



April 30, 2010

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 Wednesday, May 5, 2010, at 8:30 a.m., in the Burbank Room of the Bob Hope Airport, 2627 Hollywood Way, Burbank, CA 91505.

The items to be discussed are listed on the attached agenda.

Sue Loyd, Board Secretary
Burbank-Glendale-Pasadena Airport Authority

REGULAR MEETING
OF THE
LEGAL, GOVERNMENT AND ENVIRONMENTAL AFFAIRS COMMITTEE

Burbank Room
Wednesday, May 5, 2010
8:30 A.M.

NOTE TO THE PUBLIC: Any discloseable 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 Bob Hope Airport (2627 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.

AGENDA

1. Public Comment
2. Approval of Minutes
 - a. April 7, 2010 **[See page 1]**
 - b. April 21, 2010 **[See page 4]**
3. Items for Discussion
 - a. Legislative Updates
 - 1) State Aviation Issues

No staff report is attached. The Authority's Sacramento legislative consultant, Michael Arnold, will brief the Committee on current aviation issues at the state level via teleconference.
 - b. Expansion of Tower Banner Program

No staff report is attached. Staff will discuss with the Committee expansion of the Tower Banner Program to other applicable public school districts.

4. Section 1090 Conflict of Interest Opinion
Special Counsel Selection

No staff report is attached. On February 17, 2010, the Legal, Government and Environmental Affairs Committee approved the issuance of a request for proposals ("RFP") for a legal analysis of the extent, if any, to which Government Code Section 1090 ("Section 1090") restricts Staff from being involved in the making of Authority contracts with companies that have a contractual relationship with a TBI U.S. Airport Operations, Inc. subsidiary at another airport.

The RFP was sent to three law firms identified by Authority Counsel: Bells McAndrews Hiltachk LLP; Burke, Williams & Sorenson, LLP; and Jenkins & Hogin LLP. Only one of the firms (Burke, Williams & Sorenson) submitted a proposal by the original deadline. The submission deadline was extended and a proposal was received from Jenkins & Hogin. Copies of both proposals are included in the agenda packet.

The Authority has several options, including interviewing one or both firms, choosing a firm based on the proposals received, seeking an Attorney General opinion in lieu of a special counsel opinion, or foregoing an outside Section 1090 analysis altogether. Authority Counsel seeks direction from the Committee regarding the next step of this special counsel selection process.

5. Other Legal, Government and Environmental Matters

6. Closed Session

a. Conference with Legal Counsel – Existing Litigation
(California Government Code Section 54956.9(a))

- 1) Name of Case: In the Matter of the Application Between Burbank-Glendale-Pasadena Airport Authority, Request for Variance, Before the Department of Transportation, Division of Aeronautics
- 2) Name of Case: Orr v. Burbank-Glendale-Pasadena Airport Authority et al. (Case No. EC047664)
- 3) Name of Case: La Barre v. Burbank-Glendale-Pasadena Airport Authority et al. (Case No. EC052254)
- 4) Name of Case: Burbank-Glendale-Pasadena Airport Authority v. Lockheed Martin Corporation (Case No. CV012392)

b. Conference with Legal Counsel – Anticipated Litigation

- 1) Initiation of Litigation (California Government Code Section 54956.9(c)): nine potential cases. One case: Keswick Street Vacation. One case: Securitech contract. One case: Delta Fire contract.

2) Significant Exposure to Litigation (California Government Code Section 54956.9(b)); five potential cases. Facts and Circumstances: Notice of Violation from South Coast Air Quality Management District (No. P 54104); Stephanian Claim; La Barre Claim; Honeywell Monitoring Well Request; Environmental Protection Agency Second Interim Record of Decision for North Hollywood Operable Unit

c. Conference with Real Property Negotiators
(California Government Code Section 54956.8)

- 1) Property: Bob Hope Airport Leaseholds
Authority Negotiator: Executive Director
Negotiating Parties: Alamo Rent-A-Car; Avis Rent A Car; Budget Rent A Car; Enterprise Rent-A-Car; Hertz Rent-A-Car; and National Car Rental
Under Negotiation: Price and Terms of Payment
- 2) Property: Bob Hope Airport Leaseholds
Authority Negotiator: Executive Director
Negotiating Parties: Federal Express
Under Negotiation: Price and Terms of Payment
- 3) Property: B-6 Property
Authority Negotiator: Executive Director
Negotiating Parties: City of Burbank; City of Glendale; State of California
Under Negotiation: Price and Terms of Payment
- 4) Property: APN Number 2466-016-801
Authority Negotiator: Executive Director
Negotiating Parties: Union Pacific
Under Negotiation: Price and Terms of Payment
- 5) Property: Bob Hope Airport Leaseholds
Authority Negotiator: Executive Director
Negotiating Parties: Legacy Aviation, LLC
Under Negotiation: Price and Terms of Payment
- 6) Property: Bob Hope Airport Leaseholds
Authority Negotiator: Executive Director
Negotiating Parties: Alaska Airlines; American Airlines; JetBlue Airways; SkyWest Airlines; Southwest Airlines; US Airways
Under Negotiation: Price and Terms of Payment
- 7) Property: Bob Hope Airport Leaseholds
Authority Negotiator: Executive Director
Negotiating Parties: Alliance Airport Advertising; AT&T; KABC; T-Mobile; Verizon
Under Negotiation: Price and Terms of Payment
- 8) Property: Bob Hope Airport Leaseholds
Authority Negotiator: Executive Director
Negotiating Parties: Ameriflight LLC
Under Negotiation: Price and Terms of Payment

- 9) Property: Hollyona Property
Authority Negotiator: Executive Director
Negotiating Parties: City of Burbank
Under Negotiation: Price and Terms of Payment

d. Threat to Public Services or Facilities
(California Government Code Section 54957(a))

- 1) Consultation with Director of Public Safety

e. Public Employee Performance Evaluation
(California Government Code Section 54957 (b))

- 1) Title: Executive Director
- 2) Title: Senior Deputy Executive Director

7. Adjournment