

RESOLUTION 2009-1

FINAL DRAFT
1-22-09

WHEREAS, the O'Hare Noise Compatibility Commission (O'Hare Commission) is an intergovernmental entity whose responsibilities pursuant to the Intergovernmental Agreement Relating to the O'Hare Noise Compatibility Commission (Intergovernmental Agreement) among the City of Chicago and various other municipalities and school districts include directing the further development of the noise compatibility program for the O'Hare Affected Area, establishing criteria for the allocation of Approved PFCs for Approved Projects in the O'Hare Affected Area (as those capitalized terms are defined in the Intergovernmental Agreement), and advising the City of Chicago concerning Chicago O'Hare International Airport (O'Hare) related noise issues;

WHEREAS, on September 30, 2005, the Federal Aviation Administration (FAA) issued a Record of Decision (ROD) regarding the O'Hare Modernization Program (OMP), whose implementation will alter the areas affected by aircraft noise, and consequently the particular dwellings impacted by such noise and potential eligibility to receive sound insulation;

WHEREAS, Section 9.1 of the FAA's ROD requires that sound insulation be offered to eligible residences that the FAA projects will affect by implementing the OMP, including structures with multiple dwellings and owners, such as condominium buildings;

WHEREAS, the O'Hare Commission wishes to provide guidance for the implementation of the Residential Sound Insulation Program (RSIP or Program) in connection with dwelling units in multi-owner buildings which are managed by governing boards, management companies, or other formal management structures;

WHEREAS, in the case of small multi-owner buildings that do not have formal management structures, the O'Hare Commission has determined that the Program will be individually implemented for each dwelling unit in the same manner as single-family dwellings or as may be subsequently determined by the O'Hare Commission;

WHEREAS, the O'Hare Commission has determined that guidance for the implementation of the Program in connection with dwelling units in multi-owner buildings which are managed by governing boards, management companies, or other formal management structures should address a number of administrative issues, including the designation of a single point of contact or representation on behalf of multiple owners and the management of the various steps in the process for enrolling dwelling units in the Program;

WHEREAS, it is intended that the guidance be implemented flexibly, depending on unique circumstances that may be encountered by the Program; and

WHEREAS, the O'Hare Commission finds that the "Policy for Sound Insulating Multi-Owner Buildings Managed by Governing Boards or Management Companies (Multi-Owner Building Policy)" dated November 14, 2008 and revised on January 21, 2009, and attached to this Resolution as Exhibit A, achieves the goals set forth above.

NOW THEREFORE, be it hereby resolved by the O'Hare Commission that:

1. The above recitals are hereby incorporated by reference as if expressly set forth herein.
2. The "Policy for Sound Insulating Multi-Owner Buildings Managed by Governing Boards or Management Companies (Multi-Owner Building Policy)" dated November 14, 2008 and revised on January 21, 2009 and attached to this Resolution as Exhibit A is hereby adopted by the O'Hare Commission for use by the Program in providing sound insulation to eligible dwelling units located in multi-unit buildings which are managed by governing boards, management companies, or other formal management structures.

DATED this ____ day of February, 2009.

Ayes:____ Nays:____ Absent:____ Pass:____

Arlene J. Mulder, Mayor of Arlington Heights
Commission Chairperson

Attachment: Exhibit A (Policy for Sound Insulating Multi-Owner Buildings Managed by Governing Boards or Management Companies (Multi-Owner Building Policy))

RESOLUTION 2009-2

WHEREAS, the O'Hare Noise Compatibility Commission (O'Hare Commission) is an intergovernmental entity whose responsibilities pursuant to the Intergovernmental Agreement Relating to the O'Hare Noise Compatibility Commission (Intergovernmental Agreement) among the City of Chicago and various other municipalities and school districts include directing the further development of the noise compatibility program for the O'Hare Affected Area, establishing criteria for the allocation of Approved PFCs for Approved Projects in the O'Hare Affected Area (as those capitalized terms are defined in the Intergovernmental Agreement), and advising the City of Chicago concerning Chicago O'Hare International Airport (O'Hare) related noise issues;

WHEREAS, on September 30, 2005, the Federal Aviation Administration (FAA) issued a Record of Decision (ROD) regarding the O'Hare Modernization Program (OMP), whose implementation will alter the areas affected by aircraft noise, and consequently the particular dwellings impacted by such noise and potential eligibility to receive sound insulation;

WHEREAS, Section 9.1 of the FAA's ROD requires that sound insulation be offered to eligible residences that the FAA projects will affect by implementing the OMP, specifically residences that experience a yearly average day-night sound level (DNL) increase of 1.5 decibels or more within the 65 DNL or greater contour of the OMP Build-Out Noise Contour (Build-Out Noise Contour), or which are newly within the 65 DNL or greater noise contour according to the projected Build-Out Noise Contour map;

WHEREAS, pursuant to the FAA ROD and a survey conducted by the City of Chicago Department of Aviation, there are approximately 6,080 dwellings which will be eligible for sound insulation by the conclusion of the OMP Build-Out, planned for 2014;

WHEREAS, the implementation of the OMP is proceeding in stages, and the 2006, 2007, 2008, and 2009 Program years, involving the sound insulation of approximately 3,163 dwellings, are in support of Phase I of the OMP, with the remainder to follow in the years leading to 2014 and Full Build-Out;

WHEREAS, the O'Hare Commission intends to offer sound insulation to the eligible residences that the FAA has projected will be impacted by the implementation of the OMP, and as required by the ROD, in a process that, as described above, will require several Program years to implement;

WHEREAS, pursuant to the Intergovernmental Agreement, the O'Hare Commission desires to establish criteria for the 2009 Program Year of the

Residential Sound Insulation Program (Program) at O'Hare using the projected Build-Out Noise Contour;

WHEREAS, the O'Hare Commission finds that it is reasonable to continue with the Program required by the ROD by offering sound insulation to residences located in the areas that the FAA has determined will be impacted by aircraft noise associated with Phase I of the OMP, although it is understood that sound insulation of the eligible residences located in these areas will require more than one Program year;

WHEREAS, the O'Hare Commission desires to continue the practice of block-rounding, as first adopted in 2001 in O'Hare Commission Resolution No. 2001-8 in order to sound-insulate those homes on both sides of the street and up to the next intersection or street change, provided that the homes are on a block where an individual home is within the 65 DNL of the Build-Out Noise Contour;

WHEREAS, the O'Hare Commission has adopted criteria for determining the eligibility of dwellings to receive sound insulation under the Program in O'Hare Commission Resolution Nos. 2006-3, 2007-4, 2007-5 and 2008-3, which will now include multi-unit residences;

WHEREAS, the O'Hare Commission determined that no dwelling (*e.g.* single family home or multi-family building) for which a building permit for new construction is or was obtained after September 30, 2005 (Eligibility Date) shall be eligible to participate in the Program, pursuant to the FAA correspondence to the Department of Aviation dated August 10, 2006 regarding Residential Sound Insulation Program eligibility;

WHEREAS, the O'Hare Commission has identified the dwellings located in the areas that are associated with the construction in Phase I of the Build-Out Noise Contour and will continue to use the boundaries (Regional Groupings) as established in the Fairness Policy as first adopted in 2006 in O'Hare Commission Resolution No. 2006-3 and in subsequent Resolution Nos. 2007-4, 2007-5 and 2008-3;

WHEREAS, the O'Hare Commission has established a Multi-Owner Building Policy to provide guidance for the implementation of sound insulation to multi-owner buildings which are managed by governing boards, management companies, or other formal management structures for the 2009 Program Year and beyond, as set forth in O'Hare Commission Resolution No. 2009-1;

WHEREAS, for the 2009 Program Year, the O'Hare Commission finds that it is reasonable to offer sound insulation to multi-family and multi-owner buildings as established in the Multi-Owner Building Policy as newly adopted in Resolution 2009-1, now that the specifications for the sound insulation of buildings containing more than four stories have been developed;

WHEREAS, because the only remaining dwellings eligible for sound insulation associated with Phase I of the OMP (after the dwellings in Park Ridge Regional Grouping 2 and Chicago Regional Grouping 3 have been sound insulated) are those dwellings located in the Schiller Park 1 Regional Grouping and the Chicago 1 Regional Grouping, the O'Hare Commission recommends that:

- I. single-family and multi-family buildings within the Park Ridge 2 (PR2) and Chicago 3 (CH3) Regional Groupings be included in the 2009 Program Year, and
- II. in order to sound-insulate as close to 1,000 homes as possible in the 2009 Program Year, should owners of the eligible dwellings within the Regional Groupings identified in Exhibit A of this Resolution decline participation in the Program, and subject to availability in the Program, multi-owner buildings within the Schiller Park 1 (SP1) and Chicago 1 (CH1) Regional Groupings shall be included in the 2009 Program Year as Alternates;

WHEREAS, the O'Hare Commission finds that the chart attached to this Resolution as Exhibit A identifies the single-family, multi-family, and multi-owner buildings within the Regional Groupings that are eligible for participation in the 2009 Program Year and achieves the goals set forth above;

NOW THEREFORE, be it hereby resolved by the O'Hare Commission that:

1. The above recitals are hereby incorporated by reference as if expressly set forth herein.
2. Subject to available funding, the 2009 Program Year should offer sound insulation to the residences listed on Exhibit A of this resolution.

DATED this 6th day of March, 2009.

Ayes: 21 Nays: 0 Absent: 8 Pass: X



Arlene J. Mulder, Mayor of Arlington Heights
Commission Chairperson

Attachment: Exhibit A 2009 Residential Sound Insulation Program

Exhibit A 2009 Residential Sound Insulation Program

REGIONAL GROUPINGS*	REMAINING HOMES		TOTAL
	SINGLE	MULTI	
Park Ridge (PR2)	243	143	386
Chicago (CH3)	565	56	621
Total			1007
Alternates			
Schiller Park (SP1)	0	110	110
Chicago (CH1)	0	90	90
Total			200
TOTAL ELIGIBLE DWELLINGS**			1207

*Regional Groupings within the Phase I of the O'Hare Modernization Program.

**Total allocation of homes exceeds 1,000. The ONCC anticipates some number of homeowners will decline the Program.

***Dwellings identified as Alternates will be included into the Program based on availability and in the order listed above.

O'HARE NOISE COMPATIBILITY COMMISSION RESOLUTION 2009-3

WHEREAS, the O'Hare Noise Compatibility Commission ("O'Hare Commission") is an organization which provides a common forum for interested parties to have a voice in noise issues related to Chicago O'Hare International Airport and which is governed by the Intergovernmental Agreement Relating to the O'Hare Noise Compatibility Commission; and

WHEREAS, the By-Laws of the O'Hare Commission require that the Chair, Vice-Chair and Treasurer of the Commission shall be elected by the members of the Commission from among its members, each for a term expiring on the date of the next annual meeting following such election; and

WHEREAS, nominations for Chair, Vice-Chair and Treasurer of the O'Hare Commission were entered and closed at the February 6, 2009 Commission meeting; and

WHEREAS, the name of Arlington Heights Village President Arlene J. Mulder was placed in nomination for Chair of the Commission; and

WHEREAS, the name of District 86 Superintendent Raymond J. Kuper was placed in nomination for Vice-Chair of the Commission;

WHEREAS, the name of Norridge Village Clerk Judith Dunne Bernardi was placed in nomination for Treasurer of the Commission.

NOW, THEREFORE, be it hereby resolved by the O'Hare Commission that:

1. The above recitals are hereby incorporated by reference.
2. Arlene J. Mulder is hereby elected as Chair of the O'Hare Commission for 2009.
3. Raymond J. Kuper is hereby elected as Vice-Chair of the O'Hare Commission for 2009.
4. Judith Dunne Bernardi is hereby elected as Treasurer of the O'Hare Commission for 2009.

Passed: This 6th day of March, 2009

Ayes: _____ Nays: _____ Absent: _____ Pass: _____

ATTESTED this 6th day of March, 2009

Arlene J. Mulder, Mayor of Arlington Heights
Commission Chairperson

O'HARE NOISE COMPATIBILITY COMMISSION RESOLUTION 2009-4

WHEREAS, the O'Hare Noise Compatibility Commission (O'Hare Commission) is an organization which provides a common forum for interested parties to have a voice in noise issues related to Chicago O'Hare International Airport and which is governed by the Intergovernmental Agreement Relating to the O'Hare Noise Compatibility Commission ("Agreement"); and

WHEREAS, pursuant to Section 5(g) of the Agreement, additional municipalities and school districts may be added to the definition of the O'Hare Commission Area upon the approval of the O'Hare Commission and the City (as those capitalized terms are defined in the Agreement) and any such municipality or public school district shall become a Participant upon its approval and execution of a counterpart of the Agreement; and

WHEREAS, the O'Hare Commission desires to add School District 64 to the definition of the O'Hare Commission Area in order for that municipality to become Participant, and School District 64 desires to become a Participant;

NOW, THEREFORE, be it hereby resolved by the O'Hare Commission that:

1. The above recitals are hereby incorporated by reference as if fully set forth herein.

2. The definition of O'Hare Commission Area in the Agreement and each counterpart thereof is hereby amended to include School District 64.
3. Upon approval and execution of a counterpart of the Agreement by School District 64, it shall become a Participant.
4. This resolution shall be in full force and effect from and after the date of its passage.

Passed: This 11th day of September, 2009

Ayes:_____ Nays:_____ Absent:_____ Pass: _____

ATTESTED this 11th day of September, 2009

Dr. Raymond J. Kuper
Vice-Chairperson, Commission

O'HARE NOISE COMPATIBILITY COMMISSION RESOLUTION 2009-5

WHEREAS, the O'Hare Noise Compatibility Commission (O'Hare Commission) is an organization which provides a common forum for interested parties to have a voice in noise issues related to Chicago O'Hare International Airport and which is governed by the Intergovernmental Agreement Relating to the O'Hare Noise Compatibility Commission ("Agreement"); and

WHEREAS, pursuant to Section 5(g) of the Agreement, additional municipalities and school districts may be added to the definition of the O'Hare Commission Area upon the approval of the O'Hare Commission and the City (as those capitalized terms are defined in the Agreement) and any such municipality or public school district shall become a Participant upon its approval and execution of a counterpart of the Agreement; and

WHEREAS, the O'Hare Commission desires to add the Village of Bensenville to the definition of the O'Hare Commission Area in order for that municipality to become Participant, and the Village of Bensenville desires to become a Participant;

NOW, THEREFORE, be it hereby resolved by the O'Hare Commission that:

1. The above recitals are hereby incorporated by reference as if fully set forth herein.

2. The definition of O'Hare Commission Area in the Agreement and each counterpart thereof is hereby amended to include the Village of Bensenville.
3. Upon approval and execution of a counterpart of the Agreement by the Village of Bensenville, it shall become a Participant.
4. This resolution shall be in full force and effect from and after the date of its passage.

Passed: This 11th day of September, 2009

Ayes:_____ Nays:_____ Absent:_____ Pass:_____

ATTESTED this 11th day of September, 2009

Dr. Raymond J. Kuper
Vice-Chairperson, Commission

RESOLUTION 2009-6

WHEREAS, since its inception, the goal of the O'Hare School Insulation Program instituted by the Chicago Department of Aviation, the Federal Aviation Administration (FAA) and the O'Hare Noise Compatibility Commission (ONCC), is to insure that the children and the schools that they attend surrounding O'Hare International Airport work in an environment that is not interfered with by aircraft noise; and

WHEREAS, in order to achieve the goal of non-interference with the education of the children that attend schools surrounding O'Hare International Airport, a sound metric of 45 Leq₍₈₎ was instituted by the O'Hare Noise Compatibility Commission in 2004; and

WHEREAS, Chicago Department of Aviation, the Federal Aviation Administration and the O'Hare Noise Compatibility Commission have worked in unison to achieve the goals as set out in the O'Hare School Sound Insulation Program; and

WHEREAS, in 2005, the ONCC adopted a new policy that changed the qualifying metric from 45 Leq₍₈₎ to 60 DNL; and

WHEREAS, even though two schools, Elk Grove High School, located in Elk Grove Village, and George Carpenter School located in Park Ridge, met the new 60 DNL metric standard according to the 2000 O'Hare Noise Contour, the Federal Aviation Administration disapproved the eligibility for funding of sound insulation for these two schools, as contained in a letter from the FAA to the City of Chicago dated June 5, 2009 (see attached Exhibit A); and

WHEREAS, the unilateral action of the Federal Aviation Administration as reflected in the FAA's letter of June 5, 2009, has caused the cancellation of sound insulation funding for Elk Grove High School, and George Carpenter High School, to the detriment of the children that attend these schools;

WHEREAS, Ridgewood High School in Norridge, along with Elk Grove High School, originally qualified for eligibility for funding as part of the 2004 O'Hare School Sound Insulation Program and the 45 Leq standard;

WHEREAS, the ONCC has long supported the eligibility of Ridgewood High School for sound insulation funding and eligibility, as originally communicated in ONCC Resolution 2005-2 (see attached Exhibit B);

WHEREAS, the 45 Villages, Cities and School Districts that surround O'Hare International Airport have tolerated the intrusive noise created by the take off and landing of jet airliners because their schools were protected by a stable O'Hare School Insulation Program; and

WHEREAS, the 45 surrounding Villages, Cities and School Districts that make up the O'Hare Noise Compatibility Commission demand that the Federal Aviation Administration reconsider its unilateral and arbitrary decision to exclude Ridgewood High School, Elk Grove High School and George Carpenter School from the O'Hare School Insulation Program.

NOW, THEREFORE, be it hereby resolved by the O'Hare Noise Compatibility Commission that:

1. The above recitals are hereby incorporated by reference as if fully set forth here in;
2. That all steps be taken by the O'Hare Compatibility Commission (ONCC) to insure that the Federal Aviation Administration (FAA) reconsider its unilateral and arbitrary June 5, 2009 decision, and approve eligibility and funding for Elk Grove High School and George Carpenter School in the O'Hare School Insulation Program, and include Ridgewood High School, which originally qualified for funding eligibility according to the parameters of the 2004 O'Hare School Sound Insulation Program, in the O'Hare School Sound Insulation Program; and
3. This resolution shall be in full force and effect from and after the date of its passage.

DATED this 6th day of November, 2009

Ayes:_____ Nays:_____ Absent:_____ Pass: _____

O'Hare Noise Compatibility Commission Chairperson
Arlene J. Mulder, Mayor of Arlington Heights