



June 17, 2016

CALL AND NOTICE OF A REGULAR MEETING OF THE
LEGAL, GOVERNMENT AND ENVIRONMENTAL AFFAIRS COMMITTEE
OF THE
BURBANK-GLENDALE-PASADENA AIRPORT AUTHORITY

NOTICE is hereby given that a regular meeting of the Legal, Government and Environmental Affairs Committee will be held Monday, June 20, 2016, at 10:30 a.m. (or immediately following the conclusion of the regular Airport Authority meeting), in the Burbank Room of the Bob Hope Airport, 2627 Hollywood Way, Burbank, California 91505.

The items to be discussed are listed on the attached agenda.

Sue Loyd, Board Secretary
Burbank-Glendale-Pasadena Airport Authority

REGULAR MEETING
OF THE
LEGAL, GOVERNMENT AND
ENVIRONMENTAL AFFAIRS COMMITTEE

Burbank Room
Monday, June 20, 2016
9:00 A.M

NOTE TO THE PUBLIC: Any disclosable public records related to an open session item on a regular meeting agenda and distributed by the Authority to the Commission less than 72 hours prior to that meeting are available for public inspection at Bob Hope Airport (2627 Hollywood Way, Burbank) in the administrative office during normal business hours.

As a result of the convening of this meeting of the Legal, Government and Environmental Affairs Committee, each Committee member is entitled to receive and shall be provided \$200.

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In accordance with the Americans with Disabilities Act of 1990, if you require a disability-related modification or accommodation to attend or participate in this meeting, including auxiliary aids or services, please call the Board Secretary at (818) 840-8840 at least 48 hours prior to the meeting.

AGENDA

1. Approval of Agenda
2. Public Comment
3. Approval of Minutes
 - a. June 6, 2016 ***[See page 1]***
 - b. June 14, 2016 ***[See page 5]***
4. Items for Discussion
 - a. Update: Hollywood Way/San Fernando Road Metrolink Station

No staff report is attached. Staff will provide the Committee with a further update as to Metro's plans for the San Fernando/Hollywood Way Metrolink Station.

- b. Retention of a Mechanical, Electrical and Plumbing Consultant for RITC Lighting Assessment

No staff report is attached. Staff will brief the Committee on the retention of a mechanical, electrical and plumbing consultant for a RITC lighting assessment.

5. Closed Session

- a. Conference with Real Property Negotiators
(California Government Code Section 54956.8)

Property:	B-6 Adjacent Property (Part of the former Lockheed Plant B-6 Property located in the City of Burbank adjacent to the Bob Hope Airport and roughly bounded by Hollywood Way, parts of Cohasset Street (Los Angeles), and Winona Avenue)
Authority Negotiator:	Executive Director
Negotiating Party:	City of Burbank
Under Negotiation:	Price and Terms of Payment for the Sale, Exchange or Lease of Easements and Use Restrictions

- b. Conference with Legal Counsel – Anticipated Litigation
Significant Exposure to Litigation (California Government Code Section 54956.9(d)(2)): One potential case. Facts and Circumstances: FAA Runway Safety Area Determinations
- c. Conference with Legal Counsel – Anticipated Litigation
Initiation of Litigation (California Government Code Section 54956.9(d)(4)): one potential case
- d. Threat to Public Services or Facilities
(California Government Code Section 54957(a))

Consultation with Director, Public Safety
- e. Public Employee Appointment
(California Government Code Section 54957(b))

Title: Executive Director
- f. Public Employee Performance Evaluation
(California Government code Section 54957(b))
 - 1) Title: Executive Director
 - 2) Title: Senior Deputy Executive Director

6. Adjournment

Subject to Approval

**MINUTES OF THE REGULAR MEETING OF THE
LEGAL, GOVERNMENT AND ENVIRONMENTAL AFFAIRS COMMITTEE
BURBANK-GLENDALE-PASADENA AIRPORT AUTHORITY**

MONDAY, JUNE 6, 2016

A regular meeting of the Legal, Government and Environmental Affairs Committee was called to order this date in the Burbank Room of the Burbank-Glendale-Pasadena Airport Authority, 2627 Hollywood Way, at 11:10 a.m., Burbank, California, by Commissioner Wiggins.

AB 23 Disclosure: The board secretary announced that, as a result of the convening of this meeting of the Legal, Government and Environmental Affairs Committee, each Committee member is entitled to receive and shall be provided \$200.

ROLL CALL

Present: Commissioners Wiggins and Quintero

Absent: Commissioner Madison

Also Present: Staff: Dan Feger, Executive Director; John Hatanaka, Senior Deputy Executive Director (joined meeting at 11:21 a.m.); Mark Hardymont, Director, Government and Environmental Affairs; Lucy Burghdorf, Director, Public Affairs and Communications; David Freedman, Director, Business, Property and Administrative Services; Mike Duong, Senior Manager, Business and Compliance; and Maggie Martinez, Manager, Noise and Environmental Compliance

Airport Authority Counsel: Terence R. Boga of Richards, Watson & Gershon

Airport Authority Consultant: Allyn Rifkin, Consultant to Eco-Rapid Transit

Airport Authority Legislative Consultants (via teleconference): Michael J. Arnold and Kristian Foy, Michael J. Arnold & Associates; and Cliff Madison, Cliff Madison Government Relations, Inc.

1. **Approval of Agenda** The agenda was approved (2-0; one absent) as presented.
2. **Public Comment** There were no public speakers.
3. **Approval of Minutes**
 - a. **May 2, 2016** Commissioner Quintero moved approval of the minutes of the May 2, 2016, meeting. There being no objection, the

minutes were approved (2-0; one absent) as submitted by Staff.

4. Orangeline Development Authority (Eco-Rapid Transit), Annual Membership and Fifth Amended Joint Exercise of Powers Agreement

Authority consultant Allyn Rifkin reviewed the various completed projects in which the Orangeline Development Authority ("OLDA") assisted the Airport Authority, including the commitment of the Authority's remaining STURAA grant funds of \$5.4 million; identifying and applying for a \$250,000 Transit Oriented Development ("TOD") Study with the City of Burbank; assisting in getting a \$17 million I-5 traffic mitigation grant to help the Cities of Glendale and Burbank; and is currently working on an east-west transit link to link Pasadena to the North Hollywood station.

Regarding upcoming efforts, Mr. Rifkin stated OLDA will continue to work with Measure R2 funding and help implement Airport projects along with the San Fernando Council of Governments; continue to work on the I-5 mitigation project with the Airport and help with Metrolink station implementation on both sides of the Airport; and anticipates being able to help the Airport with support for a replacement passenger terminal, with a support letter from Eco-Rapid to the OLDA board.

Staff recommended to the Committee that it recommend to the Commission approval of (1) 2017 Orangeline Development Authority 2017 membership dues in the amount of \$28,384, which represents a 15% increase; and (2) adoption of the Airport Authority draft resolution approving OLDA's Fifth Amended Joint Exercise of Powers Agreement, which incorporates administrative changes.

Motion

Commissioner Quintero moved approval of Staff's recommendation.

Motion Approved

There being no objection, the motion was approved unanimously (2-0; one absent).

5. Items for Discussion

a. State Legislative Update

Via teleconference Kristian Foy and Michael J. Arnold of Michael J. Arnold & Associates, the Authority's Sacramento legislative consultants, updated the Committee on airport-related legislative issues which they have been monitoring and answered various questions from the Committee.

b. Federal Legislative Update

Cliff Madison, the Airport Authority's Washington, D. C., legislative consultant briefed the Committee via teleconference regarding national airport-related issues and answered various questions from the Committee. With regard to the FAA reauthorization bill, which expires July 15, 2016, Mr. Madison stated he believes a 12- or 18-month extension will be passed. Regarding the AIP (Airport Improvement Program), Mr. Madison advised the House Appropriations Committee recently proposed \$150 million in additional funding, bringing the total program to \$3.75 billion. Mr. Madison noted he envisions no changes in the PFC (Passenger Facility Charges) program.

c. Metroplex Status

Staff updated the Committee on the status of Metroplex and distributed to the Committee a handout with information from the FAA's May 26, 2016, meeting. Staff noted the information pertains to the Consolidated Appropriations Act of 2016 and quotes a provision in the act that requires the FAA to develop a Metroplex community involvement manual. As of the May 26 meeting the draft manual still had not been completed and Staff believes will delay the implementation of Metroplex. Staff advised the Committee there are two additional meetings with the FAA for discussion of next-gen implementation which Staff plans to attend.

Staff will keep the Committee apprised regarding the implementation of Metroplex.

d. Ground Access Improvements – Ownership Issues

Included in the agenda packet were three letters to the Los Angeles County Metropolitan Transportation Authority relative to this agenda item.

Staff indicated that with regards to the pedestrian bridge across Empire Avenue to the existing Airport Metrolink station, Staff was unaware until recently that Metro has a long-standing position that, as an agency, that for infrastructure improvements the agency builds throughout the county, the host city or entity must be responsible for the operations and maintenance expenses for these facilities. Staff reported that, in accordance with FAA regulations, the Authority cannot participate in these off-Airport expenditures and, in discussions with the City of Burbank, the City is not in a position to accommodate these expenses in its budget and has expressed no interest in pursuing this project.

The Committee expressed concern about losing the balance of the STURAA grant of approximately \$2 million. Staff advised the status of the FHWA grant will be agendaized for a future Committee meeting and that Staff will take any necessary steps to ensure the balance of the grant funds will not be returned.

Staff also discussed with the Committee the proposed Antelope Valley Metrolink station at Hollywood Way and San Fernando Road and indicated this project has similar funding problems as the pedestrian bridge across Empire Avenue. Staff reported, however, the Cities of Los Angeles and Burbank have expressed interest in seeing that this project is completed, with the City of Los Angeles assuming a one-third role and the City of Burbank assuming a two-thirds role. Metro has advised Staff that every effort is being made for this station to be functionally available by November of 2016.

e. TNC Update

Staff distributed to the Committee copies of letters sent to Uber and Lyft regarding fines as a result of the enforcement by the Airport Police Department of the rules outlined in the Interim Access and Facilities Use Agreement. Staff reported the fines represent approximately a five-week period for a total of 66 violations, 47 for Uber totaling \$6,100 and 19 for Lyft for a total of \$2,200; Wingz had no violations. Staff noted the majority of the fines resulted from TNC drivers using incorrect locations instead of using the parking structure for passenger pickup.

Staff is currently working with Authority counsel to finalize the interim agreement into a permanent agreement, which will result in a "geo-fence" to enable the collection of a \$3 passenger drop-off fee and initiate reporting by the TNCs to the Authority on a monthly basis.

6. Other Legal, Government and Environmental Matters

This item was not discussed.

7. Closed Session

The meeting did not recess to closed session.

8. Adjournment

There being no further business, the meeting was adjourned at 11:58 a.m.

Subject to Approval

**MINUTES OF THE SPECIAL MEETING OF THE
LEGAL, GOVERNMENT AND ENVIRONMENTAL AFFAIRS COMMITTEE
BURBANK-GLENDALE-PASADENA AIRPORT AUTHORITY**

TUESDAY, JUNE 14, 2016

A special meeting of the Legal, Government and Environmental Affairs Committee was called to order this date in the Burbank Room of the Burbank-Glendale-Pasadena Airport Authority, 2627 Hollywood Way, at 9:05 a.m., Burbank, California, by Commissioner Wiggins.

AB 23 Disclosure: The board secretary announced that, as a result of the convening of this meeting of the Legal, Government and Environmental Affairs Committee, each Committee member is entitled to receive and shall be provided \$200.

ROLL CALL

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| Present: | Commissioners Wiggins, Quintero and Madison |
| Absent: | None |
| Also Present: | Staff: Dan Feger, Executive Director; John Hatanaka, Senior Deputy Executive Director (joined meeting at 11:21 a.m.); and Mark Hardyment, Director, Government and Environmental Affairs |
| | Airport Authority Counsel: Terence R. Boga of Richards, Watson & Gershon |
| | Marathon Communications, Inc.: Richard Lichtenstein, President, and James A. McDermott, Authority Consultant |
| 1. Approval of Agenda | There were no changes to the agenda. |
| 2. Public Comment | There were no public speakers. |
| 3. Items for Discussion | |
| a. Replacement Airline
Passenger Terminal:
Project Labor
Agreement | <p>Staff and Authority Counsel Boga discussed with the Committee a proposed project labor agreement for the replacement terminal project. Mr. Boga focused on the key points of the proposed agreement indicated on the term sheet which was included with the agenda material and answered various questions from the Committee.</p> <p>Regarding a hiring preference for veterans, the Committee concurred unanimously (3-0) to include a veteran's hiring preference in the agreement and that if a veteran resides within a resident ZIP code area, he/she would receive a</p> |

double hiring preference, for being an area resident as well as for his/her veteran status. Authority Counsel will follow up to confirm that this is legally possible.

The Committee also unanimously (3-0) agreed to include two tiers for the area resident definition: Tier One for the Cities of Burbank, Glendale and Pasadena and Tier Two for Los Angeles City Councilman Krekorian's district.

The Authority's Legal Counsel will incorporate the changes recommended by the Committee in the agreement and the revised agreement will be agendized for the Commission's review and consideration at its regularly scheduled June 20, 2016, meeting.

4. Adjournment

There being no further business, the meeting was adjourned at 9:19 a.m.