

## CITY OF HAYWARD

Hayward City Hall  
777 B Street  
Hayward, CA 94541  
www.Hayward-CA.gov



## Cover Memo

---

**File #:** MIN 16-034, **Version:** 1

---

**DATE:** April 28, 2016

**TO:** Council Airport Committee

**FROM:** Director of Public Works

**SUBJECT**

Approval of Minutes of the Council Airport Committee Meeting on January 28, 2016

**CALL MEETING TO ORDER**

Council Member Zermeño called the meeting to order at 5:30 p.m. with Council Member Jones and Council Member Márquez present.

**City staff:** Morad Fakhrai, Director of Public Works  
Doug McNeeley, Airport Manager  
Michael Lawson, City Attorney  
Joseph Brick, Assistant City Attorney  
David Rizk, Director of Development Services  
David Decoteau, Airport Operations Supervisor  
Noemi Dostal, Management Analyst II  
Sean Moran, Noise Abatement Analyst  
Debbie Summers, Senior Secretary

**Members of the public present:**

Gary Briggs  
James H. Swanson  
Steven L. Senegal  
Pete Fleming  
Ashton Simmons

**PUBLIC COMMENTS**

None

**1. Approval of Minutes for January 28, 2016**

Minutes approved as submitted.

## 2. Recognition of Steve Senegal

Airport Manager, Doug McNeeley, provided background on the Reno Air Races and stated that based tenant Steve Senegal won the most recent Formula 1 Class race. The Formula 1 Class consists of home built aircraft that reach speeds up to 250 miles per hour.

Council Member Zermeño presented Mr. Senegal with a certificate of recognition for his achievement. Mr. Senegal thanked the City Council, Airport staff, and Hayward residents. He added that he received support from the Airport Manager and FAA Air Traffic Control Tower in conducting flight tests in preparation for the race.

## 3. Airport Overlay Zoning Regulations

Director of Development Services, David Rizk, gave an overview of the staff report and proposed changes to the Airport Overlay Zone, focusing on a draft airport safety zone map and land use compatibility table. He noted land use is an important component of the airport zoning regulations given the proximity of Southland Mall.

Council Member Márquez asked if there is a representative from the City currently appointed to the Alameda Airport Land Use Commission and inquired about the line of communication between the commission and the City. Mr. Rizk replied that there is not a City representative appointed to the commission at the present time, but Mr. McNeeley is an alternate commissioner. Mr. Rizk stated that we regularly receive the commission agenda and we are aware of current issues.

Council Member Márquez asked about discussions with Southland Mall regarding the proposed changes to the Airport Overlay Zone, and Mr. Rizk replied that we work closely with Mall Manager Ashton Simmons. Mr. Rizk also confirmed that any future development on the California Air National Guard site would not be affected because it is located on airport property.

Council Member Jones asked if we are aware of any development opportunities we have lost because of the current regulations, but Mr. Rizk said he was not aware of any lost opportunities.

Mall Manager Simmons commented that in the last year he received interest from retail companies interested in space at the mall, and he will continue to work with Mr. Rizk to bring in compatible development.

Council Member Zermeño asked if the proposed changes would affect future development of vacant airport property along Hesperian Ave. Mr. Rizk replied that airport property would be exempt.

Council Member Zermeño also asked for clarification regarding permissible development in the compatibility zones adjacent to the ends of the airport's runways. Mr. McNeeley stated that zones closest to the ends of the runways are more restrictive.

Council Member Zermeño asked if there are hazards other than the height of physical structures that would be a source of concern. Mr. Rizk responded that changes generating additional noise and the introduction of certain types of lighting could create issues.

Council Member Zermeño asked about height restrictions for future development at the La Quinta Inn. Morad Fakhrai, Director of Public Works, replied the height limit in that area is approximately seventy feet, which is adequate for three stories and a parapet.

## **PUBLIC CONTACT**

None

### **4. Super Bowl 50 Preparations Update**

Mr. McNeeley provided an overview of the staff report stating that plans are progressing well to host Super Bowl 50 aircraft. He noted that an aircraft reservation system used successfully during Super Bowl 49 in Phoenix has been implemented for Bay Area airports including Hayward Executive Airport. To date, APP Jet Center has received reservations for fifty-three aircraft including twenty large corporate jets. He added that regular meetings have been held with stakeholders in preparation for the event including based tenants, the Federal Aviation Administration (FAA), Hayward Police Department, Hayward Fire Department, and the Transportation Security Administration (TSA).

Mr. McNeeley stated that Super Bowl 50 will provide a number of benefits for the airport and the community. Fuel sales will increase providing additional revenue for the airport, and arriving visitors will patronize area ground transportation companies, restaurants, and hotels. The event should also result in good publicity for the City.

Council Member Zermeño commented that in view of the costs anticipated for security and logistical support the event may result in a net financial loss, but the overall benefits to the community should outweigh the cost. Mr. McNeeley said that many of the arriving visitors will be seeing Hayward for the first time, and the event represents an opportunity to win new customers.

Council Member Márquez inquired about the reception planned for arriving visitors. Mr. McNeeley replied that APP Jet Center will be handling customer service for the event. The plans include a special reception area, convenient aircraft parking areas, and a fleet of buses to transport pilots and passengers from their aircraft to the reception center and waiting ground transportation.

## **PUBLIC COMMENTS**

None

### **5. Unmanned Aerial Vehicles (UAV) Update**

Mr. McNeeley gave an overview of the staff report and stated that sightings of UAVs have increased nationwide. Beginning in December 2015, the registration of drones is now required by the FAA. Mr. McNeeley noted that in most cases federal regulations supersede local regulations due to federal preemption. This is becoming an issue nationwide as local governments attempt to regulate the use of recreational drones on their own.

City Attorney Michael Lawson asked how operators determine the altitude of their drones. Mr. McNeeley replied that it is typically based upon a visual estimate, but Mr. Moran added that more expensive drones use Global Positioning Satellite (GPS) technology to determine altitude.

Council Member Zermeño asked if we foresee the City enacting drone regulations. Mr. McNeeley replied that would be at the discretion of Council, subject to federal preemption.

Council Member Jones added there are already state regulations currently in effect regarding drone operation.

## **PUBLIC COMMENTS**

None

### **6. Evaluation of Airport Noise Program**

Noise Abatement Analyst Sean Moran provided an overview of the staff report stating that noise complaints were up by 2.45% in CY 2015 for a total of 511 complaints. However, this number of annual complaints is still relatively low in comparison with previous years. The modest increase in CY 2015 was due in part to Visual Meteorological Conditions (VMC) prevailing throughout the year that in turn spurred more flying activity.

Mr. Moran mentioned that San Lorenzo residents submitted the most complaints. This is due to the location of their homes near the departure end of Runways 28L and 28R. Mr. Moran said he also received complaints from residents in other jurisdictions, such as Santa Clara due to banner-towing aircraft over Levi Stadium. Council Member Zermeño asked how residents in Santa Clara know that banner-towing aircraft are based at Hayward. Mr. Moran replied that some of the residents are very resourceful and conduct online research.

Mr. McNeeley informed the committee that as of December 31, 2015, the FAA outlawed the operation of the noisiest Stage II aircraft, primarily older corporate jets. Civilian Stage II aircraft are no longer allowed to routinely fly within the Continental United States.

Council Member Márquez asked if we have a policy on response time to address noise complaints. Mr. Moran responded that the response time is no more than forty-eight hours.

## **PUBLIC COMMENTS**

San Lorenzo resident James Swanson commented he was aware of the airport when he moved into the neighborhood. He lives near the departure end of Runway 28R and has no issue with noise from aircraft flying nearby.

### **Future Agenda Items**

- Mosquito Abatement

---

File #: MIN 16-034, Version: 1

---

**Staff announcements**

None

Next CAC meeting will be April 28, 2016.

**ADJOURNMENT**

The meeting adjourned at 6:39pm.