



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

JOHN WAYNE
AIRPORT
ORANGE COUNTY

**MINUTES OF REGULAR MEETING
OCTOBER 1, 2025
5:00 PM**

COMMISSIONERS PRESENT: Susan Dvorak, Vice Chair, Fifth District
Bruce Junor, Commissioner, Third District
Brendan O'Reilly, Commissioner, Fourth District

COMMISSIONERS ABSENT: Sal Tinajero, Chair, Second District
Kevin Elliott, Commissioner, First District

AIRPORT STAFF PRESENT: Charlene Reynolds, Airport Director
Komal Kumar, Assistant Director
Mark Sanchez, Deputy County Counsel
Eric Freed, Deputy Airport Director, Public Affairs
Nick Gaskins, Access and Noise, Public Affairs
Hector Gomez, Deputy Director, Finance Administration
Evanna Barbic, Deputy Airport Director, Commercial & Revenue
Oliver Fleener, Concessions Real Estate Manager
Sheryl Bisogno, Real Property Agent
Elizabeth Gallegos, ASR Manager

CALL TO ORDER: Vice Chair Dvorak called the meeting to order at 5:00 PM

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

1. APPROVAL OF MINUTES: On Commissioner O'Reilly's motion and Commissioner Junor's second, the Regular Meeting Minutes of September 17, 2025, were approved by a unanimous vote.

2. JOHN WAYNE AIRPORT CAPACITY ALLOCATIONS FOR 2026 PLAN YEAR (ASR 25-000687)
Recommended Action:) Authorize John Wayne Airport to maintain, or grandfather, and reallocate the original Regulated Class A and Class E Average Daily Departure allocations to the Commercial Air Carriers at John Wayne Airport, effective January 1, 2026 through December 31, 2030, as reflected in Attachment A, and in a manner consistent with the terms of the Phase 2 Commercial Airline Access Plan and Regulation, contingent upon the Commercial Air Carriers executing an amendment to the existing airline use and lease agreements through December 31, 2030, and acceptable to the Airport Director and approved by the Board of Supervisors; Authorize the Airport Director to allocate Class A and Class E Average Daily Departures and Seat Capacity to Commercial Air Carriers and Commercial Cargo Carriers, and Passenger Capacity to Commuter Air Carriers for the 2026 Plan Year (January 1, 2026, through December 31, 2026), as reflected in Attachments A and B, and in a manner consistent with the terms of the Phase 2 Commercial Airline Access Plan and Regulation; Authorize the Airport Director to withdraw Seat Capacity during the 2026 Plan Year if it becomes necessary to ensure compliance with the Million Annual Passenger Limitation at John Wayne Airport, consistent with the requirements in Section 6 of the Phase 2 Commercial Airline Access Plan and Regulation; Authorize the Airport Director to allocate or reallocate any additional Regular or supplemental Average Daily Departures and any necessary associated Seat Capacity, which may become available during the 2026 Plan Year, in a manner consistent with the terms of the Phase 2 Commercial Airline Access Plan and Regulation; Authorize the Airport Director to allocate additional supplemental Seat Capacity to Commercial Air Carriers during the 2026 Plan Year if it is determined that such allocations can be made without jeopardy to the Million Annual Passenger Limitation of the 1985 Settlement Agreement, as amended, entered into by and between the County of Orange, the City of Newport Beach, Stop Polluting Our Newport, and the Airport Working Group of Orange County, Inc. and the Phase 2

Commercial Airline Access Plan and Regulation; Authorize the Airport Director to waive Section 5.1.1 of the Phase 2 Commercial Airline Access Plan and Regulation and allocate up to 29 Remain Overnight positions for Commercial Air Carrier use during the 2026 Plan Year, pursuant to Section 5.1.1, as reflected in Attachment A, and provide authority to withdraw the additional two Remain Overnight positions for safety or operational purposes, as required; Authorize the Airport Director to allocate Passenger Capacity and Remain Overnight positions and authorize the Airport Director to allocate any additional supplemental Passenger Capacity and Remain Overnight positions to Commuter Air Carriers during the 2026 Plan Year if it is determined that such allocations can be made without jeopardy to the Million Annual Passenger Limitation; Find that the County retains and reaffirms its sole and exclusive discretion to require mandatory withdrawals of operational capacity in any form if the County determines such action to be appropriate to ensure continued compliance with the Million Annual Passenger Limitation or for any other reason, consistent with the requirements in Section 6 of the Phase 2 Commercial Airline Access Plan and Regulation.

Presenter: Access and Noise Manager Nick Gaskins

- **Overview:**

- Gaskins provided an overview of the 2026 Capacity Allocation Recommendations for the Plan Year.
- Reviewed current capacity constraints.
- Noted that, following input from air carriers and internal review, existing capacity will be grandfathered into Phase III of the current Settlement Amendment.
- Summarized recommendations for Class A and Permanent Class E ADDs, seat allocations, Commercial Carrier RON allocations, and Commuter Carrier passenger and RON allocations.

- **Discussion/Questions:**

- **MAP Increase:** Gaskins explained that the proposed increase in Million Annual Passengers (MAP) for 2026 is already included in the current Settlement Agreement.
- **Noise Concerns:** Vice Chair Dvorak noted that 2023 noise measurements at two monitoring locations exceeded the 2013 baseline and stressed that potential noise impacts should be considered for Phase III.
- **FAA Standards:** Deputy County Counsel Mark Sanchez confirmed that FAA Sound Insulation Program standards are met.
- **Compliance Inquiry:** Vice Chair Dvorak inquired about the County's compliance with the City of Newport Beach General Plan and the implications of exceeding noise thresholds.

- **Clarifications:**

- Gaskins stated that the 12.5 MAP level was agreed upon in the Settlement Agreement and may be implemented once two conditions are met.
- Currently, the Airport requests Board of Supervisors (Board) approval for allocations based on 11.8 MAP, with final 2025 noise readings expected in January or February.
- Information will be included in the quarterly report to the Board and posted on the Airport's website.

- **Additional Comments:**

- Airport Director Charlene Reynolds noted that, once required mitigation measures are met, no additional requirements can be imposed under the Settlement Agreement.
- Vice Chair Dvorak reiterated concerns that noise impacts might exceed expectations and stressed the importance of ongoing monitoring.
- Vice Chair Dvorak requested a copy of the letter sent to the FAA, as well as all studies and data pertaining to the 2013 and 2015 noise parity studies.

- **Public Comments:**

- Newport Beach resident Dr. Jim Mosher addressed the Commission and recommended that the Board consider holding a public consultation regarding potential changes to the MAP, noting the proposed increase from 11.8 this plan year to higher levels in future years. He emphasized that MAP constraints stem from the Settlement Agreement and EIR, and

that all participating parties have an interest in any changes. Mosher encouraged the Airport to act as a good community partner.

- Mosher expressed concern about increasing the MAP directly from 11.8 to 12.5, suggesting that an intermediate step would help avoid significant impacts to Newport Beach.
- He also raised issues related to noise contour measurements, aircraft models, and noise characteristics, and recommended next steps, including outreach to the original parties to the Settlement Agreement, broader public engagement, and a request that the Board address these concerns in its upcoming motion.
- JSX Chief Legal Officer and Head of Government Relations Kerrie Forbes addressed the Commission and thanked Airport Director Reynolds and staff for the successful relocation of JSX operations to Jay's Air Center earlier this year. She noted that operations have been running smoothly and expressed appreciation for the support that enables JSX to operate at its current 130,000-passenger allocation, reflecting growing demand for service.
- Forbes highlighted JSX's strong relationship with Prime Flight, which manages their commercial air-freight operations, and noted JSX's recognition as Best Domestic Carrier by Travel & Leisure for the second consecutive year.
- Forbes discussed legal and operational considerations, emphasizing JSX's compliance with county land-use regulations and federal law. She stated that tying increased allocations to relocating JSX into the commercial Terminal under full TSA screening would be improper and unlawful under federal law, and expressed appreciation for the understanding that no such condition would be imposed.
- Forbes voiced concern that the recommendation to maintain JSX at 130,000 passengers for the 2026 plan year falls significantly short of their request for 228,000 passengers, particularly given that overall commuter requests remain well below the available allocation. She stated that JSX is prepared to work with the Airport Director to address any outstanding concerns and to determine a 2026 allocation that reflects demand, complies with federal law, and ensures fairness under the Access Plan.

- **Follow-Up Comments:**

- Airport Director Reynolds reported that she has not yet had sufficient time to review the recent freight complaints, noting that fewer than 24 hours have passed since they were submitted. Regarding JSX operations, she stated that the Airport has already approved a 30% increase and reaffirmed that the passenger allocation will remain capped at 130,000.
- Deputy County Counsel Mark Sanchez clarified that the Settlement Agreement is grandfathered under the Airport Noise and Capacity Act (ANCA). He explained that both the Access Plan and the Settlement Agreement have consistently allowed commuter aircraft to operate from either the Terminal or a Fixed Base Operator (FBO). JSX was the first commuter operator to use an FBO at ACI Jet, where its passenger allocation was 95,000. He further emphasized that the authority to allocate passenger levels rests solely with the Airport Director, who may increase but not decrease an operator's allocation.

The following is the action taken by the Orange County Airport Commission:

On Commissioner O'Reilly's motion and Commissioner Junor's second, Item No. 2 was approved 2-1; Vice Chair Dvorak voted no.

APPROVE ☒

OTHER ☐

DENIED ☐

Unanimous (1) Elliott: X (2) Tinajero: X (3) Junor: Y (4) O'Reilly: Y (5) Dvorak: N

Vote Key: Y=Yes; N=No; A=Abstain; X=Excused

- 3. APPROVE JOHN WAYNE AIRPORT AIRLINE LEASES (SUPPLEMENTAL ASR)** Recommended Action: Approve and execute the Amended and Restated Certificated Passenger Airline Leases with an effective date of January 1, 2026, upon Board of Supervisors approval, for the term effective January 1, 2021, through December 31, 2030 with Air Canada, Alaska Airlines, Inc., Allegiant Air LLC, American Airlines, Inc., Breeze Aviation Group, Inc., Delta Air Lines, Frontier Airlines, Inc., Southwest Airlines Co., Spirit Airlines, Inc., United Airlines, Inc., and WestJet, an Alberta Partnership; the Amended and Restated Certificated Passenger Airline Operating Licenses with Horizon Air Industries, Inc. and SkyWest Airlines, Inc.; the Amended and Restated Commuter Airline Operating License with SkyWest Airlines, Inc.; the Amended and Restated Cargo Leases with Federal Express Corporation and United Parcel Service Co.; Authorize the Airport Director or designee to make minor modifications and amendments to the airline agreements that do not materially alter the terms or financial obligations to the County, and perform all activities specified under the terms of the lease.

Presenter: Commercial & Revenue Development Deputy Airport Director Evanna Barbic

• **Overview:**

- Evanna provided an overview of the Recommended Actions outlined in the Agenda Staff Report.
- She reviewed the background of the current agreements, which were last approved by the Board of Supervisors in 2020 for a five-year term, expiring December 31, 2025.
- She explained that the proposed action is not the adoption of new lease agreements, but rather a five-year extension of the existing agreements through December 31, 2030.
- The amended and restated leases include minor updates to provisions regarding lease security deposit requirements, compliance with applicable environmental laws, and federal contract requirements related to civil rights and non-discrimination.
- Based on findings from a recently completed airport space survey, adjustments have been made to the square footage assigned to airline-leased premises.

• **Questions:**

- Evanna responded to a question regarding the SIXT rental car operation.

• **Public Comments:**

- Newport Beach resident Dr. Jim Mosher noted that each contract references applicable Board of Supervisors resolutions, except those related to rates. He inquired about the current status of the referenced rates and how frequently rates are changed without Board action.

• **Clarifications:**

- Assistant Airport Director Komal Kumar explained how rates and charges are established, noting that they reflect cost recovery from the airlines and established fees.
- Airport Director Charlene Reynolds added that the rate-setting process is reviewed annually with the airlines.

The following is the action taken by the Orange County Airport Commission: On Commissioner Junor's motion and Commissioner O'Reilly's second, Item No. 3 was approved by a unanimous vote.

APPROVE ☒

OTHER ☐

DENIED ☐

Unanimous (1) Elliott: X (2) Tinajero: X (3) Junor: Y (4) O'Reilly: Y (5) Dvorak: Y

Vote Key: Y=Yes; N=No; A=Abstain; X=Excused

- 4. SUMMARY OF RELEVANT ACTIONS BY THE BOARD OF SUPERVISORS (Board)** Airport Director Charlene Reynolds provided an update, noting that, since the prior Airport Commission meeting, the Board of Supervisors approved two items previously brought before the Commission.

5. ADDITIONAL BUSINESS

- A. PUBLIC COMMENTS – None
- B. AIRPORT DIRECTOR COMMENTS – Airport Director Charlene Reynolds provided an update on airport operations related to the federal shutdown. She reported that there is currently no impact on TSA screening at John Wayne Airport (JWA). TSA staffing remains stable, with one of the lowest sick-leave call-out rates in the country (below 3%) and low staff turnover. Director Reynolds also discussed potential support efforts for TSA employees during the shutdown, including establishing a food bank, providing lunches, and other assistance options.
- C. AIRPORT COMMISSION COMMENTS – Commissioner O'Reilly asked the Airport Director if there is an update on air traffic controllers as part of the government shutdown.

6. ADJOURNMENT OF PUBLIC MEETING The meeting adjourned at 6:20 PM.