

>> CHAIR LOUIE: GOOD MORNING, GREETINGS TO THE AIRPORT LAND USE COMMISSION MEETING ON SEPTEMBER 11, 2013. I WOULD ASK COMMISSIONER HELSLEY TO LEAD US IN THE FLAG SALUTE.

>> COMMISSIONER HELSLEY: IF YOU WOULD STAND AND JOIN ME IN HONORING OUR COUNTRY. THE FLAG IS HALF TO HONOR TODAY. (PLEDGE OF ALLEGIANCE).

>> I PLEDGE ALLEGIANCE TO THE FLAG OF THE UNITED STATES OF AMERICA AND TO THE REPUBLIC FOR WHICH IT STANDS ONE NATION UNDER GOD, INDIVISIBLE, WITH LIBERTY AND JUSTICE FOR ALL.

>> CHAIR LOUIE: THANK YOU ALL FOR JOINING US THIS MORNING AND IF THIS IS THE FIRST TIME THAT YOU'VE COME TO AN AIRPORT LAND USE COMMISSION MEETING, THERE ARE AGENDAS AVAILABLE AT THE BACK OF THE ROOM AND IF YOU PLAN TO SPEAK, YOU'LL NEED TO COMPLETE A SPEAKER'S CARD AND PRESENT IT TO STAFF. THOSE CARDS ARE AVAILABLE AT THE BACK OF THE ROOM. I'D SEEK THE APPROVAL OF THE AGENDA.

>> SO MOVED.

>> MOVED, SECONDED, NO OBJECTIONS. THE AGENDA IS APPROVED. GOOD MORNING, COUNTY COUNSEL, DO YOU HAVE ANY REPORTS FOR US THIS MORNING?

>> I DO NOT.

>> CHAIR LOUIE: THANK YOU VERY MUCH, DEPUTY DIRECTOR?

>> NO REPORTS THIS MORNING.

>> CHAIR LOUIE: MR. BRUCKNER?

>> [INAUDIBLE]. I WOULD ASK THAT WE -- THAT ALTHOUGH THIS IS AN ALUC COMMISSION MEETING, THAT WE RECOGNIZE MR. [INAUDIBLE] THIS IS HIS LAST DAY WITH US UPON HIS RETIREMENT AND JOHN IS HERE IN THE AUDIENCE, JOHN HAS SPENT 33 YEARS AND 9 MONTHS WORKING FOR THE DEPARTMENT IN A VARIETY OF CAPACITIES, SERVED IN ALMOST EVERY SECTION AND CERTAINLY IN EVERY DIVISION, HAS IN THE LAST SEVERAL YEARS BEEN THE DEPUTY DIRECTOR RESPONSIBLE FOR LAND USE REGULATION AND YOU SEE A VARIETY OF OUR STAFF HERE, MANY OF OUR STAFF MEMBERS HERE TO HONOR JOHN. YESTERDAY, THE BOARD OF SUPERVISORS PRESENTED HIM WITH A SCROLL IN COMMENDATION FOR HIS SERVICE OF THE COUNTY OF LOS ANGELES, PARTICULARLY THOSE IN THE UNINCORPORATED AREA WHERE UNDER HIS DIRECTION, THE LAND USE REGULATION DIVISION HELPED SIGNIFICANTLY IMPROVE NEIGHBORHOODS AND QUALITY OF LIFE, SO AS DIRECTOR, I WOULD LIKE TO FLORALLY FORMALLY AND RECOGNIZE JOHN, THANK YOU FOR A JOB WELL DONE, THANK YOU FOR YOUR COUNSEL OVER THE

LAST YEARS AND TO REITERATE WHAT AN IMPORTANT PART OF OUR MANAGEMENT TEAM JOHN WAS DURING THOSE YEARS.[APPLAUSE].

>> I KNOW YOU HAVE A BUSY AGENDA, SO I'M JUST GOING TO BE VERY BRIEF.I WANT TO THANK MY STAFF FOR ALL THEIR HARD WORK AND EFFORT.I COULDN'T DID MY JOB WITHOUT THEIR SUPPORT MOMENT BY MOMENT ACTUALLY.ZONING CODE ENFORCEMENT DOESN'T MANY TIMES EARN YOU ANY POPULARITY POINTS, SO YOU KNOW, THE JOB HAS BEEN CHALLENGING AND IN CODE ENFORCEMENT BUT BECAUSE OF MY STAFF'S DEDICATION AND HARD WORK, I'VE BEEN ABLE TO SURVIVE THAT POSITION.I WANT TO THANK THE REGIONAL PLANNING COMMISSION, SOME OF YOU WON'T KNOW THIS, BUT BACK IN THE 90'S, I WAS DOWN HERE EVERY WEDNESDAY, I WAS IN CHARGE OF THE ZONING PERMITS SECTION AND BACK AT THAT 12:04:26TIME, THERE WAS JUST ONE ZONING PERMITS SECTION, AND THERE WAS NO SPECIAL PROJECTS, SO I HAD A VERY BUSY AGENDA, THE COMMISSIONERS WERE DIFFERENT EXCEPT FOR I THINK COMMISSIONER HELSLEY PROBABLY REMEMBERS ME AT THAT TIME, BUT IT WAS RENE CAMPBELL, DON TOY, ESTHER FELDMAN, IT MIGHT HAVE BEEN, I CAN'T REMEMBER, I WORKED WEEKLY WITH THOSE COMMISSIONERS BUT I LEARNED AN AWFUL LOT.THE PLANNING COMMISSION DOES AN EXCELLENT JOB, IT'S COMMUNITY SERVICE THAT PEOPLE DON'T APPRECIATE, THE HARD WORK AND TIME YOU PUT IN WEEKLY TO GET READY OF YOUR CASES IS VERY ADMIRABLE, I'VE ALWAYS BEEN RESPECTFUL OF THE WORK THE COMMISSION

DOES AND I WANT TO THANK THE CITIZENS OF LOS ANGELES COUNTY, THANK YOU. [APPLAUSE].

>> CHAIR LOUIE: THANK YOU VERY MUCH. IS IT POSSIBLE TO GET A PHOTOGRAPH? PLEASE. COMMISSIONERS IF YOU COULD. (TAKING PHOTOGRAPH).

>> CHAIR LOUIE: CONGRATULATIONS AND JOB WELL DONE. COMMISSIONER HELSLEY?

>> COMMISSIONER HELSLEY: YES, I WOULD LIKE TO ADD A FEW COMMENTS. WHEN I CAME ON THIS COMMISSION, I GUESS IT WAS 13 YEARS AGO, A LITTLE MORE, THERE WAS A CASE THAT I WAS HIGHLY INTERESTED IN AND IT WAS WITH THE EDUCATION OF A NUMBER OF STAFF MEMBERS THAT I WAS ABLE TO UNDERSTAND THAT CASE I THOUGHT PRETTY WELL. THE QUALITY OF LIFE IN L.A. COUNTY IS THE QUALITY OF STAFF AT THE PLANNING COMMISSION AS WE HAVE DEVELOPMENT OCCUR, AND IT'S PEOPLE LIKE JOHN WHO HAVE MAINTAINED THAT QUALITY OF STAFF HERE AT THE COUNTY, AND WE HAVE A SITUATION WHERE THAT EFFORT MADE THE QUALITY OF MY LIFE ON THE PLANNING COMMISSION BETTER, AND I THANK YOU FOR THAT. IT'S THE INSTITUTIONAL MEMORY THAT HAS BEEN SO IMPORTANT AND WE WILL MISS YOU. THANK YOU.

>> CHAIR LOUIE: THANK YOU VERY MUCH.I NOW SEEK THE APPROVAL OF THE MINUTES OF JULY 24, 2013.MOVED, SECONDED, NO OBJECTIONS, THE MINUTES FOR JULY 24TH ARE APPROVED.

>> [INAUDIBLE].

>> CHAIR LOUIE: THANK YOU VERY MUCH, SO NOTED AND NOW I WILL SEEK THE APPROVAL OF THE MINUTES OF JULY 31, 2013.MOVED, SECOND, NO OBJECTIONS NOTED AGAIN, THE MINUTES ARE APPROVED FOR JULY 31, 2013.WE NOW MOVE ON TO PROJECT NUMBER R20131802, MR. CHILD?

>> MR. CHILD: GOOD MORNING, COMMISSIONER, MY NAME IS MARK CHILD WITH THE CURRENT PLANNING DIVISION ASSISTING THE AIRPORT LAND USE SECTION WITH ITEM NUMBER 6 TODAY WHICH IS A REQUEST BY THREE PUBLIC AGENCIES WHICH ARE THE CITY OF COVERT, THE CITY OF ONTARIO AND THE COUNTY OF SAN BERNARDINO, THEY ARE REQUESTING THAT ALUC REVIEW AN IMPASSE SITUATION THAT WAS APPROVED BY THE CITY OF LOS ANGELES CONCERNING OPTIONS FOR THE LOS ANGELES INTERNATIONAL AIRPORT.AUTHORITY FOR ALUC TO HEAR A MATTER LIKE THIS COMES FROM THE PUBLIC UTILITIES CODE SPECIFICALLY SECTION 21670.THIS SECTION ASSIGNS ALUC THE RESPONSIBILITY TO HEAR AND ATTEMPT TO RESOLVE IMPASSE MATTERS RELATED TO AIRPORT PLANNING.THE PUBLIC UTILITIES CODE AND THE COUNTY'S AIRPORT LAND USE COMMISSION REVIEW PROCEDURES PROVIDES THAT ANY PUBLIC AGENCIES INVOLVED IN AN

IMPASSE OF AIRPORT PLANNING OF ANOTHER PUBLIC AGENCY WHERE AN AIRPORT OR PLANNING AREA BOUNDARY EXTENDS INTO LOS ANGELES COUNTY MAY CALL UPON THE ALUC TO REVIEW A MATTER AS AN IMPASSE APPEAL. THE THREE PUBLIC AGENCIES HAVE JOINED JOINTLY FILED THE APPEAL TODAY AND THEY SHARE THE SAME ISSUES. THE LETTER WE RECEIVED FROM THE APPELLANTS MAINLY FOCUSED TO PERSUADE YOUR VOTE WHEN YOU HEARD IN MARCH THE ASPECTS THE SPECIFIC PLAN AMENDMENT STUDY FOR THE INTERNATIONAL LOS ANGELES AIRPORT, IT'S NOT POSSIBLE FOR YOU TO RESPOND TO THIS REQUEST BECAUSE YOU ARE NOT THE APPEAL BODY FOR YOUR OWN PRIOR ACTIONS. WHEN STAFF REVIEWED THE APPELLANT'S MATERIAL, WE LOOKED AT THE DECISION THAT HAD CAUSED THE IMPASSE. THAT DISCUSSION WAS THE MAY ACTION BY THE CITY OF LOS ANGELES TO APPROVE THE SPECIFIC PLAN A AMENDMENT STUDY AND TO SELECT A STAFF RECOMMENDED ALTERNATIVE. TO UNDERSTAND SPECIFICALLY WHAT IT WAS ABOUT THAT DECISION THAT HAS CAUSED THE DISPUTE, STAFF CONVENED MEETINGS WITH BOTH THE APPELLANT AND THE CITY, WE UNDERSTOOD FROM THE MEETINGS THAT THE ASPECTS OF THE APPROVAL THAT HAVE CAUSED THE DISPUTE AND THE IMPASSE IS THE ACTION THAT SELECTED ONE ALTERNATIVE FOR FURTHER STUDY. TO REMIND YOU OF WHAT THIS ASPAS SPECIFIC PLAN AMENDMENT IS, SPAS IDENTIFIES IMPROVEMENT OPTIONS AS A BROAD CONCEPTUAL LEVEL, ANALYZES THE DRAWBACKS OF VARIOUS OPTIONS SO THAT FURTHER DETAILED ANALYSIS MAY BE FURTHER NARROWED TO ONLY THOSE OPTIONS THAT ARE VIABLE, THE NEED FOR THE STUDY CAME THROUGH A ENTICEMENT AGREEMENT, THE AGREEMENT REQUIRED

THAT ENVIRONMENTAL AND PROJECT LEVEL ANALYSIS BE UNDERTAKEN OR YELLOW LIGHT POTASHES BEFORE THEY ARE APPROVED.THE SPAS PROJECTS CONTAIN MANY OF THE YELLOW LIGHT PROMPTS, PARTICULARLY A CONTROVERSIAL PROJECT IN THE SPAS IS A PROPOSED RUNWAY REALIGNMENT OF THE NORTH AIRFIELD COMPLEX WHICH WOULD MOVE RUNWAYS APPROXIMATELY 260 FEET TO THE NORTH.AFTER ANALYZING 9 ALTERNATIVES AND A COMBINATION THEREOF, THE SPAS CONCLUDED WITH ONE RECOMMENDED ALTERNATIVE, THIS WAS THE MAY 21 ACTION THAT PREFERRED THE STAFF ALTERNATIVE.AS YOU MAY RECALL FROM RECENT COMMISSION TRAINING FROM IMPASSE SITUATION, YOUR ROLE IS IN REVIEWING AN IMPASSE CASE IS DIFFERENT FROM THE REGULAR DUTIES WE HAVE AS ALUC.TO HELP YOU IDENTIFY THESE DIFFERENCES AND HOW THEY APPLY TO THIS CASE, I'D LIKE TO REMIND YOU OF A FEW IMPORTANT KEY FACTS.YOU ARE THE PLANNING COORDINATOR IN IMPASSE SITUATIONS, YOU IDENTIFY THE ISSUES AND DETERMINE WHETHER THERE IS A CONFLICT WITH THE OVERALL GOALS AND OBJECTIVES IN THE STATE AERONAUTICS ACT, THE BOUNDARY OF YOUR REVIEWS IN THIS TYPE WOULD NOT BE THE SAME AS THEY WOULD BE FOR CONSISTENCY DETERMINE THRESHING NATION THAT YOU'RE FAMILIAR WITH WHEN IT COMES TO CONSISTENCY WITH THE AIRPORT LAND USE COMPATIBILITY PLAN, THE FOCUS IN AN IMPASSE CASE IS THE AERONAUTICS ACT AND THE CONSISTENCY OF AIR IMPORTANT PLANNING ACTIONS BY A PLANNING AGENCY WITH THAT ACT.THE KEY POINTS OF THE ACT AND I'LL PARAPHRASE, THE ACTUAL LANGUAGE IS IN YOUR REPORT.IT IS IN THE PUBLIC'S INTEREST TO PROVIDE FOR THE PUBLIC USE AIRPORT,

TO PROMOTE THE OVERALL CARE AND OBJECT STIRS FOR THE NOISE STANDARDS AND TO PREVENT THE CREATION OF NEW NOISE AND SAFETY PROBLEMS, THE SECOND PART IS TO ENSURE THE ORDERLY EXPANSION OF AIRPORTS AND THE ADOPTION OF LAND USE MEASURES THAT MINIMIZE THE PUBLIC'S EXPOSURE TO NOISE, WITH THE MEETING THAT WE HAD WITH BOTH THE APPELLANTS AND THE CITY, THE DISAGREEMENT WITH IN THE ACTION IN MAY BY THE CITY AND WHAT THAT AUTHORIZED.THE APPELLANTS BELIEVE A PROJECT WAS APPROVED AND THAT THE PUBLIC AND PUBLIC AGENCIES WOULD BE EXCLUDED FROM FURTHER INVOLVEMENT.THE CITY'S CLAIM, THE CITY CLAIMS THIS IS NOT TRUE AND THAT THE PROCESS WILL CONTINUE TO PROVIDE FOR INPUT FROM THE PUBLIC.THE APPELLANTS ALSO BELIEVE THE DECISION TO SELECT ONE ALTERNATIVE IS TOO EARLY IN THE PLANNING PROCESS BECAUSE IT WILL PRECLUDE OTHER OPTIONS THAT WILL TURN OUT TO BE SUPERIOR IN TERMS OF MINIMIZING THE PUBLIC'S EXPOSURE TO EXCESSIVE NOISE AND SAFETY FROM THE AIRPORT.FROM THE INFORMATION STAFF RECEIVED, WE UNDERSTOOD THAT THE IMPASSE CAN BE DESCRIBED AS THE CITY ELIMINATING OPTIONS TOO SOON AND NOT PROVIDING FOR CONTINUED PUBLIC [INAUDIBLE] WOULD A DECISION TO SELECT ONE ALTERNATIVE AT THIS STAGE PROVIDE ORDERLY PLANNING FOR THE AIRPORT.THIS IS TO PROVIDE ENVIRONMENTAL ANALYSIS FOR NEPA AND CEQA, THE CITY'S ACTION INCLUDES A PROGRAMMATIC EIR FOR THE LAX PROJECT, ALTHOUGH CEQA WOULD REQUIRE PROJECT LEVEL ENVIRONMENTAL ANALYSIS ON FUTURE PROJECTS, THE LANGUAGE AND PROCESS THE CITY HAS USED HAS LEFT SOME IN DOUBT OVER WHAT WAS AUTHORIZED BY THE MAY

ACTION. STAFF WAS CONCERNED THAT FUTURE AUCTIONS MAY ONLY BE LIMITED TO VERSIONS OF THE OPTION THAT WAS SELECTED. THE ABILITY TO ORDERLY DEVELOP THE AIRPORT COULD BE CONSTRAINED IF THAT WERE TRUE. SINCE THE SUPPLEMENTAL MATERIALS WERE FORWARDED TO YOU LAST WEEK, SOME VERY INFORMATIVE CORRESPONDENCE HAS BEEN RECEIVED FROM [INAUDIBLE] AND OTHERS, WE SUBJECTING TO CAREFULLY CONSIDER THE INFORMATION WHICH HAS BEEN MADE AVAILABLE TO THE PUBLIC THROUGH THE DEPARTMENT'S WEB PAGE AND IS ALSO IN PLACE IN THE BACK OF THE ROOM FOR ANYONE IN THE AUDIENCE TODAY. WE SUBJECTING YOU PAY PARTICULAR ATTENTION TO THE LETTER FROM LAWA DATED SEPTEMBER 10 BECAUSE YOU MAY FIND THIS LETTER HAS CONCERNS STAFF HAD WHILE THERE WAS LACK OF CLARITY, THIS CONCLUDES MY PRESENTATION AND I'M OF COURSE AVAILABLE FOR ANY QUESTIONS THAT YOU MAY HAVE.

>> CHAIR LOUIE: THANK YOU VERY MUCH, QUESTIONS FROM THE COMMISSIONER? COMMISSIONER HELSLEY?

>> COMMISSIONER HELSLEY: I'LL MAKE A STATEMENT RATHER THAN ASK A QUESTION, AND THAT IS WHEN I COME IN HAVING READ THE PACKET THAT I RECEIVED AND THEN I HAVE A QUARTER OF AN INCH OR A LITTLE BIT LESS OF A QUARTER OF AN INCH OF MATERIAL TO READ THIS MORNING BEFORE MAKING A DECISION, I THINK IT IS QUITE UNFAIR OF THOSE PEOPLE AND IT'S INAPPROPRIATE FOR ME TO SAY THAT I HAVE COMPLETELY UNDERSTOOD THIS MATERIAL IN TRYING TO DIGEST IT IN RELATION TO WHAT HAS BEEN

SAID. IT'S A LOT TO RECEIVE AT THE POINT OF THE HEARING. IT MEANS EITHER I'M NOT GOING TO BE PAYING ATTENTION TO WHAT'S BEING PRESENTED BECAUSE I'M GOING TO BE READING AND STUDYING THIS OR IT MEANS THAT THIS IS NOT GOING TO GET THE ATTENTION THAT MAYBE IT REALLY DESERVES BECAUSE I'M GOING TO BE PAYING ATTENTION TO THE HEARING PROCESS, AND SO I'M REALLY CONFLICTED AND I REALLY HAVE SOME DISAPPOINTMENT FROM THE AGENCIES THAT HAVE SENT THIS IN ON SUCH SHORT NOTICE.

>> MR. CHILD: COMMISSIONER, IF IT'S OF ANY ASSISTANCE, I CAN CERTAINLY PARAPHRASE, SUMMARIZE SOME OF THE CORRESPONDENCE THAT'S BEEN RECEIVED. THERE HAVE BEEN THE TYPES OF COMMENTS WE'VE RECEIVED RANGE FROM MANY OF THE TOPICS WE'VE DETERMINED CANNOT REALLY BE CONSIDERED THROUGH ALUC UNDER THIS PROCESS, SO TO HELP YOU NARROW DOWN THE ONES THAT ARE IMPORTANT AND ARE CONSIDERED TODAY, WE CAN CERTAINLY HELP YOU WITH THAT.

>> COMMISSIONER MODUGNO: MR. CHAIRMAN, I WOULD LIKE TO FOLLOW THE SAME LINE OF QUESTIONING. MR. CHILD, YOU'VE BEEN AT THIS A LONG TIME. YOU AND COUNSEL HAVE SPENT CONSIDERABLE HOURS THROUGH THE PROCESS, HAVE WITH ADDITIONAL STAFF, HAVE REVIEWED ALL THE MATERIALS, ALL THE CORRESPONDENCES AND YET WE IN THE 11TH HOUR HAVE BEEN HANDED ADDITIONAL INFORMATION INCLUDING CORRESPONDENCES FROM TWO OF OUR SUPERVISORS, BOTH OF WHOM ARE TAKING DIFFERENT

POSITIONS.WE UNDERSTAND OUR PROCESS IS OUTSIDE OF THEIR PURVIEW, HOWEVER, WE ALSO ACKNOWLEDGE WHICH IS APPOINTED BY ONE OF THEM THAT THE APPEAL, DEPENDING UPON WHATEVER DECISION WE MAKE, THE APPELLANT IS NOT THE BOARD OF SUPERVISORS, IT'S THE CITY COUNCIL OF LOS ANGELES, AND HAVING GONE THROUGH THIS PROCESS ONCE BEFORE, AT LEAST THREE OF US AS COMMISSIONERS DID, KNOWING THAT IT TOOK AN ACTION ON OUR PART, THEN GOING BACK TO THE CITY COUNCIL FOR TWO-THIRDS VOTE, THE CITY OF LOS ANGELES, THEN COMING BACK TO US AGAIN, AND THEN GOING BACK TO CITY COUNCIL OF LOS ANGELES FOR A 4/5 VOTE AND THEN GOING THROUGH THE COURTS, THAT AS WE LOOK AT THIS, THIS MORNING AND I'M NOT SURE THAT I THOROUGHLY HAVE HAD -- I CERTAINLY HAVE NOT HAD AN OPPORTUNITY TO REVIEW WHAT HAS JUST BEEN HANDED TO US, I DON'T KNOW THAT YOU FROM A STAFF STANDPOINT OR COUNSEL HAVE ALSO BEEN GIVEN ADEQUATE TIME TO REVIEW AND IF IN THOSE -- IN REVIEWING THAT INFORMATION, IF YOU'RE PREPARED FROM A STAFF STANDPOINT TO KEEP YOUR RECOMMENDATION AND MOTION WHICH HAS BEEN DRAFTED FOR US TO CONSIDER IS STILL THE POSITION THAT STAFF WOULD TAKE, THE DEPARTMENT TAKE, OR 12:21:36INDEED IF THAT INFORMATION WOULD CAUSE YOU AT THIS POINT IN TIME BASED UPON ANALYSIS TO CHANGE THAT RECOMMENDATION OR IF YOU AS WELL ARE SAYING, I'M NOT SO SURE THAT I THOROUGHLY HAVE HAD AN OPPORTUNITY TO GRASP ALL OF IT AND AWAITING THE TESTIMONY THAT'S COMING IN MIGHT ALTER MY POSITION BECAUSE QUITE FRANKLY, I DON'T PLAN ON TAKING ACTION WITHOUT A SOLID RECOMMENDATION FROM STAFF, AND

WHETHER THAT RECOMMENDATION CAN BE MADE AT THIS MOMENT OR IF LIKE US, WE WILL GO THROUGH THE PROCESS OF A LIST OF TESTIMONY AND BASED ON THAT TESTIMONY, IF YOU ARE PREPARED ALONG WITH SOME CONSULTATION WITH COUNSEL TO EITHER SUSTAIN THE RECOMMENDATION AND THE MOTION WHICH IS IN FRONT OF US, HAS BEEN PREPARED OR WOULD ALTER THAT OR POTENTIALLY WOULD WANT TO HAVE SOME CONTINUANCE TO EVALUATE IT BECAUSE THIS IS AN IMPORTANT DECISION. THERE IS A GREAT DEAL AT STAKE, CERTAINLY FROM LOS ANGELES WORLD AIRPORT'S STANDPOINT, FROM THE APPELLANT'S STANDPOINT, FROM THE COUNTY'S STANDPOINT AND I WANT TO MAKE SURE THAT AMPLE TIME IS GIVEN TO THIS CASE AND RECOGNIZING THAT THERE IS IMPORTANT WORK THAT NEEDS TO BE DONE AT THE AIRPORT AND THAT IMPORTANT WORK HAS TO GO THROUGH ALL OF THIS PROCESSING AND I DON'T WANT US TO BE IN A POSITION OF STALLING OR DELAYING BUT I CERTAINLY WANT US TO BE IN A POSITION TO BE ABLE TO EXPEDITE OR EXPEDITING CORRECTLY AND WITH PROPER AND AMPLE TIME TO GO THROUGH AND ANALYZE EACH OF THE STAKEHOLDER'S ROLES SO WE CAN RENDER A FAIR AND HONEST AND APPROPRIATE DECISION, EACH OF US COMING TO THAT CONCLUSION, BUT REALLY PREDICATED ON WHAT'S GOING TO BE SAID THIS MORNING, BUT MOST IMPORTANTLY, A STRONG UNDERSTANDING AND RECOMMENDATION FROM OUR STAFF WHO WE LOOK TO FOR GUIDANCE IN TERMS OF PROFESSIONALISM AND ABILITY TO ANALYZE WHAT IN THIS CASE HAVE GOT A NUMBER OF VERY COMPLICATED ISSUES ASSOCIATED WITH THEM. I JUST WANT TO PUT THAT ON THE TABLE AT THIS POINT. I SEE PEOPLE SHAKING THEIR HEADS AND I'M

NOT LOOKING FOR YOU AT THIS MOMENT UNLESS YOU FEEL THAT YOU STRONGLY HAVE BEEN ABLE TO HAVE BEEN SWAYED AND TAKEN INTO CONSIDERATION ALL THE CORRESPONDENCES BUT WE WILL BE LOOKING FOR YOU AT THE CONCLUSION OF THE TESTIMONY TO SAY, I'M IN A POSITION FROM A DEPARTMENT'S STANDPOINT TO MAKE A STRONG RECOMMENDATION OR I WOULD LIKE SOME ADDITIONAL TIME BEFORE COMING TO THAT CONCLUSION.

>> CHAIR LOUIE: THANK YOU VERY MUCH. YOU'RE VERY PERCEPTIVE AND I APPRECIATE THOSE COMMENTS. COUNTY COUNSEL, WILL YOU REFRESH MY MEMORY. IN THIS CASE, WILL THE APPELLANT HAVE 15 MINUTES TO PRESENT THEIR MATTER?

>> YES, NRA'S UP TO THE DISCRETION OF THE CHAIR, BUT WE DO DEFAULT TO THE REGIONAL PLANNING COMMISSION RULES.

>> CHAIR LOUIE: AND THEN WOULD THE CITY HAVE A FEW MINUTES AS WELL?

>> YES, THEN THERE'S GENERALLY A REBUTTAL PERIOD.

>> CHAIR LOUIE: AND THEN PUBLIC COMMENT?

>> YES.

>> CHAIR LOUIE: THANK YOU VERY MUCH.MR. CHILD, IS THE APPELLANT PRESENT?

>> MR. CHILD: YES, MS. LICHMAN IS REPRESENT THING APPELLANTS AND SHE'S PRESENT.

>> CHAIR LOUIE: MS. LICHMAN, IF YOU CAN COME FORWARD.

>> CHAIR LOUIE: I WOULD ASK YOU TO REMAIN STANDING, I WOULD LIKE TO SWEAR YOU IN AS WELL AS ANY OTHERS WHO PLAN TO SPEAK ON THIS MATTER.ANY OF YOU WHO PLAN TO SPEAK, IF YOU COULD RAISE YOUR RIGHT HAND, I NEED TO SWEAR YOU IN.(SWEARING-IN OF WITNESSES).

>> CHAIR LOUIE: IS THERE ANYONE WHO IS UNABLE TO MAKE THAT STATEMENT?THANK YOU VERY MUCH, IF YOU LAN TO SPEAK, YOU'LL NEED TO COMPLETE A SPEAKER'S CARD AND PRESENT IT TO STAFF.WELCOME AND YOU'LL HAVE 15 MINUTES TO PRESENT YOUR MATTER.THERE'S A TIMER IN FRONT, GLOWS GREEN FOR 14 AND A HALF MINUTES, YELLOW FOR THE LAST 30 SECONDS AND RED, I WILL ASK YOU TO CONCLUDE.THE TIME WILL START WITH THE STATEMENT OF YOUR NAME.

>> GOOD MORNING, MR. CHAIRMAN, MEMBERS OF THE COMMISSION, MY NAME IS BARBARA LICHMAN, I'M COUNSEL TO THE CITY OF CULVER CITY,

ONTARIO, AND THE COUNTY OF SAN BERNARDINO, APPELLANTS IN THIS MATTER. THAT ECHO IS COMING BACK AT ME. THERE'S NO DOUBT THAT AN IMPASSE EXISTS HERE. THE FUNDAMENT OF THAT IMPASSE IS WHAT LAWA CLAIMS IS THE VERY NARROW SCOPE OF THE PROJECT, IE, A FEW STANDARDIZED DEFINITIONS AND TERMINOLOGY ON THE DELETION OF REFERENCES TO FACILITIES THAT ARE NO LONGER BEING PROPOSED AND WHAT APPELLANTS BELIEVE IS THE SCOPE OF THE PROJECT WHICH WE ALSO BELIEVE THE ALUC MUST TAKE INTO CONSIDERATION, AND THAT IS THE IMPACTS OF A PROJECT ON THE AREAS SURROUNDING THE AIRPORT. THAT IS YOUR MANDATE PURSUANT TO THE PUBLIC UTILITIES CODE. LAWA FORGETS IN ITS CLAIM OF SUCH A NARROW PROJECT DEFINITION THAT THESE STANDARDIZED DEFINITIONS AND TERMINOLOGY THAT THEY CLAIM TO CHANGE IN THESE SPECIFIC PLAN AMENDMENTS THEY'VE SUBMITTED TO YOU CAN ONLY BE REQUIRED, THESE CHANGES CAN ONLY BE REQUIRED IF AN ALTERNATIVE PROJECT HAS BEEN SELECTED PURSUANT TO THEIR OWN SPECIFIC PLAN AMENDMENT STUDY REPORT, AND THIS IS ALL IN SECTION 7.2, AND THAT DEFINITION OF A PROJECT IS SET FORTH WITH SPECIFICITY IN THIS SPECIFIC PLAN AMENDMENT STUDY REPORT, BUT SECTION 1.1 WHICH INCLUDES A COMBINATION OF THE SURFACE TRAFFIC, CHANGES, ROADWAY, ETC., AND THE OBJECTIVE OF PROVIDING NORTH PARA FIELD IMPROVEMENTS THAT PROVIDES SAFE AND APPROPRIATE MOVEMENTS OF AIRCRAFT AND SECTION 9, AIRPORT SUB AREA INCORPORATED APPROVED USES IN THE NORTH AIRFIELD. THE PROJECT CLEARLY AND PLAINLY AS STATED BY LAWA ITSELF INCLUDES THE NORTH AIRFIELD. NOW, LAWA HAS

SENT YOU SOME ADDITIONAL INFORMATION WHICH APPARENTLY,
UNDERSTANDABLY YOU HAVE NOT HAD A CHANCE TO READ, BUT IN IT, THEY
CLAIM THAT SOMEHOW PUBLIC UTILITIES CODE SECTION 21664.5 DEALING
WITH THE ISSUANCE OF AIRPORT PERT BY CALTRANS SOMEHOW EXEMPTS THEM
FROM HAVING TO CLEAT AND SUBMIT TO THE ALUC A FULL PROJECT
DESCRIPTION AND ANALYSIS, NOT SO.THE SECTION OF 21664.5 CITED IN
THEIR SUPPLEMENTAL, ONE OF THEIR SUPPLEMENTAL LETTERS THAT CAME IN
A FEW MINUTES AGO HAS TO DO WITH CALTRANS PERMITTING, I WOULD CALL
TO YOUR ATTENTION THAT SINCE 1981, CALTRANS HAS NOT HAD THE POWER
TO PERMIT ANY AIRPORT.IT IS TOTALLY PREEMPTED BY FEDERAL LAW
PURSUANT TO AMONG OTHER OF THE PLETHORA OF CASES AND STATUTES, SAN
DIEGO VERSUS JOHN TURKO AND THAT IS FULLY CITED IN OUR
DOCUMENTS.KNEW, WHY IS THAT IMPORTANT?BECAUSE THE PROGRAM EIR, THE
EIR AND THE PROJECT DEFINITION THAT IS SUBMITTED TO YOU COMES FROM
A PROGRAM EIR, WHICH USUALLY IS A LARGE TEMPLATE FOR SOME
PREFERRED PROJECTS THAT MAY BE IMPLEMENTED IN THE FUTURE, NOT
NECESSARILY.I WOULD CALL TO YOUR ATTENTION CEQA, THE CALIFORNIA
ENVIRONMENTAL QUALITY ACT AND ITS IMPLEMENTING GUIDELINES WHICH
SAY VERY CLEARLY THAT A PUBLIC AGENCY MAY USE A PROGRAM EIR TO
AVOID PREPARATION OF MULTIPLE EIR'S ON A SERIES OF ACTIONS, A
PROGRAM EIR USED FOR THIS PURPOSE ALLOWS THE AGENCY TO
12:31:04DISPENSE WITH PREPARATION OF EIR'S FOR LATER
ACTIVITIES.SO, IF YOU'VE GOT AN EIR THAT GENERALLY COVERS THE
MAJOR IMPACTS OF A PROJECT, THE AGENCY CAN DECIDE NOT TO SUBMIT

THE REST BACK TO YOU, NOW THAT YOU'VE HAD YOUR SPECIFIC PLAN AMENDMENTS AND YOUR GENERAL PLAN AMENDMENTS, THE BOTTOM LINE IS LAWA DOESN'T HAVE TO SHOW YOU ANOTHER THING. THAT'S IT AND THAT'S THE FUNDAMENT OF THIS WHOLE DEAL. YOU HAVEN'T SEEN WHAT THIS PROJECT IS GOING TO DO TO THE AREAS AROUND THE AIRPORT AND THEY DON'T HAVE TO SHOW IT TO YOU IN THE FUTURE. 12:31:42 ON THE ISSUE OF REGIONALIZATION OF OUR COMPONENT IMPASSE, IT IS CLEAR FROM PROMOTING REGIONALIZATION IN RECENT YEARS, LAWA HAS STRIVEN TO COUNTERACT IT, FOR INSTANCE, 12:31:59 IT HAS IMPOSED FEES AND CHARGES INCLUDING A 10 MILLION PER YEAR ADMINISTRATIVE CHARGE ON ONTARIO, THE ONTARIO AIRPORT, THUS, DRAINING IT OF ITS RESOURCE, LAWA HAS FAILED TO MARKET THE INTERNATIONAL AIRPORT, IT HAS PROPOSED HIGH COST ON THE AIRPORT THEREFORE [INAUDIBLE] BECAUSE THOSE COSTS ARE PUT UPON THE AIRLINES WHO MIGHT USE IT, ALL THIS AS LAWA HAS ALREADY ACKNOWLEDGED IS TO PAY FOR THE HUGE EXPANSION PROJECT AT LAX, I WANT TO MAKE SURE THIS COMMISSION UNDERSTANDS THAT THE APPELLANTS ARE VERY SUPPORTIVE OF ECONOMIC DEVELOPMENT FOR LOS ANGELES AS A CITY, FOR LOS ANGELES AS A COUNTY AND FOR THE REGION AS A WHOLE. WHAT WE DON'T BELIEVE HAS TO HAPPEN IS THAT THAT DEVELOPMENT HAS TO COME AT THE EXPENSE OF EITHER THE COMMUNITIES AROUND THE AIRPORT OR THE PUBLIC AT LARGE WHO MIGHT BE USING OTHER REGIONAL FACILITIES, WE THINK THAT IT IS A DOUBLE WHAMMY FOR THE REGION ECONOMICALLY, IT WILL ENHANCE THE REGIONAL ECONOMICS BY THE USE OF ONTARIO AND IT WILL NOT DETRACT FROM THE ECONOMIC

DEVELOPMENT OF THE CITY OF LOS ANGELES IF THE LAWA PROJECT IS DONE PROPERLY, THE SPAS PROJECT IS DONE PROPERLY, IN SHORT, AND THEN I WILL GIVE IT TO MY CO-SPEAKERS, LAWA HAS PICKED A PROJECT AND NOW WANTS TO AVOID RESPONSIBILITY FOR ITS IMPETUSES ON THE HEALTH AND SAFETY OF THE POPULATIONS AROUND THE AIRPORT BY AVOIDING FURTHER CEQA REVIEW AND FURTHER SUBMISSIONS TO THE ALUC, IN ADDITION, ITS REFUSAL TO ACTIVELY IMPLEMENT REGIONALIZATION AS REQUIRED BY THE 2005 SETTLEMENT AMONG OTHER DOCUMENTS DOOMS THOSE SURROUNDING POPULATIONS AT LAX TO FURTHER IMPACTS, AS LAX EXPANDS WHICH IS EXACTLY THE SORT OF CONSIDERATION THAT SHOULD BE BEFORE THIS COMMISSION RIGHT NOW.THANK YOU VERY MUCH FOR HEARING ME OUT.IF YOU HAVE ANY QUESTIONS, PERHAPS -

>> CHAIR LOUIE: THANK YOU.CO-COUNSEL OR CO-MEMBER CAN --

>> MEMBERS OF THE CHAIR, MEMBERS OF COMMISSION, THANK YOU, MY NAME IS CHRIS HUGHES, I'M THE CITY MANAGER OF THE CITY OF ONTARIO, ONE OF THE APPELLANTS IN THIS CASE, ONTARIO URGES THE AIR PORTED LAND USE COMMISSION TO GRANT THE IMPASSE APPEAL AT THE GROUNDS THAT LOS ANGELES HAS FAILED TO FULFILL ITS REGIONALIZATION OBLIGATIONS UNDER LAX SPAS IN THE 2006 STIPULATED SETTLEMENT AGREEMENT.BY TAKING THIS ACTION, THE ALUC CAN RETURN THE SPAS BACK TO LOS ANGELES FOR CONSIDERATION OF A BROADER RANGE OF ALTERNATIVES THAT WILL FOSTER AIRPORT REGIONALIZATION AND SOUND AVIATION PLANNING

FOR THE ENTIRE REGION.AMONG OTHER THINGS, ONTARIO'S CONCERNED THAT REGIONALIZATION, THE VERY SERVICE HAS NOT BEEN A PRIORITY TO LOS ANGELES AND ITS AIRPORT PLANNING EFFORTS IN RECENT YEARS.THE RESULT IS A GREATER CONCENTRATION OF AIR SERVICE TODAY AT LAX THAN ANY TIME IN THE PAST QUARTER CENTURY.UNFORTUNATELY, MOST OF THE AIRPORT MARKET SHARE INCREASE AT LAX HAS COME AT THE EXPENSE OF ONTARIO.ASPECTS OF THE RECENTLY APPROVED SPAS TEND TO FORT REGIONALIZATION AND IT IS A DIRECT CONTRADICTION TO 2006 SETTLEMENT AGREEMENT, THE IMPASSE APPEAL PROCESS GIVES THE COMMISSION THE AUTHORITY TO REQUEST A COMPLETE PLAN REVIEW, INCLUDE A REPORT ON REGIONALIZATION, ONTARIO URGES YOU TO TAKE ADVANTAGE OF THIS OPPORTUNITY.WHEN THE PLAN IS RETURNED TO LOS ANGELES, THE NEW MAYOR, THE NEWLY COMMISSIONED CITY COUNCIL AND AIRPORT COMMISSION CAN TAKE A CORRECTIVE ACTION, ADDRESS THE ONGOING IMPASSE OVER THE ONGOING PLAN OVER AT LAX AND THE REGION.THANK YOU FOR YOUR TIME.

>> CHAIR LOUIE: THANK YOU VERY MUCH, QUESTIONS FROM THE COMMISSION?I'M SORRY?

>> THANK YOU, THANK YOU, MR. CHAIRMAN, MY NAME IS CAROL SWAB, THIS IS KIND OF LOUD HERE, MY NAME IS CAROL SWAB, I'M THE CITY ATTORNEY FOR CULVER CITY, I'M HERE TODAY REPRESENTING MAYOR JEFFREY COOPER AND THE MEMBERS OF THE CULVER CITY, CITY COUNCIL AND I WILL READ A

STATEMENT FROM MAYOR COOPER WHO COULDN'T BE HERE TODAY.HE WANTED TO COME TO STATE THAT CULVER CITY IS DEEPLY CONCERNED ABOUT THE FAILURE OF LAWA TO FULLY AND ADEQUATELY DISCLOSE OR ANALYZE THE IMPACTS OF THE SPAS PROJECT ON SURROUNDING COMMUNITIES INCLUDING CULVER CITY AND OTHER AREAS, WITH RESPECT TO CULVER CITY ALONE, THE SPAS PROJECT WILL CAUSE UNMITIGATED INCREASED SURFACE TRAFFIC ON CULVER CITY'S ARTERIALS WHICH ARE USED TO ACCESS THE AIRPORT, INCREASE OF AIR TRAFFICKER ON THE NORTH AIRWAY COMPLEX WHICH WILL OVERFLY CULVER CITY AND AS YET DISCLOSE UNMITIGATED IMPACTS AS WELL AS A SERIOUS ISSUE OF AN INCREASE IN AIR QUALITY IMPACTS FOR THE WHOLE REGION.CULVER CITY'S CLAIMS ARE SOUNDLY DISPUTED, STRONGLY DISPUTED BY LAWA GIVING RISE TO THE TYPE OF IMPASSE THAT YOUR COMMISSION CAN HAVE UNDER ITS JURISDICTION UNDER THE PUBLIC UTILITIES CODE.FOR ALL OF THESE REASONS, CULVER CITY ASKS THE COMMISSION TO FOLLOW THE RECOMMENDATION OF ITS STAFF AND UPHOLD THE IMPASSE APPEAL.THANK YOU.

>> CHAIR LOUIE: THANK YOU.THAT ENDS YOUR PRESENTATION?THANK YOU VERY MUCH.QUESTIONS?

>> COMMISSIONER PEDERSEN: REGIONALIZATION IS A VERY IMPORTANT ISSUE AND ONE OF 12:38:34THE MAJOR ISSUES IN THE IMPASSE.IN YOUR OPINION, WHAT ADDITIONALLY CAN LAWA DO TO SATISFY ONTARIO AND YOURSELVES TO GET PAST THIS IMPASSE ON REGIONALIZATION?

>> WELL, I THINK THAT'S TWO QUESTION, GETTING PAST THE IMPASSE ON REGIONALIZATION MAY BE SOMEWHAT DIFFERENT THAN WHAT LAWA CAN DO, WHAT WE HAVE SAID CONSISTENTLY THAT LAWA CAN DO IS TO ALLOW LOCAL CONTROL OF ONTARIO INTERNATIONAL AIRPORT IN ORDER TO ENHANCE ITS USE BECAUSE WE STRONGLY BELIEVE THAT THE LOCAL CONTROL OF ONTARIO WILL BE MUCH MORE BENEFICIAL TO ITS GROWTH THAN HAS BEEN THE CASE IN RECENT YEARS.WHAT IT CAN DO TO SATISFY THE IMPASSE, FIRST OF ALL, WOULD BE THAT, BUT THAT'S A LONG TERM OR RELATIVELY MEDIUM TERM SOLUTION.AND THE SHORT ONE, THEY HAVE TO ACKNOWLEDGE THAT THERE WILL BE INCREASED IMPACTS ON THE AREAS SURROUNDING THE AIRPORT, THIS AIRPORT, LAX, ABSENT SOME DIVERSION TO OTHER REGIONAL FACILITIES, MOST OF WHICH ARE ALREADY CONSTRAINED BY FEDERAL AND STATE RULES AS IT IS, EXCEPT FOR ONTARIO, SO IT'S A TWO-PART ACT.

>> COMMISSIONER PEDERSEN: SO, YOU'RE SAYING THAT WHAT THE EXPANSION OF THE NORTH RUNWAY IN ITSELF ENCOURAGES MORE TRAFFIC INTO LAX?

>> ABSOLUTELY.

>> COMMISSIONER PEDERSEN: AND THAT -- OKAY, SO THAT'S WHAT TIES INTO REGIONALIZATION?

>> MORE ON DIFFERENT TRAFFIC, YES, SIR.

>> COMMISSIONER PEDERSEN: OKAY, THANK YOU.

>> SURE.

>> MR. CHILD: COMMISSIONER, IF I COULD ADD A COMMENT HERE, WHEN WE REVIEWED THE INITIAL LETTER THAT CAME FROM THE APPELLANT, THERE WAS THE ISSUE OF REGIONALIZATION WASN'T RAISED AS AN IMPASSE ISSUE, AS THERE IS SOME REFERENCE TO IT BUT ONLY IN HISTORICAL CONTEXT. WHEN WE HAD FOLLOW-UP MEETINGS TO IDENTIFY WHAT THE IMPASSE WITH THE APPELLANT, THE REGIONALIZATION QUESTION WAS NOT DROPPED UP, THEREFORE, IT WAS NOT ANALYZED BY THE STAFFER ASK IS NOT PART OF THIS APPEAL. ANY ATTEMPT TO ADD THAT WOULD HAVE BEEN WITHIN THE 30 DAYS THAT WE RECEIVED IT, SO THE IMPASSE IS NOT AN ISSUE THAT HAS BEEN ANALYZED.

>> COMMISSIONER MODUGNO: MR. CHAIRMAN, I WOULD LIKE TO FOLLOW IN THAT. WHEN THIS CASE CAME BEFORE US SEVERAL YEARS AGO, REGIONALIZATION CLEARLY WAS AN ISSUE ON MANY OF OUR MINDS, AND WE HAD CONSIDERABLE DISCUSSION, IT MAY NOT HAVE BEEN APPROPRIATE DISCUSSION, BUT WE HAD CONSIDERABLE DISCUSSION ON REGIONALIZATION, BUT AS I LOOK AT THE NARROW FRAME IN TERMS OF OUR

RESPONSIBILITIES, I JUST WANT TO CLARIFY WITH COUNSEL AND FOLLOWING MR. CHILD'S COMMENTS THAT -- WELL, I WOULD LOVE TO GET INTO THE DISCUSSION AND TOPIC BECAUSE I FLY A GREAT DEAL, I WAS AT LAX MONDAY OF THIS WEEK, NO, I'M SORRY, YES, MONDAY THIS WEEK, TUESDAY OF THIS WEEK AND I WILL BE FLYING OUT AGAIN TOMORROW AND BACK ON SUNDAY. I'D LOVE TO USE BURBANK WHICH IS MUCH CLOSER TO MY HOME, SO I'VE HAD EXTENSIVE DISCUSSIONS INCLUDING SOME DISCUSSIONS WITH SOME OF THE LEADERSHIP WITHIN LOS ANGELES WORLD AIRPORT, ALSO NOTE FROM THEIR STATIONERY THAT PALMDALE HAS DISAPPEARED AND I WANT TO ASK THEM A QUESTION AS TO WHY IT'S DISAPPEARED, THE BOARD OF SUPERVISORS DID EXTENSIVE WORK OF TRYING TO STIMULATE AND EVEN SUBSIDIZED SOME ACTIVITY IN PALMDALE THAT FAILED SO IT DOES NOT FALL LIGHTLY AMONGST THIS BODY AND IT DOESN'T FALL LIGHTLY ON THE MINDS OF LOS ANGELES WORLD AIRPORT THAT WHILE I WOULD LOVE TO GET INTO THAT DISCUSSION, I JUST WANT TO CLARIFY WITH COUNSEL THAT I THINK FOLLOWING MR. CHILD'S COMMENTS THAT THAT'S NOT WITHIN OUR PURVIEW AND I WANT TO KNOW IF IT'S IN THE PURVIEW OF THE DISCUSSION OF THE APPEAL BECAUSE THAT ALONE COULD BE A MASSIVE, MASSIVE DISCUSSION AND I DON'T WANT TO GET OURSELVES OFF OF THE FOCUS OF TODAY'S HEARING WHICH IS NARROWLY LOOKING AT THE IMPASSE AND LOOKING AT THE OTHER ROLE WE PLAY IN TERMS OF ANY ACTIVITIES AND PLANNING THAT GOES ON AT THE AIRPORTS WHERE OUR AGAIN VERY NARROW FRAMEWORK IS NOISE AND SAFETY, SO IT'S A GREAT DISCUSSION, BUT I JUST WANT TO MAKE SURE FROM COUNSEL HOW FAR WE CAN GO THIS

MORNING, WE CAN CERTAINLY LISTEN TO ANY TESTIMONY BECAUSE WE CAN'T CONTROL WHAT'S SAID, BUT IS THAT SOMETHING WE HAVE A RESPONSIBILITY MOVING ON?

>> THE REVIEW PROCEDURES, 5.2.2 STATE AN APPEAL MUST BE FILED WITHIN 30 DAYS OF A FINAL DECISION BY THE GOVERNING BODY OF THE AIRPORT PLANNING PROJECT. WITHIN THAT APPEAL, ALL OF THE CONCERNS, IMPACTS AND ISSUES RELATED TO THE IMPASSE MUST BE RAISED AND THAT'S TO ALLOW EVERYONE TIME TO PROPERLY BRIEF AND DISCUSS. REGIONALIZATION WAS NOT RAISED FROM THE APPELLANT'S FILING WAS SUBMITTED TIMELY PRIOR TO JUNE 27TH, WE ALSO WERE NOT ASKED TO AND I THINK IT WOULD BE IMPROPER FOR YOU TO LOOK AT WHETHER OR NOT THE 2007 SETTLEMENT, STIPULATED SETTLEMENT AGREEMENT IS BEING ADHERED TO. THE PROPER PROCESS FOR THAT IF ANY PARTY FAILS BEING ADHERED TO, THEY GO TO THE COURTS, THERE IS A USE OF THAT SAYING ANY BREACH OF THE SETTLEMENT AGREEMENT IS ENFORCEABLE I BELIEVE BY GOING TO THE COURTS, I DON'T HAVE THAT AGREEMENT BEFORE ME BECAUSE IT IS NOT BEFORE THE ALUC.

>> COMMISSIONER PEDERSEN: CAN I MAKE A COMMENT?

>> CHAIR LOUIE: YES, PLEASE.

>> COMMISSIONER PEDERSEN: THAT'S ONE OF THE ISSUES I RAISED THE ISSUE, IT SEEMED THE APPELLANTS ARE TRYING TO -- ARE TYING IN THE FACT OF MOVING THAT NORTH RUNWAY WHICH COULD INVOLVE SOME SAFETY ISSUES, AND THAT THAT -- ONE OF THE REASONS THEY'RE DOING THAT IS TO INCREASE TRAFFIC AT LAX, IT MIGHT BE DIVERTED TO SOME OTHER AIRPORT AND THAT SEEMS TO BE IN THE LETTERS THAT WE'VE RECEIVED FROM THE APPELLANTS, THAT SEEMS HOW THEY'RE TYING THAT IN, AND THAT'S WHY I ASKED THE QUESTION THE WAY I DID.

>> AND I DO THINK SO FAR AS THEY'RE SAYING A RUNWAY MOVEMENT WILL AFFECT NOISE AND ADDITIONAL TRAFFIC, THAT IS BEFORE -- TRAFFIC IN SO FAR AS THAT AFFECTS SAFETY CONCERNS IN SURROUNDING AREAS, THAT IS BEFORE YOUR BOARD. AN IMPASSE APPEAL IS A MUCH BROADER, MARK SAID, I JUST WANT TO REITERATE, IT IS A VERY, VERY DIFFERENT REVIEW PROCEDURE AND IT'S NOT JUST CONSISTENCY WITH THE [INAUDIBLE], IT IS A CONSISTENCY FINDING WITH THE INTENT OF THE PUBLIC UTILITIES CODE, THAT'S SECTION 21670, SUB A.

>> MR. CHILD: IF I MAY ADD ANOTHER POINT, THE IMPASSE, THE WAY THAT THE CURRENT COUNTY REVIEW'S PROCEDURES ARE WRITTEN, THE IMPASSE WOULD NEED TO BE REMITTED TO AN ACTION THAT'S TAKEN BY THE CITY. WHEN WE REVIEWED THE ACTION THAT THE CITY TOOK RELATED TO SPAS, WE DIDN'T SPECIFICALLY SEE AN ACTION IN THERE THAT DEALT

WITH ANY CHANGES TO THE REGIONAL AIRPORT SITUATION, IT WAS REALLY THAT SPECIFIC STUDY ABOUT OPTIONS FOR LAX.

>> COMMISSIONER HELSLEY: MR. CHAIRMAN, I CONCUR WITH THE DISCUSSION THAT HAS OCCURRED IN THAT WE ARE CAUSING A DISTRACTION AS WE START TO TALK ABOUT REGIONALISM, I AM A VERY STRONG SUPPORTER OF REGIONALISM BECAUSE I THINK THAT'S THE ONLY WAY YOU GET AWAY FROM THE -- A LOT OF THIS TRAFFIC PROBLEM, BUT THAT'S NOT WHAT WE'RE HERE TO LOOK AT TODAY, I APPRECIATE STAFF'S CLARIFICATION ON THAT AND I THINK WE HAVE TO RELATE -- OR THERE NEEDS TO BE A 12:47:27 RELATIONSHIP TO THE NUMBER OF THE ISSUES THAT WERE BROUGHT UP, VALID POSITIONS IN THEIR MINDS IN RELATION TO COSTS AND COST FACTORS. I WOULD LIKE TO SEE THE WORLD -- LOS ANGELES WORLD AIRPORT WITH A STRONGER POSITION IN SUPPORT OF REGIONALISM BUT THAT'S NOT WHAT WE'RE HERE FOR TODAY.

>> CHAIR LOUIE: THANK YOU VERY MUCH, I DON'T SUSPECT THERE WAS A QUESTION IN THERE, SO THANK YOU VERY MUCH. IS THE CITY PRESENT? THE CITY OF LOS ANGELES PRESENT TO SPEAK ON THIS MATTER?

>> GOOD MORNING, COMMISSIONER, I'M GINA MARIE LINDSAY.

>> CHAIR LOUIE: MS. LINDSAY, WELCOME, YOU TOO WILL HAVE 15 MINUTES FOR YOU AND YOUR TEAM TO MAKE YOUR PRESENTATION, AND AGAIN, YOU CAN BEGIN BY STATING YOUR NAME ONCE MORE.

>> YES, I'M GINA MARIE LINDSAY, EXECUTIVE DIRECTOR OF LOS ANGELES WORLD AIRPORT, I'M JOINED BY MY TEAM THIS MORNING, DIEGO ALVAREZ, NICOLE GORDON WHO IS OUR LEGAL CEQA EXPERT AND JOHN PUTNUM WHO IS OUR NEPA EXPERT. YOU HAVE BEEN ASKED TO DETERMINE WHETHER THERE IS AN IMPASSE THAT SHOULD NULLIFY THE CITY OF LOS ANGELES ACTION TO SELECT A PREFERRED ALTERNATIVE PRIOR TO INITIATING THE NEXT ROUND OF ENVIRONMENTAL REVIEW FOR LAX IMPROVEMENTS. IF THE AIRPORT LAND USE COMMISSION DOES UPHOLD THE REQUEST FOR AN IMPASSE, LAWA COULD CHOOSE TO RETURN TO THE CITY COUNCIL FOR A SUPERMAJORITY VOTE TO OVERRIDE THE ALUC ACTION OR ACCEPT THE ALUC DECISION AND GO DOWN A WELL WORN BUT DUBIOUS PATH OF ENDLESS ALTERNATIVES ANALYSIS, OR GO BACK TO THE PRE-SPAS WORLD WITH LAX IN SUSPENDED ANIMATION AND NO VIABLE COMPREHENSIVE DEVELOPMENT PLAN. LAWA BELIEVES NONE OF THESE ARE NECESSARY AND RESPECTFULLY DISAGREES WITH THE BASIS ON WHICH THE COUNTY PLANNING STAFF RECOMMENDS YOU UPHOLD THE APPEAL. COUNTY STAFF SUGGESTS THAT LAWA MAY HAVE MOVED TOO QUICKLY TO IDENTIFY A STAFF PREFERRED ALTERNATIVE AS A RESULT OF OUR CEQA WORK AND THAT THEREFORE YOU SHOULD UPHOLD THE APPEAL. I WOULD LIKE TO TAKE ONE MOMENT TO REVIEW THE HISTORY. LAWA SPENT 10 YEARS AND 160 MILLION DOLLARS ON PLANNING AIRFIELD AND LAND SIDE IMPROVEMENTS, PRODUCED

CEQA AND NEPA DOCUMENTS, RECEIVED APPROVAL FOR PARTS OF THE PLAN AND PURSUANT TO A 2005 STIPULATED SETTLEMENT AGREEMENT TO WHICH THE COUNTY IS SIGNATORY WERE SENT BACK TO RESTUDY, TO FIND DIFFERENT ALTERNATIVES TO SOLUTIONS FOR PARTS OF THE PLAN THAT PEOPLE DIDN'T LIKE.AFTER 6 MORE YEARS OF PLANNING AND ANOTHER 10 MILLION DOLLARS, LAWA HAS PRODUCED A PROGRAM LEVEL CEQA DOCUMENT THAT THOROUGHLY STUDIED 9 DIFFERENT ALTERNATIVES IN 17 DIFFERENT CONFIGURATIONS.AFTER ISSUING THE DRAFT EIR, HOLDING MORE PUBLIC HEARINGS, COLLECTING ALL THE PUBLIC AND AGENCY COMMENTS, WE IDENTIFIED A STAFF PREFERRED ALTERNATIVE AND ISSUED THE FINAL EIR.IT'S WORTH NOTING AS AN ASIDE THAT LAWA WAS SEVERELY CRITICIZED BY SOME OF THE PARTICIPANTS IN THE PROCESS FOR NOT IDENTIFYING A STAFF PREFERRED ALTERNATIVE EARLIER IN THE PROCESS, THE CONTENTION WAS THAT WE WERE ASKING THE PUBLIC TO REVIEW TOO MANY ALTERNATIVES AND WE SHOULD BE MORE CLEAR AS TO WHAT WE REALLY THOUGHT THE SOLUTIONS WERE.BACK TO THE HISTORY.RECENTLY, THIS YEAR IS IN FACT THE BORE OF AIRPORT COMMISSIONER, THE L.A. CITY PLANNING COMMISSION, THE AIRPORT LAND USE COUNCIL ALL REVIEWED AND APPROVED THEIR PORTIONS OF THIS PLAN WHICH ENABLED THEM THE L.A. CITY COUNCIL TO CONSIDER THE PLAN AND ULTIMATELY SELECT AN ALTERNATIVE FOR FURTHER PROJECT LEVEL STUDY.NOW, THE COUNTY OF SAN BERNARDINO AND THE CITIES OF ONTARIO AND CULVER CITIES HAVE APPEALED TO YOU TO DECLARE THAT DECISION NULL.NOW, I ADMIT TO HAVING SOME DIFFICULTY IN UNDERSTANDING HOW ANYTHING IN THIS

PROCESS WHICH HAS CERTAINLY TAKEN OVER 16 YEARS HAS BEEN DONE IN TOO SPEEDY A WAY.WE CERTAINLY REALIZE EVERY PERSON, EVERY AGENCY, EVERY GOVERNMENTAL PERSPECTIVE, EVERY INTEREST GROUP HAS NOT ENTHUSIASTICALLY EMBRACED THE STAFF PREFERRED ALTERNATIVE, UNANIMITY IS A STATE OF GRACE THAT I AM AFRAID WE WILL NEVER ACHIEVE.THERE'S MUCH MORE DEFINITIVE PLANNING AND ENGINEERING WORK THAT HAS TO BE DONE YET IN THE FUTURE THAT WILL DRIVE REQUIRED PROJECT LEVEL CEQA STUDY.THIS IS A MANDATORY PROCESS AND IT REQUIRES ANALYSIS OF A REASONABLE NUMBER OF ALTERNATIVES, ROBUST PUBLIC PARTICIPATION AND COMMENT AND ANOTHER FULL ROUND OF PUBLIC DECISION-MAKING BY THE VERY SAME BODIES THAT REVIEWED THE PROGRAMMATIC LEVEL CEQA.ON A SEPARATE TRACK, WE HAVE COMPREHENSIVE FEDERAL ANALYSIS AND REVIEW UNDER THE NATIONAL ENVIRONMENTAL POLICY ACT AND IT MUST BE CONDUCTED BY THE FEDERAL AVIATION ADMINISTRATION, THAT FEDERAL NEPA PROCESS IS TRIGGERED BY LAWA SUBMITTING A SPECIFIC REQUEST OF CHANGES TO THE AIRPORT LAYOUT PLAN, WHILE THE TRIGGER IS A LOCALLY APPROVED CHANGES TO, NEITHER LAWA OR ANY OTHER AGENCY CAN RESTRICT THE NUMBER OR TYPE OF [INAUDIBLE] WHICH THE FAA CAN STUDY IN THEIR FEDERAL PROCESS AND ALL OF THIS MUST BE DONE BEFORE LAWA CAN IMPLEMENT ANY OF THE IMPROVEMENTS, EITHER ON THE AIRSIDE OR THE GROUND SIDE, ANY OF THE IMPROVEMENTS THAT WERE INCLUDED IN THE SPAS EIR, DIEGO IS PREPARE TO WALK THROUGH WHAT THAT PROCESS IN THE FUTURE WAS AND WE ALSO HAVE OUR LEGAL EXPERTS TO ANSWER ANY QUESTIONS.THANK YOU.

>> THANK YOU, I'M DIEGO ALVAREZ AND THANK YOU FOR THE INTRODUCTION, I HOPE TO AGAIN CLARIFY THE PROCESS GOING FORWARD. THAT WOULD BE REQUIRED BEFORE WE COULD IMPLEMENT ANY ASPECT OF THE RECOMMENDED ALTERNATIVE, SO I WANT TO START WITH THE PROGRAM LEVEL. WHAT IS A PROGRAM LEVEL EIR? WHAT HAVE WE DONE? REALLY IT IS AN EIR WHERE WE'VE ANALYZED THE ALTERNATIVES AT A LEVEL DETAIL THAT'S SUFFICIENT FOR MEANINGFUL, ENVIRONMENTAL AND ANALYSIS AT A CONCEPTUAL LEVEL. WE ARE LOOKING FOR -- TO UNDERSTAND THE RELATIONSHIP BETWEEN FACILITIES, WE DID AN ENGINEER AND DESIGN THE FACILITY, WE HAD THE IMPACTS ANALYZED IN THE FINAL YEAR BUILD-OUT, WE UPFRONT ACKNOWLEDGED BEFORE WE CAN IMPLEMENT OF THE PROJECT WOULD NEED TO DO DETAILED DESIGN AND ENGINEERING, NEPA REVIEW AND SEEK ADDITIONAL APPROVALS AND PROVIDE OPPORTUNITY FOR PUBLIC IMPACT GOING FORWARD. WE PROVIDED THAT OUTLINE IN THE SPAS EIR, IN OUR OUTREACH MATERIAL, IN OUR PRESENTATIONS TO APPOINTED AND ELECTED BODIES AND IN AT LEAST 125 RESPONSES TO COMMENT ON THE EIR. NOW, I WANTED TO HELP YOU VISUALIZE THIS LOOKING FORWARD. SO, THIS GRAPH SHOWS YOU WHERE WE'VE BEEN, WHERE WE ARE TODAY AND WHERE WE NEED TO GO BEFORE WE IMPLEMENT ANYTHING, SO ON THE LEFT HAND SIDE, UNDER SPAS PLANNING AND ENTITLEMENTS, YOU SEE THE PROGRAM LEVEL REVIEW THAT WE'VE DONE TODAY, AND THAT INCLUDES THE CEQA PROGRAM LEVEL APPROVAL THAT WAS CONDUCTED IN MAY. NOW, GOING FORWARD, PAST THAT DATE TO THE RIGHT, YOU SEE WHERE WE MUST GO

FROM HERE AND IT STARTS WITH PROJECT LEVEL PLANNING AND DESIGN THAT IS THEN FOLLOWED UP BY PROJECT LEVEL CEQA AND A NEPA REVIEW AND AT THE END OF THAT PROCESS, YOU WILL SEE THERE WILL BE AN OPPORTUNITY FOR ALUC TO MAKE A CONSISTENCY DETERMINATION ONCE AGAIN AND I'M GOING TO GO THROUGH THESE IN A LITTLE MORE DETAIL, SO WHAT IS PROJECT LEVEL PLANNING AND DESIGN, THIS IS BEFORE WE START ENVIRONMENTAL WORK, LAWA MUST REFINE THE SELECTED ALTERNATIVE TO DEVELOP SUFFICIENT INFORMATION TO GO INTO ENVIRONMENTAL REVIEW, THAT MEANS UNDERSTANDING THE SEQUENCING AND PHASING, IN OTHER WORDS, IN WHICH ORDER THE ALTERNATIVE WOULD NEED TO BE BUILT.WE NEED TO LOOK AT CONSTRUCTION METHODS, HOW IT WOULD BE BUILT AND WE ALSO NEED TO LOOK AT DESIGN FEATURES TO SEE IF THERE'S ANY ESSENTIAL FUNCTIONS IN DESIGN AND FUNCTIONALITY THAT WE DESCRIBED, WE NEED TO GET INTO ACTUAL DESIGN AND ENGINEERING.NEXT, WE NEED TO REVIEW ALL OF THE OTHER PROJECTS AT THE AIRPORT THAT LAWA MAY BE UNDERTAKING AND OTHER PROJECTS IN THE REGION THAT MAY BE UNDERTAKEN AT THE SAME TIME AND LOOK AT FAA REGULATIONS BEFORE WE INITIATE ENVIRONMENTAL REVIEW, THAT'S BECAUSE THERE ARE SOME CHANGES THAT MAY 12:57:09HAVE OCCURRED POST SPAS STUDY THAT WILL REQUIRE US TO ADJUST THE ALTERNATIVE AND THAT INCLUDES LOOKING AT WHAT METRO IS DOING WITH THE LAX CORRIDOR LINE AND WHERE THAT INTERFACES WITH THE AIRPORT AND ALSO ANY POTENTIAL CHANGES TO FAA STANDARDS.THIS PROJECT LEVEL PLANNING DESIGN IS EXPECTED TO TAKE A FEW YEARS, THAT'S PRIOR TO EVEN UNDERTAKING THE

NEXT ROUND OF ENVIRONMENTAL REVIEW. SUBSEQUENT TO THAT, WE WOULD NEED TO AS WE MENTIONED DO THE PROJECT LEVEL CEQA WORK, THIS WOULD REQUIRE US TO ASSESS THE IMPACTS OF THE ALTERNATIVE INDIVIDUAL PROJECTS IN THE ALTERNATIVE INCLUDING CONSTRUCTION IMPASSE, SO THAT'S WHY WE NEED THAT SEQUENCING INFORMATION. WE ALSO NEED TO REVIEW THE ANALYSIS TO SEE HOW THERE'S INTERACTION BETWEEN EACH INDIVIDUAL PROJECT AND OTHER PROJECTS THAT MAY BE OCCURRING AT THE SAME TIME. WE ALSO WOULD HAVE A PUBLIC SCOPING PROCESS THAT WOULD PROVIDE -- AND AS WE START CEQA, A PUBLIC SCOPING PROCESS THAT PROVIDES AGENCIES AND THE PUBLIC THE OPPORTUNITY TO COMMENT ON WHAT SHOULD BE STUDIED IN THE EIR, THE SCOPE OF THE STUDY, THE ENVIRONMENTAL IMPACTS AND THE SCOPE OF THE ALTERNATIVES THAT ARE STUDIED, FOLLOWING THAT, WE WOULD INITIATE AN EIR PROCESS STARTING WITH THE DRAFT EIR, PER CEQA, WE WOULD BE 12:58:27 REQUIRED TO ANALYZE A REASONABLE RANGE OF ALTERNATIVES FOR EACH PROJECT ELEMENT, INCLUDING A NO PROJECT ALTERNATIVE. AGAIN, PER CEQA GUIDELINE, WE WOULD BE REQUIRED TO ADDRESS ANY ALTERNATIVES THAT ARE SUBJECTING BY THE PUBLIC AND OTHER ALTERNATIVES IN THE EIR AND WE PROVIDED THAT SITE FOR YOU. MORE IMPORTANTLY ON NEPA, PRIOR TO IMPLEMENTATION OF THE ASPECT, NEPA IS REQUIRED TO REVISE OUR FUTURE ALP WHICH REFLECTS THE LAX MASTER PLAN. FAA TO BEGIN CONSIDERATION NEEDS A PROPOSAL TO START THEIR ANALYSIS AND THAT PROPOSAL WOULD BE MADE IN THE FORM OF A NEW FUTURE ALP. UNLIKE THE PLANNING DOCUMENTS THAT WERE ACTED ON BY THE CITY, AN ALP REQUIRES

SPECIFIC LAYOUTS AND AIRPORT DESIGN CRITERIA, SO IT IS A MUCH MORE SPECIFIC AS IT RELATES TO THE AIRFIELD. I ALSO WANTED TO ACKNOWLEDGE THAT ACTUALLY ENCOURAGES YOU TO DO ENVIRONMENTAL WORK AND PLANNING WORK BEFORE YOU START THE NEPA PROCESS SO IT CAN BE CONDUCTED IN AN ORDERLY FASHION. NEPA DOES REQUIRE PUBLIC PARTICIPATION SUBSTANTIALLY SIMILAR TO WHAT CEQA REQUIRES IN THAT WE HAVE TO DO SCOPING AND THERE'S AN OPPORTUNITY FOR PUBLIC COMMENT WHERE PEOPLE CAN COMMENT AS TO WHAT ALTERNATIVES IN THE STUDY AND ALSO WE HAVE A DRAFT EIS THAT WOULD NEED TO BE PREPARED. IN THAT DRAFT EIS, NEPA REQUIRES A REASONABLE NUMBER OF ALTERNATIVES BE STUDIED AND THEY BE STUDIED AT A CO-EQUAL LEVEL OF ANALYSIS. ALSO BY FAA ORDER, LAW OR THE CITY, OUR ACTIONS BACK IN MAY CANNOT LIMIT THE SCOPE OF ALTERNATIVES THAT WOULD BE STUDIED BY NEPA, THE CITY ACTIONS HAVE NOT ALTERED THE ALTERNATIVES AND WE HAVE PROVIDED THE SITE FOR THAT AS WELL. FOLLOWING THOSE, THERE'S STILL OPPORTUNITIES FOR PUBLIC COMMENT AND GATHERING OF INFORMATION. INTERESTED PARTIES CAN CONTINUE TO ADDRESS THE BOARD OF AIRPORT COMMISSIONERS, THE CITY COUNCIL, THE ALUC AND THE FAA THROUGHOUT THE PROCESS OR EVEN BEFORE THE PROCESS BEGINS, STAKEHOLDERS WILL HAVE SPECIFIC OPPORTUNITIES TO COMMENT ON THE CEQA AND NEPA WORK DURING THE SCOPING AND DRAFT EIR AND EIS AND SUBSEQUENT TO THE EIR, EIS, WE HAVE ADDITIONAL APPROVAL OPPORTUNITY, WE GO TO THE L.A. CITY COUNCIL WHICH WILL HAVE A PUBLIC PROCESS AS REQUIRED BY THE BROWN ACT, AND FURTHERMORE,

STATE LAW PROVIDES FOR A CONSISTENCY DETERMINATION BY ALUC IN THE CASE OF A RUNWAY MOVE OR EXTENSION AND WE HAVE PROVIDED THAT SITE FOR YOU AS WELL. IN SUM, AS IT RELATES TO THE PROCESS GOING FORWARD, THE SELECTION OF THE STAFF ALTERNATIVE DOES NOT PROVIDE LAWYERS THE ABILITY TO PROVIDE ASPECT OF THAT ALTERNATIVE, THE CITY SELECTED THIS IN THE PLANNING PROCESS WHICH IS NEEDED TO INITIATE FURTHER ENVIRONMENTAL REVIEW. THE CITY'S ACTIONS HAVE NOT RESTRICTED THE NUMBER OR THE TYPE OF ALTERNATIVES THAT WILL BE STUDIED AND ALTERNATIVES BEYOND THE STAFF RECOMMENDED ALTERNATIVES MUST BE CONSIDERED AS PART OF CEQA AND NEPA AND THERE IS NO WAY BY WHICH THE IMPASSE APPELLANTS COULD BE EXCLUDED BY FUTURE PLANNING OF LAX, THEY SHOULD NOT ASSUME ALUC OR THE FAA WILL FAIL TO FOLLOW FEDERAL STATE LAWS, AND A PROPOSED RUNWAY MOVE WOULD NEED TO RETURN TO ALUC PRIOR TO IMPLEMENTATION. I WANT TO TURN THIS OVER TO MY COLLEAGUE WHO WILL SPEAK ABOUT THE STANDARD OF REVIEW AND THE REQUIREMENTS OF THE STATE AERONAUTICS ACT.

>> THANK YOU, COMMISSIONER, MY NAME'S NICOLE GORDON, I'M A PARTNER AND OUTSIDE COUNSEL FOR LAWYERS, I'M HERE TO ADDRESS THE LEGAL STANDARDS AND WHY APPELLANTS HAVE FAILED TO MAKE THEIR BURDEN UNDER THESE STANDARDS AND CONSEQUENTLY WHY THE APPEAL MUST BE DENIED, THE COMMISSION IS REQUIRED BY LAW TO DENY THE IMPASSE APPEAL WHERE AS HERE THE RECORD SHOWS THAT LAWYERS' PLANNING PROCESS IS CONSISTENT WITH THE STATE AERONAUTICS ACT, THE PRUNERS OF THE

ACT IS TO PROTECT PUBLIC HEALTH, SAFETY [INAUDIBLE] THAT MINIMIZE THE PUBLIC EXPOSURE TO NOISE AND SAFETY HAZARDS, IT HAS BEEN ON THE EXTENSIVE PUBLIC PROCESS LEADING UP TO THE CITY'S ACTION ON THE SPAS AND FUTURE OPPORTUNITIES FOR PUBLIC REVIEW GOING FORWARD AND AS DIEGO HAS STATED PRIOR TO ANY EXTENSION OR REALIGNMENT OF AN EXISTING RUNWAY, LAWA WOULD RETURN WITH CONSIST -- CONSISTENCY OF [INAUDIBLE] APPELLANTS SPECIFIC SAY THAT THEY HAVE FULLY PARTICIPATED AND COMMUNICATED THEIR POSITIONS CONCERNING THE SPAS PROJECT TO COMMISSIONS AND REPRESENTATIVE OFS THE CITY OF LOS ANGELES AND AS MR. CHILD HAS INDICATED EARLIER, THE APPEAL SEEKS TO PUT AN ISSUE RELATES TO THE MARCH 27 CONSISTENCY DETERMINATION, THE COMMISSION CANNOT SERVE AS THE APPELLANT BODY OF ITS OWN ACTION, NONE OF THE IMPASSE APPELLANTS HAVE LAND USE AUTHORITY OVER ANY PROPERTY THAT COULD BE ALIGHTED BY NOISE OR SAFETY ISSUES BY LAX AND ANY ISSUES OF THE RUNWAY PROTECTION ZONE WOULD OCCUR ENTIRELY WITHIN THE CITY OF LOS ANGELES.ADDITIONALLY, AND MAY I REQUEST A FEW MORE MOMENTS OF TIME, I HAVE TWO SECONDS.

>> COMMISSIONER HELSLEY: MR. CHAIRMAN, I REQUEST THEY BE ALLOWED TO FINISH THEIR PRESENTATION.

>> THIS IS THE LAST SLIDE, ONE MINUTE.

>> CHAIR LOUIE: PLEASE.

>> LAWA'S PUBLIC OUTREACH THROUGH THE SPAS PROCESS PROVIDES FOR THE ORDERLY DEVELOPMENT OF THE AIRPORT, LAWA HAS TAKEN NO ACTION THAT CREATES NEW NOISE AND SAFETY ISSUES AND HAS DONE NOTHING INCONSISTENT WITH THE NOISE AND AIRPORT SAFETY STANDARDS, IT INDICATES THE STAFF RECOMMENDED ALTERNATIVE WOULD ENHANCE SAFETY, REDUCE THE NUMBER OF PEOPLE NEWLY EXPOSED TO NOISE AND REDUCE THE NUMBER OF TOTAL USES INCLUDING RESIDENTIAL USES IN THE RPZ, DENIAL OF THE APPEAL IS REQUIRED BY THE COMMISSION'S REVIEW PROCEDURES BECAUSE THE INFORMATION BEFORE YOU DEMONSTRATES THAT LAWA'S PROCESS IS CONSISTENT WITH THE ACT.

>> CHAIR LOUIE: THANK YOU VERY MUCH. QUESTIONS FROM THE COMMISSION? COMMISSION PEDERSON?

>> COMMISSIONER PEDERSEN: YOU MENTIONED THAT CERTAIN NOISE FIELD PROJECTS WILL COME BACK TO ALUC FOR REVIEW. WHAT SPECIFICALLY WOULD YOU SEE WITHIN THE PROJECT ALTERNATIVE WOULD BE NECESSARY TO COME BACK TO ALUC?

>> I'M GOING TO TURN THIS QUESTION TO JOHN PUTNUM.

>> SO, AS I READ THE PUBLIC UTILITIES CODE, ANY SHIFT OF THE RUNWAY WOULD COME BACK --

>> COMMISSIONER HELSLEY: IF YOU WOULD GIVE US YOUR NAME PLEASE.

>> THANK YOU VERY MUCH, MY NAME IS JOHN PUTNUM, I'M OUTSIDE LEGAL COUNCIL FOR LOS ANGELES WORLD AIRPORTS, THANK YOU FOR THAT REMINDER, COMMISSIONERS, AND TO GO BACK TO THE NARRATIVE, THE PUBLIC UTILITIES CODE CLEARLY WOULD REQUIRE AN AMENDMENT TO THE AIRPORT PERMIT TO COME BACK AND THAT -- FOR A MAJOR CHANGE TO THE AIRPORT WHICH INCLUDES A SHIFT TO THE RUNWAY. THAT BEING SAID, THE TIME ENTITY THAT NEEDS TO IDENTIFY THE SAFETY STANDARDS, THE RUNWAY PROTECTION ZONES SINCE THE APPELLANTS THEMSELVES HAVE IDENTIFIED IS AN AVIATION PROCESS, AS PART OF THE ORDERLY PROGRESSION TO GET FAA TO LOOK AT THE ISSUE, TO LOOK AT THE PARTICULAR STANDARDS AND THE PARTICULAR FACTS AND CIRCUMSTANCES BEFORE THIS COMMISSION OR OTHERS MAKE THAT DETERMINATION AND THAT'S THE PROCESS THAT LAWA HAS PROPOSED TO LAY OUT HERE, SO IT WOULD GO TO FAA, TAKE A LOOK AT THOSE ALTERNATIVES AND COME BACK TO ALUC.

>> COMMISSIONER PEDERSEN: OKAY, BECAUSE THAT WOULD BE DUE THE SAFETY REASONS AND NOISE REASONS BOTH, IS THAT CORRECT?

>> THAT'S CORRECT. FAA BY ITS OWN -- THE REGULATIONS, IT HAS TO COMPLY WITH UNDER THE NATIONAL ENVIRONMENTAL POLICY ACT, IN ITS

OWN PROCESS OF TAKING A LOOK AT SAFETY AND NOISE ISSUES WILL LOOK AT ALL OF THOSE ISSUES AND INDEED JUST A YEAR AGO, FAA ISSUED GUIDE BEANS OF THE APPELLANTS CITED THAT SAID THEY WILL SPECIFICALLY TAKE A LOOK AT ANY LAND USES WITHIN RPZ'S ASSOCIATED WITH A RUNWAY RELATED CHANGES AS ONE OF THE THINGS THEY NEED TO TAKE A LOOK AT AND BECAUSE THEY ARE DEALING IN THE REAL WORLD WHERE YOU HAVE SOME SITUATIONS WHERE YOU HAVE EXISTING LAND USE PATTERNS NEAR AIRPORT, THEY WILL TAKE A LOOK AT EACH ONE OF THOSE SITUATIONS AND BALANCE OFF ALL THE SAFETY CONSIDERATIONS THAT THEY HAVE TO LOOK BECAUSE THEY'RE MOVING RUNWAYS AND LOOKING AT SITUATIONS IN CONSTRAINED LAND USE AS OPPOSED TO A BLANK SHEET OF PAPER OUT IN A LAND FIELD LIKE DENVER WHERE THEY CAN BUILD A BRAND NEW AIRPORT.FAA WILL LOOK AT ALL THOSE SAFETY STANDARDS, THEY HAVE A PANEL OF EXPERTS AND AN EXTENSIVE AMOUNT OF INFORMATION THAT THEY'VE ASKED ALL AIRPORTS TO SUPPLY IF THEY'RE CONTEMPLATING ANY OF THOSE CHANGES SO THEY CAN MAKE A COMPREHENSIVE ANALYSIS.

>> COMMISSIONER PEDERSEN: SO, IS THERE A SCENARIO IF THE FAA APPROVES THIS OR TAKES AN ACTION THAT IT MIGHT RESULT IN IT NOT COMING TO ALUC?

>> IF FAA TAKES A STEP THAT WOULD INVOLVE THE SHIFT OF THE RUNWAY BASED ON THE WAY THAT THE PUBLIC UTILITY CODES READ, IT WOULD COME BACK TO ALUC.

>> COMMISSIONER PEDERSEN: OKAY, THANK YOU.

>> COMMISSIONER MODUGNO: MR. CHAIRMAN, I HAVE A QUESTION OF MR. ALVAREZ. I'VE READ THROUGH THE FINDINGS THAT STAFF HAS DRAWN UP OR LEGAL COUNSEL HAS DRAWN UP IN THE EVENT THAT WE WERE TO UPHOLD THIS APPEAL. AND ONE OF IT GETS IT SORT OF -- IT STATES THAT MINIMIZING PUBLIC EXPOSURE TO NOISE, SAFETY ISSUES, ETC., I'M CONCERNED IN TERMS OF -- BECAUSE MS. LINDSAY'S COMMENT THAT THIS HAS BEEN UNDERWAY FOR 16 YEAR, I DON'T THINK ANYTHING THAT HAS BEEN DISCUSSED IS A GREAT SURPRISE TO ANYONE WHO PICKS UP THE AIRPORT OR USES THE AIRPORT, WE'RE BEING ASKED THIS MORNING TO UPHOLD AN APPEAL OR DENY AN APPEAL, DENYING THE APPEAL PRESUMABLY ALLOWS THE 16 YEAR PROCESS TO SOMEHOW CONTINUE TO GO THROUGH WHAT YOU HAVE LAID OUT AND WITH COUNSEL, THIS SORT OF BUREAUCRATIC PROCESS WITH MULTIPLE STAKEHOLDERS. UPHOLDING THE APPEAL SORT OF SETS US BACK SEVERAL STEPS. IN THE BEST OF ALL ESTIMATES, IF WE WERE TO DENY THE APPEAL, IN YOUR WILDEST IMAGINATIONS, HOW SOON WOULD LAX BE A FULLY FUNCTIONAL MODERN AIRPORT? GOING THROUGH EVERY SINGLE PROCESS, YOU STILL ENVISION --

>> LET ME GIVE IT TO YOU THIS WAY. OUR INITIAL PLANNING WAS IN FACT CONTAINED WITHIN THIS SPAS EIR AND OUR ASSUMPTION AT THAT POINT

WAS THAT WE WOULD BE ABLE TO COMPLETE ALL OF THE IMPROVEMENTS THAT WE'RE INCLUDING WITH AN ENTITLEMENT PHASE BY 2025.

>> COMMISSIONER MODUGNO: AND IS THAT STILL --

>> IF WE WERE TO HAVE TO GO BACK TO THE PRE-SPAS WORLD AND DO ANOTHER ROUND OF ALTERNATIVES ANALYSIS, THEN OBVIOUSLY THAT TIMING GETS SET BACK. FURTHERMORE, ONE OF THE PROBLEMS THAT WE HAVE IS WE EVENTUALLY DO NEED TO SUBMIT A PROPOSAL TO FAA TO BE ABLE TO INITIATE NEPA. IF WE CAN'T DO THAT, THEN IN REALITY, WE ARE IN A DEFINITE CYCLE OF LOOKING AT [INAUDIBLE] IN GETTING STARTED WITH THE FAA WHICH MEANS NOTHING WILL OCCUR.

>> COMMISSIONER MODUGNO: YOU MENTIONED HAVING BEEN TWICE TO BEIJING IN THAT 16 YEAR PERIOD AND BOTH TIMES TO COMPLETELY NEW AIRPORTS. NEW AIRPORTS OBVIOUSLY HAD BEEN PLANNED, APPROVED, BUILT AND IN USE, AND IT WAS IRONIC THAT ONE OF MY LAST VISITS TO THE BRADLEY TERMINAL WAS ON A 13:11:58 RETURN TRIP FROM BEIJING. ONE OF THE MOST MODERN AIRPORTS I HAD BEEN AT, AND INCREDIBLY WELL FUNCTIONING, ONLY TO GET INTO WHERE I TERMED AND I APOLOGIZE AGAIN FOR THE TERM, THE THIRD WORLD COUNTRY OF LAX BECAUSE THAT LITERALLY WAS THE EXPERIENCE OF COMING BACK IN, AND I THINK AS A SERVICE TO THIS BROAD COMMUNITY OF SOUTHERN CALIFORNIA AND BEYOND,

I'M JUST -- IT DOESN'T FALL LIGHTLY ON ME IN TERMS OF OUR RESPONSIBILITIES THIS MORNING, SO 2025.

>> 2025.

>> COMMISSIONER MODUGNO: OKAY, THANK YOU.

>> CHAIR LOUIE: AND SHOULD THE APPEAL BE UPHeld, WHAT TYPE OF DELAY MIGHT IT ACCRUE?

>> WELL, I THINK THE BIGGEST CONCERN AS I JUST MENTIONED IS WITHOUT THE ABILITY TO ACTUALLY INITIATE THE NEXT ROUND OF ENVIRONMENTAL ANALYSIS BECAUSE WE WON'T HAVE BEEN ABLE TO SELECT AN ALTERNATIVE, IT WOULD BE HARD TO GET EVERYONE TO AGREE BEFORE YOU START AN ENVIRONMENTAL PROCESS OF WHAT THE ALTERNATIVES WILL BE, AND THEN THEORETICALLY, WE WON'T BE ABLE TO MAKE ANY IMPROVEMENTS THAT ARE INCLUDED IN THIS ANALYSIS WHICH INCLUDES NOT JUST THE RUNWAY BUT THE TERMINALS AND THE GROUND ACCESS SYSTEM THAT WERE ALSO CONTEMPLATED DURING THIS STUDY.

>> CHAIR LOUIE: SO, TO BRING YOU BACK TO THIS POSITION, THERE MIGHT BE A DELAY OF 3, 4, 5, 6 YEARS?

>> IT'S HARD TO SAY BECAUSE WE DON'T KNOW PRECISELY WHAT WE WOULD NEED TO DO TO BE ABLE TO PASS -- AVOID AN IMPASSE.

>> CHAIR LOUIE: AND I'VE SEEN FIGURES OF I THINK IT WAS 160 MILLION DOLLARS THAT HAS BEEN SPENT SO FAR?

>> THAT WAS JUST FOR THE MASTER PLAN PROCESS.WE SPENT 10 MILLION DOLLARS SINCE THEN AND IT'S MORE THAN THAT, THAT'S A CONSERVATIVE NUMBER ON THIS STUDY, 2006 TO NOW.

>> CHAIR LOUIE: SO, POTENTIALLY UPHOLDING THE APPEAL COULD COST A NUMBER OF YEARS AND TENS OF MILLIONS OF DOLLARS?

>> RIGHT.

>> CHAIR LOUIE: THANK YOU.YES?

>> COMMISSIONER HELSLEY: MR. CHAIRMAN, THANK YOU.I GUESS I COME TO THE POSITION OF WHAT WOULD IT TAKE TO GET A UNIFIED SOLUTION THAT IS GOING TO MEET THE NEEDS OF THOSE PEOPLE WHO FEEL VERY STRONGLY APPARENTLY ABOUT NOT BEING HEARD OR AN IMPASSE BEING RELATED TO.THE ONLY THING THAT'S 13:14:49PROBABLY GOING TO BE EFFECTIVE WITHIN THE COMMUNITY IS GOING TO BE SOMETHING THAT IS A UNIFIED POSITION THAT THEY FEEL INCLUDED IN.AT THE PRESENT TIME, I

GET THE DISTINCT FEELING THEY FEEL EXCLUDED RATHER THAN INCLUDED
IN THE REGIONAL AND PLANNED EXPANSION OF LAX.

>> GINA MARIE LINDSAY, LOS ANGELES WORLD AIRPORTS I THINK THAT
QUESTION IS ONE THAT WE PONDER A GREAT DEAL. I GUESS WHAT I WOULD
OFFER, SINCE THERE'S BEEN VERY ROBUST INCLUSION, MUCH, MUCH
CONVERSATION, MUCH TAKING OF COMMENT, MUCH ANALYSIS OF COMMENT,
EVALUATION OF COMMENTS, IT COMES DOWN TO -- AND I WOULD DARE SAY
IT HAS COME DOWN NOW TWICE IN THE SPACE OF 16 PLUS YEARS TO A
RECOMMENDED ALTERNATIVE THAT BECAUSE SOMEONE DOESN'T LIKE THE
ALTERNATIVE, NO MATTER HOW MUCH THEY WERE INCLUDED, IF THEY DON'T
LIKE THE ALTERNATIVE, THEN THEY'RE FEELING EXCLUDED BECAUSE THEIR
ALTERNATIVE OR THEIR PREFERRED DECISION IS NOT BEING ADOPTED OR
RECOMMENDED. I DON'T KNOW HOW TO GET AWAY FROM THAT REALITY. WE
WOULD CERTAINLY LOVE YOUR GUIDANCE.

>> COMMISSIONER HELSLEY: I ASKED THE QUESTION.

>> SORRY I DIDN'T HAVE A BETTER ANSWER.

>> COMMISSIONER MODUGNO: I'VE USED THE TERMINOLOGY MANY TYPES IN
MY WORKING CAREER MOST OFTEN AND MY INVOLVEMENT IN NON-PROFIT
ORGANIZATIONS THAT TEND TO TRY AND GET TO GREAT CONSENSUS, AND THE
STORY IS AN ANALOGY THAT DEALS WITH AN OUTDATED MODE OF

TRANSPORTATION AND THAT'S THE RAILROAD, AND THIS SORT OF
EXPRESSION, THIS TRAIN WILL NOT LEAVE THE STATION UNTIL EVERYONE
IS ON BOARD, THE REALITY IS I HAVE BEEN IN A NUMBER OF ACTIVITIES
WHERE THE TRAIN NEVER LEFT THE STATION BECAUSE IN ACTION AND
ACTIVITY, AND THE REASON IT SHOULD HAVE LEFT SORT OF PASSED WITH
TIME, AND I DON'T THINK THAT THAT IS THE PATH THAT WE WANT TO GO
DOWN AND I DON'T KNOW THAT CONSENSUS ON ISSUE AS BROAD AS THIS,
MUCH AS EVERYONE MAY TRY, WILL EVER GET TO A CONCLUSION, THAT THAT
TRAIN CAN TAKE OFF OR IN THIS CASE, THE PLANE CAN TAKE OFF.

>> VICE-CHAIR VALADEZ: I'VE BEEN LISTENING VERY ASTUTELY AND I
CONCUR WITH ALMOST ALL OF THE COMMENTS THAT HAVE BEEN MADE TO THIS
POINT AND HAVE BEEN ATTEMPTING TO EXACTLY DEAL WITH THE ISSUE THAT
WAS BROUGHT FORWARD BY COMMISSIONER HELSLEY ALMOST A MOMENT AGO,
IT HAS TO DEAL WITH HOW DO THE APPELLANTS BECOME PART OF THE
PROCESS AND NOT BE -- AND NOT FEEL BECAUSE I READ, YOU KNOW,
ALMOST -- I READ EVERYTHING THAT I RECEIVED AND THERE WERE CERTAIN
ALLEGATIONS WITH REGARD TO FEELING THAT, YOU KNOW, OMBUDSMEN THAT
WERE SUPPOSED TO BE CREATED WERE NOT SOME INDIVIDUALS WHO WERE
SUPPOSED TO BE INCLUDED WERE NOT INCLUDED, AND I FEEL THAT THE
CEQA PROCESS AND THE NEPA PROCESS WHICH I'M FAMILIAR WITH IS A
VERY STERILE PROCESS, IT'S A PROCESS -- IT DOESN'T INVOLVE PEOPLE
TRULY, WHEN YOU WRITE YOUR LETTERS, WHEN THE ANSWERS TO THE
COMMENTS, ETC., COME OUT, THERE ARE SOUND BITES WITHIN THE PROCESS

AND THE ENVIRONMENTAL LAWS, AND I WAS HOPING TO HEAR SOME SPECIAL ATTENTION TO BE GIVEN OR THAT WOULD BE GIVEN TO THE APPELLANTS WITH RESPECT TO THE COMMENT, SOME WAY THAT THEY COULD FEEL THAT THEY WERE BEING HEARD, NOT JUST AS A LETTER THAT IS IN YOUR EIR BECAUSE I FEEL THAT IT IS A PROCESS WHICH IMPACTS THE REGION AND REGIONALIZATION IS NOT BEFORE US, BUT THE IMPACTS THAT ARE POTENTIALLY GOING TO BE APPROVED OR DENIED HERE ARE IMPORTANT TO THE ENTIRE REGION. I DON'T HAVE A SOLUTION. I HAVE EMPATHY FOR YOU IN THAT PROCESS, BUT WOULD HOPE THAT YOU WOULD LOOK FOR A PROCESS WHICH IS MORE THAN JUST SAYING YOU CAN WRITE A LETTER TO OUR ALTERNATIVES AND WE'LL CONSIDER IT AND WE'LL GIVE IT TO OUR CONSULTANTS BECAUSE YOU ARE NOT GOING TO SEE THOSE LETTERS PER SE OR ADDRESS THEM DIRECTLY AT A HIGH LEVEL BECAUSE WE ALL KNOW THE EIR'S ARE PUT TOGETHER BY OUR CONSULTANTS AND THAT OUR CONSULTANTS RESPOND, WE MAY REVIEW AND HIGHLIGHT OR CHANGE SLIGHTLY BUT IT'S A VERY STERILE PROCESS AND I'M HOPING THAT REGARDLESS OF WHAT THE OUTCOME IS TODAY, THAT THERE WOULD BE AN ATTEMPT ON EVERYBODY'S PART IF IT'S UPHELD ON THE PART OF THE APPELLANTS OR ON THE PART OF US TO OPEN UP A DIALOG THROUGH SOME LEVEL TO BE ABLE TO REVIEW THESE COMMENTS, THESE ISSUES THAT THEY MAY HAVE WITH ALTERNATIVES OR TO EXPEDITE THE PROCESS ON BEHALF OF ALL THE RESIDENTS OF THE COUNTY OF LOS ANGELES IN A BIGGER MODE OF COOPERATION, AND YOU KNOW, THIS IS SOMETHING WHICH I THINK NEEDS TO OCCUR, THESE TYPES OF APPEALS ARE TIME CONSUMER AND I CONCUR WHOLEHEARTEDLY WITH THE

FACT THAT WE HAVE A THIRD WORLD AIRPORT, IT IS JUST -- IT IS AWFUL TO GO AND TRAVEL TO SMALL COUNTRIES AND TO SEE BEAUTIFUL AIRPORTS AND TO COME HOME AND TO HAVE TWO CUSTOMS LINES DOWN AND WAIT 8 HOURS TO BASICALLY GET YOURSELF OUT OF THE AIRPORT.IT'S JUST IMPOSSIBLE, SO YOU KNOW, I JUST APPEAL TO BOTH SIDES REGARDLESS OF WHAT THE OUTCOME IS THAT WE ATTEMPT TO LOOK AT OUR ISSUES IN A BROADER CONTEXT OF TIME AND WHAT WE CAN DO TO EXPEDITE THIS PROCESS AND THAT'S ON BOTH SIDES AND REGARDLESS OF WHAT WE DO TODAY, I JUST ASK THAT ALL OF YOU CONSIDER THE CITIZENS AND ATTEMPT TO EXPEDITE AND ATTEMPT TO COME TO AGREEMENTS ON BOTH SIDES.I'M NOT SAYING, YOU KNOW, ON EITHER WAY THAT WE GO.

>> COMMISSIONER PEDERSEN: JUST FOR CLARIFICATION SAKE, IN THE 2005 STIPULATION, THERE WERE GREEN LIGHT PROJECTS AND YELLOW LIGHT PROJECTS, AND THE GREEN LIGHT PROJECTS HAVE ALREADY GONE AHEAD, SO THE YELLOW LIGHT PROJECTS ARE SET ASIDE BECAUSE THEY WERE THE HIGHLY CONTROVERSIAL ASPECTS OF THE PROJECT, SO I JUST WANTED TO CLARIFY THAT THERE HAS BEEN WORK GOING ON OUT THERE AND THAT THESE ARE -- WHAT WE'RE LOOKING AT RIGHT NOW ARE THE ONES THAT WERE PUT IN YELLOW LIGHT STATUS BECAUSE OF THE CONTROVERSIAL WITH THE COMMUNITIES.

>> CHAIR LOUIE: OKAY, THANK YOU VERY MUCH.ON A LOOK AHEAD BASIS, I'M GOING TO TAKE A RECESS IN A FEW MINUTES BUT I WANTED TO GIVE THE APPELLANT THEIR 10 MINUTE REBUTTAL PERIOD.

>> COMMISSIONER MODUGNO: I DON'T THINK THEY HAVE THE REBUTTAL UNTIL AFTER PUBLIC TESTIMONY.

>> CHAIR LOUIE: OKAY.LET'S TAKE A SHORT RECESS OF 10 MINUTES.MY SENSE IS THAT I WOULD ASK STAFF TO TAKE INTO CONSIDERATION THE TESTIMONY THAT'S BEEN PRESENTED THIS MORNING AND CONSIDER WHETHER OR NOT AN ALTERNATIVE PROPOSAL OR RECOMMENDATION IS APPROPRIATE AND TO GIVE THAT SOME THOUGHT BEFORE WE COME BACK, SO WE'LL TAKE 10 MINUTES NOW, THANK YOU VERY MUCH.(MEETING IS IN RECESS UNTIL 10:33).

>> CHAIR LOUIE: WELCOME BACK.WE WILL BEGIN PUBLIC COMMENT.DEPUTY DIRECTORS, HOW MANY FOLKS DO WE HAVE SIGNED UP?

>> I HAVE AN ADDITIONAL 11 PEOPLE THAT WANT TO TESTIFY.

>> CHAIR LOUIE: ARE YOU ABLE DETERMINE THE ONES WHO SUPPORT THE APPEAL AND THOSE WHO WISH TO HAVE IT DENIED?

>> WE HAVE 7 PEOPLE WHO ARE IN FAVOR OF THE APPEAL --

>> CHAIR LOUIE: UPHOLD THING APPEAL?

>> AND THEN FOUR MORE LEFT ON THE OPPOSITION.

>> CHAIR LOUIE: DOES THERE APPEAR TO BE MORE THAN 11 FOLKS
HERE. THOSE WHO SUPPORT UPHOLDING THE APPEAL, COULD YOU STAND. ONCE
AGAIN, THOSE THAT SUPPORT UPHOLDING THE APPEAL, PLEASE
STAND. UPHOLDING. OKAY, THANK YOU. AND THEN THOSE THAT ARE SUPPORTING
A DENIAL OF THE APPEAL. OKAY. THANK YOU VERY MUCH. WE'RE GOING TO
BEGIN THE PUBLIC COMMENT PORTION OF THAT AND DEPUTY DIRECTOR,
COULD YOU ALTERNATE SPEAKERS. PROPONENT, OPPONENTS, AS FAR AS WE
CAN DO.

>> SURE.

>> CHAIR LOUIE: AND WE'LL ALLOCATE 3 MINUTES FOR PEELER AND I
WOULD ASK THAT IF YOU ARE REPEATING WHAT SOMEONE ELSE HAS ALREADY
SAID, THAT YOU CONSIDER NOT UTILIZING YOUR TIME.

>> AND WHAT I WOULD LIKE TO DO IS TO CALL AT LEAST 4 SO THAT WE
KEEP THE FLOW OF PEOPLE MOVING QUICKLY.

>> CHAIR LOUIE: I AGREE, LET'S DO IT.

>> OKAY, THE FIRST IS MARK GUTIERREZ, WILSON ROBIN --

>> ACTUALLY, SEIUWW WILL JUST BE ONE SPEAKER AND THEY WILL BE REPRESENTING ALL OF US.

>> CAN YOU IDENTIFY --

>> LAURIE HUGHES, MITCHELL SIGH.

>> WE'LL HAVE TWO, ROBIN COULD NOT COME, SORRY.MY MISTAKE.

>> CHAIR LOUIE: OKAY, YOU CAN BEGIN BY THE STATEMENT OF YOUR NAME.

>> MY NAME IS MARK GUTIERREZ I'M HERE --

>> CHAIR LOUIE: I'M SORRY TO INTERRUPT YOU, YOU HAVE THE FABULOUS TIMER UPFRONT.

>> I SEE, THANK YOU.MY NAME IS MARK GUTIERREZ, I'M HERE REPRESENTING UNITED SERVICE WEST, WE'RE HERE TO SUPPORT YOUR STAFF'S RECOMMENDATION, WE HAVE SUBMITTED A WRITTEN STATEMENT THAT FURTHER DETAILS OUR POSITION FOR THE RECORD BUT THE FOLLOWING IS A

SHORT SUMMARY, NUMBER ONE, WE BELIEVE THAT ALUC HAS THE RESPONSIBILITY TO REVIEW ALL AMENDMENTS AND SPECIFIC PLANS IN THEIR ENTIRETY AND DETERMINE THAT A COMPATIBILITY WITH THE AIRPORT LAND COMPATIBILITY PLAN BEFORE THE VOTE WAS TAKEN WITH THE CITY COUNCIL, IF YOU WOULD HAVE BEEN PRESENTED WITH THE FULL PLAN, WE THINK YOU WOULD NOT HAVE BEEN CONSISTENT, WE THINK THEY HAD [INAUDIBLE] THE PROPOSED NORTH AIRFIELD IMPROVEMENTS REQUIRE MAJOR CHANGES TO THE RUNWAY PROTECTION ZONES IN THE WESTCHESTER CENTRAL BUSINESS DISTRICT ALONG SUPOVITA BOULEVARD, THESE CHANGES NEED TO BE VESTED WITH CONSISTENCY WITH THE LAND USE AIRPORT COMPATIBILITY PLAN, LAWA COMMUNITIES THAT THE NORTH AIRFIELD PLAN DID NOT NEED ALUC REVIEW, LAWA'S APPLICATION HAD ROADWAY 13:41:04 CONFIGURATIONS AND THE CONSTRUCTION OF A MOVE WITH THE GROUND TRANSPORTATION CENTER. IT IS NOT CLEAR WHY ALL OF THESE WERE INCLUDED IN ALUC'S REVIEW BUT NOT THE NORTH RUNWAY, EVEN THOUGH ALL ARE SUBJECT TO THE SAME FEDERAL AND STATE APPROVALS. THERE HAS TO BE CONSISTENCY WITH WHAT LAWA PRESENTED ALUC AND WHAT WAS PRESENTED DAYS LATER, WHAT WAS APPROVED BY THE CITY COUNCIL WAS A FALSE PROJECT AND DID NOT SEEM TO BE PRELIMINARY AT ALL. THANK YOU, HONORABLE COMMISSIONER.

>> COMMISSIONER HELSLEY: MR. CHAIRMAN, A QUESTION. I DIDN'T HEAR YOU USE THE WORD PIECEMEAL.

>> EXACTLY, WHAT WAS PRESENTED HERE WAS A PIECE OF IT, LAST TIME, I DID USE THAT WORD, BUT AFTER A LITTLE MORE RESEARCH AND A LITTLE MORE CONVERSATIONS WITH OUR LEGAL STAFF.

>> CHAIR LOUIE: THANK YOU VERY MUCH.AND YOU CAN PROCEED BY THE STATEMENT OF YOUR NAME.

>> THANK YOU, CHAIRPERSON LOUIE AND HONORABLE COMMISSIONER, MY NAME IS MITCHELL SAI HERE ON BEHALF OF SEIU UNITED WORKERS WEST, THEY WANT YOU TO UPHOLD THE IMPASSE APPEAL.I'VE HAD SOME DIFFERENT COMMENTS PREPARED BUT BASED UPON SOME OF THE COMMENTS THAT LAWA MADE EARLIER, I HAVE TO POINT OUT SOME VERY IMPORTANT LEGAL MEASURES, BASICALLY RIGHT NOW, LAWA'S TRYING TO HAVE THEIR CAKE AND EAT IT TOO.THE PROJECT IS SIMULTANEOUSLY DEFINITE ENOUGH TO HAVE ENCOURAGED PUBLIC COMMENT AND LOOKED AT ALL THESE ALTERNATIVES BUT INDEFINITE ENOUGH TO NOT HAVE COMMENT REVIEW, YOU ARE TO REVIEW THE -- TO REVIEW THE SPECIFIC PLAN AMENDMENTS THAT INCLUDED IN THE NORTH AIRFIELD TO BE CONSISTENT WITH THE COUNTY PLAN, CALIFORNIA CODE STATES THAT EACH PUBLIC AGENCY OWNING ANY AIRPORT PRIOR TO MODIFICATION OF ITS AIRPORT MASTER PLAN, REFER ANY PROPOSED CHANGES TO THE AIRPORT LAND USE COMMISSION.NOW, THE CALIFORNIA STATE AERONAUTICS, THAT'S THE STATE AERONAUTICS ACT, LAWA'S LETTER SPECIFICALLY STATES THAT THE AMENDMENT STUDY WAS TO PROVIDE A PROPOSED AIRPORT LAYOUT PLAN, GINA MARIE LINDSAY

REPRESENTING LAWA TODAY SAID IT WAS A COMPREHENSIVE DEVELOPMENT PLAN, UNDER FAA DIRECTIVES, AIRPORT LAND USE PLAN, I PUT MASTER PLAN WHICH THE AIRPORT LAND USE COMMISSION IS LEGALLY REQUIRED TO REVIEW PRIOR TO FINAL APPROVAL INCLUDES LAYOUT AIRPORT PLANS AND A COMPREHENSIVE DEVELOPMENT PLAN FOR THE CITY, COMPREHENSIVE DEVELOPMENT PLAN FOR THE AIRPORT, SO FAILING TO UPHOLD THE ALUC, THE IMPASSE APPEAL TODAY WOULD EXPOSE THE CITY OF LOS ANGELES TO SERIOUS LITIGATION RISKS DUE TO COMMENTS MADE TODAY BY LAWA, MORE OVER, I HAVE TO CORRECT SOME MISREPRESENTATIONS THAT WERE MADE BY LAWA'S COUNSEL, IN PARTICULAR, THEY STATED THAT THE NEPA AND CEQA PROCESSES ARE ALWAYS BIFURCATED, THEY HAD TO PREPARE THE SPECIFIC PLAN EARLIER, THAT'S NOT TRUE, DURING 2003, 2004, THE NEPA AND CEQA PROCESSES WERE CONDUCTED ALONGSIDE EACH OTHER, SO I WOULD URGE THIS COUNCIL TO -- THE COMMISSIONERS TO UPHOLD THE IMPASSE APPEAL.THANK YOU VERY MUCH.

>> CHAIR LOUIE: THANK YOU, GENTLEMEN.DEPUTY DIRECTOR, TWO OF THE FOLKS THAT WE CALLED WERE NOT HERE.

>> YES, I WOULD LIKE THE CALL GARY TUFFMAN, WILSON ROBIN, MICHAEL KELLY, PETER KELLY, LAURIE HUGHES.

>> CHAIR LOUIE: AND IF THE FIRST TWO CAN TAKE SEATS AT THE FRONT TABLE AND FIND A COMFORTABLE SEATING POSITION IN THE FRONT

ROW.GENTLEMEN, YOU CAN ALSO PROCEED WITH THE STATEMENT OF YOUR FAME, YOU HAVE THREE MINUTES.

>> GARY TOBIN, I'M PRESIDENT AND CEO OF THE LOS ANGELES AREA CHAMBER OF COMMERCE AND ONE OF THE CO-CHAIRS OF FIX LAX NOW.WE RESPECTFULLY URGE THE AIRPORT LAND USE COMMISSION TO FULLY AND COMPLETELY DENY THE IMPASSE APPEAL.WE'RE CONCERNED THAT ONCE AGAIN, THE MODERNIZATION OF LAX, TRANSIT SERVICE TO LAX AND THE CREATION OF THOUSANDS OF JOBS AND A COUNTY WITH ONE OF THE HIGHEST UNEMPLOYMENT RATES IN THE STATE COULD BE FURTHER DELAYED, APPEALS AND DELAYS HAVE BECOME THE USUAL COURSE OF INACTION WHEN ATTEMPTING TO REHABILITATE OUR BROKEN INFRASTRUCTURE, THIS TIME, THREE APPELLANTS, TWO OF WHICH ARE NOT WITHIN THE COUNTY OF LOS ANGELES HAVE THREATENED YET ANOTHER POSTPONEMENT.WHAT'S AT STAKE HERE IS MUCH BIGGER THAN THE CONFIGURATION OF THE NORTH AIRFIELD.WE STAND TO JEOPARDIZE OR SIGNIFICANTLY DELAY ALL PROJECTS ASSOCIATED WITH THE SPAS APPROVAL, INCLUDING THE AUTOMATED PEOPLE MOVER CONNECTING THE AIRPORT TO METRO, THE INNER MODAL TRANSPORTATION STATION, THE CONSOLIDATED RENTAL CAR FACILITY, IMPROVEMENT TO DOZENS OF INTERSECTIONS SURROUNDING LAX AND THE CONTINUED REHABILITATION OF THE PASSENGER TERMINALS.THE CITIZENS OF LOS ANGELES COUNTY AND THE TRAVELERS THROUGH LAX HAVE ENDURED AN ENTIRE GENERATION OF DELAYS AS POLICY MAKERS DEBATED MODERNIZATION PLANS.WE THINK ENOUGH IS ENOUGH.WE URGE YOU TO

CAREFULLY REVIEW LAWA'S EXHAUSTIVE PROCESS AND AGREE THAT THE AIRPORT STAFF CONDUCTED A FULL, CAREFUL AND COMPREHENSIVE VIRTUAL REVIEW. THIS PROCESS HAS INVOLVED HUNDREDS OF PUBLIC HEARINGS AND WILL REQUIRE MANY MORE IN THE FUTURE. BEFORE LAX IS MODERNIZED, YOUR COMMISSION AND YOUR STAFF WILL SPEND HUNDREDS IF NOT THOUSANDS OF HOURS IN STUDY AND DELIBERATION. WE RESPECTFULLY URGE THE AIRPORT LAND USE COMMISSION TO FULLY AND COMPLETELY DENY THIS APPEAR SO THAT THE PROCESS OF MODERNIZING LAX CAN CONTINUE. I HEARD THE YEAR 2025 EARLIER TODAY, THAT SEEMS LONG ENOUGH TO WAIT. THANK YOU.

>> CHAIR LOUIE: THANK YOU.

>> GOOD MORNING, I AM MICHAEL KELLY, I'M THE EXECUTIVE DIRECTOR OF THE LOS ANGELES COALITION FOR THE ECONOMY AND JOBS WHICH IS A BIPARTISAN GROUP OF LEADERS FROM BUSINESS, LABOR, AK DAMIAN, NON-PROFIT LOOKING TO ADVANCE SOUND POLICY SUCH AS LAX MODERNIZATION SO WE CAN PRODUCE ECONOMIC INCOME GROWTH IN THIS REGION, I WANT TO FOCUS ON A FEW NUMBERS THIS MORNING, FROM 1949-1990, THE NUMBER OF JOBS IN L.A. COUNTY GREW 22%, HOWEVER, SINCE FROM 1990-2011, THE POPULATION OF COUNTY INCREASED BY 19% WHILE THE JOBS DECREASED BY 19%. THE CITY OF L.A. HAS ADDED A MILLION PEOPLE BUT THEY LOST 165 THOUSAND NET JOBS THE LAST TIME THE COUNTY'S UNEMPLOYMENT RATE WAS DOWN BELOW 10%, AND BETWEEN 2000, AND 2010, THEY LEFT THE L.A.

REGION, THERE IS NO ARGUMENT THAT PEOPLE WANT TO LIVE IN L.A. BUT THE REALITY THEY CANNOT STAY IN L.A. IF THERE ARE NO JOB, THE MODERNIZATION OF LAX IS CREATING JOBS, BUT A FULLY MODERNIZED LAX WILL STIMULATE THE CREATION OF HUNDREDS OF THOUSANDS OF MUCH NEEDED JOBS.DELAYS AND INACTION ARE NO LONGER THE SOLUTION.YOUR DECISION TODAY WILL HELP UNLOCK A SERIES OF RECOMMENDATIONS AND PROJECTS AND START OFFERING MORE JOB OPPORTUNITIES FOR ANGELINO'S, THE VOTES OF THE BOARD OF AIRPORT COMMISSIONER AND THE L.A. CITY COUNCIL HAS SHOWN THAT AND IT IS IN THE BEST INTEREST IN THE REGION AND ALL OUR COMMUNITIES TO MOVE FORWARD AND ESPECIALLY FOR SOMEONE LOOKING FOR A JOB.THANK YOU.

>> CHAIR LOUIE: THANK YOU.SIR?

>> GOOD MORNING, COMMISSIONER, AND MR. CHAIR AND OTHER MEMBERS OF THE COMMISSION.MY NAME IS PETER KELLY AND I'M HERE TODAY AT THE REQUEST OF JOE CHISEK, THE MERCURY AIR GROUP THAT HAS BEEN A TENANT AT INTERNATIONAL AIRPORT GROUP, MERCURY HAS NOTHING TO GAIN OTHER THAN HAVE THEIR EMPLOYEE TO BE IN A WORLD CLASS AIRPORT A GOAL WE SHOULD ALL CHAIR, TURNING UP SIDES DOWN THE EIR AND SENDING BACK PIECES OF IT WILL HAVE UNINTENDED CONSEQUENCES AS OTHER IMPROVEMENTS COULD BE STYMIED, THAT INCLUDES A DETAILED HEARING PROCESS WHEN THE DETAILS WILL BE STUDIED BEFORE THE RUNWAY WILL BE MOVED.THIS IS ONE OF THE MOST STUDIED AND RESEARCHED

PROJECTS IN THE CITY OF LOS ANGELES, ENOUGH IS ENOUGH, IT'S TIME TO MOVE AHEAD.THANK YOU VERY MUCH.

>> CHAIR LOUIE: THANK YOU.DEPUTY DIRECTOR, DO WE HAVE ANY --

>> LET ME CALL AGAIN -- IS JAMES QUELOK HERE?WILSON

ROBINS?SEIU?GLEN EDELMAN, LAURIE HUGHES, ANNIE SCHNEIDER AND RON MILLER

>> CHAIR LOUIE: OKAY, IF THE FIRST TWO SPEAKERS CAN TAKE SEATS AT THE FRONT TABLE, OTHER SPEAKERS, IF YOU COULD MIGRATE TOWARDS THE FRONT OF THE ROOM.AS YOU COMPLETE SPEAKING FROM THE FRONT TABLE, IF YU EEL EXCUSE YOURSELF BACK INTO THE GENERAL AUDIENCE AND THE NEXT SPEAKER CAN TAKE YOUR SEAT.AGAIN, YOU'LL HAVE THREE MINUTES, YOU HAVE THE COUNTY'S COLORFUL TIMER AND YOU CAN BEGIN WITH THE STATEMENT OF YOUR NAME.

>> GOOD MORNING, MY NAME IS JAMES OLET, I'M A RESIDENT OF PLAYA DEL REY, I WANT YOU TO HEED THE RECOMMENDATIONS OF SUPERVISOR KANABI AND THE SUPERVISOR STAFF TO UPHOLD THE IMPASSE APPEAL FILED BY THE COUNTY OF SAN BERNARDINO AND THE CITIES OF CULVER AND ONTARIO, I WANT TO DEPART A BIT FROM MY PREPARED NOTE, EARLIER, LAWLA TOLD THIS COMMISSION THAT UPHOLDING THE APPEAL WOULD RESULT IN LENGTHY DELAYS, THERE'S NO REASON WHY THAT IS NECESSARY.THERE

IS WIDESPREAD AGREEMENT ON EVERY ASPECT OF LAWA'S MODERNIZATION PLANS EXCEPT MOVING THE RUNWAY.MOVING THAT RUNWAY IS A GENUINE FISCAL BLACK HOLE BECAUSE LAWA HAS GROSSLY UNDERPRICED THE COST OF SOME OF THE ANCILLARY PROJECTS SUCH AS REROUTING LINCOLN BOULEVARD WHICH WILL HAVE TO GO THROUGH A BLIZZARD OF UNDERGROUND INFRASTRUCTURE.THAT PROJECT WAS PRICED IN THE EIR AS IF IT WERE A TUNNEL OUT IN THE DESERT, ALSO THERE'S A TUNNEL, AN EXISTING 6 LANE TUNNEL THAT GOES UP TO THE EDGE OF THE EXISTING RUNWAY, IT'S ABANDONED.IT WAS STARTED IN THE 1960'S AND NEVER COMPLETED, THAT TUNNEL WILL HAVE TO BE FILLED IN, THAT'S ANOTHER UNDERSTOOD PRICED PROJECT.THE PROSING PELTING OF MOVING THAT RUNWAY THREATENS TO SUCK FUNDING FROM EVERY OTHER ASPECT OF LAX MODERNIZATION, AND LOS ANGELES COULD END UP WITH A MARVELOUS NEW RUNWAY AT A THIRD WORLD AIRPORT.L.A. DESPERATELY NEEDS THE TRANSPORTATION CONNECTIONS OF AN AUTOMATED PEOPLE MOVER, THE INTERMODAL TRANSPORTATION FACILITY AND RAIL CONNECTIONS AND THE CONSOLIDATED RENTAL FACILITY, ALL OF THOSE ARE AT RISK IF THAT RUNWAY IS MOVED.IT APPEARS TO ME THAT THE PRIMARY PURPOSE OF LAWA'S PREFERRED PLAN IS TO CONCENTRATE CENTRAL CALIFORNIA AVIATION AT LAX AND TO THWART EFFORTS OF REGIONALIZATION, THEY HAVE BEEN SHUT OUT OF THIS PROCESS, THE GOAL IS WRONG, THE PROCESS IS WRONG.LAWA'S STRATEGY OF MELDING THE BALL HAS DEPRIVED THE APPELLANTS TO PARTICIPATE MEANINGFULLY IN THE PLANNING PROCESS AND FOR THAT REASON, I URGE YOU TO UPHOLD THEIR IMPASSE APPEAL.THANK YOU.

>> CHAIR LOUIE: THANK YOU VERY MUCH, AND YOU CAN EXCUSE YOURSELF FROM THE FRONT TABLE GIVING UP YOUR SEAT FOR THE NEXT SPEAKER, THANK YOU.AND YOU CAN BEGIN WITH THE STATEMENT OF YOUR NAME.

>> GOOD MORNING, MY NAME IS LYNN EDELMAN, I'M A RESIDENT OF PLAYA DEL REY AND I TOO AM HERE TO URGE THE COMMISSION TO UPHOLD THE IMPASSE APPEAL FILED BY THE COUNTY OF SAN BERNARDINO AND THE CITIES OF ONTARIO AND CULVER CITY.LIKE MOST OF THE PLAYA DEL REY RESIDENTS, I WANT TO SEE LAX MODERNIZED, IT SUITS ALL OF OUR PURPOSES, WE'RE ALL IN AGREEMENT WITH THIS, ESPECIALLY WE WANT THE PEOPLE MOVER AND THE INTERMODAL TRANSPORTATION FACILITY WHICH WILL GIVE US EFFICIENT RAIL CONNECTIONS WHICH WILL ENLARGE THE BENEFIT TO THE WHOLE AIR Y, AND I'M AWARE THAT SUPERVISOR RID LEE THOMAS HAD SAID HE'S UPHOLDING THE APPEAL AND THAT UPHOLDING THE APPEAL WOULD DELAY THE GRAND TRANSPORTATION AT LAX, THAT'S NOT TRUE.WHAT APPEARS TO BE HAPPENING IS THE NEEDED IMPROVEMENT WIDTHS THE GROUND TRANSPORTATION LINKS ARE BEING HELD HOSTAGE BY THIS RUNWAY MOVEMENT AND THEY ARE NOT AS IT SEEMS LIKE OTHERS HAVE SAID HERE CONNECTED TO EACH OTHER.WHEN THE BOARD OF AIRPORT COMMISSIONERS VOTED, ONE OF THE OPTIONS THAT WAS ON THE TABLE WAS TO BIFURCATE THESE TWO THINGS COMPLETELY.THERE'S NO INHERENT REASON WHY MOVING THE NORTH RUNWAY MUST IMPACT ANY OTHER PART OF THE MODERNIZATION.IF ANYTHING, THE RUNWAY MOVEMENT IS GOING TO BE SUCH

A FISCAL DISASTER THAT IT'S MORE LIKELY TO GOBBLE UP THE MONEY THAT WE'RE GOING TO ACTUALLY NEED FOR THE MODERNIZATION OF THE AIRPORT. THE RUNWAY MOVE IS THE PROBLEM, IT'S NOT THE SOLUTION. I ONCE AGAIN URGE THE COMMISSION TO UPHOLD THE IMPASSE APPEAL FILED BY THE CITY OF -- COUNTY OF SAN BERNARDINO AND THE CITIES OF ONTARIO AND CULVER CITY, IT'S THE ONLY LOGICAL, SENSE CAL WAY TO MOVE FORWARD, THE TIE-IN IS NONSENSICAL AND IT'S BEING -- IT'S ALL OF A SUDDEN THE NEW SOUND BITE AND THANK YOU FOR LISTENING TO ME.

>> CHAIR LOUIE: THANK YOU VERY MUCH. AND, AGAIN, IF YOU COULD -- PLEASE, YOU CAN PROCEED.

>> GOOD MORNING, MR. CHAIRMAN, COMMISSIONERS, I'M DENY SCHNEIDER, I'M WITH REGIONAL SOLUTION AIRPORT CONGESTION, THAT HAS BEEN AN 18 YEAR RIDE AND I GOT INTO IT BECAUSE MY WIFE SAW 2-47'S NEARLY COLLIDE, ONE WOULD HAVE TAKEN OUT ONE OF THE NEIGHBORHOOD, I GET NO PAY FOR ANY OF THIS STUFF EXCEPT OUR LAWYERS GET PAID AND I THINK THAT'S THE CRITICAL ISSUE HERE IS THAT WE'RE CONCERNED ABOUT WHAT'S GOING ON HERE FROM A LEGITIMACY STANDPOINT. WE URGE YOU TO UPHOLD THE APPEAL AND I THINK YOU KNOW ALREADY THAT WE ALREADY SUPPORT MODERNIZATION OF THE AIRPORT, HAVE AND WILL CONTINUE TO DO SO, ESPECIALLY THE LAND SIDE AND THE MASS TRANSIT. WE DON'T NEED ANOTHER REPEAT OF THE TRAIN ALMOST GETTING THERE, AND THAT'S ANOTHER WHOLE THING I'M WORKING ON AS PART OF THE TRAIN LEADERSHIP

COUNCIL, SO THE ONE THING I DO AGREE WITH MS. LINDSAY IS THIS HAS TAKEN TOO LONG, THIS IS A PARTY TO THE SETTLEMENT AGREEMENT AND WHEN WE SET ALL OF THIS UP, WE AGREED THAT THIS WOULD TAKE 6 MONTHS.THERE HAVE BEEN HUNDREDS OF MEETINGS BUT HAVING MEETINGS AND NOBODY LISTENING IS NOT OPEN NOR TRANSPARENT, AND THAT'S THE REAL ISSUE THAT WE HAVE.THE FACT THAT THEY GAVE YOU A DISK TODAY WITH ALL OF THE SPAS DOCUMENTS AND NOW YOU'RE SUPPOSED TO KNOW RETROACTIVELY WHAT THEY WERE TALKING ABOUT WHEN YOU DID APPROVE THIS DOESN'T MAKE A LOT OF SENSE TO ME.AND THAT I THINK IS WHY YOU NEED TO PRESS THIS ISSUE, WE ARE PLAYING SEMANTICS HERE WITH A LOT OF THE THINGS SUCH AS THE FACT THAT THE NORTH RUNWAY ISN'T GOING TO IMPACT ANYONE AND THAT IT STAYS WITHIN THE FIELD.THAT IS A JOKE BECAUSE THE RUNWAY PROTECTION ZONE IS DEFINITELY LARGER.THEY ARE ACTUALLY WORKING ON A RUNWAY SAFETY PROJECT RIGHT NOW TO EXTEND THE SAFETY AREA BECAUSE THAT'S A MANDATE BY 2015.THAT'S -- WE AGREE ON 90% OF THIS STUFF.THE ONLY MAJOR ISSUE IS THIS RUNWAY AND I WOULD TELL YOU THAT THE FACT THAT AN EIR IS PROCESS DOESN'T MEAN THAT WE'RE GOING TO END UP WITH A RIGHT PROJECT.THE LAST TIME AROUND, YOU FOLKS SAID THIS IS NOT RIGHT, THEY WENT THROUGH IT, THEY OVERRUN YOU IN LOS ANGELES, THEY FINISHED AND CERTIFIED THE EIR AND YOU NOTICE THEY'RE NOT BUILDING THAT BECAUSE THEY CAME UP WITH A PRICE TAG THAT WAS SO HIGH BECAUSE THEY HAD IGNORED ALL OF THE ISSUES THAT WE RAISED.THEY CONDITION DO IT ANYMORE, SO I URGE YOU AGAIN, PLEASE LET'S MOVE FORWARD BY FAILING THIS.

>> GOOD MORNING, I'M RON MILLER, I'M WITH THE BUILDING AND TRADES COUNCIL, I REPRESENT 140 THOUSAND CRAFTS MEN AND WOMEN, HOUSES OF WHICH LIVE AROUND THE AIRPORT, WE'RE PROUD TO BE PART OF A COALITION OF LABOR AND BUSINESS AND WE STAND STRONGLY ON THIS ISSUE, FIX LAX NOW, WE DO NOT SUPPORT THESE APPEAL, THE MODERNIZATION IS AN ENGINE THAT WILL DRIVE LOS ANGELES FORWARD WITH GOOD JOBS, THE MODERNIZATION IS COMPLETELY TRANSPARENT, LIKE YOU HEARD EARLIER, HUNDREDS OF MEETINGS AND IF EVERYBODY PAID ATTENTION IN THOSE MEETINGS AND GOT COLLEGE CREDIT, WE WOULD PROBABLY HAVE A MASTERS DEGREE BY NOW IN AIRPORT PLANNING. THE MODERNIZATION IS A COMPLETE PACKAGE AND THE RUNWAY MOVEMENT IS PART OF IT. EVERYBODY AGREES WE NEED IT BUT WE'RE STILL 17TH RANKED IN THE NATION FOR BUSINESS MEETINGS, PEOPLE COMING TO L.A., THE CHAIRMAN OF KOREAN AIRLINES IS INVESTING A BILLION DOLLARS IN OUR CITY, THE FIRST THING HE SAYS WHEN HE GETS OFF THE AIRPLANE IS YOU GUYS NEED TO FIX YOUR AIRPORT. HOW DO WE ATTRACT BUSINESS? AND THIS IS COMING FROM A LABOR GUY, BECAUSE I KNOW IT MEANS JOBS TO MY FOLKS. WE HAVE TO DO BETTER. WE'RE RANKED 15TH IN THE NATION FOR ATTRACTING LARGE CONVENTIONS. WE NEED TO DO BETTER, WE'RE THE SECOND LARGEST CITY IN THE UNITED STATES. SO, I URGE YOU NOT TO APPROVE THESE APPEALS, LET'S GET THIS THING GOING AND PUT PEOPLE TO WORK AND MAKE OUR ECONOMY BETTER IN THE CITY. THANK YOU.

>> CHAIR LOUIE: THANK YOU VERY MUCH. DEPUTY DIRECTOR, DO WE HAVE ANY OTHER FOLKS SIGNED UP TO SPEAK?

>> WE STILL HAVE THE TWO PEOPLE, I WILL CALL THEIR NAMES AGAIN, LAURIE HUGHES AND WILSON ROBIN, IF NOT, THAT CONCLUDES THE PEOPLE WHO HAVE SIGNED UP TO TESTIFY.

>> CHAIR LOUIE: AND LET ME 14:03:45 DOUBLE CHECK, THERE ANYBODY ELSE WHO WISHES TO MAKE PUBLIC COMMENT AT THIS POINT? SEEING NO ONE, WE'LL CLOSE THAT, THANK YOU. WE NOW HAVE A TEN MINUTE REBUTTAL PERIOD FOR THE APPELLANT/APPLICANT. PLEASE.

>> MR. CHAIRMAN, MEMBERS OF THE COMMISSION, BARBARA LICHMAN FOR APPELLANT, I WANT TO REMIND THE COMMISSION THAT ITS MANDATE IS IN SOME SENSE LARGER THAN THE ECONOMIC IMPACTS OF THE AIRPORT, ALTHOUGH THOSE ARE EXTREMELY IMPORTANT, NOT JUST TO THE GENERAL PUBLIC BUT ALSO TO THOSE THAT I REPRESENT. IT'S THE PUBLIC HEALTH, SAFETY AND WELFARE OF THE POPULATIONS [INAUDIBLE] A COUPLE OF POINTS TO DISCUSS WHAT LAWYER HAS TESTIFIED TO. FIRST, THIS BUSINESS OF DELAY IS SOMEWHAT MYSTIFYING BECAUSE ALL YOU WOULD DO TODAY BY UPHOLDING THIS APPEAL WOULD BE TO GIVE IT TO THE LOS ANGELES CITY COUNCIL WHICH IN FACT RUNS LAX. THEY ARE THE PROPRIETOR OF LAX, BUT FOR A DISCUSSION OF THE ISSUES UNDER THE PUBLIC UTILITIES CODE, WHICH DOESN'T FALL DIRECTLY WITHIN THEIR MANDATE, ALTHOUGH THEY

ARE SUPPOSED TO CONSIDER IT. YOU ARE THE BODY THAT'S SUPPOSED TO POINT OUT VARIANCES FROM THE PUBLIC UTILITIES CODE REQUIREMENTS AND THAT'S ALL YOU WOULD BE DOING. THIS WHOLE PROCESS COULD BE OVER IN ANOTHER 30 DAYS, DEPENDING ON WHAT THE LOS ANGELES CITY COUNCIL DOES, BUT THE LOS ANGELES CITY COUNCIL SEES FIT TO UPHOLD THIS APPEAL AS WELL, THEN ONE MUST DEFER TO THEM BECAUSE THEY RUN THE AIRPORT, SO EITHER WAY, YOU WON'T BE DELAYING THIS PROJECT FOR ANY PERIOD OF TIME BECAUSE YOU'RE NOT ISSUING AN INJUNCTION, LAWA'S GOING TO MOVER FORWARD WITH ITS PLANNING WHILE YOUR IMPASSE IS CONSIDERED BY THE CITY COUNCIL, SO I'M SOMEWHAT MYSTIFIED BY ALL THIS DISCUSSION OF DELAY BECAUSE THERE IS NONE IMPLICATED BY YOUR DECISION TO UPHOLD THIS APPEAL. SECOND, I DO HAVE TO CLARIFY, THERE NEED NOT GO -- THERE -- THERE'S NO REQUIREMENT FOR FURTHER PROJECT LEVEL REVIEW. NOW THAT YOU HAVE FOUND THE AMENDMENTS TO THE SPECIFIC PLAN AND THE GENERAL PLAN CONSIST TEN WITH THE AIRPORT LAND USE PLAN UNDER PUBLIC UTILITIES CODE 21676B WHICH IS YOUR MON DATE, NO FURTHER PROJECT LEVEL REVIEW NEEDS TO COME BACK TO YOU, SO ONCE AGAIN, I'M SOMEWHAT MYSTIFIED ABOUT ALL THIS DISCUSSION OF DELAY OVER PROJECT LEVEL REVIEW AND ALL THAT. NEXT, THE ISSUE OF EVERY AMENDMENT TO THE AIRPORT PERMIT, I GOT TO TELL YOU, FOR THE LAST 25 YEARS, THE AMENDMENTS TO AIRPORT PERMITS THAT ARE MENTIONED IN THE PUBLIC UTILITIES CODE SECTION 21664.5 HAVE BEEN WORTHLESS BECAUSE IT WAS DECIDED MANY YEARS AGO THAT CALTRANS CAN'T ISSUE PERMITS. THAT SECTION IS ESSENTIALLY MUTE. IT'S GONE,

AND I'LL SITE YOU ALL THE CASES IN THE WORLD, BUT IT WILL JUST SET YOUR HEAD ON FIRE AND IT WON'T MAKE ANY DIFFERENCE, THAT'S THE WAY THE WORLD WORKS IN MY LINE OF WORK, SO THERE ISN'T GOING TO BE -- THAT SECTION IS OF NO MOMENT HERE.NEXT, NEPA REVIEW, YES, THERE HAS TO BE NEPA REVIEW, BUT HERE'S THE INCONSISTENCY.BECAUSE CEQA IS A MORE RESTRICTIVE STATUTE, THE FEDERAL GOVERNMENT TYPICALLY IN CASES SUCH AS THIS USES THE CEQA REVIEW FOR ITS NEPA REVIEW WITH SOME ADDITIONS SUCH AS A CONFORMITY ANALYSIS UNDER THE CLEAN AIR ACT, BUT THE BOTTOM LINE HERE IS THAT PROCESS ISN'T GOING TO TAKE VERY LONG AND ISN'T GOING TO GIVE THIS COMMISSION ANY OPPORTUNITY TO REVISIT THIS PROJECT.SO, ONE LAST ISSUE, REGIONALIZATION, I WOULD RESPECTFULLY DISAGREE WITH YOUR STAFF CONCERNING THE ISSUE OF REGIONALIZATION COMING BEFORE IT AND THIS COMMISSION BECAUSE YOU HAVE SORT OF SET THIS UP AS A QUASI JUDICIAL PROCEDURE WITH YOUR OATHS AND SO ON.I WOULD POINT OUT TO YOU THAT ON AUGUST 28TH, LAWA SUBMITTED A LETTER THAT WENT INTO THE ISSUE OF REGIONALIZATION IN SOME DETAIL.ON SEPTEMBER -- I'M SORRY, PREVIOUS TO AUGUST 28, LAWA RAISED THE ISSUE OF REGIONALIZATION, ON AUGUST 28, THE APPELLANTS RESPONDED TO IT IN SOME DETAIL IN A LETTER AND SUBSEQUENTLY, WE SUBMITTED A SECOND VERY DETAILED LETTER CONCERNING REGIONALIZATION.NOW, WHEN THE ADVERSARY IN A QUASI JUDICIAL PROCEEDING RAISES AN ISSUE, THE APPELLANT IS ENTITLED TO RESPOND TO IT, SO WE DID AND IT IS BEFORE THE STAFF AND IT'S BEFORE THIS COMMISSION, NEVERTHELESS, THE COMMISSION CAN PUT IT IN

WHATEVER ORDER OF IMPORTANCE IT WISHES, JUST TO RAISE THAT.FINALLY, WE WANT TO MAKE SURE THAT THE COMMISSION UNDERSTANDS THAT WE SUPPORT MODERNIZATION OF THIS AIRPORT STRONGLY, IN FACT, I WAS PRESENT AND PART OF THE NEGOTIATING TEAM THAT NEGOTIATED THE 2005 OR 06 SETTLEMENT AGREEMENT WITH LAWA THAT WANTED TO EXPEDITE THAT, WHAT WE DON'T SUPPORT IS LAWA WITHOUT REASONABLE REVIEW INSTEAD OF MODERNIZATION, THE MODERNIZATION IS GOING FORWARD, THE GREEN LIGHT PROJECTS ARE MOVING AHEAD, MODERNIZATION IS HAPPENING AND WE DON'T ASK THIS COMMISSION TO STOP IT FOR ONE INSTANT.ALL WE'RE ASKING THAT THE PUBLIC HEALTH, SAFETY AND WELFARE OF THE PEOPLE AROUND THE AIRPORT BE GIVEN EQUAL WEIGHT.THANK YOU VERY MUCH FOR YOUR ATTENTION.

>> CHAIR LOUIE: THANK YOU.QUESTIONS FROM THE COMMISSION?THANK YOU VERY MUCH.MR. CHILD?

>> MR. CHILD: AT THIS STAGE, ARE YOU LOOKING FOR SOME RESPONSE AS FAR AS THE DEPARTMENT'S RECOMMENDATION GIVEN THE INFORMATION THAT HAD BEEN RECEIVED?

>> CHAIR LOUIE: I THINK THAT WOULD BE HELPFUL.

>> MR. CHILD: OKAY, FIRST OF ALL, WE DO UNDERSTAND THAT THE INFORMATION PUTS YOU IN A DIFFICULT POSITION AND IF THERE'S

ANYTHING IN THE MATERIALS THAT YOU WOULD LIKE OUR OPINION ON WHAT WAS MEANT BY THAT OR WHAT SIGNIFICANCE THAT HAS WITH WHAT YOU'RE REVIEWING TODAY, PLEASE ASK AND I WOULD BE HAPPY TO PROVIDE YOU A SUMMARY, MANY OF THE DOCUMENTS ECHO THE TESTIMONY RECEIVED TODAY, BUT THE IMPORTANT DOCUMENT IN THERE WOULD BE ATTACHMENT A TO THE LAWA LETTER DATED SEPTEMBER 10, 2013, SO YESTERDAY'S LETTER. JUST TO REMIND YOU FROM THE STAFF'S REPORT, STAFF WAS CONCERNED -- THE STAFF REPORT POINTS OUT THAT THE CITY HAD NOT CLEARLY ARTICULATED IN THEIR PUBLIC DOCUMENTS HOW THE PROCESS WOULD WORK AND HOW RECENT POSITIONS TO SELECT AN ALTERNATIVE WOULD BE BASED -- HOW THAT WOULD BE BASED ON FUTURE PLANNING AT A CONCEPTUAL LEVEL AND HOW THAT WOULD REMAIN PART OF FUTURE PLANNING DISCUSSIONS, THAT LACK OF CLARITY AND THE POSSIBILITY THAT FULLY ANALYZED FUTURE OPTIONS MAY BE VERSIONS OF THE PREFERRED ALTERNATIVE WERE SEEN AS STAFF AS A PRIMARY CAUSE FOR THIS IMPASSE. THE LACK OF CLARITY LED TO MISUNDERSTANDINGS OVER WHAT THE CITY HAD APPROVED, IT ALSO RESULTED IN APPELLANTS FEELING THAT IN THE FUTURE, LAND USE PLANNING WOULD NOT BE INVOLVED IN AIRPORT PLANNING, WHAT WE RECEIVED FROM LAWA YESTERDAY AND SPECIFICALLY POINTING OUT WHAT'S IN ATTACHMENT A, IF YOU LOOK AT BULLET NUMBER 2, SUB BULLET 3 AND 4, FIRST OF ALL, NUMBER 3, THE THIRD ONE, LAWA IS SAYING THEY WOULD BE REQUIRED TO ADDRESS ALTERNATIVES THAT ARE SUBJECTING BY THE PUBLIC AND OTHER PUBLIC AGENCY DURING THIS CEQA REVIEW PROCESS. STAFF HAD BEEN CONCERNED THAT THE PROGRAM EIR THAT HAD

BEEN APPROVED ONLY -- WAS THE ONLY PLACE WHERE A FULL RANGE OF OPTIONS WOULD BE CONSIDERED. WITHOUT ANY STUDY OF ANY PROJECT LEVEL STUDY OF OTHER OPTIONS, LAWA WOULD CONSIDER TO LOOK AT OTHER OPTIONS AND CONSIDER THE APPROPRIATE LEVEL OF REVIEW THAT EACH OPTION WOULD NEED AND THE SECOND WHICH IS BULLET 4, AN ANALYSIS OF ALTERNATIVES WOULD BE INCLUDED IN THE DRAFT EIR WHICH WOULD PROVIDE AN OPPORTUNITY FOR PUBLIC COMMENT, AND HERE AGAIN, THIS COMMENT I THINK ALLEVIATES CONCERNS OF THE APPELLANT THAT THEY WOULD NOT HAVE THE ABILITY TO PARTICIPATE AND CONTRIBUTE IN FUTURE PLANNING BY THE AIRPORT, SO GIVEN THE INFORMATION WE'VE RECEIVED, STAFF WOULD RECOMMEND THAT THE COMMISSION DENY THE APPEAL AND FIND THAT THE ACTIONS TAKEN BY THE CITY ARE CONSISTENT WITH THE STATE AERONAUTICS ACT. THE COUNTY REVIEW PROCEDURES IS QUITE CLEAR, THAT IF YOU FIND THAT THE STATE AERONAUTICS ACT HAS NOT BEEN A CONFLICT WITH THE STATE AERONAUTICS ACT, YOUR ONLY OPTION IS TO DENY THE APPEAL. THEREFORE, THAT WILL BE OUR RECOMMENDATION AT THIS STAGE.

>> COMMISSIONER MODUGNO: MR. CHAIRMAN?

>> CHAIR LOUIE: YES.

>> COMMISSIONER MODUGNO: THROUGH THE PROCESS OF ALL OF THIS, AND I THINK AS THE TESTIMONY HAS TAKEN PLACE, I DID GLANCE DOWN AND I DID DO A LITTLE BIT OF READING AND I THINK I APPRECIATE THE

POSITION MR. CHILD IS COMING FROM BECAUSE AS I WAS WEEDING THROUGH ALL THE PAPER, I GOT DOWN TO ONE SPECIFIC PARAGRAPH, AND I JUST WANT TO READ THE PARAGRAPH, AND THAT PARAGRAPH WAS IN THE DRAFT FINDINGS THAT WE WOULD INCORPORATE WITHIN THE ORIGINAL MOTION THAT WAS SUGGESTED, AND THAT THIS WAS AGAIN FOLLOWING STAFF'S RECOMMENDATION FOR UPHOLDING THE APPEAL, AND IT STATES UPHOLDS THE APPEAL, AND THIS AGAIN WAS THE THEREFORE BE IT RESOLVED, UPHOLDS THE APPEAL BECAUSE THE AIRPORT PLANNING PROCESS HAS NOT BEEN MADE CLEAR. I DON'T KNOW HOW UNCLEAR SOMETHING COULD BE THAT'S GONE THROUGH 16 YEARS OF PRESENTATION AND HEARINGS, IT MAY BE CLUTTERED BUT SOMEWHERE IN THERE, YOU'RE GOING TO DIG OUT THE CLARITY. A FURTHER READING OF ONE ALTERNATIVE AT THIS EARLY STAGE, AGAIN, EARLY STAGE TO ME IS 6 MONTHS, NOT 16 YEARS, IN THE PROCESS AND THEN THE NEXT WORD IS MAY, IT DOESN'T SAY WILL, IT SAYS MAY PRECLUDE CONSIDERATION OF ALL SOLUTIONS THAT MINIMIZE THE PUBLIC'S EXPOSURE TO EXCESSIVE NOISE, SAFETY HAZARDS WITHIN AREAS AROUND LAX. FOR THIS REASON, THE AIRPORT PLANNING PROCESS IS INCONSISTENT WITH THE INTENT OF THE ACT PUC SECTION 21670A1, AS I READ THAT, PERSONALLY I COULD NOT SUPPORT THAT FINDING, AND I THINK THAT THAT ALONE WOULD BE A REASON THAT I WOULD VOTE FOR DENIAL OF THE APPEAL BECAUSE AGAIN GOING THROUGH THE PROCESS, I DO BELIEVE THAT THIS HAS BEEN AN OPEN PUBLIC PROCESS. IT MAY NOT HAVE BEEN OPEN IN EVERY ASPECT IN FRONT OF THIS BODY, BUT IT CERTAINLY WAS AN OPEN AND PUBLIC PROCESS TO THE PLANNING COMMISSION, CITY OF LOS ANGELES,

THROUGH THE VARIOUS HEARINGS, THROUGH THE CITY COUNCIL MEETINGS, AT THE CITY OF LOS ANGELES AND ANY PARTICIPANT WHO WANTED TO BE PART OF THAT PROCESS WOULD HAVE BEEN ABLE TO ATTEND. THAT IT'S NOT OUR JOB TO BE THE PLANNING COMMISSION FOR THE CITY OF LOS ANGELES, IT'S NOT OUR JOB TO BE THE CITY COUNCIL, THE CITY OF LOS ANGELES, THE REGULATORY AUTHORITIES THAT [INAUDIBLE] IN TERMS OF CEQA, THE PUC, THIS IS NOT SOMETHING THAT'S BEING CRAFTED IN A BACK ROOM, AND SO I'M QUITE SATISFIED THAT AT LEAST FROM MY POSITION IS ONE OF SUPPORTING DENIAL OF THE APPEAL BECAUSE THIS IS AN ONGOING ASPECT. GOING BACK TO THE ORIGINAL COMPONENT AT WE HEARD THIS CASE MANY YEARS AGO, FOCUSING ON, AGAIN, AND WE SAW THE SOUTH RUNWAY RELOCATION, THE NORTH RUNWAY RELOCATION WHICH DID FALL UNDER OUR PER VIEW AS FAR AS THE IMPACTED NOISE AND SAFETY AND WE SAW THE COMPLETE VECTOR ZONES IN TERMS OF WHO WAS GOING TO BE IMPACTED, IT WAS FEWER PEOPLE BEING IMPACTED WITH THE MOVEMENT, IT WAS JUST DIFFERENT PEOPLE BEING IMPACTED. SO, I THINK WE ALREADY VETTED THAT ASPECT OF IT WHICH WAS IN OUR PER VIEW, IF THE RUNWAY MOVEMENT IS DIFFERENT THAN WHAT WE'VE ALREADY GONE THROUGH THE PROCESS THAT WENT THROUGH THAT SUPER MAJORITY APPEAL AT THE CITY COUNCIL AND WENT THROUGH THE COURT SYSTEM, THAT ISSUE AS FAR AS I'M CONCERNED HAS BEEN RESOLVED UNLESS IT'S BEEN MOVED AGAIN, SO QUITE FRANKLY, NOW I DON'T KNOW, MR. CHILD, BECAUSE WE HAVE A MOTION DRAFTED IN FRONT OF US FOR UPHOLDING THE APPEAL AND WE HAVE A DRAFT FINDINGS THAT SUPPORT THAT, THAT COUNTY COUNSEL HAS DRAFTED, WE OFTENTIMES

ACT ON SOMETHING THAT IS FULLY WRITTEN OUT, BUT I'M NOT IN A POSITION TO SUPPORT WHAT'S IN THE PACKET.DO WE HAVE A NEW RESOLUTION THAT COULD BE READ INTO THE RECORD?

>> MR. CHILD: PERHAPS IF WE COULD TAKE A SHORT BREAK, I'VE BEEN PREPARING THAT INFORMATION JUST IN CASE YOU WANTED SOMETHING LIKE THIS.DO YOU WANT TO TAKE A SHORT BREAK?

>> COMMISSIONER MODUGNO: WELL, IF --

>> COMMISSIONER PEDERSEN: I DON'T THINK WE MADE A DECISION YET.

>> COMMISSIONER MODUGNO: THAT'S WHAT I'M SAYING.I'VE EXPRESSED MY VIEW, SO I DON'T WANT TO DIRECT STAFF TO GO AND WRITE A MOTION THAT SUPPORTS THE VIEW THAT I SUPPORT WHEN INDEED WE STILL HAVE A MOTION THAT WAS PRESENTED IN OUR PACKET FOR THOSE WHO WANT TO UPHOLD THE APPEAL.

>> CHAIR LOUIE: MR. CHILD, PRIOR TO THE FIRST RECESS, I HAD ASKED THAT YOU TAKE INTO CONSIDERATION OBVIOUSLY THE TESTIMONY AND THE CORRESPONDENCE THAT HAD BEEN SUBMITTED TO YOU, SEEKING THE POSSIBILITY THAT THERE WOULD BE AN ALTERNATIVE MOTION, IT SOUNDS LIKE YOU MAY NEED SOME ADDITIONAL TIME TO --

>> MR. CHILD: THAT HAS BEEN PREPARED, I JUST WOULD LIKE TO HAVE A CHANCE TO PRESENT IT TO YOU.

>> CHAIR LOUIE: ABSOLUTELY, WE'LL DO THAT, BUT FIRST I WOULD LIKE TO HEAR FROM COMMISSIONER PEDERSEN.

>> COMMISSIONER PEDERSEN: YES, I THINK THERE'S BEEN A COUPLE OF FALSE PREMISES HERE, ONE THAT HAS BEEN POINTED OUT WHICH I THINK IS VERY IMPORTANT IS THAT MODERNIZATION AND EXPANSION, I MEAN, WE CAN MODERNIZE WITHOUT EXPANDING THE AIRPORT.[INAUDIBLE].THE FACT THAT THE EXPANSION OF THE NORTH RUNWAY IS GOING TO INCREASE THE NUMBER OF PASSENGERS THAT CAN COME INTO LAX, A VERY URBANIZED AIRPORT AND IT IS GOING TO HAVE AN IMPACT UPON THE REGIONALIZATION OF AIRPORT TRAFFIC, EVEN THOUGH YOU SAID THAT IT'S NOT PART OF OUR PURVIEW THIS MORNING, I THINK IT IS SOMETHING THAT IS VERY IMPORTANT, SO YOU KNOW, I THINK THAT THERE NEEDS TO BE MORE DISCUSSION, MORE PUBLIC INPUT ON THE NORTH RUNWAY THAT DOES NOT PRECLUDE GOING FORTH WITH ANY OF THE OTHER MODERNIZATION PROJECTS, AND I THINK YOU THINK THE FALSE PREMISES IS THAT, WELL, WE CAN'T HAVE THAT WITHOUT THIS.AND I JUST DON'T THINK THAT'S RIGHT, SO I WOULD VOTE TO UPHOLD THE APPEAL.

>> VICE-CHAIR VALADEZ: I ALSO CONCUR WITH COMMISSIONER MO DUNE FOE AND I DON'T THINK I NEED TO REPEAT EVERYTHING HE SAID TO AGREE

WITH HIM.I JUST HAVE ONE REQUEST THAT I'D LIKE TO ASK STAFF AND
14:23:03COUNTY COUNSEL WITH RESPECT TO MY POSITION.AND THAT'S THAT
YOU DID HEAR MY CONCERN WITH RESPECT TO THE DEGREE OF ANALYSIS
THAT WOULD BE GIVEN TO ALTERNATIVES -- I WOULD BE WONDERING
THROUGH THE ALUC, IF THE APPELLANTS COULD SUGGEST AN ALTERNATIVE
THAT WOULD BE STUDIED GREATER THAN JUST THE TYPICAL 7, 8 OR 9, 10
ALTERNATIVES, IF THEY COULD GET TOGETHER AND PROVIDE AN
ALTERNATIVE WHICH I WOULD RECOMMEND THAT LAWA WOULD PUT ADDITIONAL
RESOURCES TO THAT ALTERNATIVE AND NOT -- AND ACTUALLY KIND OF
FLUSH THAT ALTERNATIVE OUT MORE THAN JUST THE NORMAL THING THAT A
CONSULTANT WOULD DO WHEN WE WERE LOOKING AT ALTERNATIVES AND I
WOULD LIKE TO RECOMMEND THAT BUT I'M NOT -- I WOULD OBVIOUSLY BE
SUBJECT TO THE OTHER COMMISSIONERS AS TO WHETHER WE COULD DO THAT
ALSO, AND EVEN IF THE APPELLANT WOULD BE WILLING TO SELECT AN
ALTERNATIVE OR PROPOSE AN ALTERNATIVE, BUT I THINK THAT I WOULD
LIKE TO BE ABLE TO HAVE THEM DO THAT EVEN THOUGH WE WOULD NOT BE
SUPPORTING THEIR APPEAL OR I WOULD NOT BE SUPPORTING THEIR APPEAL.

>> CHAIR LOUIE: MR. PEDERSEN, ANY OTHER THOUGHTS, COMMENTS?MR.
HELSLEY?

>> COMMISSIONER HELSLEY: MR. CHAIRMAN, THANK YOU.I HAVE SOME
VERY MIXED FEELINGS ABOUT WHERE WE PROBABLY OUGHT TO GO.THE ASPECT
OF THE NORTH RUNWAY HAS A LOT OF IMPACT ON COMMUNITY AND THERE IS

A -- WE HAVE A CHARGE AS IT RELATES TO THE NOISE SAFETY AIR SPACE PROTECTION AND OVERFLIGHT WHICH I THINK IS THE MAJOR CONCERN. I REALIZE THAT THESE ARE TIED TOGETHER WITH OTHER IMPROVEMENTS ON THE AIRPORT ITSELF. THE VALIDITY OF THE APPEAL I THINK IS VERY VALID AS IT RELATES TO THOSE ISSUES THAT I JUST DELINEATED, THE NOISE, SAFETY, AIR SPACE PROTECTION AND THE OVERFLIGHT ZONE. THE IMPROVEMENTS ON LINCOLN BOULEVARD BECOME RATHER DRAMATIC AND WE CERTAINLY DON'T NEED TO LOSE THAT MEANS OF LEAVING THE AIRPORT TO GO TO A LARGE POPULATION AREA. [INAUDIBLE]. I THINK THAT GETS BACK TO THIS QUESTION I ASKED EARLIER AS TO HOW DO YOU COME OUT WITH SOMETHING THAT HAS A POTENTIAL OF A WIN, WIN, AND I ARRIVED AT AN AIRPORT IN MADRID. I THINK IT TOOK HIM 7 YEARS FROM PLAN TO FINISH, A VERY MODERN AIRPORT. I COME BACK FROM EUROPE, I COME INTO LAX AND IT'S LIKE COMING INTO A VERY OLD FACILITY AND THE ABILITY TO GO THROUGH THE CUSTOMS AND THAT TYPE OF THING, I WOULD HAVE THOUGHT THAT I WAS IN A FACILITY THAT DID NOT HAVE ANY CONNECTION WITH THE REAL WORLD. I DON'T WANT TO DELAY THIS. I DON'T SEE THAT THAT IS ANY ADVANTAGE FOR ANYBODY BUT I DO THINK THERE NEEDS TO BE 14:27:05 THE POSITION OF FEELING THAT THEY ARE HEARD, THAT THERE IS A PROCESS BY WHICH THE APPELLANTS CAN TAKE AND HAVE INPUT THAT IS REAL. SO, I'M IN BETWEEN AT THIS POINT, STAFF HAS BEEN PUT IN A VERY DIFFICULT POSITION. I FEEL THEY HAVE TAKEN A GIVEN ME A LOT OF BACKGROUND AND I APPRECIATE THAT. I APPRECIATE THE POINTING OUT AND THE RELATIONSHIP OF A DRAFT RESOLUTION. I WOULD LIKE TO MAYBE HAVE

YOU GO THROUGH THE REASON FOR THE SHIFT SO THAT I UNDERSTAND THAT A LITTLE BIT BETTER BEFORE I GO THAT DIRECTION AT THE PRESENT TIME. I DON'T FEEL I'M GOING THAT WAY.

>> MR. CHILD: CERTAINLY. THE -- IN THE STAFF REPORT AND THIS REFLECTS IT IN THE RESOLUTION, STAFF WAS CONCERNED THAT ALTHOUGH IT'S BEEN MENTIONED THAT IT HAS TAKEN MANY YEARS TO GET TO THIS POINT BY THE CITY, THAT WHAT WASN'T CLEAR WAS WHAT THE NEXT STEPS WOULD BE AS THEY MOVE FORWARD, AS STAFF, WE WEREN'T CLEAR THAT THE APPROVAL THAT WAS MADE IN MARCH, WHETHER THAT PRECLUDED OPTIONS FOR THE FUTURE OR NOT, SO THAT THOSE WOULD -- THE AREAS WE SAW AS NOT BEING MADE CLEAR AND THAT WAS ECHOED BY THE APPELLANTS, SO IT'S TAKEN THROUGH THIS PROCESS DISCUSSION WITH THE CITY ASK THEN THROUGH THE DOCUMENTS THAT WE'VE RECEIVED VERY RECENTLY, IT'S TAKEN A CONFIRMATION THAT EVEN THOUGH THE CITY'S ACTION WAS TO SELECT A PREFERRED ALTERNATIVE AND THAT STAGE, THEY WOULD BASE FUTURE ALTERNATIVES AROUND THAT, IT DOESN'T PREVENT THEM FROM CONSIDERATION ANY OTHER OPTIONS THAT ARE BROUGHT UP BY THE PUBLIC OR BY A PUBLIC AGENCY AND THAT IS WHERE OUR CONCERN WAS, THAT THE DECISION IN MAY SOMEHOW LIMITED FUTURE DECISIONS OR FUTURE OPTIONS THAT ARE OUT THERE TO BE IN THOSE THAT ARE JUST SIMILAR OR VERY, VERY CLOSE DERIVATIVE OF THE PREFERRED ALTERNATIVE AND EVEN THOUGH IT HAS BEEN A LENGTHY PROCESS TO GET THERE, THAT WASN'T CLEAR TO US, THE DOCUMENTS THAT WE SPECIFICALLY RECEIVED IN ATTACHMENT A,

WE'RE COMFORTABLE THAT THE PROCESS WILL INCLUDE AN OPTION FOR ANY NEW ALTERNATIVE TO BE INTRODUCED AND ALSO FOR THE PUBLIC AND PUBLIC AGENCIES TO REMAIN A PART OF ANY DECISION-MAKING THAT GOES FORWARD. SO, THAT'S WHY WE WOULD RECOMMEND THAT THE COMMISSION FIND IT CONSISTENT WITH THE AERONAUTICS ACT BECAUSE THE REASONS BEFORE WERE RELATED TO THAT LACK OF CLARITY, THESE DOCUMENTS THAT WE'VE RECEIVED PROVIDE THAT CLARITY.

>> COMMISSIONER HELSLEY: EXCUSE ME, DO YOU FEEL THAT AT THAT POINT, THE APPELLANT HAS THE POTENTIAL OF BRINGING FORWARD AN ALTERNATIVE THAT MIGHT BE CONSIDERED THAT HAS NOT BEEN BROUGHT FORWARD?

>> MR. CHILD: THAT'S MY UNDERSTANDING OF WHAT IS BEING SAID, ANY OPTION WILL BE CONSIDERED TO THE LEVEL OF WHICH IT'S CONSIDERED DEPENDS ON ITS FEASIBILITY, SO I DON'T THINK ANYONE IS COMMITTING AT THIS STAGE THAT IT WOULD BE NECESSARILY EQUAL TO THE PREFERRED ALTERNATIVE ALL THE WAY THROUGH THE PROCESS, BUT AS THEY GO THROUGH THEIR REVIEW OF OPTIONS, THEY WOULD LOOK AT THE ALTERNATIVE, DETERMINE THE FEASIBILITY AND THEN AT SOME STAGE IN THE FUTURE, DETERMINE WHETHER IT GETS THE FULL LEVEL OF REVIEW THAT OTHER OPTIONS THAT ARE COMPARED TO THE PREFERRED ALTERNATIVE GET.

>> COMMISSIONER HELSLEY: ONE OF THE ITEMS YOU MENTIONED WAS THAT IT WOULD BE HELPFUL IF THERE WERE A TIMELINE OR SOMETHING OF THIS NATURE THAT WAS GRAPHED SO THAT THE PUBLIC CAN UNDERSTAND WHAT IS HAPPENING AND AT WHAT POINT THEY MIGHT OFFER THESE SUGGESTIONS OR THESE ALTERNATIVES. CAN THAT BE PART OF OUR STATEMENT TODAY?

>> MR. CHILD: I BELIEVE SO. IF THE CITY IS ABLE TO MAP OUT A COURSE THAT WOULD HELP THE COMMISSION UNDERSTAND WHAT THE DECISION THAT WAS MADE IN MAY MEANT AND HOW THAT CLARIFICATION HELPS THE COMMISSION UNDERSTAND THAT THERE IS NO IMPASSE, I BELIEVE THAT WOULD BE SOMETHING YOU COULD ASK FOR TODAY AND MAYBE THEY COULD AGREE TO PROVIDE.

>> COMMISSIONER HELSLEY: MR. CHAIRMAN, WITH THAT COMMENT FROM STAFF, I WOULD LIKE TO SUGGEST THAT WE HAVE A 10 OR 12 MINUTE RECESS WHILE THIS COULD BE PUT TOGETHER.

>> CHAIR LOUIE: I THINK THAT'S A GOOD SUGGESTION. COMMISSIONER PEDERSEN?

>> COMMISSIONER PEDERSEN: IT IS A QUESTION OF COUNTY COUNSEL, AS FAR AS THE NORTH RUNWAY AND OUR OPPORTUNITY TO REVIEW IT AGAIN, I'VE HEARD SOME KIND OF MIXED MESSAGES OUT THERE, SOME SAY THE FAA CAN GO AHEAD AND, YOU KNOW, IN SOME WAY BYPASS ALUC BY NOT

ADDRESSING CEQA CONCERNS AND SO FORTH AND SO ON, THE CITY SAYS THAT, NO, IT'S DEFINITELY GOING TO COME BACK TO US. I DON'T KNOW IF HE SAID THAT BUT I THINK THAT'S WHAT HE SAID. HE DID FENCING THE FAA HAD DIFFERENT REVIEW, SO I JUST WANT YOU TO TELL ME, WILL THE NORTH RUNWAY COME BACK TO ALUC?

>> [INAUDIBLE] BUT WORTHLESS, BUT IT'S NOT SO MUCH WHAT THE QUALITATIVE EFFECT OF THAT, FOR OUR PURPOSES, THERE IS A NEED TO GET A CALTRANS PERMIT AND THAT ACTS AS A TRIGGER TO GET IT BACK BEFORE YOUR BOARD, SO WE'RE CONCERNED FOR JURISDICTIONAL PURPOSE, NOW WITH THE WEIGHT OF A WHAT THAT PERMIT IS AND IT DOES AS A TRIGGER THE TO GET IT BACK BEFORE YOUR BOARD AND LAWYERS HAS COMMITTED IN WRITING THEY WILL BRING IT BACK, I'M THINKING THERE WILL BE AN ESTOPPEL ARGUMENT FOR THAT.

>> COMMISSIONER PEDERSEN: THEY'LL BRING IT BACK IN NECESSARY, I MEAN, IF THERE'S NO TRIGGER --

>> IN RELATION TO ANY PROPOSED AND I'M READING FROM THEIR SEPTEMBER 10 BECAUSE I HAD THE SAME QUESTION, IN RELATION TO ANY PROPOSED RUNWAY CHANGE, LAWYERS WOULD RETURN TO THE ALUC FOR REVIEW OF THE PROPOSAL FOR CONSISTENCY WITH THE LAND USE COMPATIBILITY PLAN, AND TO ME, THAT'S NOT A CONDITION --

>> COMMISSIONER PEDERSEN: IN YOUR INTERPRETATION, YOU ARE SAYING IT WILL COME BACK THEN?

>> YES.AND I DO THINK -- TO ME WHAT IS CONDITIONAL IF THERE ARE OTHER CHANGES IN THIS YELLOW LIGHT PROJECTS THAT DO MODIFY THE AIRPORT MASTER PLAN, I AGREE WITH THE PUBLIC SPEAKER, THOSE WOULD ALSO HAVE TO COME BACK, ANY MODIFICATION OF THE AIRPORT MASTER PLAN TRIGGERS A MANDATORY RETURN TO ALUC.

>> COMMISSIONER MODUGNO: MR. CHAIRMAN, I HATE TO BELABOR THIS, I DON'T KNOW THAT WE'RE GOING TO HAVE A UNANIMOUS VOTE ON THIS AND, YOU KNOW, I RESPECT COMMISSIONER PEDERSEN'S COMMENTS, BEFORE WE DIRECT STAFF TO COME BACK WITH A NEW MOTION, I DON'T KNOW IF MR. PEDERSEN, YOU AT LEAST WANT TO PUT THE MOTION THAT WAS FIRST RECOMMENDED AT THE TABLE AND IF THAT GETS APPROVED, THEN I THINK THERE'S NO REASON FOR THE ALTERNATIVE MOTION.IF IT GETS DENIED, I THINK THAT'S WHAT PROMPTS THE OTHER MOTION, BUT I THINK AGAIN, I ONLY EXPRESSED MY OPINION BUT I DON'T THINK THAT DIRECTED THE COUNSEL I THINK AGAIN, MY OPINION WAS I WAS GOING TO BE VOTING ON THE MOTION THAT HAD ORIGINALLY BEEN PRESENTED ALTHOUGH I'M NOT SURE FROM STAFF'S POSITION IF THEY CHANGED THE RECOMMENDATION BUT THE MOTION IS STILL DRAFTED.TO GO THROUGH THE PROCESS IT'S PROBABLY BETTER TO DEAL WITH IT THIS WAY.

>> COMMISSIONER PEDERSEN: MAYBE I'LL BRING FORTH THE MOTION AS DRAFTED BY STAFF AND LET'S HAVE A VOTE ON IT IF THERE'S NO OTHER COMMENTS.

>> COMMISSIONER MODUGNO: I THINK THAT'S A BETTER SORT OF PROCESS TO GO THROUGH PERSONALLY.

>> COMMISSIONER HELSLEY: MR. CHAIRMAN, I WOULD LIKE TO -- WE HAVE A MOTION ON THE FLOOR, I'LL SECOND THE MOTION FOR VOTING, OKAY. BUT NOW I WOULD LIKE TO HAVE A DISCUSSION.

>> COMMISSIONER PEDERSEN: SO, ARE WE TALKING ABOUT THE STAFF MOTION IS --

>> [INAUDIBLE].

>> COMMISSIONER PEDERSEN: YEAH, OKAY, IS IT NECESSARY TO READ IN THE STAFF MOTION?

>> COMMISSIONER HELSLEY: I DON'T THINK YOU NEED TO READ IT, WE HAVE IT IN FRONT OF US AND THE REASON I SAY THAT IS BECAUSE THERE WAS A -- IT BASICALLY BECOMES A STRAW VOTE, OKAY, AND SO I SUPPORT IT IN THAT POSITION, BUT I WOULD LIKE THE SPEAK ON THAT AND THAT IS THAT IF THERE IS A WAY IN WHICH STAFF CAN COME FORWARD WITH THE

OPPOSITE OF THIS MOTION BASICALLY AND HAVE IN IT THE POSITION WHERE THERE IS A TIMELINE OR AN IDEA OR A PLACE WHERE THE APPELLANT CAN TAKE AND PUT FORWARD THE SUGGESTIONS THAT CAN BE CONSIDERED, I WOULD LIKE TO SEE THAT.

>> CHAIR LOUIE: ALRIGHT, WE NOW HAVE A --

>> COMMISSIONER PEDERSEN: LOOK, I HAVE NO OBJECTION TO THAT, IF THE REST OF THE COMMISSION AGREES TO THAT, I HAVE NO OBJECTION. WE'RE PUT IN A POSITION OF LOOKING AT A MOTION AGAIN THAT'S SIGNIFICANTLY DIFFERENT THAN THE MOTION PUT BEFORE US AND UNDER A TIME PRESSURE TO READ THE MOTION, THINK ALL THE QUESTIONS YOU MIGHT HAVE ABOUT THE MOTION, BUT IF THAT'S THE WAY THE REST OF THE COMMISSION WOULD LIKE, FINE WITH ME.

>> CHAIR LOUIE: COUNTY COUNSEL, DO WE NEED TO READ THIS MOTION INTO THE RECORD?

>> GO AHEAD AND READ IT SINCE THERE'S SO MUCH TALK OF DIFFERENT MOTION, MAYBE WE WANT THE RECORD TO BE CLEAR WHICH MOTION IT IS.

>> COMMISSIONER PEDERSEN: OKAY, I'LL READ THIS MOTION IN AND I MOVE THE AIRPORT LAND USE COMMISSION UPHOLD ALL THREE APPEAL AS THEY RELATE TO PREMATURELY FOCUSING ON ONE AIRPORT IMPROVEMENT

OPTIONS BECAUSE IT HAS NOT BEEN MADE CLEAR AND SELECTION OF ONE ALTERNATIVE AT THIS STAGE IN THE PROCESS MAY PRECLUDE CONSIDERATION OF OTHER SOLUTIONS THAT MINIMIZE THE PUBLIC'S EXPOSURE TO EXCESSIVE NOISE AND SAFETY, SAFETY HAZARDS WITHIN AREAS AROUND PUBLIC AIRPORT, THE AIRPORT PLANNING COMMISSION'S PROCESS IS INCONSISTENT WITH THE INTENT OF THE ACT AND DENY ASPECTS OF EACH OF THE THREE APPEALS RELATE TO ALUC CONSIDERING IT, FINDING THE CONSISTENCY OF THE PLAN, THE LAX SPAS PRODUCT ON MAY 27, 2013, ALUC IS NOT THE APPELLANT BODY FOR ITS OWN ACTIONS.SO, ON THE FIRST PART OF THE MOTION --

>> I'LL SECOND THE MOTION.

>> CHAIR LOUIE: MOVED AND SECONDED, DISCUSSION?

>> COMMISSIONER PEDERSEN: OKAY, DISCUSSION?CALL FOR A VOTE?ON THE FIRST PART OF THE MOTION, DO YOU WANT TO CALL FOR -- MR. CHAIR?EXCUSE ME.I GET BACK IN MY CHAIR MODE EVERY ONCE IN A WHILE.

>> CHAIR LOUIE: ON THE FIRST PART OF THE MOTION, ITEM NUMBER 1, THOSE IN FAVOR?

>> AYE.

>> COMMISSIONER HELSLEY: EXCUSE ME.WE'RE NOT SEPARATING THAT MOTION, THAT WAS ONE MOTION, IT'S NOT THE FIRST PART OF THE MOTION OR THE SECOND PART OF THE MOTION.

>> COMMISSIONER PEDERSEN: WELL, THERE'S NUMBER ONE AND NUMBER TWO, THERE'S TWO PARTS IN THE MOTION, ONE IS TO UPHOLD ONE PART AND THE OTHER IS TO DENY ASPECTS.

>> COMMISSIONER HELSLEY: BUT THAT'S THE MOTION.

>> THERE'S ONE MOTION WITH TWO SECTION, YOU CAN BIFURCATE IT IF YOU WANT TO.

>> COMMISSIONER HELSLEY: WE DIDN'T.YOU READ IT IN AS ONE MOTION.

>> COMMISSIONER PEDERSEN: OKAY, FINE, FINE, OKAY.

>> CHAIR LOUIE: WE'VE GOT ONE MOTION, ANY DISCUSSION ON THE ONE MOTION?CALL FOR THE VOTE, THOSE IN FAVOR?

>> COMMISSIONER PEDERSEN: AYE.

>> CHAIR LOUIE: OPPOSED, EYE.OKAY.WITH THAT --

>> COMMISSIONER MODUGNO: MR. CHAIRMAN, SINCE THAT MOTION WAS DEFEATED, WE TAKE A RECESS AND ASK STAFF.

>> MAY I SUGGEST, JUST ON COMMISSIONER VALADEZ'S POINT, THERE WAS A QUESTION AS TO WHETHER OR NOT THERE COULD BE SORT AFTER A CONDITION OR A COMMITMENT FROM LAWA TO ACTUALLY LOOK AT A -- I HAVE -- THERE ARE SO MANY DOCUMENT THAT IS CAME IN LAST MINUTE. IN THE PRESENTATION FROM LAWA, SO I GUESS I WANT MORE CLARITY FROM LAWA BEFORE I ATTEMPT TO DRAFT AN ALTERNATIVE MOTION WITH STAFF. I SAW THAT YOU WERE SAYING THE ALTERNATES WILL RECEIVE CO-EQUAL CONSIDERATION. I MEAN, I WOULD LIKE MORE EXPLANATION. IF YOU HAVE 75 DIFFERENT ALTERNATIVE, ARE THEY ALL GOING TO EQUAL, CONSIDER EQUAL, WOULD YOU MAKE A COMMITMENT TO JUST HAVE THE APPELLANTS BE ONE OF THOSE THAT DOES RECEIVE CO-EQUAL CONSIDERATION, I NEED MORE CLARIFICATION.

>> CHAIR LOUIE: THANK YOU.

>> YES, UNDER CEQA, NICOLE GORDON FOR LAWA, AND UNDER CEQA, YOU WILL BE REQUIRED TO LOOK AT, WE WILL BE REQUIRED TO LOOK AT ALTERN STIRS IN ANY FUTURE EIR AND AS TO NEPA.

>> JOHN PUT NUMB, OUTSIDE COUNCIL FOR LAWA, WITH REGARD TO NEPA, THE REGULATIONS INTERPRETING NEPA REQUIRE FAA TO PROVIDE CO-EQUAL

ANALYSIS OF THE FEASIBLE AND REASONABLE RANGE OF ALTERNATIVES THAT IT CHOOSES AND PEOPLE WILL HAVE THE OPPORTUNITY TO TELL FAA WHAT OPTIONS THEY THINK FAA CAN CHOOSE.WE CAN'T TELL FAA WHAT WE THEY'RE GOING TO ANALYZE, FAA HAS AN OBLIGATION UNDER FEDERAL LAW TO EXERCISE ITS JUDGMENT TO DO THAT, SO WE CAN SERVE THEM, THEY CAN TAKE A LOOK AT THE RANGE OF THE OPTIONS THAT WERE LOOKED AT HERE, THEY HAVE A LEGAL OBLIGATION TO DO THAT.WE CAN'T TELL THEM WHAT TO DO AS THE AIRPORT PROPRIETOR.

>> AND I THINK COMMISSIONER VALADEZ ASKED, [INAUDIBLE] TO BRING FORTH AN ALTERNATIVE, THE APPELLANT PROPOSES.

>> IF THE COMMISSION MAKES A MOTION THAT HAS THAT RECOMMENDATION IN IT, THAT'S CERTAINLY SOMETHING WE ARE OPEN TO.I THINK WE DO NOT WANT THAT AS A CONDITION OF THE DENIAL BUT AS A SEPARATE RECOMMENDATION, YOU'RE OF COURSER WELCOME TO MAKE THAT RECOMMENDATION.

>> I THINK WE NEED SOME TIME TO THINK ABOUT THIS.

>> CHAIR LOUIE: DO YOU THINK TEN MINUTES WOULD BE ADEQUATE?

>> WE'LL START, IT MAY TAKE LONGER.

>> CHAIR LOUIE: OKAY.

>> COMMISSIONER HELSLEY: THEY COULD DO IT IN THREE MINUTES, WHAT DO YOU MEAN?NO.

>> CHAIR LOUIE: WHY DON'T WE TAKE A 10 MINUTE RECESS AND WE'LL PROCEED.IF THERE'S ADDITIONAL TIME THAT'S REQUIRED, PLEASE LET ME KNOW.FOR NOW, 10 MINUTE RECESS.(MEETING IN RECESS FOR 10 MINUTES).

>> CHAIR LOUIE: WELCOME BACK, WE'RE BACK IN SESSION, MR. CHILD?

>> MR. CHILD: IS IT WORKING?YES, COMMISSIONERS, WE DO HAVE -- WE PREPARED AN ADDITIONAL MOTION THAT WOULD SUPPORT A DENIAL OF THE APPEAL AND I HAVE COPIES OF THAT I WOULD LIKE TO PASS AROUND.I ALSO FOR SIMPLICITY SAKE, I THINK IT WOULD BE EASIER IF I READ YOU THE PROPOSED MOTION AND YOU COULD AGREE WITH THAT.IT WAS HANDWRITTEN SO IT WILL BE A LITTLE HARD FOR YOU TO FOLLOW.RIGHT NOW, I'LL PASS AROUND THE VERSION 2 OF THE DRAFT.AND THEN AS WE'RE GOING THROUGH THAT, I BELIEVE DIEGO WILL BE PREPARING SOMETHING THAT WAS ON THE SCREEN, THAT ALSO IS ONE OF THE ITEMS THAT YOU HAD ASKED ABOUT WAS TO PROVIDE THE TIMELINE THAT CLARIFIED NEXT STEPS, SO THE MOTION THAT STAFF IS SUGGESTING WOULD BE I MOVE THAT THE AIRPORT LAND USE COMMISSION, ONE, DENY ALL THREE APPEALS AS THEY RELATE TO SELECTION THE PREFERRED ALTERNATIVE FOR AIRPORT

IMPROVEMENT, EVIDENCE PROVIDED AT TODAY'S HEARING AND RECENT CORRESPONDENCE INCLUDING -- WELL, TODAY'S HEARING INCLUDING PRESENTATION OF THE TIMELINE AND WHICH IDENTIFIES KEY NEXT STEPS IN THE AIRPORT PLANNING PROCESS AND IN ADDITION TO RECENT CORRESPONDENCE, THESE ADDITIONAL ITEMS PROVIDE CLARIFICATION THAT THE CITY'S APPROVAL -- THE CITY'S AIRPORT PLANNING PROCESS IS CONSISTENT WITH THE STATE AERONAUTICS ACT, THEN THE SECOND PART OF THE MOTION WOULD STAY AS IS WHICH IS TO DENY ASPECTS OF EACH APPEAL RELATED TO AIRPORT LAND USE COMMISSION RECONSIDERING ITS FINDINGS OF CONSISTENCY AT THE PLAN AMENDMENTS ASSOCIATED WITH THE LAX SPAS PROJECT ON MAY 27, 2013, ALUC IS NOT THE APPELLANT BODY FOR ITS OWN ACTIONS AND IN ADDITION TO THAT, AS A SEPARATE MOTION, WE FURTHER RECOMMEND THAT THE FURTHERING THIS ROLE AS THE AIRPORT COORDINATOR, ALUC RECOMMENDS TO LAWA, NUMBER ONE, CONTINUANCE OF MEANINGFUL DEVELOPMENT WITH THE APPELLANTS ON ALTERNATIVES IN ADDITION TO THE PREFERRED ALTERNATIVE, AND THEN NUMBER 2, RECOMMENDATIONS THAT IN ADDITION TO THE PREFERRED ALTERNATIVES, THAT THE CEQA LEVEL THAT LAWA CONSIDER A SECOND CO-EQUAL ALTERNATIVE.

>> I THINK WITH THAT SEPARATE MOTION, I DON'T HAVE IT RIGHT BEFORE ME, BUT IT WAS CONTINUING MEANINGFUL DIALOG WITH THE APPELLANTS AS TO THE DEVELOPMENT OF A PREFERRED ALTERNATIVE, YOU MAY WANT TO REREAD THE SECOND ONE.

>> SO, CONTINUANCE OF A MEANINGFUL DIALOG WITH APPELLANTS AS AN ALTERNATIVE TO THE PREFERRED ALTERNATIVE, DEVELOPING AN ALTERNATIVE, THE PREFERRED ALTERNATIVE, YEAH.

>> THERE'S TWO SEPARATE MOTIONS. I DON'T HAVE THEM BEFORE ME SO MAYBE YOU WANT THEM REREAD AGAIN, THE FIRST MOTION, I DON'T HAVE IT VERBATIM, IT'S TO DENY ALL THE APPEALS AND FIND THAT THE APPELLANTS OR SORRY, THE LAWYER'S PROCESS HAS BEEN CONSISTENT WITH THE PURPOSES OF ARTICLE 3.5 OF CHAPTER 4 OF THE STATE AERONAUTICS ACT AS SET FORTH IN SECTION 2760 OF THE PUBLIC UTILITIES CODE.

>> COMMISSIONER MODUGNO: MR. CHAIRMAN, FOR PURPOSES OF BEING ABLE TO DISCUSS THESE, I WILL MAKE THE FIRST MOTION BUT I WOULD LIKE MR. CHILD TO REITERATE THE FIRST, I CLEARLY WANT TO SEPARATE DISCUSSION ON BOTH OF THESE BECAUSE AS I STARTED HEARING SOME OF THE WORDS OUT OF THE SECOND ONE, I'M NOT SURE WE EITHER HAVE JURISDICTIONAL AUTHORITY, THERE'S ANY TEETH BEHIND IT, IT'S JUST SORT OF A WARM AND FUZZY, WHY DON'T YOU THINK ABOUT DOING THIS, SO I'D LIKE TO DEAL WITH THE FIRST ONE WHERE WE DO HAVE AUTHORITY AND IF I COULD JUST HAVE HIM READ THAT ONE AGAIN AND THEN I WILL MAKE THAT MOTION AS BEEN READ.

>> MR. CHILD: OKAY, THE MOTION WOULD BE TO DENY ALL THREE APPEALS AS THEY RELATE TO SELECTING A PREFERRED ALTERNATIVE FOR AIRPORT IMPROVEMENTS, EVIDENCE PRESENTED AT TODAY'S HEARING INCLUDING THE PRESENTATION BY LAWA THAT THEY IDENTIFY A TIMELINE FOR NEXT STEPS IN THE AIRPORT PLANNING PROCESS AND IN ADDITION TO RECENT CORRESPONDENCE, WHICH PROVIDES CLARIFICATION THAT THE CITY'S PLANNING PROCESS IS CONSISTENT WITH THE STATE AERONAUTICS ACT.

>> COMMISSIONER MODUGNO: MR. CHAIRMAN W THE CLARIFICATION OF JUST SAYING THE CITY, SPELLING OUT THE CITY OF LOS ANGELES, INSTEAD OF LAWA BEING SPELLED OUT, MAKING SURE IN TODAY'S HEAR, RATHER THAN SAYING TODAY'S HEARING, THE HEARING DATE HELD ON SUCH AND SUCH, WITH THOSE MINOR TWEAK, I WILL MAKE THAT AS A MOTION.

>> COMMISSIONER PEDERSEN: SO, I'M A LITTLE CONFUSED, WE HAVE THIS MOTION HERE.NOW, WHAT DID YOU JUST READ?

>> MR. CHILD: THAT WOULD REPLACE, IF YOU LEER BAKING A THE MOTION IN THE STAFF REPORT.

>> COMMISSIONER PEDERSEN: NO, IT SAYS DRAFT 2.

>> MR. CHILD: NO, THAT'S THE RESOLUTION.

>> COMMISSIONER PEDERSEN: OKAY, THIS IS A RESOLUTION.

>> MR. CHILD: THIS MOTION WOULD ALLOW YOU TO ADOPT THAT RESOLUTION.

>> COMMISSIONER MODUGNO: AGAIN, SO IT'S CLOSE THE PUBLIC HEARING, IT'S APPROVING THE MOTION THAT'S BEEN RECOMMENDED WHICH INCORPORATES ADOPTING THIS RESOLUTION, A SECOND DRAFT ITERATION.

>> SO, IT'S BEEN MOVED?

>> YES, SIR.

>> SECOND.

>> CHAIR LOUIE: MOVED AND SECONDED, DISCUSSION.

>> COMMISSIONER HELSLEY: OKAY, I SAW A TIMELINE UP ON THE SCREEN TOTALLY INADEQUATE BECAUSE IT HAS NO DATES ON THAT TIMELINE. IF THAT'S THE TIMELINE YOU'RE TALKING ABOUT.

>> MR. CHILD: THAT WAS WHAT WAS ON THE SCREEN WAS WHAT LAWA HAD PRESENTED EARLIER IN THE PRESENTATION.

>> COMMISSIONER HELSLEY: THAT TIMELINE THAT WAS PRESENTED IN THE PRESENTATION WAS EXTREMELY POOR BECAUSE IT DID NOT HAVE ANY DATES ON IT, IT DID NOT HAVE -- IT WAS A CONCEPTUAL IDEA.

>> MR. CHILD: I THINK AT THIS STAGE, IT WOULD BE DIFFICULT FOR ANYONE TO COMMIT TO A SPECIFIC DATE, BUT WHAT STAFF THOUGHT WOULD BE HELPFUL IS TO KNOW THE SEQUENCING EVEN IF THOSE DATES DO CLANG AND I THINK THAT TIMELINE DOES PROVIDE THAT.

>> COMMISSIONER HELSLEY: I DIDN'T SEE THE SEQUENCING ON THAT FOR PUBLIC INPUT OF THE POSITION FROM THE APPELLANTS.

>> CHAIR LOUIE: FURTHER DISCUSSION ON THE MOTION?SO, MOVED, SECONDED, CALL FOR THE VOTE.THOSE IN FAVOR?AYE.

>> NO.

>> CHAIR LOUIE: ONE NO, TWO NO'S, THE MOTION IS CARRIED.WE NOW HAVE A SECOND.

>> MR. CHILD: SO, TO BE CLEAR, THE SECOND MOTION IS A RECOMMENDATION, SO IT IS APART FROM THE ACTION THAT YOU HAVE TAKEN TO FIND THE APPEAL -- 18:57:12DENY THE APPEAL.18:57:12THIS IS A

RECOMMENDATION THAT'S 18:57:16APPROPRIATE FOR US TO DO USING
18:57:18THE SUB LICK UTILITIES CODE AND 18:57:21THE COUNTY'S
REVIEW PROCEDURES, 18:57:23THOSE PROCEDURES DO SPELL OUT
18:57:29OUR [INAUDIBLE] FOR THE 18:57:30PLANNING COMMISSION AND
THIS IS 18:57:31WHAT IT WILL BE DOING.18:57:32

>> IN A COUPLE OF PLACES IN THE 18:57:35REVIEW PROCEDURES, ONE IS
18:57:371.5.2, IT DOES ALLOW FOR THE 18:57:40ALUC TO WORK IN AN
ADVISORY 18:57:44CAPACITY.18:57:44ALSO WHEREAS THE MOTION YOU
18:57:46JUST MADE IS A MANDATORY 18:57:49FINDING, IF THE
COMMISSION 18:57:50WHICH IT JUST HAS FINDS THAT 18:57:54THE
AIRPORT PLANNING PROPOSED 18:57:55BY THE PUBLIC AGENTS TO THE
18:58:00[INAUDIBLE] IT SHALL DENY AN 18:58:02APPEAL, BUT THE
SECOND MOTION 18:58:03IS RELYING ON THE MORE GENERAL
18:58:06POWERS OF APPEALS TO THE ALUC 18:58:07WHERE IT SAYS THE
ALUC SHALL 18:58:10COORDINATE THE AIRPORT PLANNING 18:58:11OF
PUBLIC AGENCIES WITHIN THE 18:58:14COUNTY, AS THE PLANNING
18:58:16COORDINATOR, ALUC WOULD BE 18:58:18MAKING THIS
RECOMMENDATION.18:58:20

>> VICE-CHAIR VALADEZ: IT'S A 18:58:21DIFFERENT ROLE THAN THE
ROLE 18:58:22THAT WE PLAYED WITH RESPECT TO 18:58:24THE RESOLUTION
THAT JUST 18:58:26PASSED, RIGHT, IT'S AN 18:58:29OVERSIGHT,
PLANNING, 18:58:30COORDINATION PERSON, ROLE, AND 18:58:31BASICALLY

INDICATES THAT UNDER 18:58:33BEST PRACTICES AND SOMETHING
18:58:36THAT WE RECOMMEND, IT'S A 18:58:37RECOMMENDATION FROM
US.18:58:44

>> SHOULD WE READ THE MOTION 18:58:46BECAUSE I DON'T THINK IT
WOULD 18:58:48EVER READ PROPERLY, THE SECOND
18:58:50MOTION.18:58:50

>> MR. CHILD: OKAY, AISLE TRY 18:58:52ONE MORE TIME, FURTHERING
THIS 18:58:54ROLE AS AIRPORT COORDINATOR, 18:58:57ALUC RECOMMENDS
THAT, ONE, 18:58:58CONTINUANCE OF A MEANINGFUL 18:59:00DIALOG WITH
THE APPELLANTS AS 18:59:02AN ALTERNATIVE TO THE PREFERRED
18:59:04ALTERNATIVE.18:59:04

>> I'LL READ IT, AS A 18:59:07MEANINGFUL DIALOG WITH
18:59:07APPELLANTS TO DEVELOP A 18:59:09PREFERRED ALTERNATIVE,
THAT'S 18:59:13ONE, AND TWO IS THAT THE CITY 18:59:19OF LOS
ANGELES CONSIDER AN 18:59:22ADDITIONAL ALTERNATIVE TO THE
18:59:23PREFERRED ALTERNATIVE AT THE 18:59:25PROJECT LEVEL CEQA
ANALYSIS AND 18:59:30LEVEL OF ANALYSIS.18:59:31

>> VICE-CHAIR VALADEZ: THE 18:59:32WRITING IS CLEAR THAT THEY
ARE 18:59:34TWO DIFFERENT RECOMMENDATIONS, 18:59:36THAT IT DOESN'T

NECESSARILY 18:59:36HAVE TO BE THE ONE THAT WAS PUT

18:59:40TOGETHER BY THE APPELLANT.18:59:45

>> CHAIR LOUIE: OKAY.18:59:47WE HAVE THE MOTION.18:59:48IS THERE
A SECOND?18:59:51

>> COMMISSIONER MODUGNO: I 18:59:52WILL SECOND FOR PURPOSE OF
18:59:54DISCUSSION, AND THE REASON I'D 18:59:59LIKE --18:59:59

>> [INAUDIBLE].19:00:00

>> COMMISSIONER MODUGNO: 19:00:01OKAY, THE REASON I WOULD LIKE
19:00:02JUST A SECOND TO DISCUSS, AND 19:00:04MAYBE BEFORE WE EVEN
GO BACK TO 19:00:06THAT, THE FIRST ACTION THAT WE 19:00:09TOOK WAS
REALLY AN ACTION THAT 19:00:11WAS BROUGHT BEFORE US TODAY
19:00:13THAT STAFF HAS TAKEN SOME TIME 19:00:16TO
CONSIDER.19:00:17THE SECOND ACTION CAME FROM 19:00:19SOME
DISCUSSIONS OF SOME THINGS 19:00:22WE'D LIKE FROM OUR POSITION AS
19:00:25A STAKEHOLDER MEANING THE 19:00:27COUNTY AND THE ALUC AS A
ROLE 19:00:30OF AT LEAST ALMOST LIKE, PLEASE 19:00:33TAKE THIS
INTO CONSIDERATION, 19:00:34THINK ABOUT IT, ADVISE, ETC.,
19:00:37AND YET WE'VE NOT GIVEN A LOT 19:00:39OF THOUGHT TO THAT,
AND I'M 19:00:41JUST WONDERING IF IT WOULD BE 19:00:43MORE
APPROPRIATE TO SORT OF 19:00:46DIRECT STAFF TO GO AND THINK

19:00:49ABOUT WHAT OTHER TYPES OF 19:00:50THINGS WE MIGHT DO TO
IMPROVE OUR POSITION NEEDS AND BE OF ASSISTANCE AND SUPPORTIVE TO
LAWA VERSUS TRYING TO CRAFT SOMETHING RIGHT NOW IN A MORE KNEE
JERKING KIND OF WAY.I WOULD RATHER -- BECAUSE AGAIN, WHAT WE DID,
THE FIRST MOTION WAS PART OF THE SEQUENCING OUR LEGAL REVIEW
AUTHORITY, THE SECOND ONE IS ONE OF TRYING TO SAY, LOOK, WE'VE
HEARD EVERYBODY, WE'VE HEARD THE APPELLANTS AND WE THINK THAT
THEY'VE GOT SOME VALID POINTS, IT JUST DIDN'T RISE TO THE OCCASION
OF REALLY TO AN APPEAL, AGAIN, AND RATHER THAN US NARROWLY
CRAFTING SOME WORDS THAT HAVE BEEN THROWN TOGETHER, I'D ALMOST
PREFER TO SEE IF WE CAN'T DIRECT STAFF BECAUSE IT DOESN'T HAVE
THIS TIME SENSITIVITY OF ACTION TODAY OF HAVING STAFF COME BACK
AND REPORT TO A FUTURE MEETING OF THE AIRPORT LAND USE COMMISSION
CONSIDERING HOW WE MIGHT PLAY A MORE PARTNERSHIP ROLE NOT AS A
FULL PLEDGE PARTNER, WE DON'T OWN THE AIRPORT BUT WE'RE IMPACTED
BY IT AND WE LOOK AT IT.I JUST -- A LOT OF THIS IS WARM AND FUZZY
LANGUAGE AND I WOULD RATHER MAKE SURE IT'S GOT THE RIGHT STAFF
ANALYSIS, INPUT AND REALLY SEE HOW WE CAN BE CONSTRUCTIVE IN THE
PROCESS.

>> VICE-CHAIR VALADEZ: I WOULD LIKE TO MENTION THAT WE HAVE TO
BE CAREFUL NOT TO PUT OURSELVES TOO FAR INTO THIS PROCESS SINCE IT
ALREADY HAS SO MANY PARTNERS AND SO MANY PEOPLE ADVISING AND
REVISING, AND I'M JUST -- I THINK THAT WHAT I'M LOOKING AT IS JUST

A SMALL -- IT'S A RECOMMENDATION FROM US, IT'S SOMETHING WE THINK AND IT'S SOMETHING THAT WE DON'T HAVE TO FOLLOW UP ON AND BECOME PART OF A PROCESS WHERE WE BECOME MEDIATORS BETWEEN THE APPELLANT AND LAWYER, THAT WOULD BE SOMETHING THAT I THINK THAT STAFF -- THE AMOUNT OF STAFF THAT WE HAVE IS DEVOTED TO ALUC IS I DON'T THINK BIG ENOUGH FOR THESE TWO ENTITIES AND BE ABLE TO WORK WITH THEM IN THAT ROLE, I'M WORRIED ABOUT THEM, I'M NOT WORRIED ABOUT IT COMING BACK THROUGH ALUC AS A RECOMMENDATION, I'M CONCERNED ABOUT GETTING TOO FAR INTO THE PROCESS AND I WAS HOPING TO JUST SAY THAT AND BLESS THEM AS THEY LEFT.

>> COMMISSIONER HELSLEY: MR. CHAIRMAN?

>> CHAIR LOUIE: YES, SIR?

>> COMMISSIONER HELSLEY: I THINK WE HAVE A POSITION THAT ON THE RECOMMENDATION OR THE NEXT MOTION, I THINK IT NEEDS TO BE TIED TO THE SAME TIME PERIOD AND DISCUSSION OF THE FIRST ONE, AND I THINK THERE NEEDS TO BE A CORRELATION OF THE TWO GOING TOGETHER BECAUSE OTHERWISE YOU SEPARATE THEM AND NOW WE HAVE TOTALLY DIFFERENT POSITIONS INVOLVED, BUT WITH THAT IN MIND, I WOULD LIKE TO MAKE A MOTION OF RECONSIDERATION OF THE LAST MOTION AND THAT THE TWO MOTIONS BE BROUGHT TO US FOR CONSIDERATION AT THE SAME TIME, A MEETING WITHIN 30 DAYS.

>> COMMISSIONER PEDERSEN: SECOND.

>> CHAIR LOUIE: MOVED AND SECONDED.DISCUSSION?COMMISSIONER?

>> COMMISSIONER MODUGNO: LET ME JUST MAKE SURE WE HAVE ONE APPROVED MOTION THAT'S GONE THROUGH THE PROCESS WITH A VOTE.WE HAVE ANOTHER MOTION WHICH HAS BEEN MADE AND SECONDED BUT NOT ACTED UPON, SO I DON'T FOE THAT -- KNOW THAT WE COULD TAKE A THIRD MOTION CALLING BACK THE FIRST TWO ACTIONS SINCE THE SECOND ONE HAS NEVER BEEN ACTED UPON, SO I'M NOT SURE THAT THE THIRD MOTION HAS BEEN MADE IS BEING APPROPRIATE UNTIL WE TAKE ACTION ON THE SECOND MOTION, BUT I'M NOT A LAWYER, I HAVE YET TO GO TO LAW SCHOOL AND I HAVE NOT BECOME A LAWYER, AND I KNOW WE HAVE A LOT OF LAWYERS IN THE ROOM SO I WOULD ASK COUNSEL TO WEIGH IN ON THAT.

>> I AGREE, THE THIRD MOTION IS INAPPROPRIATE AT THIS TIME AS STATED.YOU WOULD EITHER HAVE TO TAKE ACTION ON THE SECOND AND THE THIRD MOTION WOULD BE TO RECONSIDER THE PRIOR TWO MOTIONS OR THE THIRD MOTION COULD BE TO RESCIND THE PENDING MOTION AND RECONSIDER THE FIRST MOTION AND BRING THE THIRD, AND THAT WOULD BE FOR A VOTE, SO THEN IT WOULD JUST BE STRICTLY PROCESS ASK -- AND THEN YOU WOULD NEED ANOTHER MOTION.

>> COMMISSIONER HELSLEY: OR CAN IT BE A SUBSTITUTE MOTION.

>> I WOULD RECOMMEND TO MAKE IT A PROCEDURAL ONE AS TO THE TABLING OF THE SECOND MOTION OR THE PENDING MOTION.

>> COMMISSIONER HELSLEY: NO, BUT I CAN REQUEST THAT THE SECOND MOTION BE TABLED AND THE PRIOR MOTION BE RECONSIDERED, SO THAT THEY COME TOGETHER, THEY COME AT THE SAME TIME, AT A FUTURE DATE WITHIN 30 DAYS SO THAT THE PUBLIC HAS AN OPPORTUNITY TO VIEW THOSE MOTIONS.

>> IT'S CONFUSING, IT'S VERY CONFUSING, I THINK IT WOULD BE CLEARER IF YOU MADE A VOTE ON THE SECOND MOTION AND THEN BRING COMMISSIONER HELSLEY'S MOTION, HOWEVER, YOU HAVE THE OPTION OF DOING IT THE ALTERNATE WAY.

>> CHAIR LOUIE: SO, DO WE HAVE A THIRD MOTION ON THE FLOOR?

>> [INAUDIBLE].

>> OKAY, SO ARE YOU -- YEAH, LET'S -- SOMEONE, COMMISSIONER HELSLEY, WILL YOU RESCIND -- ARE YOU MAKING A THIRD MOTION AT THIS TIME?

>> COMMISSIONER HELSLEY: [INAUDIBLE] TO BE OFFERED AT A LATER TIME.

>> SO, WE HAVE MOTION 2 BEFORE YOU WHICH IS COMMISSIONER VALADEZ'S.

>> CHAIR LOUIE: OKAY, MOVED, SECONDED, DISCUSSION ON --

>> VICE-CHAIR VALADEZ: YES?

>> CHAIR LOUIE: ANY FURTHER DISCUSSION? COMMISSIONER HELSLEY?

>> COMMISSIONER HELSLEY: I'M SORRY.

>> CHAIR LOUIE: IT'S OKAY, NO PROBLEM. COUNTY COUNSEL, WAS THERE MORE SUGGESTIONS THAT YOU MIGHT HAVE?

>> THERE'S NO THIRD MOTION IN FRONT OF US?

>> CHAIR LOUIE: WE PULLED THAT.

>> JUST A SECOND.

>> CHAIR LOUIE: THAT PUPPY IS GONE. IF THERE IS, WE MAY HAVE TO
LOOK TO ROBBER'S RULES.

>> CHAIR LOUIE: HE WITHDREW HIS THIRD MOTION, SO WE ARE ON THE
SECOND MOTION. ANY FURTHER DISCUSSION?

>> COMMISSIONER HELSLEY: CAN I GET THE SECOND MOTION REPEATED?

>> CHAIR LOUIE: PLEASE.

>> FURTHERANCE AS THE ALUC AND THE ROLE OF PLANNER COORDINATOR,
THE ALUC RECOMMENDS THE FOLLOWING, ONE, THAT THE CITY OF LOS
ANGELES CONTINUE MEANINGFUL DIALOG WITH APPELLANTS AS TO THE
DEVELOPMENT OF A PREFERRED ALTERNATIVE -- SORRY, TO AN ALTERNATE
IN ADDITION TO THE PREFERRED ALTERNATIVE, TWO IS THAT THE CITY
COUNSEL CONSIDER AT THE CEQA LEVEL AN EQUAL ANALYSIS IN ADDITION
TO THE PREFERRED ALTERNATIVE ANOTHER ALTERNATIVE OF THE LAX
PROJECT.

>> CHAIR LOUIE: OKAY. DO WE ALL UNDERSTAND, COMMISSIONER HELSLEY?

>> COMMISSIONER HELSLEY: YES, I UNDERSTAND, BUT WE ARE NOT
DEALING WITH THE CITY COUNSEL.

>> CHAIR LOUIE: OKAY.

>> THIS IS ACTUALLY, THIS IS A POINT WORTH DISCUSSION, YOU CAN ALLOW LAWYER TO DO IT, IT IS ULTIMATELY THE CITY ACTION'S FINAL DECISION THAT ACCEPTED THAT PREFERRED ALTERNATIVE THAT WAS BROUGHT BEFORE YOU AT THIS IMPASSE STAGE, SO IT WAS THE CITY ACTION'S DECISION THAT ACCEPTED THE LAWYER RECOMMENDATION, SO AND I GUESS COMMISSIONER VALADEZ, I ASK FOR CLARIFICATION FROM YOU, IS THIS JUST A DIRECTION TO STAFF OR IS IT DIRECTION TO THE CITY COUNSEL'S ULTIMATE DECISION?

>> VICE-CHAIR VALADEZ: IT'S TO LAWYER.

>> OKAY.

>> VICE-CHAIR VALADEZ: IT'S TO LAWYER, NOT TO CITY COUNCIL.

>> CHAIR LOUIE: FURTHER DISCUSSION?

>> COMMISSIONER MODUGNO: AGAIN, IT'S A RECOMMENDATION TO FOLLOW THROUGH THAT CARRIES NO CONSEQUENCES.

>> CHAIR LOUIE: EXECUTIVE DIRECTOR LINDSAY, DOES THIS MOTION, IS THAT COMFORTABLE FOR YOU, DOES IT RESTRICT YOU? DOES IT ADD

SIGNIFICANT BURDEN TO YOU?THANK YOU.OKAY, MOVED, SECONDED, FURTHER
DISCUSSION?SEEING NONE -- YES, SIR?

>> COMMISSIONER HELSLEY: MAY WE GET A NAME AS TO THE RESPONDENT.

>> GINA MARIE LINDSAY, EXECUTIVE DIRECTOR, LOS ANGELES WORLD
AIRPORTS.

>> CHAIR LOUIE: THANK YOU VERY MUCH, MOVED, SECONDED, NO FURTHER
DISCUSSION, CALL THE QUESTION, THOSE IN
FAVOR?AYE.OPPOSED?OKAY.THAT MOTION IS CARRIED.ANY FURTHER
DISCUSSION ON THIS MATTER THAT WE NEED TO DEAL WITH?

>> [INAUDIBLE].

>> CHAIR LOUIE: YOU HAVE ANOTHER MOTION, COMMISSIONER?

>> COMMISSIONER HELSLEY: MR. CHAIRMAN, I WOULD RECOMMEND OR I
WOULD MOVE THAT WE RESCIND THE LAST TWO MOTIONS SO THAT THEY CAN
BE PUBLICLY NOTICED FOR DISCUSSION.

>> CHAIR LOUIE: OKAY, IT'S BEEN MOVED.DO WE HAVE A SECOND.

>> SECOND.

>> I'M GOING TO HAVE TO TAKE A FIVE MINUTE BREAK YET BECAUSE THERE'S A DISCUSSION ABOUT WHETHER YOU CAN RESCIND AN APPROVED MOTION OR JUST A DENIED MOTION OR WHETHER YOU CAN CONSIDER EITHER, UNDER ROBERT'S RULES OF ORDER, I DO NOT HAVE THAT IN FRONT OF ME AND I WANT TO MAKE SURE WE GET IT RIGHT BEFORE WE VOTE ON IT, SO I PROBABLY NEED 10 MINUTES FOR THAT.

>> CHAIR LOUIE: SO, WE WILL TAKE THAT THIRD RECESS.

>> COMMISSIONER HELSLEY: WITH THAT KNOWLEDGE, MAYBE WE SHOULD NOT HAVE PASSED THOSE MOTIONS.

>> THE QUESTION AS I UNDERSTAND IT IN ROBERT'S RULES, A MOTION TO RECONSIDER, MY RECOLLECTION, AND WE NEED TO VET THIS OUT, HAS TO COME FROM SOMEONE IN THE POSITIVE SIDE OF THE VOTE. YOU WERE NOT ON THE POSITIVE SIDE OF THAT FIRST VOTE, SO I DON'T THINK YOU CAN MAKE A MOTION TO RECONSIDER, BUT WE NEED TO VET THAT.

>> COMMISSIONER HELSLEY: ABSTAINING FROM THE MOTION, NOT VOTING ON THE MOTION VOTES FOR THE POSITIVE.

>> WE NEED TO VET THAT IS MY ONLY COMMENT, COMMISSIONER.

>> CHAIR LOUIE: 10 ANYONE NUT RECESS FOR THE THIRD AND THE FINAL THIRD OF THIS ALUC COMMISSION MEETING. COUNTY COUNSEL, HAVE YOU HAD A RESULT OF YOUR RESEARCH?

>> YES, WE'VE HAD CONFIRMATION THAT UNDER ROBERT'S RULES OF ORDER WHICH IS THE GOVERNING BODY BECAUSE YOUR RULES DONE DIRECTLY ADDRESS IT AND YOU'VE ADOPTED THOSE RULES, UNLESS OTHERWISE MODIFIED, THE PERSON MAKE THING MOTION HAS TO HAVE VOTING WITH THE PREVAILING SIDE IN ORDER TO BRING A MOTION FOR RECONSIDERATION.

>> CHAIR LOUIE: WHAT IF THEY HAD ABSTAINED?

>> THE RULE STATES YOU HAVE TO HAVE IT WITH THE PREVAILING SIDE SO AN ABSTENTION VOTE STILL IS NOT WITH THE PREVAILING SIDE.

>> CHAIR LOUIE: IT APPEARS YOU ARE NOT IN A POSITION TO MAKE THAT MOTION. THANK YOU VERY MUCH.

>> COMMISSIONER HELSLEY: IT COULD APPLY TO THE SECOND MOTION BUT NOT TO THE FIRST.

>> CHAIR LOUIE: OKAY. SO, THAT MOTION --

>> THAT'S CORRECT, IT COULD APPLY TO THE SECOND MOTION.

>> CHAIR LOUIE: OKAY.ANY FURTHER ACTION THAT WE NEED TO TAKE?DO YOU HAVE ANY OTHER MOTIONS THAT YOU WOULD LIKE TO MAKE?

>> COMMISSIONER HELSLEY: THE ONLY COMMENT THAT I WOULD MAKE IN RELATION TO THIS IS THAT I THINK WE'VE LEFT THE PUBLIC OUT OF THE PROCESS OF UNDERSTANDING WHAT WAS DONE AND HOW.THEY HAVE NOT HAD AN OPPORTUNITY TO DISCUSS OUR ACTION.

>> CHAIR LOUIE: ANY OTHER THOUGHTS, COMMENTS?WITH THAT, WE STAND ADJOURNED.THANK YOU VERY MUCH.(MEETING IS ADJOURNED).