



Minutes Tempe Aviation Commission January 10, 2017

Minutes of the Tempe Aviation Commission meeting held on January 10, 2017, 6:30 p.m., at the Public Works Conference Room, Garden Level, City Hall Complex, 31 E. Fifth Street, Tempe, Arizona.

(MEMBERS) Present:

Lane Carraway (Chair)
Robert Dixon
Shannon Dutton
Gordon Gauss (Vice-Chair) (on phone)
David Naugle
John Q. Nunes
Mike Sonenberg

Citizens Present

Valeriy Khaldaraov

Guests Present

Anne Kurtenbach, *Airspace & Noise Program Manager, City of Phoenix*
Brett Nadler, *Airspace & Noise Planner II, City of Phoenix*

(MEMBERS) Absent:

Mark Garrigan (Excused)

City Staff Present:

Cassandra Mac, *Management Assistant I*
Oddvar Tveit, *Environmental Quality Specialist*

Meeting convened at 6:30 p.m.

Chair Lane Carraway called the meeting to order.

Agenda Item 1 – Public Appearances

There were no public appearances.

Agenda Item 2 – Consideration of Meeting Minutes (December 10, 2016)

Chair Lane Carraway asked for comments to the drafted minutes, and a motion to approve.

Motion: Mr. David Naugle moved to approve the drafted minutes. The motion was seconded by Mr. Robert Dixon.

Action: The minutes from the December 10, 2016 meeting were approved by a unanimous vote.

Agenda Item 3 – Election of Officers

Chair Lane Carraway asked for a motion on the nomination of candidates for the offices of commission Chair and Vice Chair for 2017.

Motion: Mr. Robert Dixon moved to nominate and reelect Lane Carraway for the office of Chair and Gordon Gauss for the office of Vice Chair. The motion was seconded by Mr. David Naugle. No motions for other candidates were made.

Action: The motion was approved by a unanimous vote.

Agenda Item 4 – Update from Staff

Cassandra Mac updated the commission on the quarterly aviation newsletter. Cassandra and the new Public Information Officer, Shannon Reed, plan to have it complete and sent by end of January. The staff's recommendation

is to issue an e-blast rather than an e-newsletter to increase readership. Mr. John Q. Nunes asked the city to include notices in the water bill as well.

Agenda Item 5 – PHX Noise Abatement Issues

Mr. John Q. Nunes presented the recommendations from the January 4, 2017 noise abatement subcommittee. The subcommittee recommends that the Commission invite representatives from the FAA region, the PHX ATCT/TRACON and the American and Southwest airlines to attend the next TAVCO meeting to discuss PHX operations. The purpose is to discuss inconsistencies with area navigation (RNAV) routing under NextGen between airlines and airports. Mr. John Q. Nunes suggested that staff schedule a tour at PHX ATCT/TRACON for interested Commissioners.

Motion: Mr. Mike Sonenberg moved to approve the subcommittee's recommendation to invite aviation representatives to a future Commission meeting. The motion was seconded by Ms. Shannon Dutton.

Action: The motion was approved by a unanimous vote.

City of Phoenix Airspace & Noise Program Manager Anne Kurtenbach updated the members on the following topics:

1. Oral arguments have been scheduled to take place on March 17, 2017 in Washington D.C. regarding the City of Phoenix and neighborhoods lawsuit regarding flight path changes.
2. President Obama signed the National Defense Authorization Act (NDAA) for FY 2017 with the provisions regarding consultations or other engagement with the community before implementation of Performance Based Navigation conducted under the FAA Modernization and Reform Act of 2012. Phoenix is following the Arizona delegation regarding effective implementation of the legislation by the new administration.

Chair Lane Carraway also asked for an opportunity for the Commission to tour the Terminal 3 north upgrade. Anne Kurtenbach responded that a tour of the Terminal 3 modernization could be arranged.

Follow up action: Staff to proceed with;

- Invitations to get the requested participation at one of the Commission's monthly meetings.
- Preparations for a visit by the Commission to the PHX ATCT/TRACON facility, and a tour of the Terminal 3 modernization project.

Agenda Item 6 – City Drone Regulation Initiative

Chair Lane Carraway asked to revisit the conversation introduced and discussed at the December 10, 2016 meeting to further discuss the need for the UAV regulations proposed by the City's UAV (Unmanned Aerial Vehicle) working group.

Discussions:

- The UAV working group's proposal did not specify that the ordinance amendment's intention is to regulate only the recreational use of drones. The commission has already stated that the proposed ordinance amendment should specifically state that it pertains to recreational use only and excludes the use of drones for commercial purposes.
- Safety standards regarding the operation of UAVs and recreational drones are upheld by the Association for Unmanned Vehicle Systems International (AUVSI) and the Academy of Model Aeronautics (AMA).
- The danger that recreational drones may cause is a valid concern if tampered with or if something goes wrong once airborne.
- If the City regulates the parks in which recreational UAV take offs and landings cannot occur, it may raise unnecessary questions on where it can occur, and a demand for a dedicated parks in north and south Tempe.

- Amending existing parks ordinance to ban drone use will raise demand for alternative parks where recreational users can fly UAVs.
- Unlawful use of UAVs is regulated by federal, state and city regulations. In addition, specific regulations apply to remote controlled aircraft and similar aerial devices in Tempe Beach and Rio Salado parks.
- FAA has issued local police enforcement guidance, https://www.faa.gov/uas/resources/law_enforcement/.

Motion: Mr. Mike Sonenberg moved to add to the previous recommendation with the following: The Commission considers the need for the proposed city ordinance amendment to be unnecessary, due to the fact that that UAVs are sufficiently regulated under existing parks regulations, state law and federal regulations. The motion was seconded by Mr. Robert Dixon.

Action: The motion passed with six votes for the motion and one member abstaining.

Motion: Mr. John Q. Nunes moved to recommend to city staff to consider developing a commercial permitting process to ensure necessary FAA authorization, insurance coverage and public safety concerns can be addressed upfront. Mr. Mike Sonenberg seconded the motion.

Action: The motion was approved by a unanimous vote.

Agenda Item 7 – Commissioners’ Business

- Touring the PHX ATCT/TRACON facility and Terminal 3 modernization.
- Arrange meeting participation from FAA and airlines.

Agenda Item 8 – Schedule Next TAVCO Meeting

Action: Next meeting was scheduled to February 21, 2017 at 6:30 p.m.

Agenda Item 9 – Adjournment

Motion: Mr. Robert Dixon moved to adjourn the meeting. Mr. Mike Sonenberg seconded the motion.

Action: The meeting was adjourned at 7:35 p.m. by a unanimous vote.

Prepared by: Oddvar Tveit and Cassandra Mac

Reviewed by: David McNeil