



ORANGE COUNTY AIRPORT COMMISSION
AIRPORT COMMISSION HEARING ROOM
3160 AIRWAY AVENUE
COSTA MESA, CA 92626

MINUTES OF REGULAR MEETING

JANUARY 4, 2023

COMMISSIONERS PRESENT: Bert Ashland, Chair, First District
Susan Dvorak, Commissioner, Second District
Bruce Junor, Commissioner, Third District
Brendan O'Reilly, Commissioner, Fourth District

COMMISSIONERS ABSENT: John Clarey, Vice Chair, Fifth District

AIRPORT STAFF PRESENT: Charlene Reynolds, Airport Director
Komal Kumar, Interim Assistant Airport Director
Mark Sanchez, Deputy County Counsel
Christine Nguyen, Deputy County Counsel
Kim Kitko, Deputy Airport Director, Business Development
Evanna Barbic, Real Estate Manager
Elizabeth Gallegos, ASR Manager
Kathleen Ramirez, Executive Secretary

CALL TO ORDER: Chair Ashland called the meeting to order.

PLEDGE OF ALLEGIANCE: Commissioner Junor led the assembly in the Pledge of Allegiance.

1. **APPROVAL OF MINUTES:** On Commissioner Junor's motion and Commissioner O'Reilly's second, the Regular Meeting Minutes of November 16, 2022, were approved by a unanimous vote.

2. **APPROVE AIRLINE LEASE BREEZE AVIATION GROUP, INC. (ASR 22-001195)**

Recommended Action: Approve and execute the Certificated Passenger Airline Lease with Breeze Aviation Group, Inc. (Breeze) for a term effective February 16, 2023, through December 31, 2025. Authorize the Airport Director or designee to allocate three County-Controlled Class A Average Daily Departures (ADDs) and seat capacity, effective February 16, 2023, through December 31, 2025, consistent with the terms of the Phase 2 Commercial Airline Access Plan and Regulation. Authorize the Airport Director or designee to approve early possession for construction and installation of improvements prior to lease commencement, provided all insurance and deposits have been received. Authorize the Airport Director or designee to make minor modifications and amendments to the lease that do not materially alter the terms or financial obligations to the County and perform all activities specified under the terms of the lease.

Public Comment: Newport Beach resident Jim Mosher inquired about the list of new entrants and who is on that waiting list. Mosher asked why the remaining allocation reserved for Aeromexico was given to Breeze if they were already given two ADDs and why it was not allocated to a different carrier. Mosher also asked if there is a limit to how many ADDs an airline can request.

Airport Director Charlene Reynolds discussed the recommended action and answered questions regarding the recommendation to allocate three Class A ADDs to Breeze rather than two, as initially requested in the 2023 Plan Year Capacity Allocations.

Deputy County Counsel Mark Sanchez responded to questions and stated that an airline is not limited to the number of Class A ADDs it requests, but per the Access Plan, the Airport Director may grant a new entrant up to three.

Real Estate Manager Evanna Barbic responded to questions from the Airport Commission regarding the recommendation to approve construction and installation improvements.

The following is the action taken by the Orange County Airport Commission: On Commissioner Junor's motion and Chair Ashland's second, Item No. 2 was approved by a unanimous vote.

APPROVE ☒ OTHER ☐ DENIED ☐

Unanimous (1) Ashland: Y (2) Dvorak: Y (3) Junor: Y (4) O'Reilly: Y (5) Clarey: X
Vote Key: Y=Yes; N=No; A=Abstain; X=Excused

3. CHAIR AND VICE CHAIR ELECTION FOR THE 2023 CALENDAR YEAR

The following is the action taken by the Orange County Airport Commission: On Chair Ashland's motion and Commissioner Junor's second, Commissioner Dvorak was unanimously elected Chair. On Commissioner Dvorak's motion and Commissioner Junor's second, Commissioner O'Reilly was unanimously elected as Vice Chair.

APPROVE ☒ OTHER ☐ DENIED ☐

Unanimous (1) Ashland: Y (2) Dvorak: Y (3) Junor: Y (4) O'Reilly: Y (5) Clarey: X
Vote Key: Y=Yes; N=No; A=Abstain; X=Excused

4. AIRPORT NOISE VIOLATION COMMITTEE INTERIM CHAIRPERSON AND MEMBER SELECTION FOR THE 2023 CALENDAR YEAR

Public Comment: Newport Beach resident Jim Mosher commented regarding the Airport Noise Violation Committee's inactivity in the past and never being called upon to hear an appeal. He stated that he believes it's because Airport staff had the impression that the Committee is only invoked when a third violation is appealed. Mosher suggested that the individual be informed they have a right to appeal to this Committee in violation notices, or when a violation is appealed to the Airport Director,

Deputy County Counsel Mark Sanchez discussed the airport noise appeal process and stated that a violator could appeal all violations to this Committee. Each violation notice provides a copy of the General Aviation Noise Ordinance (GANO), which lists information regarding their rights to appeal.

Airport Director Charlene Reynolds shared her experience and observations with the airport noise violation process since she joined JWA.

The following is the action taken by the Orange County Airport Commission: On Chair Ashland's motion and Commissioner Dvorak's second, Item No. 4 was continued to the next meeting.

APPROVE ☐ OTHER ☒ DENIED ☐

Unanimous (1) Ashland: Y (2) Dvorak: Y (3) Junor: Y (4) O'Reilly: Y (5) Clarey: X
Vote Key: Y=Yes; N=No; A=Abstain; X=Excused

5. SUMMARY OF RELEVANT ACTIONS BY THE BOARD OF SUPERVISORS (Board) Airport Director Charlene Reynolds stated that on December 6, 2022, the Board Approved, as Recommended, the New

Passenger Facility Charge Applications and Amendments, as well as the Contract Amendments for the Passenger Loading Bridges and Baggage Services.

6. ADDITIONAL BUSINESS

A. PUBLIC COMMENTS – None

B. AIRPORT DIRECTOR COMMENTS

Airport Director Charlene Reynolds shared industry news with the Airport Commission regarding the renomination of Phil Washington as the FAA Administrator. Charlene discussed FAA reimbursement to airports for expenses relative to per- and polyfluoroalkyl substances (PFAS) testing and the Southwest Airlines system failures this past month.

C. AIRPORT COMMISSION COMMENTS

- Chair Ashland announced his departure from the Airport Commission and thanked Jim Mosher for his public comments bringing clarity to the discussion topics
- Commissioner Dvorak thanked Chair Ashland for his public service
- Commissioner Junor thanked Jim Mosher for his observations regarding the airport noise violations appeal

7. ADJOURNMENT OF PUBLIC MEETING The meeting adjourned at 5:37 p.m.