



April 14, 2022

CALL AND NOTICE OF A REGULAR MEETING
OF THE
BURBANK-GLENDALE-PASADENA AIRPORT AUTHORITY

NOTICE is hereby given that a regular meeting of the Burbank-Glendale-Pasadena Airport Authority will be held on Monday, April 18, 2022, at 9:00 a.m., in the Airport Skyroom of Hollywood Burbank Airport, 2627 N. Hollywood Way, Burbank, California 91505.

Pursuant to Government Code Section 54953(e), members of the Commission may participate in this meeting via teleconference. In the interest of maintaining appropriate social distancing, a physical location is not being provided for the public to attend or comment. Members of the public may observe the meeting telephonically and may offer comment in real time through the following number:

Dial In: (818) 862-3332

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

BURBANK-GLENDALE-PASADENA AIRPORT AUTHORITY

Airport Skyroom

Regular Meeting of Monday, April 18, 2022

9:00 A.M.

The public comment period is the opportunity for members of the public to address the Commission on agenda items and on airport-related non-agenda matters that are within the Commission'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.



When in-person attendance or participation at meetings of the Commission is allowed, members of the public are requested to observe the following rules of decorum:

- *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 Commission 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 Commission'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 Commission 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.

AGENDA

Monday, April 18, 2022

1. ROLL CALL
2. PLEDGE OF ALLEGIANCE
3. APPROVAL OF AGENDA
4. PUBLIC COMMENT
5. CONSENT CALENDAR
 - a. Committee Minutes
(For Note and File)
 - 1) Finance and Administration Committee
 - (i) March 21, 2022 **[See page 1]**
 - 2) Legal, Government and Environmental Affairs Committee
 - (i) March 21, 2022 **[See page 4]**
 - b. Commission Minutes
(For Approval)
 - 1) April 4, 2022 **[See page 6]**
6. ITEMS FOR COMMISSION APPROVAL
 - a. Amendment No. 1 to Aviation Hangar Leases
Netflix, Inc. **[See page 12]**
 - b. Determinations Regarding Return to In-Person Meetings
and AB 361 Findings for Special Brown Act Requirements
for Teleconference Meetings **[See page 16]**
7. ITEMS FOR COMMISSION INFORMATION
 - a. Commemoration – Dan Dittman – 50 Years of Service
 - b. February 2022 Passenger and Air Cargo Statistics **[See page 18]**
 - c. February 2022 Ground Transportation Statistics
 - d. February 2022 Parking Revenue Statistics

8. CLOSED SESSION

a. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

(California Government Code Section 54956.9(d)(1))

Name of Case: City of Los Angeles v. FAA et al. (Case No. 21-71170)

Name of Case: Burbank-Glendale-Pasadena Airport Authority v. California High Speed Rail Authority (Case No. 34-2022-80003821)

b. CONFERENCE WITH LEGAL COUNSEL – INITIATION OF LITIGATION

(California Government Code Section 54956.9(d)(4)): 1 potential case

9. EXECUTIVE DIRECTOR COMMENTS

10. COMMISSIONER COMMENTS

(Commissioners may make a brief announcement, make a brief report on their activities, and request an agenda item for a future meeting.)

11. ADJOURNMENT

COMMISSION NEWSLETTER

Monday, April 18, 2022

[Regarding agenda items]

5. CONSENT CALENDAR

(Consent Calendar items may be enacted by one motion. There will be no separate discussion on these items unless a Commissioner so requests, in which event the item will be removed from the Consent Calendar and considered in its normal sequence on the agenda.)

- a. COMMITTEE MINUTES. Approved minutes of the Finance and Administration Committee meeting of March 21, 2022; and approved minutes of the Legal, Government and Environmental Affairs Committee meeting of March 21, 2022, are included in the agenda packet for information purposes.
- b. COMMISSION MINUTES. Draft minutes of the April 4, 2022, Commission meeting are attached for the Commission's review and approval.

6. ITEMS FOR COMMISSION APPROVAL

- a. AMENDMENT NO. 1 TO AVIATION HANGAR LEASES – NETFLIX, INC. A staff report is included in the agenda packet. At its meeting on April 4, 2022, the Finance and Administration Committee voted unanimously (3–0) to recommend that the Commission approve Amendment No. 1 to two Aviation Hangar Leases (“Leases”) with Netflix, Inc. (“Netflix”) to memorialize extension of the term of each for an additional five years to April 30, 2027. Netflix has separate Leases for Hangar 39 and Hangar 43.
- b. DETERMINATIONS REGARDING RETURN TO IN-PERSON MEETINGS AND AB 361 FINDINGS FOR SPECIAL BROWN ACT REQUIREMENTS FOR TELECONFERENCE MEETINGS. A staff report is included in the agenda packet. Staff has placed this item on the agenda to give the Commission an opportunity to provide direction on the return to in-person Commission and standing Committee meetings at the Airport, and to make the findings specified in AB 361 (2021) for special Brown Act requirements for teleconference meetings.

7. ITEMS FOR COMMISSION INFORMATION

- a. COMMEMORATION – DAN DITTMAN – 50 YEARS OF SERVICE. No staff report attached. Over the past fifty years, Mr. Dittman has served in various capacities at the Airport such as Parking Manager, Key Master and now as Construction Coordinator. In commemoration of his fifty years of dedicated and loyal service to Hollywood Burbank Airport, staff has a presentation for Mr. Dittman to celebrate this momentous occasion.
- b. FEBRUARY 2022 PASSENGER AND AIR CARGO STATISTICS. A staff report is included in the agenda packet. The February 2022 passenger count of 371,889 was down 19% compared to February 2020's 456,545 passengers. Also compared

to February 2020, air carrier aircraft operations in February 2022 decreased 10%, while cargo volume was down 7%, at 7.7 million pounds.

- c. FEBRUARY 2022 GROUND TRANSPORTATION STATISTICS. No staff report attached. Staff has updated the monthly activity report to include the three modes of ground transportation, Transportation Network Companies, Metro Micro On-Demand Ride Share, and Taxis servicing the Airport. Staff will update the Commission on the activities of these services for the month of February 2022.
- d. FEBRUARY 2022 PARKING REVENUE STATISTICS. No staff report attached. Staff will present parking revenue data for the month of February 2022.

**MINUTES OF THE REGULAR MEETING OF THE
FINANCE AND ADMINISTRATION COMMITTEE
BURBANK-GLENDALE-PASADENA AIRPORT AUTHORITY**

MONDAY, MARCH 21, 2022

A regular meeting of the Finance and Administration Committee was called to order this date in the Airport Skyroom, 2627 N. Hollywood Way, Burbank, California, at 11:45 a.m., by Commissioner Selvidge.

1. ROLL CALL

Present: Commissioners Selvidge (via teleconference), Najarian (via teleconference), Ovrom

Absent: None

Also Present: Staff: John Hatanaka, Senior Deputy Executive Director; Kathy David, Deputy Executive Director, Finance and Administration; David Kwon, Director, Financial Services

Also present:
James Wilkinson, Columbia Threadneedle Investments (via teleconference); John Dempsey, Columbia Threadneedle Investments (via teleconference)

2. Staff Announcement: AB 23

The Senior Deputy Executive Director announced that, as a result of the convening of this meeting of the Finance and Administration Committee, each Committee member in attendance is entitled to receive and shall be provided \$200.

Commissioner Selvidge announced that Item No. 8.a. CTI Quarterly Investment Portfolio Review would be taken after Item No. 5.a.

3. Approval of Agenda

Agenda was approved as presented.

Motion

Commissioner Ovrom moved approval of the minutes, seconded by Commissioner Najarian.

Motion Approved

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

4. Public Comment

There were no public comments.

5. Approval of Minutes

a. February 22, 2022

Draft minutes for the February 22, 2022, Finance and Administration Committee special meeting were presented for approval.

Motion

Commissioner Ovrom moved approval of the minutes, seconded by Commissioner Najarian.

Motion Approved

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

8. Items for Discussion

a. CTI Quarterly Investment Review October 1, 2021 – December 2021

Staff introduced James Wilkinson of Columbia Threadneedle Investments, the Authority's investment advisor, who participated via teleconference.

Mr. Wilkinson and his colleague, John Dempsey, presented an update on the status of the Authority's Operating and Passenger Facility Charge Quarterly Investment Portfolio reports ended December 31, 2021.

6. Treasurer's Report

a. January 2022

A copy of the Treasurer's Report for January 2022 was included in the agenda packet for the Committee's review.

Motion

Commissioner Ovrom moved approval; seconded by Commissioner Najarian.

Motion Approved

There being no objection a voice vote was taken to accommodate those participating via teleconference. The motion was approved (3–0) that it be forwarded to the Commission for note and file.

7. Items for Approval

a. Award of Professional Services Agreement - External Auditing Services

Staff sought Committee recommendation to the Commission for approval of an Award of Professional Services Agreement for External Auditing Services with Macias Gini & O'Connell LLP ("MGO"). The award will be in a not-to-exceed amount of \$595,896 for external auditing services for the fiscal years ("FY") 2022 – FY 2024 with two one-year options for FY 2025 and FY 2026. The contract will have a not-to-exceed amount of \$340,027 for the three-year

base period, and not-to-exceed amounts of \$124,908 and \$130,934 for each option period, respectively.

Motion

Commissioner Ovrom moved approval; seconded by Commissioner Najarian.

Motion Approved

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

8. Items for Discussion (continued)

b. Fiscal Year 2022/2023 (“FY 2023”) Budget Development

Staff presented and discussed with the Committee the significant and noteworthy issues with developing the FY 2023 budget.

c. Replacement Passenger Terminal Financing Update

Staff updated the Committee on matters involving the financing of the Replacement Passenger Terminal project.

Commissioner Ovrom inquired about the possibility of Staff producing a Community Newsletter to keep the public updated on matters involving the Replacement Passenger Terminal Project. Staff will forward the suggestion to the Legal Committee.

9. Items for Information

a. Committee Pending Items

Staff informed the Committee of future pending items that will come to the Committee for review.

10. Adjournment

There being no further business to discuss, the meeting was adjourned at 1:10 p.m.

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

MONDAY, MARCH 21, 2022

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 11:42 a.m., by Commissioner Agajanian.

1. ROLL CALL

Present: Commissioners Agajanian (via teleconference), Williams and Gabel-Luddy

Absent: None

Also Present: Staff: Frank Miller, Executive Director; Patrick Lammerding, Deputy Executive Director, Planning and Development; Maggie Martinez, Director, Noise and Environmental Affairs

Authority Counsel: Terence R. Boga of Richards, Watson & Gershon and Tom Ryan of McDermott, Will & Emery

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

Commissioner Williams moved approval of the agenda, seconded by Commissioner Gabel-Luddy. There being no objection, the motion was approved (3-0).

4. Public Comment

There were no public comments.

5. Approval of Minutes

a. February 22, 2022

Commissioner Williams moved approval of the minutes of the February 22, 2022 special meeting, seconded by Commissioner Gabel-Luddy. There being no objection, a voice vote was taken to accommodate the Commissioner participating via teleconference. The motion was approved (3-0).

6. Items for Approval

a. Annual Noise CPI Adjustment

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 January. The January 2022 CPI for All Urban Consumers in the Los Angeles, Long Beach and Anaheim area increased approximately 7.5% when compared to the January 2021 index.

Accordingly, Staff recommended that the Committee recommend to the full Commission increases to the current Rules 8 and 9 noise violation fines by 7.5% effective April 1, 2022, as follows: Rule 8, first violation, increased to \$1,738; Rule 8, subsequent violations, increased to \$2,524; and Rule 9, each violation, increased to \$5,055.

Motion

Commissioner Gabel-Luddy moved approval of Staff's recommendation with the stipulation that the Committee continues to look for areas where noise violation fines can be increased commensurate with the value and cost of plane operations. Commissioner Williams seconded the motion.

Motion Approved

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

7. Items for Information

a. Committee Pending Items

Staff requested Item No. 7., Items for Information be addressed later due to time constraints for Authority Counsel.

8. Closed Session

The meeting recessed to closed session at 11:49 a.m. to consider the items listed on the closed session agenda, and to confer with legal counsel.

a. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION (California Government Code Section 54956.9(d)(1)) Name of Case: City of Los Angeles v. FAA et al. (Case No. 21-71170)

The meeting reconvened to open session at 11:55 a.m. with all three Commissioners present. No reportable action was taken on the presented item.

9. Adjournment

There being no further business, the meeting was adjourned at 11:57 a.m.

**MINUTES OF THE REGULAR MEETING OF THE
BURBANK-GLENDALE-PASADENA AIRPORT AUTHORITY**

MONDAY, APRIL 4, 2022

A regular meeting of the Burbank-Glendale-Pasadena Airport Authority was called to order this date in the Airport Skyroom, 2627 N. Hollywood Way, Burbank, California, at 9:00 a.m., by Commissioner Devine.

1. ROLL CALL

Present: Commissioners Devine (via teleconference), Agajanian (via teleconference), Gabel-Luddy, Najarian (via teleconference), Selvidge (via teleconference), Ovrom, Williams, Hampton (via teleconference)(arrived 9:04 a.m.), Dyson

Absent: NONE

Also Present: Staff: Frank Miller, Executive Director; John Hatanaka, Senior Deputy Executive Director; Stephanie Griffin, Counsel, TBI Airport Management (via teleconference); David Kwon, Director, Financial Services, Edward B. Skvarna, Chief of Police, Director of Public Safety; Tom Lenahan, Fire Chief; Lewis Pianka, Assistant Fire Chief; Maggie Martinez, Director Noise and Environmental Affairs;

2. PLEDGE OF ALLEGIANCE

Commissioner Williams led the Pledge of Allegiance.

3. APPROVAL OF AGENDA

The agenda was approved as presented.

Commissioner Agajanian moved approval of the agenda; seconded by Commissioner Gabel-Luddy

AYES: Commissioners Devine (via teleconference), Gabel-Luddy, Williams; Agajanian (via teleconference), Hampton (via teleconference) Najarian (via teleconference), Selvidge (via teleconference), Ovrom, Dyson

NOES: NONE

ABSENT: NONE

Staff requested that Item Nos. 8.a. and 8.b. be taken out of order and presented before Item No. 4. Commissioner Devine concurred.

8. ITEMS FOR COMMISSION INFORMATION

(These items were taken out of order)

**b. Airport Fire Department
Firefighter of the Year**

Fire Chief Lenahan and Assistant Fire Chief Lewis Pianka introduced Captain Marco Domingo as Firefighter of the Year.

Captain Domingo is a 22-year veteran with the Airport Fire Department with a total of 27 years as a firefighter.

**a. Airport Police Department
Officer of the Year**

Chief Ed Skvarna introduced two recipients for Officer of the Year, Sergeant Bret Axton, and Officer Keith Soboleski.

Sergeant Axton has been with the Airport Police Department for 6 years, after serving the California Highway Patrol for 26 years.

Officer Soboleski has been with the Airport Police Department for two years, after serving the City of Glendale Police Department for 34 years.

7. ITEMS FOR COMMISSION DISCUSSION

**a. Presentation – Southwest
Airlines – Mr. Steve Sisneros,
Vice President, Airport Affairs**

Steve Sisneros, Vice President, Airport Affairs for Southwest Airlines made comments and answered questions of the Commission. Mr. Sisneros spoke of Southwest Airlines' support of the Replacement Passenger Terminal project and desire to move it forward. He expressed appreciation for the positive support given to Southwest Airlines by Hollywood Burbank Airport in serving the travel needs of the community during the pandemic.

4. PUBLIC COMMENT

There were no public comments.

5. CONSENT CALENDAR

a. Committee Minutes (For Note and File)

1) Operations and Development Committee

(i) February 7, 2022

Approved minutes of the February 7, 2022, Operations and Development Committee meeting were included in the agenda packet for information purposes.

2) Finance and Administration Committee

(i) February 22, 2022

Approved minutes of the February 22, 2022, Finance and Administration Committee special meeting were

included in the agenda packet for information purposes.

3) Legal, Government and Environmental Affairs Committee

- (i) **February 22, 2022** Approved minutes of the February 22, 2022, Legal, Government and Environmental Affairs Committee special meeting were included in the agenda packet for information purposes.

b. Commission Minutes (For Approval)

- 1) **March 21, 2022** A copy of the draft minutes of the March 21, 2022, meeting were included in the agenda packet for review and approval.

c. Treasurer's Report

- 1) **January 2022** At its meeting on March 21, 2022, the Finance and Administration Committee reviewed the December 2021 Treasurer's Report and voted unanimously (3-0) to accept the report and recommend to the Commission for note and file.

d. Salary Memorandum No. 5 for Amended and Restated Employment Agreement With Director of Public Safety/Chief of Police

Included in the agenda package was a Salary Memorandum No. 5 for Amended and Restated Employment Agreement with Director of Public Safety/Chief of Police. This item provides a 6% salary increase (retroactive to April 1, 2022) resulting in a base salary increase of \$203,257.51.

MOTION

Commissioner Ovrom moved approval of the Consent Calendar; seconded by Commissioner Hampton.

MOTION APPROVED

There being no objection, a voice vote was taken to accommodate those participating via teleconference. The motion was approved (9-0).

AYES: Commissioners Devine (via teleconference), Gabel-Luddy, Williams; Agajanian (via teleconference), Hampton (via teleconference) Najarian (via teleconference), Selvidge (via teleconference), Ovrom, Dyson

NOES: NONE

ABSENT: NONE

6. ITEMS FOR COMMISSION APPROVAL

a. TBI Airport Management Cost Reimbursement

At its special meeting on February 22, 2022, the Legal, Government and Environmental Affairs Committee voted unanimously (3–0) to recommend that the Commission approve this item.

TBI Airport Management, Inc. (“TBI”) General Counsel, via teleconference, sought approval from the Commission for reimbursement of 50% of wage and payroll costs paid in connection with a litigation settlement paid by TBI involving employees of Hollywood Burbank Airport.

MOTION

Commissioner Gabel-Luddy moved approval; seconded by Commissioner Agajanian.

MOTION APPROVED

A voice vote was taken to accommodate those participating via teleconference. The motion was approved (9–0).

AYES: Commissioners Devine (via teleconference), Gabel-Luddy, Williams; Agajanian (via teleconference), Hampton (via teleconference) Najarian (via teleconference), Selvidge (via teleconference), Ovrom, Dyson

NOES: NONE

ABSENT: NONE

b. Award of Professional Services Agreement – External Auditing Services

At its meeting on March 21, 2022, the Finance and Administration Committee voted unanimously (3–0) to recommend that the Commission approve to award a Professional Services Agreement to Macias, Gini & O’Connell in a not-to-exceed amount of \$595,869 for external auditing services for fiscal years (“FY”) 2022 through FY 2024 with two one-year option periods for FY 2025 and 2026. The contract will have a not-to-exceed amount of \$340,027 for the three-year base period, and not-to-exceed amounts of \$124,908 and \$1320,934 for each option period, respectively.

MOTION

Commissioner Ovrom moved approval; seconded by Commissioner Hampton.

MOTION APPROVED

A voice vote was taken to accommodate those participating via teleconference. The motion was approved (9–0).

AYES: Commissioners Devine (via teleconference), Gabel-Luddy, Williams; Agajanian (via tele-

conference), Hampton (via teleconference)
Najarian (via teleconference), Selvidge (via
teleconference), Ovrom, Dyson

NOES: NONE

ABSENT: NONE

**c. Annual Review and Adjustment of
Noise Violation Fines**

At its meeting on March 21, 2022, the Legal,
Government and Environmental Affairs Committee
voted unanimously (3–0) to recommend that the
Commission authorize an increase to the noise fines
associated with restricted operations as defined in
Airport Noise Rules 8 and 9 in accordance with the
annual adjustment of noise violation fees required by
Resolution No. 382.

Rule 8 prohibits activities between 10:00 p.m. and 7:00
a.m. The revised first-time fine is \$1,738 and the fine
for subsequent violations is \$2,524.

Rule 9 prohibits the operation of “noisy” aircraft
(determined pursuant to FAA classifications) between
10:00 p.m. and 7:00 a.m. The revised fine for each
violation is \$5,055.

MOTION

Commissioner Agajanian moved approval; seconded
by Commissioner Hampton.

MOTION APPROVED

A voice vote was taken to accommodate those
participating via teleconference. The motion was
approved (9–0).

AYES: Commissioners Devine (via teleconference),
Gabel-Luddy, Williams; Agajanian (via tele-
conference), Hampton (via teleconference)
Najarian (via teleconference), Selvidge (via
teleconference), Ovrom, Dyson

NOES: NONE

ABSENT: NONE

**9. EXECUTIVE DIRECTOR
COMMENTS**

The Executive Director updated the Commission on
the progress of hiring a new Program Manager at
AECOM, one of the consultants participating in the
Replacement Passenger Terminal Project. He will
continue to update the Commission on this subject
until the position is filled.

He also informed the Commission that Southwest
Airlines recently signed the Airport Use Agreement

making a total of five airlines in compliance. The deadline for signing is April 7, 2022.

**10. COMMISSIONER COMMENTS
(Commissioners may make a brief announcement, make a brief report on their activities, and request an agenda item for a future meeting)**

Commissioner Gabel-Luddy requested a refresher presentation on ANCA. Staff will schedule a presentation for a future meeting.

Commission Dyson thanked Staff for the tour of the Airport. He also requested a report on the interface between Metrolink and the Airport and how it could be improved.

Commissioner Ovrom inquired about the possibility of having a regular item on the agenda regarding the progress of the Replacement Passenger Terminal Project. He also asked if there was a particular person on the Staff who would be the contact regarding the Replacement Passenger Terminal. The Executive Director stated that there is a team of Executive Staff responsible for handling the day-to-day issues. The global aspects are handled by the Executive Director.

Commissioner Hampton expressed a preference for having local contractors and vendors doing business with the Airport.

11. ADJOURNMENT

There being no further business, the meeting was adjourned at 9:58 a.m.

Paula Devine, President

Felicia Williams, Secretary

Date

Date

**STAFF REPORT PRESENTED TO THE
BURBANK-GLENDALE-PASADENA AIRPORT AUTHORITY
APRIL 18, 2022**

**AMENDMENT NO. 1 TO AVIATION HANGAR LEASES
NETFLIX, INC.**

Presented by Scott Kimball
Deputy Executive Director, Operations, Business and SMS

SUMMARY

At its meeting on April 4, 2022, the Finance and Administration Committee (“Committee”) voted unanimously (3–0) to recommend that the Commission approve Amendment No. 1 (“Amendment”) to two Aviation Hangar Leases (“Leases”), copies attached, with Netflix, Inc. (“Netflix”) to memorialize extension of the term of each for an additional five years to April 30, 2027. Netflix has separate Leases for Hangar 39 and Hangar 43.

BACKGROUND

Netflix, a Delaware corporation headquartered in Los Gatos, California, is an entertainment company that specializes in and provides streaming media and video-on-demand through online services and DVD mailings.

On May 15, 2017, Netflix was granted a Lease for Hangar 43 for the purpose of storing its corporate aircraft. Since that time, Netflix has experienced a substantial growth in its business and purchased several new aircrafts for its corporate fleet. On February 4, 2019, Netflix entered into a Lease for Hangar 39 for the same purpose.

Both Leases originally had an April 30, 2022, expiration date. Under Section 2.2 of both Leases, Netflix has the option to extend the term for a five-year period by notifying the Authority in writing of its desire to exercise its extension option no later than 180 days prior to the expiration date.

On October 15, 2021, Netflix delivered its written notice to extend both Leases for an additional five years to April 30, 2027. The Amendments will memorialize Netflix’s exercise of its extension options. All other terms, conditions and rent fees remain unchanged.

Netflix is a tenant in good standing and has met all its obligations under the current Leases.

DETAILS

The key components of the two proposed Amendments to Leases are as follows:

Locations:	Hangar 39 and 43
Use:	Storage of general aviation aircraft
New Expiration Date:	April 30, 2027

Hangar 39 Space Rent:	\$460,461.94 per year
Hangar 43 Space Rent:	\$446,134.08 per year
Hangar 43 Office Space Rent:	\$195,348.67 per year
Adjustment:	Greater of 3% per year or 120% of CPI, not to exceed 6% annually
Termination:	Six months prior written notice to Tenant by Landlord
Others:	Tenant responsible for expenses related to occupancy including maintenance, utilities, share of property insurance and applicable taxes

IMPACT ON REVENUE

The proposed Amendments extend the term of both Leases for five years.

RECOMMENDATION

At its meeting on April 4, 2022, the Committee voted unanimously (3–0) to recommend that the Commission approve both Amendments to the Leases with Netflix and authorize the Authority President to execute same.

**FIRST AMENDMENT TO
AVIATION HANGAR LEASE**

(Netflix; Hangar 39)

This FIRST AMENDMENT TO AVIATION HANGAR LEASE (this "Amendment") is dated as of _____, 2022 and is entered into by and between the BURBANK- GLENDALE-PASADENA AIRPORT AUTHORITY, a public entity formed under a joint exercise of powers agreement among the Cities of Burbank, Glendale and Pasadena, California, pursuant to the California Joint Exercise of Powers Act ("Landlord"), and NETFLIX, INC., a Delaware corporation ("Tenant").

RECITALS

A. Landlord and Tenant entered into an Aviation Hangar Lease Agreement dated February 4, 2019 ("Agreement"), pursuant to which Tenant leased Hangar 39 at the Hollywood Burbank Airport ("Airport").

B. The Agreement expires on April 30, 2022.

C. Tenant exercised its option under Section 2.2 of the Agreement to extend the term to April 30, 2027 by written notice to Landlord dated October 15, 2021, and the parties desire to confirm that extension in this "Amendment".

THEREFORE, the parties hereto confirm/agree as follows:

1. Defined Terms. Unless this Amendment provides otherwise, capitalized terms used herein shall have the meanings set forth in the Agreement.
2. Extension of Term. The term of the Agreement has been extended to April 30, 2027.
3. Effect of Amendment. Except as expressly amended by this Amendment, the terms of the Lease shall remain in full force and effect.

IN WITNESS WHEREOF, this Amendment has been executed by the undersigned as of the date first written above.

LANDLORD:

BURBANK-GLENDALE-PASADENA
AIRPORT AUTHORITY


By: _____

Print Name: _____

Title: _____

TENANT:

NETFLIX, INC.

By:  _____

Print Name: Peter Murphy

Title: Manager, Real Estate Transactions

**FIRST AMENDMENT TO
AVIATION HANGAR LEASE**

(Netflix; Hangar 43)

This FIRST AMENDMENT TO AVIATION HANGAR LEASE (this "Amendment") is dated as of _____, 2022 and is entered into by and between the BURBANK-GLENDALE-PASADENA AIRPORT AUTHORITY, a public entity formed under a joint exercise of powers agreement among the Cities of Burbank, Glendale and Pasadena, California, pursuant to the California Joint Exercise of Powers Act ("Landlord"), and NETFLIX, INC., a Delaware corporation ("Tenant").

RECITALS

A. Landlord and Tenant entered into an Aviation Hangar Lease Agreement dated May 15, 2017 ("Agreement"), pursuant to which Tenant leased Hangar 43 at the Hollywood Burbank Airport ("Airport").

B. The Agreement expires on April 30, 2022.

C. Tenant exercised its option under Section 2.2 of the Agreement to extend the term to April 30, 2027 by written notice to Landlord dated October 15, 2021, and the parties desire to confirm that extension in this "Amendment".

THEREFORE, the parties hereto confirm/agree as follows:

1. **Defined Terms.** Unless this Amendment provides otherwise, capitalized terms used herein shall have the meanings set forth in the Agreement.
2. **Extension of Term.** The term of the Agreement has been extended to April 30, 2027.
3. **Effect of Amendment.** Except as expressly amended by this Amendment, the terms of the Lease shall remain in full force and effect.

IN WITNESS WHEREOF, this Amendment has been executed by the undersigned as of the date first written above.

LANDLORD:

BURBANK-GLENDALE-PASADENA
AIRPORT AUTHORITY

By: _____

Print Name: _____

Title:

TENANT:

NETFLIX, INC.

By: 

Print Name: Peter Murphy

Title: Manager, Real Estate Transactions

**STAFF REPORT PRESENTED TO THE
BURBANK-GLENDALE-PASADENA AIRPORT AUTHORITY
APRIL 18, 2022**

**DETERMINATIONS REGARDING RETURN TO IN-PERSON MEETINGS
AND AB 361 FINDINGS FOR SPECIAL BROWN ACT REQUIREMENTS
FOR TELECONFERENCE MEETINGS**

Prepared by Terence Boga
General Counsel

SUMMARY

Staff has placed this item on the agenda to give the Commission an opportunity to provide direction on the return to in-person Commission and standing Committee meetings at the Airport, and to make the findings specified in AB 361 (2021) for special Brown Act requirements for teleconference meetings.

BACKGROUND

Since the start of the COVID-19 pandemic and Governor Newsom's relaxation of Brown Act requirements, the Authority has followed the course of many other local public agencies and held teleconference meetings to promote social distancing and protect public safety. The Governor's executive orders allowed agencies to conduct teleconference meetings without having to provide a physical location from which the public may attend or comment, without having to use teleconference locations that are publicly accessible, and without having to identify teleconference locations on the agenda. Those executed orders expired on September 30, 2021, and teleconference meetings now are conducted pursuant to AB 361, which confers similar flexibility.

In order for a local public agency to be subject to the AB 361 special Brown Act requirements for teleconference meetings, the legislative body of the agency must make two findings. First, the legislative body must find that it has "reconsidered" the circumstances of a declared state of emergency. Second, the legislative body must find that such emergency continues to directly impact the ability of the legislative body's members to meet in person. Alternatively, for the second finding, the legislative body must find that state or local officials continue to impose or recommend social distancing measures. These findings must be made within 30 days after the legislative body teleconferences for the first time under AB 361 and every 30 days thereafter. The Commission last made these findings on March 21, 2022.

Governor Newsom is rolling back his COVID-19 executive orders in phases, but he has left his COVID-19 state of emergency declaration in effect. Furthermore, the State of California and the County of Los Angeles have recommended measures to promote social distancing. In particular, the California Division of Occupational Safety and Health still requires that employers provide training on the effectiveness of physical distancing in the workplace. Additionally, the Los Angeles County Department of Public Health continues to recommend

that employers take steps to reduce indoor crowding and to enable employees and visitors to physically distance from each other.

At this stage of the pandemic, some local public agencies in Los Angeles County have already returned to in-person meetings or intend to consider doing so in the near future. The legislative body of each agency has the discretion to make this decision based on that agency's particular circumstances. The teleconference meeting flexibility afforded by AB 361 is scheduled to remain in effect until January 1, 2024.

RECOMMENDATION

Staff recommends that the Commission provide direction on when the Authority will return to in-person Commission and standing Committee meetings at the Airport. Additionally, Staff recommends that the Commission determine whether to make the AB 361 findings for special Brown Act requirements for teleconference meetings. If the Commission desires that the Authority be able to utilize that statute's teleconference meeting flexibility for another 30 days, then the appropriate motion is:

"I move that the Commission make the following findings: (1) the Commission has reconsidered the circumstances of the COVID-19 state of emergency; and (2) state and local officials continue to recommend measures to promote social distancing."

Hollywood Burbank Airport

REVENUE PASSENGERS	February			January - February		
	2022	2020	% Change	2022	2020	% Change

Signatory Airlines						

Alaska Airlines	28,623	38,355	-25.37%	55,697	78,192	-28.77%
American Airlines	21,021	31,179	-32.58%	44,698	63,715	-29.85%
Avelo Airlines	25,641	0	N/A	48,937	0	N/A
Delta Airlines	12,501	19,968	-37.39%	24,768	41,595	-40.45%
Flair Airlines	373	0	N/A	767	0	N/A
Frontier Airlines	9,178	0	N/A	17,834	0	N/A
JetBlue Airways	9,839	20,002	-50.81%	16,273	38,608	-57.85%
Southwest Airlines	247,875	312,038	-20.56%	448,163	642,479	-30.24%
Spirit Airlines	5,595	9,717	-42.42%	12,652	19,832	-36.20%
United Airlines	11,243	25,286	-55.54%	20,293	53,000	-61.71%

Total Revenue Passengers	371,889	456,545	-18.54%	690,082	937,421	-26.39%
=====						
Inbound (deplaned)	185,983	228,595	-18.64%	344,719	467,645	-26.29%
Outbound (enplaned)	185,906	227,950	-18.44%	345,363	469,776	-26.48%

AIRCRAFT OPERATIONS	February			January - February		
	2022	2020	% Change	2022	2020	% Change

Landings & Takeoffs						
Air Carrier	4,793	5,319	-9.89%	9,782	10,550	-7.28%
Air Taxi	1,774	2,009	-11.70%	3,423	4,041	-15.29%
General Aviation	2,212	2,642	-16.28%	4,325	5,084	-14.93%
Military Itinerant	14	54	-74.07%	59	85	-30.59%
Subtotal	8,793	10,024	-12.28%	17,589	19,760	-10.99%

Pass Through BUR Airspace						
Civil Local	1,956	1,963	-0.36%	4,467	4,020	11.12%
Military Local	0	0	N/A	0	0	N/A
Subtotal	1,956	1,963	-0.36%	4,467	4,020	11.12%
=====						
Total Aircraft Operations	10,749	11,987	-10.33%	22,056	23,780	-7.25%

Air Carrier: Scheduled commercial air carrier operations; including cargo operators

Air Taxi: Smaller aviation operators such as charters, commuter carriers or on-demand operators

General Aviation: Civil aviation operations for personal use

Military Itinerant: Military aviation activities

Civil Local: Civil aviation operations that pass through BUR airspace monitored by FAA ATCT at BUR.

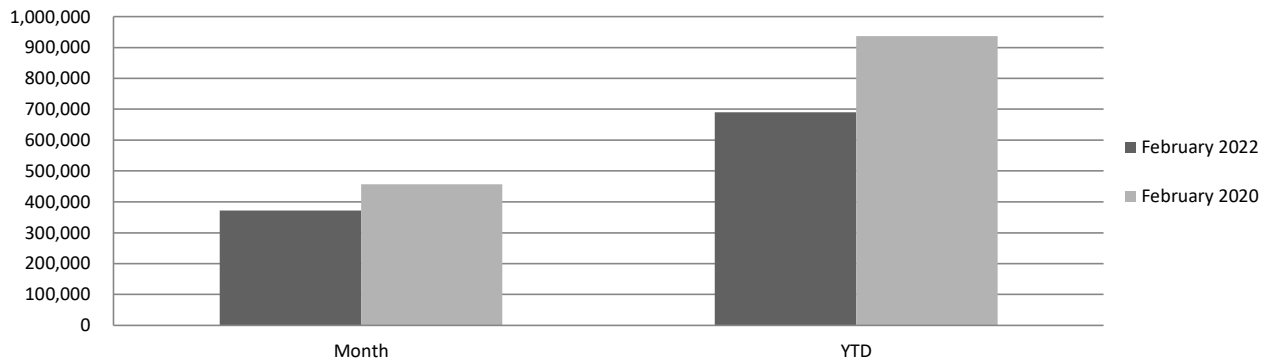
Military Local: Military aviation operations that pass through BUR airspace monitored by FAA ATCT at BUR

Hollywood Burbank Airport

AIR CARGO (lbs.)	February			January - February		
	2022	2020	% Change	2022	2020	% Change
Signatory Airlines						
Alaska Airlines	1,046	137	663.50%	1,828	689	165.31%
American Airlines	100	0	N/A	310	18	1622.22%
Avelo Airlines						
Delta Airlines						
Flair Airlines						
Frontier Airlines						
JetBlue Airways						
Southwest Airlines	281,921	170,456	65.39%	545,415	358,019	52.34%
Spirit Airlines						
United Airlines	0	69	-100.00%	0	1,075	-100.00%
Other Scheduled Carriers						
Federal Express	3,530,886	3,914,026	-9.79%	6,850,772	7,676,676	-10.76%
United Parcel Service	3,673,190	3,915,456	-6.19%	7,538,705	8,528,755	-11.61%
Charter/Contract Carriers						
Ameriflight	164,621	223,442	-26.32%	330,565	480,955	-31.27%
Total Air Cargo	7,651,764	8,223,586	-6.95%	15,267,595	17,046,187	-10.43%
Inbound (deplaned)	3,729,481	4,278,616	-12.83%	7,634,201	9,039,085	-15.54%
Outbound (enplaned)	3,922,283	3,944,970	-0.58%	7,633,394	8,007,102	-4.67%

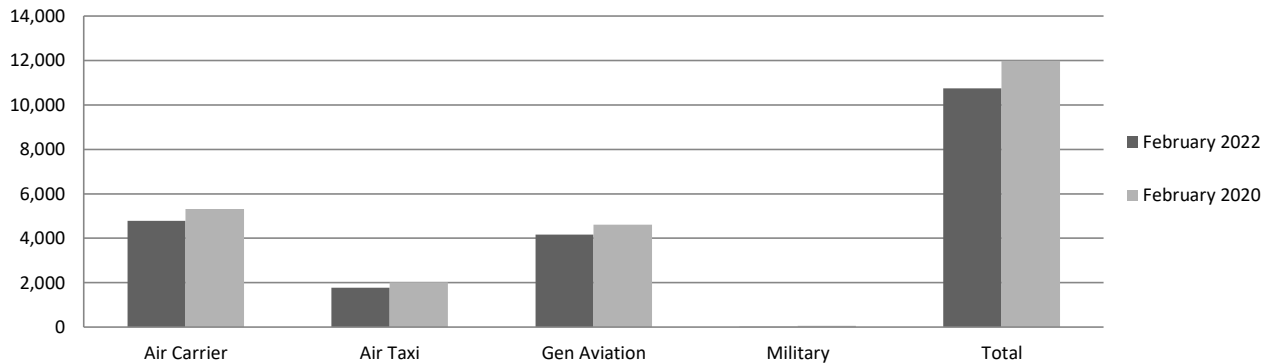
MAIL (lbs.)	February			January - February		
	2022	2020	% Change	2022	2020	% Change
American Airlines	0	0	N/A	0	6,032	-100.00%
Total Mail	0	0	N/A	0	6,032	-100.00%
Inbound (deplaned)	0	0	N/A	0	3,016	-100.00%
Outbound (enplaned)	0	0	N/A	0	3,016	-100.00%

Revenue Passengers



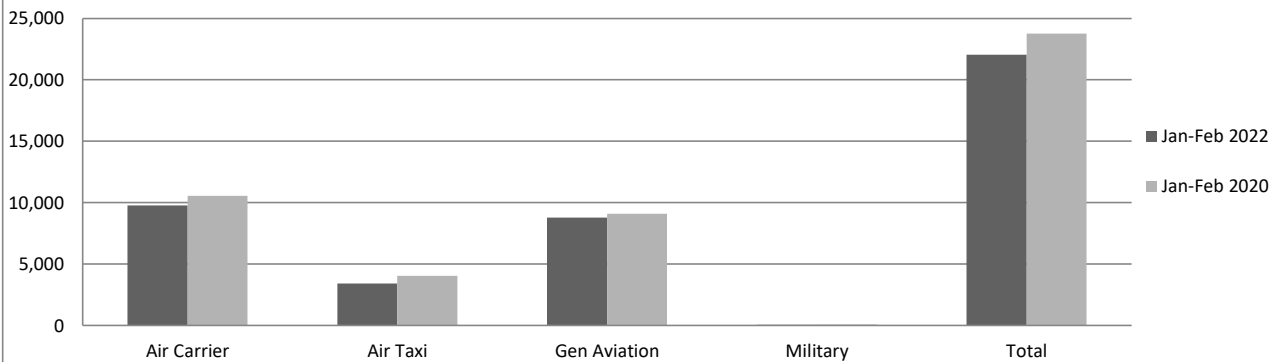
Revenue Passengers	Month	YTD
February 2022	371,889	690,082
February 2020	456,545	937,421
% Change	-18.54%	-26.39%

Aircraft Operations - Month



Aircraft Operations - MO	Air Carrier	Air Taxi	Gen Aviation	Military	Total
February 2022	4,793	1,774	4,168	14	10,749
February 2020	5,319	2,009	4,605	54	11,987
% Change	-9.89%	-11.70%	-9.49%	-74.07%	-10.33%

Aircraft Operations - Year-to-Date



Aircraft Operations - YTD	Air Carrier	Air Taxi	Gen Aviation	Military	Total
Jan-Feb 2022	9,782	3,423	8,792	59	22,056
Jan-Feb 2020	10,550	4,041	9,104	85	23,780
% Change	-7.28%	-15.29%	-3.43%	-30.59%	-7.25%

Hollywood Burbank Airport

REVENUE PASSENGERS

	February			January - February		
	2022	2021	% Change	2022	2021	% Change
Signatory Airlines						
Alaska Airlines	28,623	7,714	271.05%	55,697	14,702	278.84%
American Airlines	21,021	8,960	134.61%	44,698	18,307	144.16%
Avelo Airlines	25,641	0	N/A	48,937	0	N/A
Delta Airlines	12,501	5,996	108.49%	24,768	11,458	116.16%
Flair Airlines	373	0	N/A	767	0	N/A
Frontier Airlines	9,178	0	N/A	17,834	0	N/A
JetBlue Airways	9,839	0	N/A	16,273	0	N/A
Southwest Airlines	247,875	46,400	434.21%	448,163	89,659	399.85%
Spirit Airlines	5,595	2,310	142.21%	12,652	3,853	228.37%
United Airlines	11,243	1,936	480.73%	20,293	3,980	409.87%
Total Revenue Passengers	371,889	73,316	407.24%	690,082	141,959	386.11%
Inbound (deplaned)	185,983	36,882	404.26%	344,719	72,762	373.76%
Outbound (enplaned)	185,906	36,434	410.25%	345,363	69,197	399.10%

AIRCRAFT OPERATIONS

	February			January - February		
	2022	2021	% Change	2022	2021	% Change
Landings & Takeoffs						
Air Carrier	4,793	1,501	219.32%	9,782	3,274	198.78%
Air Taxi	1,774	1,167	52.01%	3,423	2,319	47.61%
General Aviation	2,212	2,018	9.61%	4,325	3,686	17.34%
Military Itinerant	14	22	-36.36%	59	49	20.41%
Subtotal	8,793	4,708	86.77%	17,589	9,328	88.56%
Pass Through BUR Airspace						
Civil Local	1,956	2,906	-32.69%	4,467	5,853	-23.68%
Military Local	0	0	N/A	0	0	N/A
Subtotal	1,956	2,906	-32.69%	4,467	5,853	-23.68%
Total Aircraft Operations	10,749	7,614	41.17%	22,056	15,181	45.29%

Air Carrier: Scheduled commercial air carrier operations; including cargo operators

Air Taxi: Smaller aviation operators such as charters, commuter carriers or on-demand operators

General Aviation: Civil aviation operations for personal use

Military Itinerant: Military aviation activities

Civil Local: Civil aviation operations that pass through BUR airspace monitored by FAA ATCT at BUR

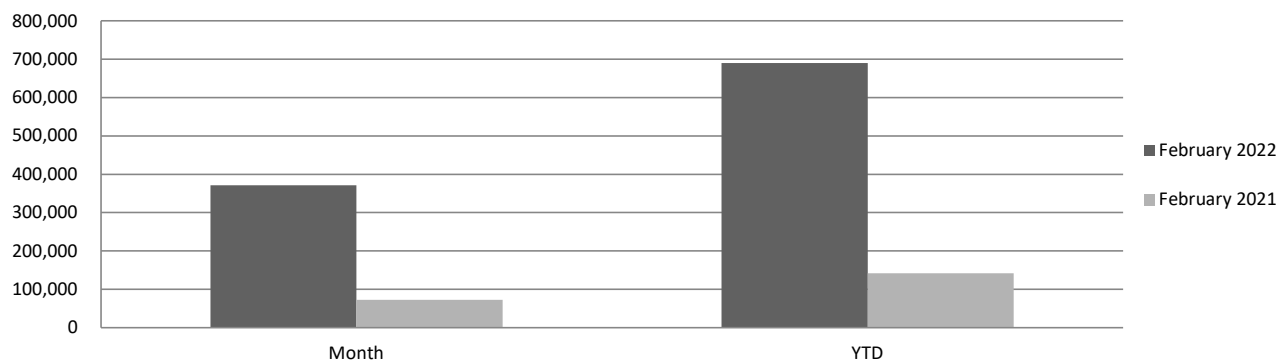
Military Local: Military aviation operations that pass through BUR airspace monitored by FAA ATCT at BUR

Hollywood Burbank Airport

AIR CARGO (lbs.)	February			January - February		
	2022	2021	% Change	2022	2021	% Change
Signatory Airlines						
Alaska Airlines	1,046	341	206.74%	1,828	1,271	43.82%
American Airlines	100	0	N/A	310	0	N/A
Avelo Airlines						
Delta Airlines						
Flair Airlines						
Frontier Airlines						
JetBlue Airways						
Southwest Airlines	281,921	92,898	203.47%	545,415	171,236	218.52%
Spirit Airlines						
United Airlines						
Other Scheduled Carriers						
Federal Express	3,530,886	3,820,944	-7.59%	6,850,772	8,546,250	-19.84%
United Parcel Service	3,673,190	3,409,094	7.75%	7,538,705	7,339,176	2.72%
Charter/Contract Carriers						
Ameriflight	164,621	170,868	-3.66%	330,565	343,617	-3.80%
Total Air Cargo	7,651,764	7,494,145	2.10%	15,267,595	16,401,550	-6.91%
Inbound (deplaned)	3,729,481	3,670,241	1.61%	7,634,201	8,163,290	-6.48%
Outbound (enplaned)	3,922,283	3,823,904	2.57%	7,633,394	8,238,260	-7.34%

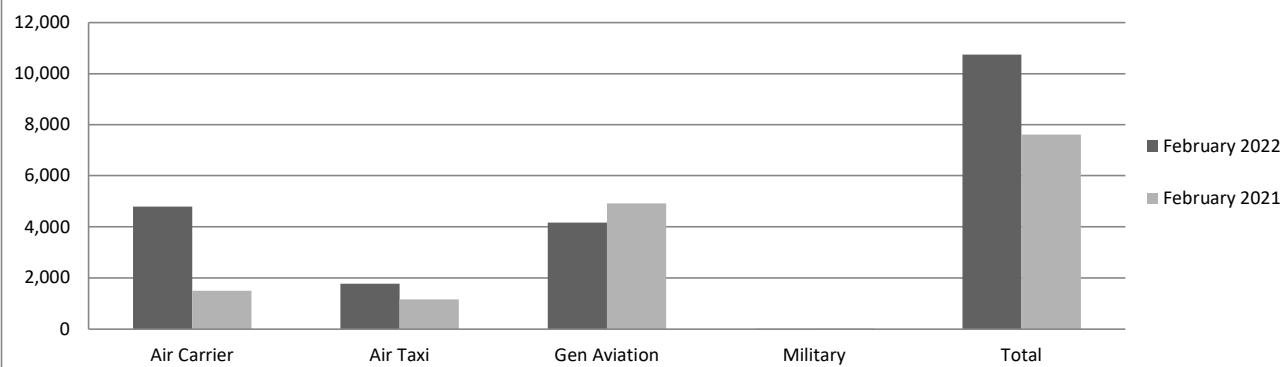
MAIL (lbs.)	February			January - February		
	2022	2021	% Change	2022	2021	% Change
	0	0	N/A	N/A	0	N/A
Total Mail	0	0	N/A	N/A	0	N/A
Inbound (deplaned)	0	0	N/A	N/A	0	N/A
Outbound (enplaned)	0	0	N/A	N/A	0	N/A

Revenue Passengers



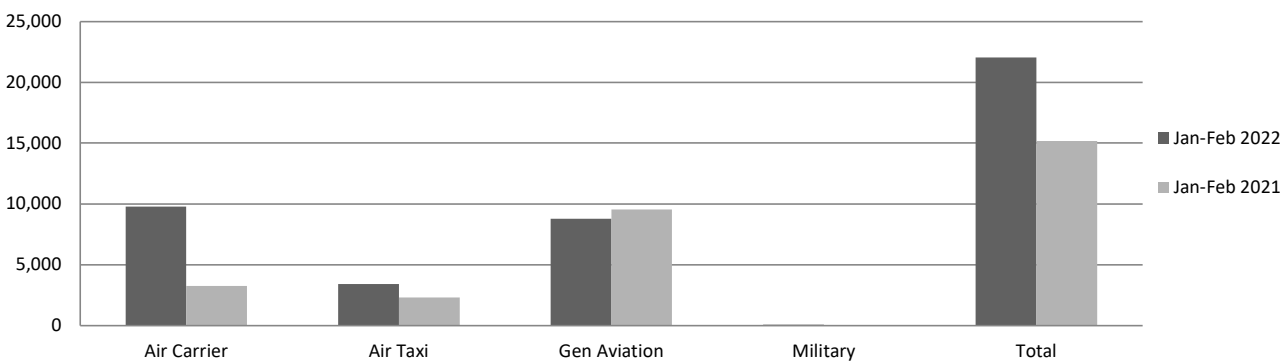
Revenue Passengers	Month	YTD
February 2022	371,889	690,082
February 2021	73,316	141,959
% Change	407.24%	386.11%

Aircraft Operations - Month



Aircraft Operations - MO	Air Carrier	Air Taxi	Gen Aviation	Military	Total
February 2022	4,793	1,774	4,168	14	10,749
February 2021	1,501	1,167	4,924	22	7,614
% Change	219.32%	52.01%	-15.35%	-36.36%	41.17%

Aircraft Operations - Year-to-Date



Aircraft Operations - YTD	Air Carrier	Air Taxi	Gen Aviation	Military	Total
Jan-Feb 2022	9,782	3,423	8,792	59	22,056
Jan-Feb 2021	3,274	2,319	9,539	49	15,181
% Change	198.78%	47.61%	-7.83%	20.41%	45.29%