



May 14, 2020

**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 on Monday, May 18, 2020, at 9:30 a.m., or immediately following the Commission meeting, in the Burbank Room of Hollywood Burbank Airport, 2627 N. Hollywood Way, Burbank, California 91505.

Pursuant to Governor Newsom's Executive Order N-29-20, members of the Commission or staff may participate in this meeting via teleconference. In the interest of maintaining appropriate social distancing, members of the public may observe and participate in the meeting telephonically through the following number:

Dial In: (978) 990-5000

Access Code: 880737#

Terri Williams, Board Secretary
Burbank-Glendale-Pasadena Airport Authority

REGULAR MEETING
OF THE
LEGAL, GOVERNMENT AND ENVIRONMENTAL AFFAIRS COMMITTEE

Burbank Room
Monday, May 18, 2020
9:30 a.m., or Immediately Following
the Conclusion of the
Commission Meeting

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



The public comment period is the opportunity for members of the public to address the Committee on agenda items and on airport-related non-agenda matters that are within the Committee's subject matter jurisdiction. At the discretion of the presiding officer, public comment on an agenda item may be presented when that item is reached.

Members of the public are requested to observe the following decorum when attending or participating in meetings of the Committee:

- *Turn off cellular telephones and pagers.*
- *Refrain from disorderly or boisterous conduct, including loud, threatening, profane, or abusive language, clapping, whistling, stamping, or other acts that disrupt or otherwise render unfeasible the orderly conduct of the meeting.*
- *If you desire to address the Committee during the public comment period, fill out a speaker request card and present it to the Board Secretary.*
- *Confine remarks to agenda items or to airport-related non-agenda matters that are within the Committee's subject matter jurisdiction.*
- *Limit comments to five minutes or to such other period of time as may be specified by the presiding officer.*



The following activities are prohibited:

- *Allocation of speaker time to another person.*
- *Video presentations requiring use of Authority equipment.*



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



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.

A G E N D A

Monday, May 18, 2020

1. Approval of Agenda

2. Public Comment

3. Approval of Minutes

a. April 20, 2020

[See page 1]

4. Contracts and Leases

a. Award of Professional Services Agreement to Arnold and Associates
for Legislative Representation Services

- Staff report attached

[See page 3]

Staff seeks a Legal, Government and Environmental Affairs Committee recommendation to the Commission for award of a proposed new three-year professional services agreement to Arnold and Associates for continued legislative representation services in Sacramento. The proposed agreement will retain the current compensation rate of \$8,000 per month plus expenses.

5. Items for Information

a. Committee Pending Items

[See page 5]

6. Adjournment

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

MONDAY, APRIL 20, 2020

A regular meeting of the Legal, Government and Environmental Affairs Committee was called to order on this date in the Burbank Room, 2627 N. Hollywood Way, Burbank, California, at 10:02 a.m., by Chairman Wiggins.

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

ROLL CALL

Present:

Commissioners Agajanian and Wiggins
(via teleconference)

Absent:

Madison

Also Present:

Staff: Frank Miller, Executive Director;
Anthony Defrenza, Director of Engineering and
Maintenance; Mark Hardymont, Director of
Transportation and Environmental Programs

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

Airport Authority Environmental Counsel:
Norman A. Dupont, Esq., Ring Bender LLP
(via teleconference)

1. Approval of Agenda

The agenda was approved as presented.

2. Public Comment

There were no public speakers.

3. Approval of Minutes

a. March 16, 2020

Commissioner Agajanian (via teleconference)
moved approval of the minutes of the March 16,
2020 meeting, seconded by Commissioner Wiggins
(via teleconference).

There being no objection, a voice vote was
taken to accommodate those participating via
teleconference. The motion was approved
(2-0, 1 absent).

4. Contracts and Leases

a. Right of Entry and Access Agreement with Burbank Industrial Investors

Staff sought a recommendation from the Committee to the Commission for approval of a proposed second Right of Entry and Access Agreement with Burbank Industrial Investors, LP ("BII") to facilitate additional grading and drainage work on the Adjacent Property to protect the Avion Burbank site.

BII will be responsible for all costs associated with the surveying, grading, and pipe installation on the Adjacent Property.

Motion

Commissioner Agajanian (via teleconference) moved approval of Staff's recommendation, seconded by Commissioner Wiggins (via teleconference).

Motion Approved

There being no objection, a voice vote was taken to accommodate those participating via teleconference. The motion was approved (2-0, 1 absent).

5. Closed Session

The meeting recessed to closed session at 10:07 a.m. to consider the items listed on the closed session agenda and to confer with legal counsel regarding existing and potential litigation.

a. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Significant Exposure to Litigation (California Government Code Section 54956.9(d)(2)): One potential case. Facts and Circumstances: Environmental Protection Agency (EPA) Claim

The meeting reconvened to open session at 10:16 a.m. with the same Commissioners present. Chairman Wiggins (via teleconference) announced that there was no reportable action taken in closed session.

6. Items for Information

a. Committee Pending Items

This item was not discussed.

7. Adjournment

There being no further business, the meeting was adjourned at 10:16 a.m.

**STAFF REPORT PRESENTED TO THE
BURBANK-GLENDALE-PASADENA AIRPORT AUTHORITY
LEGAL, GOVERNMENT AND ENVIRONMENTAL AFFAIRS COMMITTEE
MAY 18, 2020**

**AWARD OF PROFESSIONAL SERVICES AGREEMENT TO
ARNOLD AND ASSOCIATES FOR
LEGISLATIVE REPRESENTATION SERVICES**

SUMMARY

Staff seeks a Legal, Government and Environmental Affairs Committee ("Committee") recommendation to the Commission for award of a proposed new three-year professional services agreement, copy attached, to Arnold and Associates ("Arnold") for continued legislative representation services in Sacramento. The proposed agreement will retain the current compensation rate of \$8,000 per month plus expenses.

BACKGROUND

Arnold has provided legislative representation services in Sacramento for the Authority since 2002. The two principals at Arnold are Michael Arnold and Kristian Foy, and they bring over 68 years of combined experience to their practice of representing local governments in Sacramento. The firm has additional staff and the ability to retain outside services if needed.

Staff has negotiated with Arnold a proposed new professional services agreement covering current services for a three-year term, and Arnold has proposed to continue the existing compensation rate (\$8,000 per month flat fee plus expenses) for the duration of the new contract. Monthly expenses, if any, have generally totaled between \$80 and \$90. The current agreement expires on June 30, 2020 and the proposed new agreement would be effective July 1, 2020, and would run through June 30, 2023, subject to termination for convenience by either party with a 15-day notice. A copy of Arnold's proposal and a copy of the new professional services agreement signed by Arnold are attached.

During the past six years, there has been increasing volume of proposed legislation affecting airports in the state as well as legislation which specifically involved the Hollywood Burbank Airport that has required activity and support by Arnold. Efforts by the California Airports Council ("CAC"), while effective, are required to be balanced for all of the group's members. In a number of situations, Arnold's immediate representation achieved positive results by ensuring that the Authority's unique concerns and needs were presented to the Legislature.

Arnold routinely helps identify proposed bills of interest to the Authority at the start of the legislative year and tracks proposed legislation throughout the process. Arnold periodically briefs the Committee and will assist the Authority's Director of Government Affairs with communications with members of state government, the CAC, and the legislative representatives of other airports and the aviation industry group Airlines for America. The firm's familiarity with state lawmakers, state staff, state agencies and other legislative representatives has permitted constructive involvement in numerous issues, including:

- Extension and amendment of the Customer Facility Charge (“CFC”) legislation, which provided flexibility for the permitted use of CFC revenue from rental car transactions used to finance bonds for construction of the Regional Intermodal Transportation Center;
- Reduction of CFC revenue auditing expense and oversight by the State Controller;
- Amendment of the proposed new countywide system for taxi regulation, which will ensure that the Authority retains the ability to regulate taxis at Hollywood Burbank Airport; and
- Amendment of the bill concerning airport facilities for nursing mothers to remove onerous provisions originally proposed in the measure and to provide flexibility to facilitate compliance.

In addition, Arnold has been a consistent voice for the Authority when bills affecting joint powers agencies are introduced, ensuring there is no adverse impact on the Authority. Arnold also works in tandem with the CAC to promote a broad-based aviation presence in the Capitol.

FUNDING

Subject to the approval of the Commission, the proposed FY 2020/2021 budget includes an appropriation covering the expense for this line item. If the proposed agreement is approved, funding for the second and third years of the agreement will be requested in subsequent budgets.

STAFF RECOMMENDATION

Staff recommends that the Committee recommend to the Commission award of a three-year professional services agreement to Arnold for legislative representation services in Sacramento.

**BURBANK-GLENDALE-PASADENA AIRPORT AUTHORITY
LEGAL, GOVERNMENT AND ENVIRONMENTAL AFFAIRS COMMITTEE
MAY 18, 2020**

COMMITTEE PENDING ITEMS

Future

1. Award of Contract – Task Force Public Outreach Support
2. Award of Contract - Supplemental Ground Water PFAS Work Plan