



October 12, 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, October 16, 2023, at 8:30 a.m., 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:

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, October 16, 2023
8:30 a.m.

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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.*

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The following activities are prohibited:

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

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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.

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

A G E N D A

Monday, October 16, 2023

1. Roll Call
2. Approval of Agenda
3. Public Comment
4. Approval of Minutes
 - a. October 2, 2023 *[See page 1]*
5. Items for Approval
 - a. Eco-Rapid Transit (Orangeline Development Authority)
Joint Powers Agreement Termination *[See page 3]*

Staff seeks a recommendation from the Legal, Government and Environmental Affairs Committee to the Commission to adopt proposed Resolution No. 507 to approve termination of the Eco-Rapid Transit Joint Powers Agreement.
6. Items for Information
 - a. Committee Pending Items *[See page 8]*
7. Adjournment

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

OCTOBER 2, 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 8:33 a.m., by Commissioner Gabel-Luddy.

1. ROLL CALL

Present: Commissioners Gabel-Luddy, Williams and Najarian

Absent: None

Also Present: Frank Miller, Executive Director;
Derrick Cheng, Assistant Manager,
Business and Properties

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

2. Approval of Agenda

The agenda was approved as presented.
The motion was approved (3-0).

3. Public Comment

There were no public comments.

4. Approval of Minutes

a. September 18, 2023

Commissioner Najarian moved approval
of the September 18, 2023, Committee meeting
minutes; seconded by Commissioner Williams.

There being no objection, the motion was approved
(2-0, 1 abstention by Commissioner Gabel-Luddy).

5. Items for Approval

**a. Approval of the Second
Extension Deferral of Art
Covenant Agreement - City of
Burbank**

Staff sought a recommendation from the Legal,
Government and Environmental Affairs Committee
to the Commission for approval of a proposed Second
Extension of the Deferral of Art Covenant Agreement
between the City of Burbank and the Authority to allow
for an additional nine months to complete the artwork
installation at the Regional Intermodal Transportation
Center.

Motion

Commissioner Williams moved approval;
seconded by Commissioner Najarian.

Motion Approved

There being no objection, the motion was
approved (3-0).

6. Items for Information

a. Committee Pending Items

Staff presented pending items to the Committee
members.

7. Adjournment

There being no further business, the meeting
was adjourned at 8:42 a.m.

**STAFF REPORT PRESENTED TO THE
BURBANK-GLENDALE-PASADENA AIRPORT AUTHORITY
LEGAL, GOVERNMENT AND
ENVIRONMENTAL AFFAIRS COMMITTEE
OCTOBER 16, 2023**

**ECO-RAPID TRANSIT (ORANGELINE DEVELOPMENT AUTHORITY)
JOINT POWERS AGREEMENT TERMINATION**

Presented by John T. Hatanaka
Senior Deputy Executive Director

SUMMARY

Staff seeks a recommendation from the Legal, Government and Environmental Affairs Committee to the Commission to adopt proposed Resolution No. 507, copy attached, to approve termination of the Eco-Rapid Transit ("ERT") Joint Powers Agreement ("JPA").

BACKGROUND

ERT is a joint powers agency officially known as the Orangeline Development Authority ("OLDA"). ERT was formed to pursue the development of an environmentally friendly, reliable, and seamless transit system that connects the communities between the southeast region of Los Angeles County, downtown Los Angeles, and Hollywood Burbank Airport. The Authority joined ERT in June 2010. ERT's membership also includes the County of Los Angeles and the Cities of Artesia, Bell, Bell Gardens, Cerritos, Cudahy, Glendale, Huntington Park, Maywood, Paramount, and South Gate. ERT's planned route extended from Artesia to the Airport. In 2014, OLDA rebranded as ERT so as not to be confused with the Orange Line Bus Rapid Transit project in the San Fernando Valley.

Through membership in ERT, the Authority was able to receive funding for mitigation of traffic impacts caused by the Interstate 5 construction as well as assistance in obtaining the Federal Transit Agency grant for the regional bus facility in the Regional Intermodal Transportation Center.

At its meeting on September 13, 2023, the ERT Board of Directors unanimously voted in support of dissolution of the agency and directed its staff to proceed with necessary steps to complete termination of the JPA.

In order to formalize termination of the JPA, each ERT member has been requested to submit a resolution approving the termination. Proposed Resolution No. 507 directs the Authority's representative on the ERT Board of Directors (Commissioner Quintero) to vote to terminate ERT JPA. The resolution also directs the Authority's Executive Director and Staff to take all ancillary actions needed to complete the Authority's withdrawal from ERT provided that such actions do not impose any financial or legal obligations on the Authority.

STAFF RECOMMENDATION

Staff seeks the Committee's recommendation to the Commission to adopt the proposed Resolution No. 507 approving termination of the ERT JPA and authorize the President to execute the same.

RESOLUTION NO. 507

A RESOLUTION OF THE BURBANK-GLENDALE-PASADENA AIRPORT AUTHORITY COMMISSION APPROVING TERMINATION OF THE ECO-RAPID TRANSIT (ORANGELINE DEVELOPMENT AUTHORITY) JOINT POWERS AGREEMENT

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

Section 1. Findings.

WHEREAS, Eco-Rapid Transit (“ERT”), formally known as Orangeline Development Authority, is a Joint Powers Authority formed in 2003 to pursue development of a transit system along the Gateway Cities Corridor that moves as rapidly as possible, uses grade separation as appropriate, and is environmentally friendly and energy efficient; and

WHEREAS, the Burbank-Glendale-Pasadena Airport Authority (“Airport Authority”) has been a member of ERT since June 2010; and

WHEREAS, the Airport Authority has chosen Frank Quintero, to serve on the ERT Board of Directors as its representative; and

WHEREAS, in part due to ERT’s advocacy, Los Angeles County Metropolitan Transportation Authority has resolved to develop the West Santa Ana Branch Transit Corridor project – a light rail transit line that will connect southeast LA County to downtown Los Angeles; and

WHEREAS, ERT has therefore served its purpose; and

WHEREAS, during ERT’s July 12, 2023 Regular Meeting, the ERT Board of Directors approved an annual budget through Resolution No. 2023-05, with the intention of restructuring the agency by December 31, 2023; and

WHEREAS, during ERT’s September 13, 2023 Regular Meeting, the ERT Board of Directors authorized the ERT Executive Director and the ERT General Counsel’s Office to take steps to terminate ERT subject to final Board approval; and

WHEREAS, under Section 3.2(i) of the ERT Joint Powers Agreement, ERT may terminate upon the unanimous vote of its members; and

WHEREAS, under Section 3.2(a)(7) of the ERT Joint Powers Agreement, any debts of ERT are its own debts, not debts of its members, including the Airport Authority; and

WHEREAS, the ERT Board of Directors desires to terminate ERT.

NOW, THEREFORE, BE IT RESOLVED that the Burbank-Glendale-Pasadena Airport Authority Commission hereby:

1. Directs the Airport Authority’s ERT representative to vote to terminate ERT under Section 3.2(i) of the ERT Joint Powers Agreement;

2. Directs the Airport Authority Executive Director and staff to take all ancillary actions needed to complete the Airport Authority's withdrawal from ERT; provided, however, no such action shall impose any financial or legal obligation on the Airport Authority.

The foregoing Resolution was duly adopted this ___ day of _____ 2023, by the following roll call vote:

Felicia Williams, President
Burbank-Glendale-Pasadena Airport Authority

ATTEST:

Jess Talamantes, Secretary

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

I, Frank R. Miller, do hereby certify that foregoing resolution was duly and regularly adopted by the Commissioners of the Burbank-Glendale-Pasadena Airport Authority at its regular meeting held on the ____th day of _____ 2023 by the following vote:

AYES:

NOES:

ABSENT:

Frank R. Miller
Assistant Secretary

**BURBANK-GLENDALE-PASADENA AIRPORT AUTHORITY
LEGAL, GOVERNMENT AND ENVIRONMENTAL AFFAIRS COMMITTEE
OCTOBER 16, 2023**

COMMITTEE PENDING ITEMS

Future

1. Award of Contract – Part 150 Consultant
2. Discussion; Request for CAC Agenda Item