMORE ACTION**

As the proposed resolution addresses joint cooperative measures, it was also considered and adopted by the Livermore City Council on September 13, 2010.

#### **RECOMMENDATION**

In the interest of further cooperation to promote the economic development of the Tri-Valley, while remaining sensitive and responsive to residents' concerns about airport noise, it is recommended that the City Council adopt the attached Resolution for Joint Cooperative Efforts by the City of Livermore and the City of Pleasanton regarding the Livermore Airport.

Submitted by:



Nelson Fialho  
City Manager

Attachments:

1. Proposed Resolution
2. City of Livermore Resolution Establishing Airport Operations and Development Policies

**RESOLUTION NO.****A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PLEASANTON APPROVING JOINT COOPERATIVE EFFORTS BY THE CITY OF LIVERMORE AND THE CITY OF PLEASANTON REGARDING THE LIVERMORE MUNICIPAL AIRPORT**

**WHEREAS**, the Livermore Municipal Airport is a regional asset which provides needed aviation facilities that enhance economic development in, and provide emergency access to, the Tri-Valley; and

**WHEREAS**, the City Council of the City of Livermore adopted on March 23, 2010, a Resolution Establishing Airport Operational and Development Policies (Res. No. 2010-058), which includes several policies on which the City of Pleasanton wishes to collaborate. The City of Livermore and the City of Pleasanton desire to engage in joint cooperative efforts to implement several of these policies to minimize airport impacts on the Tri-Valley community, and improve the sharing of information between the cities and their residents, including:

1. Coordinating lobbying efforts by the Tri-Valley city councils to have Federal legislation adopted to phase-out old, high noise-producing jets.
2. Establishing jointly a community forum of stakeholders, to meet twice a year to receive: updates regarding the airport manager's responses to noise complaints; information provided to pilots regarding voluntary noise reduction efforts; and noise monitoring reports, when such reports are prepared.
3. Considering implementation of: technology to track planes which generate high noise during take-off and landing, and having the airport manager seek to obtain voluntary cooperation from pilots to reduce noise from such planes; and other voluntary mitigation measures for noise reduction.
4. Sharing information about airport noise reduction efforts and fly-over noise sources that can be incorporated into educational materials to be provided to residents.
5. Coordinating future noise monitoring studies.
6. Resuming quarterly meetings of the Livermore / Pleasanton Liaison Committee to improve communications and to promote mutual understanding of airport operations.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Pleasanton that the preceding joint cooperative efforts will be pursued by the City of Livermore and the City of Pleasanton.

**PASSED, APPROVED, AND ADOPTED** by the City Council of the City of Pleasanton at a regular meeting held on \_\_\_\_\_, 2010.

I, Karen Diaz, City Clerk of the City of Pleasanton, California, certify that the foregoing Resolution was adopted by the City Council at a regular meeting held on the \_\_\_ day of \_\_\_\_\_, 2010, by the following vote:

Ayes:

Noes:

Absent:

\_\_\_\_\_  
Karen Diaz, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Jonathan P. Lowell, City Attorney

**IN THE CITY COUNCIL OF THE CITY OF LIVERMORE, CALIFORNIA****A RESOLUTION ESTABLISHING AIRPORT OPERATIONAL  
AND DEVELOPMENT POLICIES**

The City's General Plan states in Goal CIR-8 that the City will "support and protect safe and efficient aviation operations at the Airport". In support of that goal and the City Council's desire to communicate its position on future Airport development, staff recommends that the Council support, to the extent feasible under federal law and the City's Grant Assurances with the Federal Aviation Administration, the following policies to guide the Airport Advisory Commission and staff in the future development of the Airport:

1. Future development at the Airport shall only occur in response to existing aviation demand. Whether demand exists shall be evaluated by the Airport Advisory Commission, and shall be based on tangible evidence, such as the existence of a hangar waiting list, letters of interest or proposals to provide essential aeronautical services to avoid the need for based aircraft having to fly to other airports to receive those services, or services determined to be supportive of the local community, such as law enforcement or emergency medical transport.
2. Redevelopment at the Airport shall only occur if the Airport Advisory Commission determines that existing facilities are in need of significant rehabilitation, improvement, or replacement.
3. The City Manager, Public Works Director, and Airport Manager shall take no action to solicit or encourage development of a large scale, stand-alone air cargo operator at the Livermore Airport. However, small-parcel air cargo services that serve only businesses and residences in the Tri-Valley region shall be encouraged to support the local economy and ensure economic vitality, and staff shall endeavor to establish this type of business.
4. The City does not intend to extend the existing runways.
5. The City will aggressively foster the reduction of aircraft noise through voluntary noise reduction efforts, especially during night hours. The City will participate in federal lobbying efforts to legislate the phase-out of high noise-producing jets.
6. In cooperation with other Tri-Valley Cities, the City will conduct periodic noise monitoring activities, and report these activities to local elected Boards at least once every two years.
7. The City will take necessary steps to enhance the Airport as the region's key disaster relief and recovery facility.

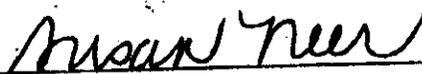
8. The City will continue to operate the Livermore Municipal Airport as an unsubsidized and self-sustaining public enterprise in a safe and efficient manner.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Livermore that the preceding policies and procedures are established for the operation and development of the Airport:

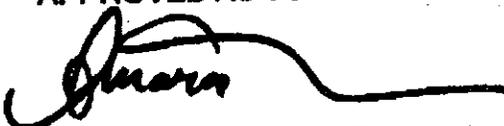
On the motion of Councilmember Leider, seconded by Councilmember Williams, the foregoing resolution was passed and adopted on the 22<sup>nd</sup> day of March, 2010, by the following vote:

AYES: Councilmembers Leider, Marchand, Williams, Vice Mayor Horner, Mayor Kamena  
NOES: None  
ABSENT: None  
ABSTAIN: None

ATTEST & DATE:

  
\_\_\_\_\_  
CITY CLERK  
SUSAN NEER

APPROVED AS TO FORM:

  
\_\_\_\_\_  
SPECIAL COUNSEL  
AMARA MORRISON

DATE: March 23, 2010