

CITY OF LOS ANGELES

CALIFORNIA



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April 13, 2011

To All Interested Parties:

The City Council adopted the action(s), as attached, under Council file
No. 08-0505-S1, at its meeting held April 12, 2011.


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TO THE COUNCIL OF THE
CITY OF LOS ANGELES

Your **TRADE, COMMERCE, AND TOURISM COMMITTEE**

reports as follows:

ADMINISTRATIVE EXEMPTION and TRADE, COMMERCE, AND TOURISM COMMITTEE REPORT relative to proposed Second Amendment to Contract No. DA-4020 with Harris Miller Miller and Hanson, Inc. (HMMH) for professional services to complete the Federal Aviation Regulations part 161 Study at Los Angeles International Airport (LAX).

Recommendations for Council action:

1. FIND that this action, as described in the March 22, 2011 Board of Airport Commissioners (Board) report and attached to the Council file, is exempt from the California Environmental Quality Act (CEQA) pursuant to Article II, Section 2(d) of the Los Angeles City CEQA Guidelines.
2. APPROVE the Second Amendment to Contract No. DA-4020 with HMMH to extend the contract term for 24 months with an expiration date of April 19, 2013 for professional services to complete the Federal Aviation Regulations part 161 Study at LAX.
3. CONCUR with the Board's action of March 21, 2011 by Resolution No. 24409 authorizing the Executive Director to execute the Second Amendment to Contract No. DA-4020 with HMMH.

Fiscal Impact Statement: The Board reports that there is no fiscal impact to the City's General Fund as a result of approving the Second Amendment to Contract No. DA-4020.

Community Impact Statement: None submitted.

TIME LIMIT FILE - MAY 21, 2011

(LAST DAY FOR COUNCIL ACTION – MAY 20, 2011)

SUMMARY

On April 6, 2011, your Committee considered a March 22, 2011 Board report and Resolution No. 24409 relative to proposed Second Amendment to Contract No. DA-4020 with HMMH for professional services to complete the Federal Aviation Regulations part 161 Study at LAX. According to the Board, the Second Amendment would extend the term by 24 months for professional services to complete the Federal Aviation Regulations Part 161 Study at LAX with no increase to the current contract amount of \$8,413,209.

Completing the LAX Part 161 Study is a requirement of the LAX Master Plan Community Benefits Agreement (CBA), the LAX Master Plan Mitigation Monitoring and Reporting Program (MMRP), and the LAX Master Plan Stipulated Settlement Agreement (SSA), the provisions of which require Los Angeles World Airports (LAWA) to submit to the Federal Aviation Administration (FAA) an application that requests approval to impose noise restrictions at LAX.

Additionally, in 1990, Congress enacted the Airport Noise and Capacity Act (ANCA) which prevented airport proprietors from implementing any noise and access restrictions without FAA approval. The ANCA also required the FAA to establish a national program to review noise and access restrictions that airport proprietors wish to impose on aircraft operations. The FAA enacted regulations to implement such program in Part 161 of Title 14 of the Code of Federal Regulations.

The LAX Part 161 Study is the specified process required to justify the FAA waiver of the federal Preemption and the goal of the LAX Part 161 Study is to evaluate the proposed restrictions on eastbound departures between the hours of midnight and 6:30 am daily. The proposed restrictions must be approved by the FAA before they can be implemented. For the LAX Part 161 Study to be approved by the FAA, it must provide evidence, based on a cost-benefit analysis, that the estimated potential benefits of the restrictions have a reasonable chance to exceed the estimated potential cost of the adverse effects on interstate and foreign commerce. Finally, preliminary data indicates that the cost-benefit analysis will be difficult to establish. However, the work must be completed and submitted to the FAA for review in order for LAWA to meet its commitments in the CBA, SSA and MMRP.

Finally, the Second Amendment will provide the additional time needed by LAWA to complete the Part 161 Study at LAX, prepare and submit an application for the LAX proposed noise restriction for submittal to the FAA, perform the necessary Public Outreach Program for the application, and allow HMMH to provide pre-submittal and post-submittal support to LAWA during the FAA approval process.

After further consideration and having provided an opportunity for public comment, the Committee moved to recommend approval of the Second Amendment to Contract No. DA-4020 with HMMH. This matter is now forwarded to the Council for its consideration.

Respectfully submitted,

TRADE, COMMERCE, AND TOURISM COMMITTEE



ADOPTED

APR 12 2011

LOS ANGELES CITY COUNCIL

<u>MEMBER</u>	<u>VOTE</u>
HAHN:	YES
ROSENDAHL:	YES
LABONGE:	YES

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Not Official Until Council Acts