



# City of Sunnyvale

## Agenda Item-No Attachments (PDF)

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### **REPORT TO COUNCIL**

#### **SUBJECT**

Approve a Memorandum of Understanding and Bylaws between the City of Sunnyvale and the Cities Association of Santa Clara County providing for the continuing operation of the Santa Clara/Santa Cruz Counties Airport/Community Roundtable and Approve Budget Modification 3 in the amount of \$35,000

#### **BACKGROUND**

Aviation noise is an issue of concern shared by various cities in Santa Clara County currently affected by increased flights and shift of air flight patterns from regional airports. In Sunnyvale, aviation noise sources include the San Jose International Airport, San Carlos Airport air traffic utilizing the Bayside Visual Approach, Moffett Federal Airfield, and airports located in the Northern California Metroplex (metropolitan areas with multiple airports and complex air traffic flows). Compounding the noise issue is the implementation of the Federal Aviation Administration's (FAA) NexGen transportation system that concentrated flight paths over a consistent route, thereby intensifying noise experienced by Sunnyvale residents under a flight path.

Aviation noise impacts are especially felt by Sunnyvale residents when inclement weather and southerly winds reverse the flight pattern for San Jose International Airport arrival flights, known as south flow operation. To address growing complaints from south flow operations, Sunnyvale participated as a member of the recently disbanded Ad Hoc Advisory Committee on South Flow Arrivals. The Committee served as an advisory body comprised of elected officials from several local jurisdictions. The six-month term Committee was charged with making recommendations to the FAA on the reduction of south flow operation noise impacts on surrounding communities. Prior to its disbandment, the Committee expressed interest in the formation of a Santa Clara County cities roundtable that could continue the work started by the Ad Hoc Advisory Committee on South Flow Arrivals, and continue to advocate to the FAA for aviation noise mitigation solutions.

#### **EXISTING POLICY**

Council Policy 7.4.14 Legislative Management Positions, Position 12: Engagement with the Federal Aviation Administration Regarding Airplane Noise

Pursuant to Sunnyvale Charter Section 1305, at any meeting after the adoption of the budget, the City Council may amend or supplement the budget by motion adopted by affirmative votes of at least four members so as to authorize the transfer of unused balances appropriated for one purpose to another, or to appropriate available revenue not included in the budget.

#### **ENVIRONMENTAL REVIEW**

The action being considered does not constitute a "project" with the meaning of the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines section 15378(b)(5) in that it is a

governmental organizational or administrative activity that will not result in direct or indirect changes to the environment.

## **DISCUSSION**

In June 2017, the Cities Association of Santa Clara County received a Congressional request from Representatives Eshoo, Khanna, and Panetta asking the Cities Association of Santa Clara County to take a leadership role in forming a Roundtable that would include the 21 local jurisdictions of Santa Clara and Santa Cruz Counties to work with San Francisco International Airport (SFO), San Jose International Airport, and the FAA to address the growing concern of aircraft noise (Attachment 1). The formation of such a roundtable was also a recommendation from the Select Committee (2016) chaired by Sant Clara County Supervisor Joe Simitian as well as discussed at the Ad Hoc Advisory Committee on South Flow Arrivals.

The impacts of airplane noise must be considered amid the competing interests of the public demand for aviation travel, airport operational requirements, airline industry priorities, broader economic and environmental impacts, and above all else, safety. Successful navigation of these public interest challenges requires effective collaboration. The ability of any single community to influence the complex operations of a federal agency serving a region of 8 million people is limited, instead, a unified mission and strategy not only makes sense but will be more effective. The formation of an intergovernmental partnership between the cities and counties of Santa Clara and Santa Cruz Counties, San Jose Airport, San Francisco Airport, and the FAA, could serve as a permanent aircraft noise mitigation entity.

On June 19, the Cities Association Board of Directors adopted a resolution to form a Santa Clara/Santa Cruz Community Roundtable (Attachment 2). Modeled after the SFO Airport/Community Roundtable, the mission of the proposed *Santa Clara/Santa Cruz Counties Airport/Community Roundtable* would be to address community noise concerns and make recommendations to the regional airports and the FAA on noise related issues. Each City and County would appoint one representative and one alternate who are local elected officials to serve on the body for a two-year term, as described in the Santa Clara/Santa Cruz Counties Airport/Community Roundtable Purpose and Bylaws (Attachment 3). For a summary of the proposal, see the attached Santa Clara/Santa Cruz Counties Airport/ Community Roundtable FAQ sheet (Attachment 4).

The Roundtable's initial funding allocation of \$250,000 is proposed to cover staff support, operating costs, as well as to retain consultants as specified and approved by the Roundtable membership. The current initial funding is a best estimate of all 21 jurisdictions. The City's initial funding cost is estimated at \$26,859 (See last page of Attachment 3). The Roundtable shall thereafter establish a budget for each fiscal year. Roundtable voting member jurisdictions shall contribute to the budget based on a per capita formula: The population of each jurisdiction, based on the most recent available census numbers, times the per capita fee structure.

Per Capita Fee Structure	
Large City	\$0.50
Small City	\$0.50
Medium City	\$0.50
XL City	\$0.10
County	\$0.50

The proposed budget for the first year has been modeled after the SFO Roundtable budget which is approximately \$250,000. The City of Sunnyvale is designated as a Large City, along with the cities of Santa Clara, Santa Cruz, and Watsonville. Sunnyvale's cost allocation per fiscal year will be calculated using a two-step process. First our population base of 149,831 times \$0.50, which equals \$74,916. Adjusting for the Cities Association's initial proposed budget of \$250,000, each jurisdiction's contribution changes proportionately. Sunnyvale's population allocation of \$74,916 times 0.3585288 equals Sunnyvale's estimated contribution of \$26,859 for the initial year. Assumptions are based on participation by all 21 jurisdictions identified in the Memorandum of Understanding (Attachment 5). Cost adjustments will be made accordingly to meet the target budget of \$250,000 if not all the jurisdictions choose to participate. Once a member, cities may withdraw from the Roundtable but any previous unspent funding contributions will be forfeited.

### **FISCAL IMPACT**

Funding for this project will be provided from the General Fund Budget Stabilization Fund. Staff is recommending Council authorize Sunnyvale to contribute up to \$35,000 to provide additional funding for the Roundtable in the event not all jurisdictions participate. Budget Modification No. 3 has been prepared to appropriate \$35,000 to a new project to fund the Roundtable. If the Roundtable is established and continues, staff will roll the ongoing cost into the FY 2019/20 operating budget for the Office of the City Manager.

### **Budget Modification No. 3 FY 2018/19**

	<b>Current</b>	<b>Increase/ (Decrease)</b>	<b>Revised</b>
<b>General Fund</b>			
<u>Expenditures:</u>			
New Project - Santa Clara/Santa Cruz Counties Airport/Community Roundtable	\$0	\$35,000	\$35,000
<u>Reserves:</u>			
Budget Stabilization Fund	\$32,827,690	(\$35,000)	\$32,792,690

### **PUBLIC CONTACT**

Public contact was made by posting the Council agenda on the City's official-notice bulletin board outside City Hall, at the Sunnyvale Senior Center, Community Center and Department of Public Safety; and by making the agenda and report available at the Sunnyvale Public Library, the Office of the City Clerk and on the City's website.

### **ALTERNATIVES**

1. Adopt a resolution to join the Santa Clara/Santa Cruz Counties Airport/Community Roundtable; approve and authorize the City Manager to execute the Memorandum of Understanding, in substantially the same form as in Attachment 5, between the City of Sunnyvale and the Cities Association of Santa Clara County providing for the continuing operation of the Santa Clara/Santa Cruz Counties Airport/Community Roundtable and any other documents necessary for participation in

the Roundtable; approve the Roundtable Bylaws; authorize the Mayor to appoint a Representative and Alternate to serve a two-year term; and approve Budget Modification 3 in the amount of \$35,000.

2. Do not adopt a resolution to join the Santa Clara/Santa Cruz Counties Airport/Community Roundtable.

3. Take other action as directed by the City Council.

### **STAFF RECOMMENDATION**

Alternative 1: Adopt a resolution to join the Santa Clara/Santa Cruz Counties Airport/Community Roundtable; approve and authorize the City Manager to execute the Memorandum of Understanding, in substantially the same form as in Attachment 5 between the City of Sunnyvale and the Cities Association of Santa Clara County providing for the continuing operation of the Santa Clara/Santa Cruz Counties Airport/Community Roundtable and any other documents necessary for participation in the Roundtable; approve the Roundtable Bylaws; authorize the Mayor to appoint a Representative and Alternate to serve a two-year term; and approve Budget Modification 3 in the amount of \$35,000.

Prepared by: Lupita Alamos, Senior Management Analyst

Reviewed by: Timothy J. Kirby, Director of Finance

Reviewed by: Teri Silva, Assistant City Manager

Approved by: Kent Steffens, City Manager

### **ATTACHMENTS**

1. Congressional Request for Roundtable
2. Cities Association Resolution forming the Santa Clara/Santa Cruz Community Roundtable
3. Roundtable Bylaws
4. Roundtable FAQ Sheet
5. Roundtable MOU
6. Resolution