



June 4, 2010

CALL AND NOTICE OF A REGULAR MEETING
OF THE
BURBANK-GLENDALE-PASADENA AIRPORT AUTHORITY

NOTICE is hereby given that a regular meeting of the Burbank-Glendale-Pasadena Airport Authority will be held Monday, June 7, 2010, at 9:00 a.m., in the Airport Skyroom of the Bob Hope Airport, 2627 Hollywood Way, Burbank, California, 91505.

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

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

BURBANK-GLENDALE-PASADENA AIRPORT AUTHORITY

Regular Meeting of Monday, June 7, 2010

9:00 A.M.

NOTE TO THE PUBLIC: Prior to consideration of business items, the Authority invites comment on airport-related matters during the Public Comment period. Members of the public are requested to observe the following decorum when attending or participating in meetings of the Commission:

- 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 Commission during the Public Comment period, fill out a speaker request card and present it to the Commission's secretary.
- Limit public comments to five minutes, or such other period of time as may be specified by the presiding officer, and confine remarks to matters that are on the Commission's agenda for consideration or are otherwise within the subject matter jurisdiction of the Commission.

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.

1. ROLL CALL
2. PLEDGE OF ALLEGIANCE
3. PUBLIC COMMENT
4. ITEMS FOR COMMISSION ACTION
 - a. Election of Interim Officer (President) **[No Staff Report]**
5. PRESENTATIONS
 - a. Airport Authority Police Officer of the Year Award **[No Staff Report]**

6. CONSENT CALENDAR

a. Committee Reports (For Note and File)

1) Operations and Development Committee

(i) May 3, 2010 *[See page 1]*

2) Finance and Administration Committee

(i) May 3, 2010 *[See page 5]*

3) Legal, Government and Environmental Affairs Committee

(i) May 5, 2010 *[See page 7]*

b. Commission Minutes (For Approval)

1) May 24, 2010 *[See page 11]*

c. Request for Attorney General Section 1090
Conflict of Interest Opinion

[See page 22]

7. ITEMS FOR COMMISSION APPROVAL

a. First Amendment to Non-Exclusive License Agreement
AT&T Wi-Fi Services

[See page 23]

b. Fifth Amendment to Non-Exclusive License Agreement
Los Angeles SMSA Limited Partnership, d/b/a
Verizon Wireless, by Airtouch Cellular

[See page 27]

c. Consultant Selection for Design Services for the
Regional Intermodal Transportation Center

[See page 31]

d. Award of Change Order to Environmental Consultant for
the Regional Intermodal Transportation Center Project

[See page 47]

e. Consultant Award for Design of
Aircraft Ramp Rehabilitation

[See page 55]

f. Review of the Proposed Fiscal Year 2010/2011 Annual Budget and
Proposed Resolution No. 433, A Resolution of the
Burbank-Glendale-Pasadena Airport Authority
Adopting the Fiscal Year 2010/2011 Annual Budget

[See page 58]

g. Approval of Orangeline Development Authority
Second Amended Joint Exercise of Powers Agreement and
Designation of Representatives on OLDA Board of Directors

[See page 64]

8. ITEMS FOR COMMISSION DISCUSSION

a. June 3, 2010, Discussions with Airlines on
Nighttime Noise Issues

[No Staff Report]

9. ITEMS FOR COMMISSION INFORMATION

- a. Airlines Schedule Analysis *[See page 66]*
- b. April 2010 Passenger Statistics and
May 2010 Parking Revenue *[See page 71]*

10. CLOSED SESSION

a. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
(California Government Code Section 54956.9(a))

- 1) Name of Case: Orr v. Burbank-Glendale-Pasadena Airport Authority et al.
(Case No. EC047664)
- 2) Name of Case: La Barre, Allstate Insurance Co. v. Burbank-Glendale-Pasadena
Airport Authority et al. (Case No. EC052254)
- 3) 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)): seven
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)):
four potential cases. Facts and Circumstances: Notice of Violation from South
Coast Air Quality Management District (No. P 54104); Stephanian 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

f. CONFERENCE WITH LABOR NEGOTIATORS
 (California Government Code Section 54957.6)

- 1) Authority Representative: Assistant General Counsel
 Unrepresented Employees: Executive Director; Senior Deputy Executive Director

11. ADJOURNMENT

COMMISSION NEWSLETTER

June 7, 2010

[Regarding agenda items]

4. ITEMS FOR COMMISSION ACTION

- a. INTERIM OFFICER ELECTIONS – No staff report is attached. On May 24, 2010, the Pasadena City Council appointed City Council member Steve Madison to the Commission in place of President Streator effective June 1, 2010. The Authority's enabling joint powers agreement provides that a vacancy in the President office shall be filled at the next regular Commission meeting held after the vacancy occurs. Additionally, the joint powers agreement requires the Commission to elect or re-elect a President, a Vice President and a Secretary at the first meeting of July every year. Thus, it is necessary that the Commission elect an interim President (and, if necessary, an interim Vice President or Secretary) to serve this month pending the annual election of officers on July 6, 2010.

In accordance with state law, each nominee for President must abstain from the Commission's discussion and vote on that office because of the special compensation afforded the President. As part of the abstention, the nominee(s) for President must make a public disclosure and leave the dais during the Commission's consideration of that office. Staff recommends that the Commission elect interim officers as necessary.

5. PRESENTATIONS

- a. AIRPORT AUTHORITY POLICE OFFICER OF THE YEAR AWARD – Airport Authority Police Chief Ed Skvarna will present Officer Rick Massa with the Police Officer of the Year Award for 2009.

6. CONSENT CALENDAR

(Consent Calendar items may be enacted by one motion. There will be no separate discussion on these items unless a Commissioner so requests, in which event the item will be removed from the Consent Calendar and considered in its normal sequence on the agenda.)

- a. COMMITTEE REPORTS – Approved minutes of the following committee meetings are included in the agenda packet for information: May 3, 2010, Operations and Development Committee; May 3, 2010, Finance and Administration Committee; and May 5, 2010, Legal, Government and Environmental Affairs Committee.
- b. COMMISSION MINUTES – MAY 24, 2010 – The draft minutes of this meeting are attached for Commission review and approval.
- c. REQUEST FOR ATTORNEY GENERAL SECTION 1090 CONFLICT OF INTEREST OPINION – A staff report is attached. On February 1, 2010, the Commission instructed the Authority's General Counsel firm to return with a list of three law firms from which the Authority could solicit proposals for a legal opinion regarding the extent, if any, to which 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. On February 17, 2010, the Legal, Government and Environmental Affairs Committee approved the issuance of a request for proposals to three law firms: Bells McAndrews Hiltachk LLP; Burke, Williams & Sorenson, LLP; and Jenkins & Hogan LLP. Burke, Williams & Sorenson submitted a proposal offering a two-person team with an hourly billing rate of \$350 for the primary attorney and \$325 for the secondary attorney. Jenkins & Hogin submitted a proposal offering an hourly billing rate of \$300. Bells McAndrews Hiltachk did not submit a proposal.

On May 5, 2010, after considering the two proposals, the Legal Committee unanimously voted to recommend that the Authority seek an Attorney General opinion rather than retaining special counsel for this legal analysis. Following an inquiry by former President Streator, Senator Liu's Chief of Staff has confirmed the Senator's willingness to assist the Authority with this matter if the Commission chooses to pursue an Attorney General opinion.

7. ITEMS FOR COMMISSION APPROVAL

- a. **FIRST AMENDMENT TO NON-EXCLUSIVE LICENSE AGREEMENT, AT&T WI-FI SERVICES** – A staff report is included in the agenda packet. Due to the recent offering of complimentary Wi-Fi internet services at the Bob Hope Airport, AT&T, one of three current wireless service providers serving the Airport, seeks an Amendment (a copy of which is included with the staff report) to its current Non-Exclusive License Agreement (“Agreement”) which would allow for a reduction in license fees paid to the Airport Authority. At the May 24, 2010, meeting of the Finance and Administration Committee, the Committee voted unanimously (3–0) to recommend to the full Authority approval of the proposed Amendment to the Airport Authority's Agreement with AT&T for Wi-Fi Services and to authorize the Authority President to execute same.
- b. **FIFTH AMENDMENT TO NON-EXCLUSIVE LICENSE AGREEMENT, LOS ANGELES SMSA LIMITED PARTNERSHIP, d/b/a VERIZON WIRELESS, BY AIRTOUCH CELLULAR** – A staff report is included in the agenda packet. Los Angeles SMSA Limited partnership, d/b/a Verizon Wireless, by Airtouch Cellular, its General Partner (“Verizon Wireless”), provides wireless broadband telecommunications systems to subscribers throughout the State of California and nationally. In March 2003 the Authority awarded a non-exclusive license to Verizon Wireless to install equipment at Bob Hope Airport which allows travelers to access their Verizon Wireless internet accounts while at the Airport without the need to physically connect their computers to a telephone line. At its May 24, 2010, meeting the Finance and Administration Committee voted unanimously (3–0) to recommend to the full Commission approval of a fifth renewal term of three years to Verizon Wireless' license agreement. A copy of the proposed Amendment to the License Agreement is attached.
- c. **CONSULTANT SELECTION FOR DESIGN SERVICES FOR THE REGIONAL INTERMODAL TRANSPORTATION CENTER** – A staff report is included in the agenda packet. Staff has completed the first phase of the selection process for the procurement of design services for the construction of the Regional Intermodal Transportation Center. Staff has interviewed the six proposing parties and has reviewed and ranked the proposals, resulting in a “short list” of four firms for further consideration.

At the May 24, 2010, Operations and Development Committee meeting, the Committee concurred with Staff's recommendation to move forward and issue a Request for Proposals ("RFP") to the four highest-ranked "short-listed" firms. This proposal will be fee based. After review Staff will bring back to the Committee a recommendation to the Commission for award of a Professional Services Agreement to the firm with the best proposal.

- d. AWARD OF CHANGE ORDER TO ENVIRONMENTAL CONSULTANT FOR THE REGIONAL INTERMODAL TRANSPORTATION CENTER – A staff report is included in the agenda packet. This item has been placed on the Authority's agenda subject to review and recommendation by the Operations and Development Committee at its June 7, 2010, meeting immediately prior to the full Authority meeting. It is Staff's recommendation that the Committee recommend to the full Authority authorization for staff to issue a change order to Ricondo and Associates ("Ricondo") in the not-to-exceed time and materials amount of \$24,950 for the preparation of an Environmental Assessment ("EA") in conformance with the National Environmental Policy Act ("NEPA") for the proposed Bob Hope Airport Regional Intermodal Transportation Center ("RITC") project.
- e. CONSULTANT AWARD FOR DESIGN OF AIRCRAFT RAMP REHABILITATION – A staff report is included in the agenda packet. At its May 24, 2010, meeting the Operations and Development Committee voted 2–0 (1 absent) to recommend to the Full Commission that it award a Professional Services Agreement to RS&H in the amount of \$453,528 for engineering design services for the rehabilitation of the aircraft parking ramps and taxilanes at the passenger terminal. The proposed fee for these services is based on a Staff recommendation to implement "Option 2" of three options available that define the extent to which the existing asphalt pavement is replaced with asphalt and/or concrete pavement. Staff also seeks Commission approval for an approximate 10% (\$45,000) contingency for any required additional design effort for unexpected items that may be necessary.
- f. REVIEW OF THE PROPOSED FISCAL YEAR 2010/2011 ANNUAL BUDGET AND PROPOSED RESOLUTION NO. 433, A RESOLUTION OF THE BURBANK- GLENDALE-PASADENA AIRPORT AUTHORITY, ADOPTING THE FISCAL YEAR 2010/2011 ANNUAL BUDGET – A staff report is included in the agenda packet. Staff seeks Commission approval of Resolution No. 433, which adopts the proposed Fiscal Year 2010/2011 ("FY 2011") annual budget. Enclosed in the agenda package is a workbook which provides detailed information regarding the budget.

At its May 3, 2010, meeting the Operations and Development Committee concurred to recommend adoption by the full Commission of the Facility Improvement Program (Capital) budget, included as part of the proposed FY 2011 annual budget. The Finance and Administration Committee voted 2–0 (1 absent) at its May 24, 2010, special meeting to recommend adoption by the full Commission of the proposed FY 2011 annual budget.

During discussion of the proposed FY 2010/2011 budget, it was necessary for Commissioner Lombardo to leave the meeting at 11:40 a.m. Prior to leaving the meeting, however, Commissioner Lombardo advised that he approved of moving forward with the proposed FY 2010/2011 budget for presentation to the full Authority.

- g. APPROVAL OF ORANGELINE DEVELOPMENT AUTHORITY SECOND AMENDED JOINT EXERCISE OF POWERS AGREEMENT AND DESIGNATION OF REPRESENTATIVES ON OLDA BOARD OF DIRECTORS – A staff report is included in the agenda packet. On March 15, 2010, the Commission approved the Authority's membership in the Orangeline Development Authority ("OLDA") and designated the Executive Director as the Authority's interim representative on OLDA's Board of Directors. OLDA's existing members are now in the process of approving a Second Amended Joint Exercise of Powers Agreement that, among other things, accommodates membership by the Authority and other joint powers agencies. However, such agreement maintains a restriction limiting eligibility on OLDA's Board of Directors to persons who are on the governing body of the appointing member.

Staff recommends that proposed Resolution No. 434 be adopted to approve OLDA's Second Amended Joint Exercise of Powers Agreement subject to its approval by three-fourths of OLDA's existing members, which is the amount necessary to make it effective. Additionally, Staff recommends that two Commissioners be designated to represent the Authority on OLDA's Board of Directors, one as a Director and one as an Alternate Director. OLDA's Directors and Alternate Directors receive a stipend for meeting attendance and an expense reimbursement. Consequently, in accordance with state law, Commissioners who are nominated for these positions must abstain from the Commission's discussion and vote unless they waive OLDA's stipend and expense reimbursement. As part of the abstention, the nominees would have to make a public disclosure and leave the dais during the Commission's discussion and vote.

8. ITEMS FOR COMMISSION DISCUSSION

- a. DISCUSSIONS WITH AIRLINES ON NIGHTTIME NOISE ISSUES – No staff report is attached. Staff will brief the Commission on recent discussions with the airlines on nighttime noise issues.

9. ITEMS FOR COMMISSION INFORMATION

- a. AIRLINES SCHEDULE ANALYSIS – Included in the agenda packet for noting and filing is a schedule analysis reflecting equipment and operation changes for several airlines and the effect of the changes in the noise impact area.
- b. APRIL 2010 PASSENGER STATISTICS AND MAY 2010 PARKING REVENUE – The passenger count of 375,305 in April was down 8% from April of last year. The year-to-date total of 1,423,215 is 3.7% below the same period last year. Total airline seats offered in April numbered 555,901, which is down 5.6% from 593,232 in 2009. Cargo is up 5.4% for the month and 13.4% year-to-date, due to increased volume at UPS. Airline operations decreased 4% in April, while air taxi operations were up 42.3%. General aviation operations were up 17.3% in April. Total combined operations are up 6.3% year-to-date. A complete report is included in the agenda packet.

Staff will also brief the Commission on the preliminary figures for May 2010 parking revenue.