



March 14, 2024

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, March 18, 2024, 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, March 18, 2024
8:30 a.m.



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, March 18, 2024

1. Roll Call
2. Approval of Agenda
3. Public Comment
4. Approval of Minutes
 - a. February 20, 2024
5. Items for Approval

[See page 1]

- a. Federal Transit Administration Recipient
Title VI Program

[See page 3]

Staff seeks a Legal, Government and Environmental Affairs Committee recommendation to the Commission that it approve a Federal Transit Administration Recipient Title VI Program. As a recipient of an FTA grant that was utilized in conjunction with the development of the Regional Intermodal Transportation Center, the Authority is required to submit this document to the Los Angeles County Metropolitan Transportation Authority, which is the administrator of the grant.

- b. Airport Noise and Operations Management System Service Agreement

[See page 4]

Staff seeks a Legal, Government and Environmental Affairs Committee recommendation to the Commission for award of an Airport Noise and Operations Management System Service Agreement ("Agreement") to EMS Bruel & Kjaer Inc. D.B.A. Envirosuite, Inc. for continued maintenance and support services of the Airport Noise and Operations Management System. The proposed Agreement is for a period of five years, from April 15, 2024, to April 14, 2029.

- c. Annual Review and Adjustment of Noise Violation Fines

[See page 6]

Staff seeks a Legal, Government and Environmental Affairs Committee recommendation to the Commission to authorize an increase to the noise fines associated with certain restricted operations as detailed in Airport Noise Rules 8 and 9 as described below, in accordance with the annual adjustment of noise violation fines required by Resolution No. 382.

6. Items for Information
 - a. Committee Pending Items
7. Adjournment

[See page 8]

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

FEBRUARYY 20, 2024

A special 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 8:30 a.m., by Commissioner Gabel-Luddy.

1. ROLL CALL

Present: Commissioners Gabel-Luddy, Najarian,
and Williams (Arrived at 8:34 a.m.)

Absent: None

Also Present: Frank Miller, Executive Director;
Maggie Martinez, Director, Noise and
Environmental Affairs

Terence R. Boga, Airport Authority Counsel;
Richards, Watson, Gershon

2. Approval of Agenda

Commissioner Najarian moved approval of the agenda; seconded by Commissioner Gabel-Luddy. The agenda was approved (2-0, 1 absent).

3. Public Comment

There were no public comments.

4. Approval of Minutes

a. January 16, 2024

Commissioner Najarian moved approval of the January 16, special Committee meeting minutes; seconded by Commissioner Gabel-Luddy.

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

5. Items for Approval

**a. Approval Amendment No. 1 to
Professional Services Agreement
Polytechnique Environmental, Inc.**

Staff sought a recommendation from the Legal, Government and Environmental Affairs Committee to the Commission for approval of the proposed Amendment No. 1 ("Amendment") to the Professional Services Agreement ("PSA") with Polytechnique Environmental, Inc. ("Polytechnique"), for additional scope and cost of services for Level 2 Airport Carbon Accreditation support in the amount of \$4,930.

On December 19, 2022, the Commission awarded a PSA to Polytechnique to support the Authority's effort in obtaining an Airport Council - International ("ACI") Level 2 Airport Carbon Accreditation ("ACA") certification for reducing the carbon emissions footprint at the Airport. The PSA also provides four one-year extension options for Polytechnique to continue support service to the Authority with this program. In October 2023, the Airport received its Level 2 Reduction certification.

The ACA program was developed and launched by ACI Europe in 2009 and continues to be expanded through ACI regions worldwide. Currently, there are 420 accredited airports with 59 of them in North America. This program, developed according to International Standards, promotes efficiency, sustainability, encourages standardization and benchmarking, increases awareness, and works to reduce regulatory risk.

The proposed Amendment will authorize Polytechnique to provide payment of the annual ACA application fee via wire transfer to the ACI Accounting offices based in the United Kingdom. By including this service in the PSA, Polytechnique can remit both the application and associated fee together.

Additionally, the proposed Amendment provides for Polytechnique to support the Authority with the annual benchmarking energy use report required by the California Energy Commission.

Motion

Commissioner Najarian moved approval;
seconded by Commissioner Williams.

Motion Approved

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

6. Items for Information

a. Sustainable Aviation Fuel Update

Staff discussed the near and medium-term strategy for reducing the aviation's carbon footprint by expanding the use of Sustainable Aviation Fuel.

b. Committee Pending Items

This item was deferred to the next Committee meeting due to time constraints.

7. Adjournment

There being no further business, the meeting was adjourned at 9:02 a.m.

**STAFF REPORT PRESENTED TO THE
BURBANK-GLENDALE-PASADENA AIRPORT AUTHORITY
LEGAL, GOVERNMENT AND ENVIRONMENTAL AFFAIRS COMMITTEE
MARCH 18, 2024**

**FEDERAL TRANSIT ADMINISTRATION RECIPIENT
TITLE VI PROGRAM**

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

SUMMARY

Staff seeks a Legal, Government and Environmental Affairs Committee (“Committee”) recommendation to the Commission that it approve a Federal Transit Administration (“FTA”) Recipient Title VI Program, copy attached. As a recipient of an FTA grant that was utilized in conjunction with the development of the Regional Intermodal Transportation Center (“RITC”), the Authority is required to submit this document to the Los Angeles County Metropolitan Transportation Authority (“Metro”), which is the administrator of the grant.

BACKGROUND

Metro is a direct recipient and pass-through entity of certain federal awards. As a pass-through entity, Metro is required to ensure that subrecipients comply with applicable federal requirements of such awards. All subrecipients of FTA funds must keep federally funded assets, including rolling stock, facilities, and equipment, in safe operating order and have policies and procedures in place to maintain them.

Opened in the summer of 2014, the RITC serves multiple modes of transportation, including airport rental cars operations, regional and local buses, bicycles accommodations, and a connection to Metrolink and Amtrak rail line at the Burbank Airport South station. The bus stops, located on the ground level, currently serve three Metro bus lines and one local route provided by the Burbank Bus service.

All FTA grant recipients and pass-through entities are required to comply with various nondiscrimination laws and regulations, including Title VI of the Civil Rights Act of 1964, commonly known as Title VI. The Authority received an FTA 5309 grant of approximately \$1.2 million as a subrecipient from Metro to fund the construction of the bus stops in the RITC. Accordingly, the Authority is required to file a Title VI Program. As part of this program, notices will be posted on the Authority’s website and at the RITC bus turnaround area to inform the public of the protections against discrimination afforded to them by Title VI and that the Authority complies with Title VI.

The proposed program has been reviewed by Authority General Counsel for compliance with the program requirements and is presented to the Committee for consideration.

STAFF RECOMMENDATION

Staff seeks the Committee’s recommendation to the Commission to approve the proposed FTA Recipient Title VI Program and authorize the President to execute the same.

**STAFF REPORT PRESENTED TO THE
BURBANK-GLENDALE-PASADENA AIRPORT AUTHORITY
LEGAL, GOVERNMENT AND ENVIRONMENTAL AFFAIRS COMMITTEE
MARCH 18, 2024**

**AIRPORT NOISE AND OPERATIONS MANAGEMENT SYSTEM
SERVICE AGREEMENT**

Presented By Maggie Martinez
Director, Noise & Environmental Affairs

SUMMARY

Staff seeks a Legal, Government and Environmental Affairs Committee ("Committee") recommendation to the Commission for award of an Airport Noise and Operations Management System Service Agreement ("Agreement") to EMS Bruel & Kjaer Inc. D.B.A. Envirosuite, Inc. ("Envirosuite"), copy attached, for continued maintenance and support services of the Airport Noise and Operations Management System ("ANOMS"). The proposed Agreement is for a period of five years, from April 15, 2024, to April 14, 2029.

BACKGROUND

Envirosuite has been providing services for airport community engagement by providing robust and understandable data for over 30 years. Their market leading monitoring systems for noise and operations are used by more than 230 airports worldwide including 50+ airports in North America, with 14 in California. Envirosuite is the exclusive provider of ANOMS solutions to those airports in California that require certification by Caltrans. ANOMS includes equipment that runs with proprietary software, and Envirosuite is the only company that can provide the necessary support services to maintain the system and to provide software upgrades and system integrations.

In July 2010, the Authority entered into an agreement with Bruel & Kjaer, Inc., formally named Lockhard Corporation, to replace the Airport's original flight tracking system. Following system design, review and approval, the components were installed with a system acceptance date in April 2013. This acquisition included the upgrade of all of the then-existing noise monitors, and the addition of four new noise monitors, for a total of 20 noise monitoring locations. The noise flight tracking data from the noise monitors are used to generate the Airport's noise contours for the reports to Caltrans required by state law.

DETAILS

The current contract with Envirosuite expires April 14, 2024. The proposed Agreement allows the Authority to continue with the maintenance and support services of the ANOMS to provide customer service on community complaints, measure aircraft noise impact areas, monitor aircraft compliance with noise abatement procedures, and stay in compliance with state law reporting.

Envirosuite's annual fee for maintenance and support services is for an amount not to exceed \$133,485.00 per year, billable quarterly at \$33,371.25, for the five-year term of the Agreement.

BUDGET

Appropriations for the current fiscal year were included in the approved FY2024 budget. Appropriations requests for the remaining years of the Agreement will be requested in subsequent fiscal year budgets.

STAFF RECOMMENDATION

Staff recommends that the Committee recommend to the Commission approval of the proposed Agreement with Envirosuite and authorization for the President to execute the same.

**STAFF REPORT PRESENTED TO THE
BURBANK-GLENDALE-PASADENA AIRPORT AUTHORITY
LEGAL, GOVERNMENT AND ENVIRONMENTAL AFFAIRS COMMITTEE
MARCH 18, 2024**

**ANNUAL REVIEW AND ADJUSTMENT OF
NOISE VIOLATION FINES**

Presented by Kyle Porter
Manager, Noise and Environmental Affairs

SUMMARY

Staff seeks a Legal, Government and Environmental Affairs Committee (“Committee”) recommendation to the Commission to authorize an increase to the noise fines associated with certain restricted operations as detailed in Airport Noise Rules 8 and 9 as described below, in accordance with the annual adjustment of noise violation fines required by Resolution No. 382.

BACKGROUND

Resolution No. 382 was adopted by the Commission on March 20, 2003. It requires noise violation fines contained in Airport Noise Rules 8 and 9 to be adjusted annually for inflation based on percentage changes in the Consumer Price Index (“CPI”). The January index is used to calculate the annual adjustment and the new rates become effective each April 1st.

Rule 8 prohibits the following activities between 10 p.m. and 7 a.m.

- Intersection takeoffs
- “Touch and go” landings
- Maintenance run-ups
- Flight training operations
- Practice approaches

The current first-time fine is \$1,839 and the fine for subsequent violations is \$2,670.

Rule 9 prohibits the operation of certain “noisy” aircraft (determined pursuant to FAA classifications) between 10 p.m. and 7 a.m. The current fine for each violation is \$5,348.

The 2012 FAA Modernization and Reform Act required owners/operators of aircraft that weigh less than 75,000 pounds that do not meet FAA Stage 3 noise levels to modify or retire their aircraft by December 31, 2015. This statute has been fully implemented; however, existing Airport Noise Rules include weight limits provided by Gulfstream that are necessary, in addition to Stage 3 hush kits, for their Models G-IIIB and G-III aircraft to be in compliance. Currently there are no Gulfstream III aircraft based at Hollywood Burbank Airport. However, Rule 9 also applies to all itinerant aircraft operations with this model aircraft.

In 2023, there were no general aviation operators that violated Rule 9.

JANUARY CPI INDEX LEVEL

The January 2024 CPI for All Urban Consumers in the Los Angeles, Long Beach and Anaheim area is 326.64 according to the U.S. Bureau of Labor Standards. This level represents an approximate increase of 2.5% when compared to the January 2023 index reading of 318.59. Applying this CPI value to the current fines results in the following revised fines levels for Rule 8 and Rule 9 violations:

- Rule 8: \$1,885 (first violation)
- Rule 8: \$2,737 (subsequent violations)
- Rule 9: \$5,482 (each violation)

STAFF RECOMMENDATION

Staff seeks a Committee recommendation to the Commission that the monetary fines for violations of Airport Noise Rules 8 and 9 be adjusted as detailed in this staff report.

**BURBANK-GLENDALE-PASADENA AIRPORT AUTHORITY
LEGAL, GOVERNMENT AND ENVIRONMENTAL AFFAIRS COMMITTEE
MARCH 18, 2024**

COMMITTEE PENDING ITEMS

Future

1. LEEDS to Density Presentation (tentative) (City of Burbank - Golden State Plan)