



April 27, 2023

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, May 1, 2023, 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.

In addition to attending the meeting in person, members of the public may observe the meeting telephonically and may offer comment in real time through the following number:

(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, May 1, 2023
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 three 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.

AGENDA

Monday, May 1, 2023

1. Roll Call
2. Staff Announcement: AB 23
3. Approval of Agenda
4. Public Comment
5. Approval of Minutes
 - a. April 17, 2023 [See page 1]
6. Items for Approval
 - a. Organizational Governance Structure Study [See page 3]
Staff seeks direction from the Legal, Government and Environmental Affairs Committee regarding the undertaking of an organizational governance structure study.
 - b. Preliminary Discussion of Request for Citizen's Advisory Committee Agenda Item [See page 5]
Staff seeks direction from the Legal, Government and Environmental Affairs Committee on Commissioner Najarian's request for an agenda item to modify the Citizen's Advisory Committee parameters set by Resolution No. 488.
 - c. Airport Carbon Accreditation - Emissions Reduction Target for Hollywood Burbank Airport [See page 9]
Staff seeks a Legal, Government and Environmental Affairs Committee recommendation to the Commission to approve Resolution No. 501 which is the Hollywood Burbank Airport's ("Airport") Emission Reduction Target statement. This is part of the ongoing effort to achieve Level 2 Airport Carbon Accreditation certification from the Airport Council International, to support the Burbank-Glendale-Pasadena Airport Authority's sustainability efforts in reducing the carbon emissions footprint of the Airport.
7. Items for Information
 - a. Committee Pending Items [See page 12]
8. Adjournment

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

MONDAY, APRIL 17, 2023

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 10:50 a.m., by Commissioner Williams.

1. ROLL CALL

Present:	Commissioners Williams and Dyson
Absent:	Commissioner Najarian
Also Present:	Staff: Frank Miller, Executive Director; Patrick Lammerding, Deputy Executive Director, Planning and Development
	Authority Counsel: Terence R. Boga of Richards, Watson & Gershon
	Geoff Wheeler, Ricondo & Associates; Louis Choi, Public Resources Advisory Group

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 Dyson moved approval of the agenda, seconded by Commissioner Williams. The motion was approved (2-0,1 absent).

4. Public Comment

There were no public comments.

5. Approval of Minutes

a. April 3, 2023

Commissioner Dyson moved approval of the Committee minutes of the April 3, 2023 meeting, seconded by Commissioner Williams. There being no objection, the motion was approved (2-0,1 absent).

6. Items for Approval

a. Organizational Governance Structure Study

Staff sought direction from the Committee regarding the undertaking of an organizational governance structure study.

Motion

Commissioner Dyson moved to table this item to the Committee's next meeting when Commissioner Najarian is present. The motion was seconded by Commissioner Williams.

Motion Approved

There being no objection, the motion was approved (2-0, 1 absent)

b. Preliminary Discussion of Request for Citizen's Advisory Committee Agenda Item

Staff sought direction from the Committee on Commissioner Najarian's request for an agenda item to modify the Citizen's Advisory Committee parameters set by Resolution No. 488.

Motion

Commissioner Dyson moved to table this item to the Committee's next meeting when Commissioner Najarian is present. The motion was seconded by Commissioner Williams.

Motion Approved

There being no objection, the motion was approved (2-0, 1 absent)

7. Items for Information

a. Committee Pending Items

Staff presented pending items to the Committee members.

8. Adjournment

There being no further business, the meeting was adjourned at 10:54 a.m.

**STAFF REPORT PRESENTED TO THE
BURBANK-GLENDALE-PASADENA AIRPORT AUTHORITY
LEGAL, GOVERNMENT AND ENVIRONMENTAL AFFAIRS COMMITTEE
MAY 1, 2023**

ORGANIZATIONAL GOVERNANCE STRUCTURE STUDY

Presented by
Geoff Wheeler, Ricondo & Associates
Louis Choi, Public Resources Advisory Group

SUMMARY

Staff seeks direction from the Legal, Government and Environmental Affairs Committee (“Committee”) regarding the undertaking of an organizational governance structure study.

BACKGROUND

Since its acquisition of the Airport in 1978, the Authority has utilized an independent contractor for management services and personnel. The Authority’s current, and longstanding, contractor for these services is TBI Airport Management, Inc. (“TBI”). Over the years some Commissioners have occasionally expressed interest in receiving an assessment of the advantages and disadvantages of having a chief operating officer who is an Authority employee rather than a TBI employee. The last effort started in February 2020 when the Commission awarded ADK Consulting Inc. (“ADK”) a professional services agreement to perform this analysis. ADK initiated the work, but the study was suspended due to the COVID-19 pandemic and was not restarted.

At the March 6, 2023 Commission meeting, in response to a request by Commissioner Ovrom, Staff presented an update on the status of the ADK contract. The Commission gave the Committee the assignment of working on procurement documents for an organizational governance structure study and asked the Committee to provide a recommendation within six months.

While preparing to agendize this item for the Committee, Staff became concerned about how undertaking an organizational governance structure study at this time may negatively impact the public finance offering and the Transportation Infrastructure Finance and Innovation Act (“TIFIA”) loan application currently in process for the Replacement Passenger Terminal (“RPT”) Project. Staff therefore requested guidance from Public Resources Advisory Group (“PRAG”), the Authority’s financial advisor, and from Ricondo & Associates (“Ricondo”), the Authority’s feasibility study consultant. PRAG and Ricondo provided the following input:

- Undertaking an organizational governance structure study would have to be disclosed to rating agencies and in the official statement for a public finance offering.
- Rating agencies most likely will consider an organizational governance structure study to be a negative factor in their determination of the Authority’s credit rating. With the Authority’s prior public financings, management (especially its demonstrated ability to maintain a low cost of operations) has consistently been mentioned by rating agencies as a credit strength of Hollywood Burbank Airport.

- Rating analysts and investors are likely to question Ricondo about how the operating cost assumptions in its report would change if the management arrangement were altered and Ricondo would have to address this in its report.
- Given the price tag of the RPT Project, and the likely 10 to 12 times increase in cost per enplanement, an organizational governance structure study may cause the Airlines serving Hollywood Burbank Airport to reexamine their level of support. The RPT Project is an extraordinary undertaking for an airport the size of Hollywood Burbank Airport, further complicated by the fact that the RPT cannot have additional gates beyond 14, which would normally bring opportunities to lower costs to the Airlines.
- The Airlines have voiced their trust with management numerous times over the past 15 years. Just the inkling of change can have an impact on the Airlines and the Authority cannot afford to lose or have weakened support from them for the RPT Project.

STAFF RECOMMENDATION

Based on the input from PRAG and Ricondo, Staff recommends that the Committee table the undertaking of an organizational governance structure study at this time.

**STAFF REPORT PRESENTED TO THE
BURBANK-GLENDALE-PASADENA AIRPORT AUTHORITY
LEGAL, GOVERNMENT AND ENVIRONMENTAL AFFAIRS COMMITTEE
MAY 1, 2023**

**PRELIMINARY DISCUSSION OF REQUEST FOR
CITIZEN'S ADVISORY COMMITTEE AGENDA ITEM**

Presented by Terence Boga
General Counsel

SUMMARY

Staff seeks direction from the Legal, Government and Environmental Affairs Committee ("Committee") on Commissioner Najarian's request for an agenda item to modify the Citizen's Advisory Committee ("CAC") parameters set by Resolution No. 488, copy attached.

BACKGROUND

At the April 3, 2023 Committee meeting, Commissioner Najarian requested that modification of the CAC parameters be agendized. In accordance with the agenda item protocol established last January by Resolution No. 496, this request has been agendized for a preliminary discussion by the Committee. The Committee may instruct Staff to agendize this item for a future Committee meeting, defer the request for a determination at a later date, or table the request.

The Commission set the parameters for the CAC on December 14, 2020 with the adoption of Resolution No. 488. Pursuant to Section 3 of the resolution, the function of the CAC is to be a purely advisory body that focuses exclusively on: (i) gathering public input on airplane noise issues associated with the airport; and (ii) assisting in the update of the Authority's Noise Exposure Map and Noise Compatibility Program pursuant to Federal Aviation Administration ("FAA") regulations. As to membership, Section 4(A) of the resolution provides that the CAC will be a 12-member body comprised of three members from each of the Cities of Burbank, Glendale, Pasadena, and Los Angeles. The resolution sets other parameters including that the CAC will become active upon the Commission's appointment of members, and that the CAC will dissolve once the Authority submits an updated Noise Exposure Map and Noise Compatibility Program to the FAA.

STAFF RECOMMENDATION

Staff recommends that the Committee provide direction on Commissioner Najarian's request for an agenda item to modify the CAC parameters set by Resolution No. 488.

RESOLUTION NO. 488

A RESOLUTION OF THE BURBANK-GLENDALE-PASADENA AIRPORT AUTHORITY COMMISSION ESTABLISHING A CITIZEN'S ADVISORY COMMITTEE TO PROVIDE RECOMMENDATIONS ON UPDATES TO THE NOISE EXPOSURE MAP AND NOISE COMPATIBILITY PROGRAM

The Burbank-Glendale-Pasadena Airport Authority Commission resolves as follows:

Section 1. Findings.

A. Residents in the southern San Fernando Valley have expressed increased concerns about noise from airplanes that use Bob Hope Airport (commonly known as Hollywood Burbank Airport) ("BUR") and Van Nuys Airport ("VNY").

B. The Authority is committed to working with the community and other stakeholders to help identify potential actions to reduce airplane noise without shifting noise to other noise-sensitive communities.

C. In August 2019, the Authority and Los Angeles World Airports jointly formed the Southern San Fernando Valley Airplane Noise Task Force ("Task Force") to help address community concerns regarding noise associated with BUR and VNY.

D. Among other recommendations, the Task Force encouraged the Authority to create a Citizen's Advisory Committee ("CAC") to address community concerns throughout the San Fernando Valley.

E. The Commission concurs with the Task Force's recommendation and believes that a CAC will provide a significant contribution to the Authority's update of its Noise Exposure Map and Noise Compatibility Program pursuant to Title 14, Part 150 of the Code of Federal Regulations ("Part 150").

Section 2. Establishment. The Authority shall have a CAC to be known as the "Hollywood Burbank Airport Citizen's Advisory Committee."

Section 3. Functions. The CAC shall be a purely advisory body and shall focus exclusively on the following matters: (i) gathering public input on airplane noise issues associated with BUR; and (ii) assisting in the update of the Authority's Noise Exposure Map and Noise Compatibility Program pursuant to Part 150. Other matters, including airport marketing, airline retention, and the replacement terminal project, are not within the CAC's jurisdiction. The CAC shall not have access to attorney-client privilege Authority documents without prior authorization from the Commission.

Section 4. Membership.

A. The CAC shall be a 12-member body comprised of three members from each of the Cities of Burbank, Glendale, Pasadena, and Los Angeles. CAC members shall be residents of the city that they are representing; provided, however, that the Los Angeles representatives shall be residents of Los Angeles City Council Districts 2, 4, and 6 (one each).

B. CAC members shall be appointed by the Commission by majority vote. The Authority shall ask the Burbank City Council, the Glendale City Council, and the Pasadena City Council to each recommend three constituents who are interested in serving on the CAC; and shall ask the Los Angeles City Council Members from Districts 2, 4, and 6 to each recommend one constituent who is interested in serving on the CAC. The Commission shall reasonably defer to the recommendations received, but the Commission may reject any recommendation and appoint an alternative person at its discretion. In the event the Commission rejects one or more recommendations, the Authority shall solicit applications from residents of the area(s) to be represented. Any person who is an elected official, a staff member of an elected official, or a candidate for elective office shall not be considered for appointment to the CAC.

C. The Commission shall proceed with the appointment of CAC members upon determining that the Authority has made a sufficient operational and economic recovery from the COVID-19 pandemic.

D. CAC members shall serve without compensation at the pleasure of the Commission and may be removed by majority vote of the Commission.

Section 5. Officers. The CAC shall elect a Chairperson from its membership.

Section 6. Meetings. Regular meetings of the CAC shall be held on a quarterly basis. CAC meetings shall be held in accordance with the Brown Act (Government Code Sections 54950 et seq.).

Section 7. Duration. The CAC shall become active upon appoint of its membership by the Commission. The CAC shall dissolve upon the Authority's submission of an updated Noise Exposure Map and Noise Compatibility Program to the FAA.


Section 8. Effective Date. This Resolution shall be effective upon adoption.

Adopted this 14th day of December 2020.



Ross Selvidge, Ph.D., President
Burbank-Glendale-Pasadena Airport Authority


Attest:


Frank R. Miller, Assistant Secretary

STATE OF CALIFORNIA)
)ss.
COUNTY OF LOS ANGELES)

I, Frank R. Miller, do hereby certify that the foregoing resolution was duly and regularly adopted by the Commissioners of the Burbank-Glendale-Pasadena Airport Authority at its regular meeting held on the 14th day of December 2020 by the following vote:

AYES:	Commissioners Brown, Agajanian, Adams, Devine, Kennedy, Najarian, Selvidge, and Wiggins
NOES:	None
ABSENT:	Commissioner Madison



Frank R. Miller
Assistant Secretary

**STAFF REPORT PRESENTED TO THE
BURBANK-GLENDALE-PASADENA AIRPORT AUTHORITY
LEGAL, GOVERNMENT AND ENVIRONMENTAL AFFAIRS COMMITTEE
MAY 1, 2023**

**AIRPORT CARBON ACCREDITATION
EMISSIONS REDUCTION TARGET
FOR HOLLYWOOD BURBANK AIRPORT**

Presented by Maggie Martinez
Director, Noise & Environmental Affairs

SUMMARY

Staff seeks a Legal, Government and Environmental Affairs Committee (“Committee”) recommendation to the Commission to approve Resolution No. 501 which is the Hollywood Burbank Airport’s (“Airport”) Emission Reduction Target (“ERT”) statement. This is part of the ongoing effort to achieve Level 2 Airport Carbon Accreditation (“ACA”) certification from the Airport Council International (“ACI”), to support the Burbank-Glendale-Pasadena Airport Authority’s (“Authority”) sustainability efforts in reducing the carbon emissions footprint of the Airport.

BACKGROUND

On December 19, 2022, the Airport Authority awarded a Professional Service Agreement to Polytechnique Environmental to support the Airport with its sustainability efforts in reducing the carbon emissions footprint through a Level 2 ACA certification from ACI.

The ACA program encourages and enables airports to implement best practices in carbon management and achieve emissions reductions. The program focuses primarily on carbon emissions as these make up the majority of an airport’s emissions profile. The ACA program is the only global standard for carbon management in the airport industry and was developed according to the International Standards.

On January 2023, the Airport began the ACA accreditation process, and to date, the team has assembled a Carbon Management Committee, developed a draft CMP, compiled 5 years of Scope 1 and 2 data, and is in the process of preparing a greenhouse gas inventory.

DRAFT ERT STATEMENT

The Airport’s consultant has prepared the following draft ERT statement for the Authority’s consideration:

“The Burbank-Glendale-Pasadena Airport Authority (“Authority”) is committed in its efforts to reduce the environmental footprint of Hollywood Burbank Airport (“Airport”), integrate sustainable practices into Airport operations, and respond to community concerns while providing economic benefits to the region. The Authority is dedicated to reducing the Airport’s greenhouse gas emissions year after year to minimize the Airport’s carbon footprint over time.

Further, the Authority has pledged to reach carbon neutrality at the Airport by 2045, consistent with City of Burbank and State of California goals. Carbon reductions will be measured on a per-passenger basis for emissions under the Authority's control (known as Scope 1 and 2 emission sources) including fleet and heavy-duty vehicles, emergency generators, firefighting training, refrigerant losses, and purchased electricity. The Authority will strive to achieve these reductions through initiatives such as the clean fleets program, sustainable design and construction program, and renewable energy projects. These advances toward sustainability will support the Authority's objective to serve its guests while minimizing environmental impacts."

This step does not address how reductions will be measured. That will be addressed in the application to ACI.

STAFF RECOMMENDATION

Staff seeks the Committee recommendation to the Commission to approve Resolution No. 501 to continue with the Airport's ongoing effort to achieve Level 2 ACA certification from ACI.

RESOLUTION NO. 501

**A RESOLUTION OF THE
BURBANK-GLENDALE-PASADENA AIRPORT AUTHORITY COMMISSION
STATING AN EMISSIONS REDUCTION TARGET**

The Burbank-Glendale-Pasadena Airport Authority Commission resolves as follows:

Section 1. Findings.

A. Airports Council International has established an Airport Carbon Accreditation (“ACA”) Program to encourage and enable airports to implement best practices in carbon management and achieve emissions reductions.

B. The ACA Program is the only global standard for carbon management in the airport industry.

C. The Burbank-Glendale-Pasadena Airport Authority (“Authority”) is pursuing a Level 2 certification from the ACA Program for Hollywood Burbank Airport (“Airport”).

Section 2. Emissions Reductions Target. The Authority is committed in its efforts to reduce the environmental footprint of the Airport, integrate sustainable practices into Airport operations, and respond to community concerns while providing economic benefits to the region. The Authority is dedicated to reducing the Airport’s greenhouse gas emissions year after year to minimize the Airport’s carbon footprint over time. Further, the Authority has pledged to reach carbon neutrality at the Airport by 2045, consistent with City of Burbank and State of California goals. Carbon reductions will be measured on a per-passenger basis for emissions under the Authority’s control (known as Scope 1 and 2 emission sources) including fleet and heavy-duty vehicles, emergency generators, firefighting training, refrigerant losses, and purchased electricity. The Authority will strive to achieve these reductions through initiatives such as the clean fleets program, the sustainable design and construction program, and renewable energy projects. These advances toward sustainability will support the Authority’s objective to serve its guests while minimizing environmental impacts.

Section 3. Effective Date. This Resolution shall be effective upon adoption.

Adopted this 15th day of May, 2023.

Emily Gabel-Luddy, President

Attest:

Ara Najarian, Secretary

**BURBANK-GLENDALE-PASADENA AIRPORT AUTHORITY
LEGAL, GOVERNMENT AND ENVIRONMENTAL AFFAIRS COMMITTEE
MAY 1, 2023**

COMMITTEE PENDING ITEMS

Future

1. Award of Amendment to PSA – Reliance Engineering; Technical Support – CHSRA Litigation
2. Award of Contract – Part 150 Consultant
3. AQIP MOU Report
4. State Legislative Consulting Services
5. Airport Rules and Regulations Revisions