



March 11, 2021

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

NOTICE is hereby given that the regular meeting of the Legal, Government and Environmental Affairs Committee will be held Monday, March 15, 2021, at 9:30 a.m., or immediately following the Commission meeting, in the Burbank Room of Hollywood Burbank Airport, 2627 N. Hollywood Way, Burbank, California 91505.

Pursuant to Governor Newsom's Executive Order N-29-20, members of the Commission or staff may participate in this meeting via teleconference. In the interest of maintaining appropriate social distancing, members of the public may observe and participate in the meeting telephonically through the following number:

Dial In: (701) 802-5334

Access Code 2451017

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

REGULAR MEETING
OF THE
LEGAL, GOVERNMENT AND ENVIRONMENTAL AFFAIRS COMMITTEE

Burbank Room
Monday, March 15, 2021
9:30 a.m., or Immediately Following
the Conclusion of the
Commission Meeting

As a result of the convening of this meeting of the Legal, Government and Environmental Affairs Committee, each Committee member in attendance is entitled to receive and shall be provided \$200.



The public comment period is the opportunity for members of the public to address the Committee on agenda items and on airport-related non-agenda matters that are within the Committee's subject matter jurisdiction. At the discretion of the presiding officer, public comment on an agenda item may be presented when that item is reached.

Members of the public are requested to observe the following decorum when attending or participating in meetings of the Committee:

- *Turn off cellular telephones and pagers.*
- *Refrain from disorderly or boisterous conduct, including loud, threatening, profane, or abusive language, clapping, whistling, stamping, or other acts that disrupt or otherwise render unfeasible the orderly conduct of the meeting.*
- *If you desire to address the Committee during the public comment period, fill out a speaker request card and present it to the Board Secretary.*
- *Confine remarks to agenda items or to airport-related non-agenda matters that are within the Committee's subject matter jurisdiction.*
- *Limit comments to five minutes or to such other period of time as may be specified by the presiding officer.*



The following activities are prohibited:

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



Any disclosable public records related to an open session item on a regular meeting agenda and distributed by the Authority to the Committee less than 72 hours prior to that meeting are available for public inspection at Hollywood Burbank Airport (2627 N. Hollywood Way, Burbank) in the administrative office during normal business hours.



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

AGENDA

Monday, March 15, 2021

1. Roll Call
2. Staff Announcement: AB 23
3. Approval of Agenda
4. Public Comment
(For items not on the Agenda. Public Comment on specific Agenda items will be received at the time the item is presented.)
5. Approval of Minutes
 - a. February 16, 2021 **[See page 1]**
6. Contracts and Leases
 - a. Annual Review and Adjustment of Noise Violation Fines **[See page 3]**

Staff seeks a Legal, Government and Environmental Affairs Committee recommendation to the Commission that it authorize an annual Consumer Price Index adjustment to the fines associated with violation of Noise Rules 8 and 9 in accordance with Resolution No. 382.
 - b. Proposed Transmittal to California Citizens Redistricting Commission **[See page 5]**

Staff seeks the recommendation of the Legal, Government and Environmental Affairs Committee to the Commission to approve a proposed letter requesting that the California Citizens Redistricting Commission refrain from placing the Airport in a new Congressional or State electoral district.
7. Adjournment

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

TUESDAY, FEBRUARY 16, 2021

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

AB 23 Disclosure: 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.

1. ROLL CALL

Present: Commissioners Wiggins, Agajanian (via teleconference) and Madison (via teleconference)

Absent: None

Also Present: John Hatanaka, Senior Deputy Executive Director

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

2. Staff Announcement: AB 23

Staff read AB 23 Disclosure.

3. Approval of Agenda

The agenda was approved as presented.

4. Public Comment

There were no public speakers.

5. Approval of Minutes

a. January 19, 2021

Commissioner Madison (via teleconference) moved approval of the minutes of the January 19, 2021, special meeting seconded by Commissioner Agajanian (via teleconference). There being no objection, a voice vote was taken to accommodate those participating via teleconference. The motion was approved (3-0).

6. Items for Discussion

a. ADK Consulting Services Contract

Authority General Counsel sought direction from the Legal, Government, and Environmental Affairs Committee regarding an update on the status of the Professional Services Agreement ("Agreement") with ADK Consulting, Inc. ("ADK") for an organizational governance study.

Since its approval back in February of 2020, the ADK consulting services were placed on hold due to the COVID-19 pandemic.

Motion

Following the discussion by the Committee, Commissioner Madison (via teleconference) moved that the Committee direct Staff to agendize an item for the Commission to consider restarting the Agreement with ADK and have the consultant proceed with their work for an organizational governance structure study. Commissioner Agajanian (via teleconference) seconded the motion.

Motion Approved

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

7. Items for Information

a. Committee Pending Items

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

8. Adjournment

There being no further business, the meeting was adjourned at 11:00 a.m.

**STAFF REPORT PRESENTED TO THE
BURBANK-GLENDALE-PASADENA AIRPORT AUTHORITY
LEGAL, GOVERNMENT AND ENVIRONMENTAL AFFAIRS COMMITTEE
MARCH 15, 2021**

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

Presented by Maggie Martinez
Manager, Noise and Environmental Compliance

SUMMARY

Staff seeks a Legal, Government and Environmental Affairs Committee (“Committee”) recommendation to the Commission that it authorize an annual Consumer Price Index (“CPI”) adjustment to the fines associated with violation of Noise Rules 8 and 9 in accordance with Resolution No. 382.

BACKGROUND

Resolution No. 382 was adopted by the Commission on March 20, 2003. The resolution requires Staff to annually review the fines associated with violations of Noise Rules 8 and 9 each February, and to submit adjustment recommendations using the CPI as a basis. The CPI for January is used to calculate the recommended adjustment that will, if approved, become effective on 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 \$1,603 and the fine for subsequent violations is \$2,328.

Rule 9 prohibits the operation of certain “noisy” aircraft between 10 p.m. and 7 a.m., pursuant to FAA Advisory Circular 36-1H. The current fine for each violation is \$4,661.

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. While the statute has been fully implemented, the Authority’s Noise Rules allow for operations of Gulfstream Models G-IIIB and G-III aircraft provided that the aircraft operates within specified weight

limits and is also retrofitted with a Stage 3 hush kit. The Noise Rules apply to all itinerant aircraft operations with this type of aircraft.

In 2020, Staff investigated eight operations by general aviation operators for suspected violations. The investigations determined that there were two violations of Rule 9 committed by a single operator. The operator was fined for each instance and the fines have been collected in full. The remaining operations investigated were determined to be in compliance with the Noise Rules for a G-III aircraft operating during nighttime hours.

JANUARY CPI INDEX LEVEL

The January 2021 CPI for All Urban Consumers in the Los Angeles, Long Beach and Anaheim area is 280.18 according to the U.S. Bureau of Labor Statistics. This level represents an approximate increase of 0.87% when compared to the January 2020 index reading of 277.75. Applying this CPI value to the current fines results in the following revised fines levels for Rule 8 and Rule 9 violations:

- Rule 8: \$1,617 (first violation)
- Rule 8: \$2,348 (subsequent violations)
- Rule 9: \$4,702 (each violation)

STAFF RECOMMENDATION

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

**STAFF REPORT PRESENTED TO THE
BURBANK-GLENDALE-PASADENA AIRPORT AUTHORITY
LEGAL, GOVERNMENT AND ENVIRONMENTAL AFFAIRS COMMITTEE
MARCH 15, 2021**

**PROPOSED TRANSMITTAL TO
CALIFORNIA CITIZENS REDISTRICTING COMMISSION**

Presented by Pamela Marcello
Senior Director, Government and Public Affairs

SUMMARY

Staff seeks the recommendation of the Legal, Government and Environmental Affairs Committee ("Committee") to the Commission to approve a proposed letter, copy attached, requesting that the California Citizens Redistricting Commission refrain from placing the Airport in a new Congressional or State electoral district.

BACKGROUND

Each of California's 53 United States Representatives and 120 State legislators are elected from political divisions called districts. The federal government stipulates that districts must have nearly equal populations and must not discriminate based on race or ethnicity.

The California Constitution requires that districts be contiguous. Further, the State Constitution mandates that "to the extent possible, [districts] must ... preserve the geographic integrity of cities, counties, neighborhoods and communities of interest." Districts must also "encourage compactness." State Senate and Assembly districts should be nested within each other where possible.

Every ten years, based on the results of the federal census, California is required to re-establish the boundaries of its Congressional and State electoral districts to reflect the new population data and shifting populations.

The 14-member Citizens Redistricting Commission that draws Congressional and State legislative district lines for the State of California has invited stakeholders to submit input on the district boundaries that impact their communities. The public comment period will open on April 1, 2021.

BUDGET IMPACT

There is no budget impact associated with the proposed request.

STAFF RECOMMENDATION

Staff seeks the recommendation of the Committee to the Commission to approve a proposed letter to the California Citizens Redistricting Commission requesting that it refrain from placing the Airport in a new Congressional or State electoral district.

[On Authority Letterhead]

[Date]

Board of Commissioners
California Citizens Redistricting Commission
721 Capitol Mall, Suite 260
Sacramento, CA 95814

Dear Commissioners:

I write on behalf of the Burbank-Glendale-Pasadena Airport Authority (“Authority”), owner and operator of Hollywood Burbank Airport (“BUR”), a medium hub airport located in the southeast portion of the San Fernando Valley, regarding the determination of boundaries for Congressional and State electoral districts.

The Authority feels that it is imperative that BUR remain within its existing districts and we request your consideration with maintaining that status quo.

BUR serves a broad community stretching from north of Interstate 10, west to the Ventura, east to the San Gabriel Mountains and north past the Santa Clarita Valley. It is the only airport in the region that has direct rail connection service from both Metrolink and Amtrak on the Antelope Valley and Pacific Surfrider lines.

The Authority is embarking on efforts to finance and construct a Replacement Passenger Terminal which was overwhelmingly supported by City of Burbank voters under a 2016 ballot proposition. This safety project is to replace the current 90-year old building that is not within Federal Aviation Administration design standards.

Over the last ten years, the Authority has worked with its representatives in Congress, the California Senate, and the California Assembly to advance the project. There are unique set of challenges and opportunities associated with BUR that require deep familiarity with the facility and the surrounding communities.

It is critical that the elected officials representing BUR, whoever they may be, have such knowledge. The Authority therefore respectfully asks that the Citizens Redistricting Commission refrain from placing BUR in a new Congressional or State electoral district.

Sincerely,

Ross S. Selvidge, Ph.D.
President

cc: Commissioners, Burbank-Glendale-Pasadena Airport Authority
Mr. Frank R. Miller, Executive Director, Hollywood Burbank Airport