



April 1, 2021

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

NOTICE is hereby given that the regular meeting of the Legal, Government and Environmental Affairs Committee will be held Monday, April 5, 2021, 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: (701) 802-5334

Access Code 2451017

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

REGULAR MEETING
OF THE
LEGAL, GOVERNMENT AND ENVIRONMENTAL AFFAIRS COMMITTEE

Burbank Room
Monday, April 5, 2021
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, April 5, 2021

1. Roll Call
2. Staff Announcement: AB 23
3. Approval of Agenda
4. Public Comment
(For items not on the Agenda. Public Comment on specific Agenda items will be received at the time the item is presented.)
5. Approval of Minutes
 - a. March 15, 2021 **[See page 1]**
6. Contracts and Leases
 - a. Approval of Professional Services Agreement Extension **[See page 3]**
RS&H California, Inc.

Staff seeks a recommendation from the Legal, Government and Environmental Affairs Committee to the Commission to approve a Second Amendment to the Professional Services Agreement ("Agreement"), with RS&H California, Inc. that extends the term of the Agreement for a period of six months to complete the preparation of an Environmental Impact Statement for the Replacement Passenger Terminal project.
7. Closed Session
 - a. Conference with Real Property Negotiators
(California Government Code Section 54956.8)

Property: Bob Hope Airport Leaseholds
Authority Negotiator: Executive Director
Negotiating Party: Delux Public Charter LLC
Under Negotiation: Price and Terms of Payment
8. Items for Information
 - a. Committee Pending Items **[See page 7]**
9. Adjournment

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

MONDAY, MARCH 15, 2021

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 12:07 a.m., by Commissioner Wiggins.

1. ROLL CALL

Present: Commissioners Wiggins, Agajanian (via teleconference) and Madison (arrived at 12:09 p.m., via teleconference)

Absent: None

Also Present: Frank Miller, Executive Director; Pamela Marcello, Senior Director, Government and Public Affairs

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

2. Staff Announcement: AB 23

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.

3. Approval of Agenda

The agenda was approved as presented.

4. Public Comment

There were no public speakers.

5. Approval of Minutes

a. February 16, 2021

Commissioner Agajanian (via teleconference) moved approval of the minutes of the February 16, 2021, special meeting seconded by Commissioner Madison (via teleconference). There being no objection, a voice vote was taken to accommodate those participating via teleconference. The motion was approved (3-0).

6. Contracts and Leases

a. Annual Review and Adjustment of Noise Violation Fines

The Airport Authority's Resolution No. 382 requires an annual review and adjustment of noise violation fines. This adjustment is based on year-over-year increases in the Consumer Price Index ("CPI") each February. The January 2021 CPI for All Urban Consumers in

the Los Angeles, Long Beach and Anaheim area increased approximately 0.87% when compared to the January 2020 index.

Accordingly, Staff recommended that the Committee recommend to the full Commission increases to the current Rules 8 and 9 noise violation fines by 0.87% effective April 1, 2021, as follows: Rule 8, first violation, increased to \$1,617; Rule 8, subsequent violations, increased to \$2,348; and Rule 9, each violation, increased to \$4,702.

Motion

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

Motion Approved

There being no objection, a voice vote was taken to accommodate those participating via teleconference. The motion was approved (3-0).

b. Proposed Transmittal to California Citizens Redistricting Commission

Staff presented a report and a proposed draft letter for Committee consideration and recommendation to the Commission, requesting that the California Citizens Redistricting Commission refrain from placing the Airport in a new Congressional State electoral district.

Motion

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

Motion Approved

There being no objection, a voice vote was taken to accommodate those participating via teleconference. The motion was approved (3-0).

7. Adjournment

There being no further business, the meeting was adjourned at 12:12 p.m.

**STAFF REPORT PRESENTED TO THE
BURBANK-GLENDALE-PASADENA AIRPORT AUTHORITY
LEGAL, GOVERNMENT AND ENVIRONMENTAL AFFAIRS COMMITTEE
APRIL 5, 2021**

**APPROVAL OF PROFESSIONAL SERVICES AGREEMENT EXTENSION
RS&H CALIFORNIA, INC.**

Presented by Patrick Lammerding
Deputy Executive Director, Planning and Development

SUMMARY

Staff seeks a recommendation from the Legal, Government and Environmental Affairs Committee ("Committee") to the Commission to approve a Second Amendment to the Professional Services Agreement ("Agreement"), copy attached, with RS&H California, Inc. ("RS&H") that extends the term of the Agreement for a period of six months to complete the preparation of an Environmental Impact Statement ("EIS") for the Replacement Passenger Terminal project.

BACKGROUND

RS&H was selected by the Federal Aviation Administration ("FAA") to prepare an EIS for the Replacement Passenger Terminal project at Hollywood Burbank Airport ("Airport") and was awarded an Agreement by the Commission for these services on April 16, 2018.

Pursuant to the National Environmental Policy Act ("NEPA"), completion of an EIS is a prerequisite for the development and construction of the project. As the lead federal agency on the project, the FAA is responsible for compliance with NEPA and the associated regulations. As the Airport Sponsor, the Authority is responsible for retention of an FAA-selected contractor to prepare the EIS.

After commencement of services, FAA determined that additional fieldwork in the northwest quadrant of the Airport was necessary. This additional scope of services was awarded to RS&H under a First Amendment to the Agreement on December 10, 2018.

The proposed Second Amendment is only for an extension of time and does not include an increase in compensation. This additional time in the project schedule comes at the FAA's request to allow the FAA and RS&H to complete project close-out activities. The proposed Second Amendment will extend the expiration date of the contract from April 30, 2021, to October 31, 2021.

FUNDING

No additional funds are being requested under the proposed Second Amendment. The funding sources for the EIS are through an Airport Improvement Program grant in the amount of \$2,417,700 received in Federal Fiscal Year 2017 with the local required matching funds in the amount of \$582,300 provided through an already approved PFC application.

STAFF RECOMMENDATIONS

Staff seeks the Committee's recommendation to the Commission to approve the proposed Second Amendment with RS&H for an additional six months to complete the EIS and to authorize the Authority President to execute the same.

**AMENDMENT NO. 2 TO
PROFESSIONAL SERVICES AGREEMENT**
(Burbank-Glendale-Pasadena Airport Authority / RS&H California, Inc.)

This Amendment No. 2 ("Second Amendment") to the April 16, 2018 Professional Services Agreement ("Agreement") executed by the Burbank-Glendale-Pasadena Airport Authority ("Authority"), a California joint powers agency, and RS&H California, Inc. ("Consultant"), a California corporation, is dated April 5, 2021 for reference purposes.

RECITALS

A. The parties executed the Agreement to provide for the Authority's engagement of Consultant as an independent contractor to assist the Federal Aviation Administration ("FAA") in preparing an environmental impact statement ("EIS") for a replacement 14-gate passenger terminal building (no more than 355,000 square feet), aircraft parking apron and connector taxiways, and ground access and automobile parking facility.

B. The FAA has directed Consultant to perform additional tasks and approved additional compensation for Consultant, and Consultant has completed such work.

C. The parties executed a December 10, 2018 Amendment No. 1 ("First Amendment") to the Agreement to memorialize the expanded scope of services and compensation increase specified by the FAA.

D. The parties desire to amend the Agreement to extend the term by six months to accommodate project close-out activities.

NOW, THEREFORE, the parties agree as follows:

1. **Amendment of Section 1.** Paragraph E of Section 1 ("Definitions") of the Agreement is amended to read as follows:

"E. "Expiration Date": October 31, 2021."

2. **Effective Date.** This Second Amendment shall be effective upon execution.

3. **Preservation of Agreement.** Except as expressly modified by this Second Amendment, all of the provisions of the Agreement (as amended by the First Amendment) shall remain unaltered and in full force and effect. In the event of a conflict between the provisions of this Second Amendment and the provisions of the Agreement (as amended by the First Amendment), the provisions of this Second Amendment shall control.

[CONTINUED ON FOLLOWING PAGE]

TO EFFECTUATE THIS SECOND AMENDMENT, the parties have caused their duly authorized representatives to execute this Second Amendment by signing below.

RS&H California, Inc.

 _____ <input type="checkbox"/> Chairperson <input checked="" type="checkbox"/> President <input type="checkbox"/> Vice President	 _____ <input type="checkbox"/> Secretary <input checked="" type="checkbox"/> Asst. Secretary <input type="checkbox"/> Chief Finance Officer <input type="checkbox"/> Asst. Treasurer
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[Pursuant to California Corporations Code Section 313, both signature lines must be executed unless the signatory holds at least one of the offices designated on each line.]

Burbank-Glendale-Pasadena Airport Authority

Ross Selvidge, Ph.D., President

Approved as to form:

Richards, Watson & Gershon
A Professional Corporation

**BURBANK-GLENDALE-PASADENA AIRPORT AUTHORITY
LEGAL, GOVERNMENT AND ENVIRONMENTAL AFFAIRS COMMITTEE
APRIL 5, 2021**

COMMITTEE PENDING ITEMS

Future

1. Adoption of proposed Automated License Plate Recognition (“ALPR”) policy