



**BUSINESS OF THE CITY COUNCIL
CITY OF MERCER ISLAND, WA**

**AB 4254
January 7, 2008
Regular Business**

**AMENDMENT TO MOU REGARDING RENTON
AIRPORT ISSUES**

Proposed Council Action:

Adopt First Amendment to the MOU with Renton Regarding Airport Noise.

DEPARTMENT OF

City Manager (Linda Herzog)

COUNCIL LIAISON

n/a

EXHIBITS

1. First Amendment to the Memorandum of Understanding Regarding Airport Issues

APPROVED BY CITY MANAGER

Richard Conrad 1-2-2008

AMOUNT OF EXPENDITURE	\$	n/a
AMOUNT BUDGETED	\$	n/a
APPROPRIATION REQUIRED	\$	n/a

SUMMARY

The Cities of Mercer Island and Renton have signed a Memorandum of Understanding (MOU), agreeing to share information and take certain actions to assure that citizens of both cities are fully informed of Renton's Airport Master Planning process. Staff is recommending that articles 7, 14 and 15 of the MOU be deleted to reflect changed circumstances and Renton's need to take a different course for its airport development plans. The First Amendment to the MOU is attached at Exhibit 1 which indicates the recommended deletions in the "Actions to be Taken" section.

Renton's Airport Master Planning process generated three Airport Layout Plan (ALP) alternatives that Renton's master plan consultant described to the Renton Airport Advisory Committee (RAAC) and the Transportation Committee of the Renton City Council in the fall of 2006. One of the ALP alternatives would have used apron space freed by expiration of Boeing Company land leases, to develop a corporate jet center. On learning that this alternative was recommended by the consultant and highly favored by members of the RAAC, Mercer Island and Renton residents expressed concern about the noise disturbance that would result from increasing numbers and frequency of jet operations over their neighborhoods.

Community meetings were held in Renton in October and December 2006 and on Mercer Island in January 2007. Soon afterward, the staffs of both cities crafted an agreement that Renton would take no further action on selection of an ALP alternative until the noise effects of each of the alternatives had been thoroughly evaluated and reported to the communities. The two cities signed a Memorandum of Understanding in April 2007, laying out specific steps they would take together, and steps that would not be taken until more information was known and citizen input had been considered.

Article 7 of the "Actions to be Taken" section of the MOU states that the City of Renton will to direct its Airport Advisory Committee to make no further recommendation on future Airport development until an aircraft noise study has been completed, and results delivered to both cities. Cognizant that the City of

Renton was required by the Federal Aviation Administration to complete work on its Airport Master Plan in a timely manner, the MOU adds that the noise study must be completed "at the earliest time possible." Accordingly, Renton instructed the RAAC last spring to take no further action on an Airport Master Plan until the noise study is completed.

In partnership over the ensuing five months, the cities solicited proposals for a study of the noise affects of the ALP alternatives, selected the consulting firm Harris Miller Miller & Hanson (HMMH), prepared a draft scope of work, presented the consultant team and the preliminary work scope at community meetings, and invited citizens' participation in final scoping. (The Agenda Bill recommending approval of the Interlocal Agreement to share the costs of the aircraft noise study is attached as Exhibit 3.)

Just as HMMH and staff of both cities were revising the scope of work to incorporate the citizens' input, the Boeing Company approached the City of Renton indicating that apron space leased by Boeing for decades but recently turned back to the airport, would once again be needed for 737 production. Returning this land to Boeing's use leaves insufficient space for any of the ALP options as initially described, and definitely removes a corporate jet center from further consideration. The only remaining options for Airport development will continue the types of businesses and activities historically present at the Airport.

Because a jet center is no longer under consideration and none of the other ALP alternatives initially prepared by the Airport Master Planning consultant can be implemented in their original form, Renton called for its consultant to prepare a new Airport Layout Plan that accommodates Boeing's needs and thereby eliminates a corporate jet facility

In late October, considering the dramatic changes surrounding Renton Airport planning, Mercer Island and Renton agreed to suspend work on the noise study so that money would not be wasted. The contract with HMMH is still in effect, but Renton has instructed the consultant team to stop work until further notice. If the study is reactivated, the scope of work will need to be rewritten in light of a newly-drafted airport layout plan.

During the months following the two cities' April 2007 agreement to cooperate on completion of the airport planning process, the Renton City Council also re-examined the wording of policy statements that provided the basis for Airport Master Planning. The Renton Council has now clarified its policies, declaring that its highest priority is sensitivity to the effects of aircraft noise on Airport neighbors. By action on November 5, 2007, the Renton Council officially removed from consideration the development of a corporate jet center at the Renton Airport.

Renton's Airport Master Planning consultant has now prepared a new Airport Layout Plan to replace the three alternative ALPs proposed over a year ago. By Renton policy and procedure, the preliminary draft of a replacement ALP must go to the RAAC for its review, comment and recommendation before the City Council takes action. Given continuing pressure from the FAA to complete the Airport Master Plan, Renton referred the new draft ALP to the RAAC on December 18, with prior notification to Mercer Island that the RAAC would be asked to review and critique the plan, but to refrain from making a recommendation until Mercer Island agrees to lift the restriction laid out in Article 7 of the Memo of Understanding.

Mercer Island resident and former Mayor Elliot Newman is now a voting member of the RAAC, and participated in the December 18 meeting. He reports that:

"The new ALP basically uses a zoning approach for describing the allowed uses of the three [airfield] apron areas. All are designated as "aviation use" and the Boeing apron has the additional words "Manufacturing/Tie Downs". The zoning approach will provide more flexibility in contrast to having specific uses designated. This plan will result in about 90,000 operations per year in 20 years as compared to the current high 80's. The new ALP is pretty much a status quo. If and when Boeing discontinues its lease and the space becomes available for other uses,

Mercer Island should continue to press Renton for public input on noise and other environmental effects of the options then under consideration.”

Since the new Airport Layout Plan does not allow for a corporate jet center, does not encourage increased jet traffic, and maintains the *status quo* at the airport, staff recommends that the MOU prohibition on the Renton Airport Advisory Committee advising the Renton Council be lifted. By adopting the attached MOU amendment, the Mercer Island Council supports the resumption of the RAAC's role in the airport planning process. It enables Renton to regain lost momentum on its Airport Master Plan with assurance that Mercer Island citizens' interests are now directly represented in Renton's airport planning process, via voting membership on the RAAC.

Mercer Island staff now recommends that the Council approve the following modifications to the MOU:

- Delete Article 7 requiring that the RAAC refrain from making a formal recommendation on Airport development until completion of the noise study. The Renton Council did instruct the RAAC in May 2007 not to make an ALP recommendation. The prohibition is still in effect. Renton now desires to move forward with a totally different Airport Layout Plan, one that accounts for renewed leases to Boeing, and does not include facilities to support corporate jet operations. Deletion of Article 7 at this time will allow Renton to solicit a RAAC recommendation on the new ALP and take the actions necessary to complete its Airport Master Planning process.
- Delete Article 14 that describes the process the two cities will follow when noise study results are available. At present, work on the noise study is suspended. The new ALP does not anticipate changes in airport use that would increase noise disturbance. However, if the noise study is nonetheless reactivated, the study scope – originally based on three candidate ALPs all of which are no longer feasible -- will need to be rewritten. If and when the cities mutually agree to a modified study, staff of Mercer Island and Renton will share responsibility not only for scoping that study, but for designing a public information process that fully informs the community of the work that will be done, the expected timing, and the results.
- Delete Article 15 which specifically calls for community meeting(s) at the conclusion of the noise study. Likewise, now that the noise study as initially envisioned will not occur, the original plan for community meetings is not relevant. If a revised study of aircraft noise is undertaken, a public information strategy will need to be specifically-tailored to community interest and need.

Staff is requesting Council's approval of these MOU modifications, at the same time it commits to keeping the Council and the community fully informed of Renton's Airport Master Planning activities.

RECOMMENDATION

Linda Herzog, Special Projects Manager

MOVE TO: Adopt the *First Amendment to the Memorandum of Understanding Regarding Airport Issues / Cities of Renton and Mercer Island*, so that Renton may request that its Airport Advisory Committee provide a recommendation on the new proposed Airport Layout Plan, provided that the Plan does not include facilities, programs or activities to support increased jet traffic at Renton Airport.

**First Amendment to the
Memorandum of Understanding
Regarding Airport Issues
Cities of Renton & Mercer Island**

The “Actions to be Taken” section of the Memorandum of Understanding Regarding Airport Issues / Cities of Renton & Mercer Island shall now read as follows:

Actions to be Taken: The Cities agree to move forward in a cooperative and collaborative fashion to examine Airport development options. To that end, the Cities agree to take the following actions:

- 1) BOTH CITIES will publicly describe this partnership through a joint press release issued to the *Mercer Island Reporter*, the *Renton Reporter* and other news media, and explain that the noise study will include both Mercer Island and Renton neighborhoods.
- 2) The Mayors of MERCER ISLAND and RENTON will prepare “op/ed” articles promoting this partnership and submit them for publication in their respective community newspapers.
- 3) The MERCER ISLAND representative to the RAAC and the RENTON Councilmember who is also a voting member of the RAAC will discuss with the RAAC membership the substance of this Memo of Understanding and the Cities’ decision to proceed collaboratively.
- 4) MERCER ISLAND will provide RENTON with a summary of issues of concern to its residents that were raised at the community meeting held on Mercer Island on January 29, 2007.
- 5) MERCER ISLAND will identify key questions raised at the January 29 community meeting that remain unanswered and provide these to RENTON. Together the staffs of the Cities will determine which of these key questions can be satisfactorily answered at this time, and which require additional data.
- 6) On or before April 30, 2007, with prior review and assistance from MERCER ISLAND on ways to disseminate, RENTON will provide answers to the questions that the staffs of the Cities deem appropriate to answer at this time.
- ~~7) The RENTON City Council will direct the RAAC to refrain from making a formal recommendation on Airport development until after results of an aircraft noise study are delivered & vetted with BOTH CITIES. However, the process of vetting the additional noise information must be concluded at the earliest time possible.~~
- ~~8) _____~~ Staff of RENTON and MERCER ISLAND will develop a draft scope of work for a noise study to be conducted by a jointly-selected consulting firm. The cities will seek qualifications from consulting firms, including but not limited to the firm of Harris Miller Miller & Hanson, based on the article by the firm’s President Mary Ellen Eagan entitled, “Using Supplemental Metrics to Communicate Aircraft Noise Effects” (*Transportation Research Board*, Nov. 10, 2006).
- ~~9)8) _____~~ The cities may elect to solicit public input for the study scope and will share the information gathered from such public input.

- ~~10)9)~~ RENTON will provide the draft work scope to the RAAC and solicit the RAAC's comments.
- ~~11)10)~~ BOTH CITIES' staffs will propose an equitable cost-sharing arrangement for the noise study, and will submit to their City Councils a contract to retain the consultant.
- ~~12)11)~~ RENTON will manage the noise study contract.
- ~~13)12)~~ MERCER ISLAND will host an informational meeting for its residents, where the selected noise study consultant will describe the firm's experience in analyzing noise impacts from airports similar to Renton's, the proposed methodology for the noise study and the nature and utility of results of that study, and will solicit participants' input on the scope of the noise study.
- ~~14) Upon receipt of the noise study results, staff of BOTH CITIES will meet and collaborate on the best way to use those results and to disseminate the results to affected residents and decision makers.~~
- ~~16)13)~~ BOTH CITIES will work together with the FAA to study and implement modified flight paths (LVP/WAAS technology) in the current FAA work plan for Seattle-area airspace redesign that is due for publication in November 2008.
- ~~17)14)~~ BOTH CITIES will work with the FAA to determine how best to gain approval and funding (if appropriate) for flight tracks that use the East Channel of Lake Washington to the optimum extent feasible.
- ~~18)15)~~ Staff of BOTH CITIES will alert staff of the other if it appears that impediments have arisen or may arise that would interfere with the cooperation and collaboration contemplated by this Memorandum of Understanding and will work diligently to remove any such impediments.
- ~~19)16)~~ Staff of BOTH CITIES will report to their respective City Councils on a regular basis on issues that arise in staff-level discussions on topics including efforts to minimize noise, design and implementation of new flight tracks, securing FAA cooperation (and funding) for new flight track technology, and additional City-to-City cooperative efforts needed to fulfill the objectives laid out in this Memo of Understanding.

On behalf of the Mayors, Councils and staff of the cities of RENTON and MERCER ISLAND, the undersigned commit to collaborate on all of the above-described measures. We further agree to maintain the spirit of active assistance and cooperation as Airport planning moves forward, and to continuously identify steps that can be taken jointly to achieve the best result for both communities. This MOU has a "sunset" date of December 31, 2008.

Kathy Keolker, Mayor
City of Renton

, Mayor
City of Mercer Island