

WEDNESDAY, DECEMBER 4, 2002

An adjourned meeting of the Council of the City of Burbank was called to order this date as a joint meeting with the Glendale and Pasadena City Councils at the Glendale Hilton Hotel, 100 West Glenoaks Boulevard, Glendale, at 4:10 p.m., by Mr. Manoukian, Glendale Mayor.

ROLL CALL

Present- - - - Burbank Council Members Golonski, Murphy, Ramos, Vander Borght and Laurell.

Glendale Council Members Gomez, Quintero (arrived at 4:20 p.m.), Weaver, Yousefian (arrived at 4:35 p.m.), and Manoukian.

Pasadena Council Members Tyler and Bogaard.

Absent - - - - Burbank Council Members None.

Glendale Council Members None.

Pasadena Council Members Gordo, Haderlein, Little, Madison, and Streater.

Also Present - Burbank – Mr. Ovrom, City Manager; Mr. Barlow, City Attorney; and Mrs. Campos, City Clerk.

Glendale – Mr. Starbird, City Manager; Mr. Howard, City Attorney; and Ms. Twedt, City Clerk.

Airport Authority – President Holden; Commissioners Briggs, Crowley, Lombardo, Povilaitis, Wiggins, and Executive Director Marrero.

Pasadena – Mr. Rassmussen, City Attorney.

Invocation The invocation was given by Mayor Laurell.

Flag Salute The pledge allegiance to the flag was led by Mayor Bogaard.

Oral Communications Mayor Manoukian called for oral communications at this time.

Citizen Comment Appearing to comment were Lila Ramirez, speaking on behalf of homeowners in the Glendale area noting that they will bring this airport issue to the attention of their membership, and encouraging the three cities to work together on a local solution; Dr. Theresa Karam, representing Greater Toluca Lake Neighborhood Council, commenting on the lack of caps on flights and a curfew, stating the Burbank community does not want a new terminal, on decreased property values due to Airport activity, and urging the Glendale Council not to support a new terminal; Maria Proctor, referencing Measure A, and stating the Burbank community does not want a new terminal; David Piroli, commenting on Measure A and the Declaratory Relief lawsuit, stating the turnout at the Measure A election was a mandate from the people, disagreeing that going to the Federal Aviation Administration (FAA) for protection is not giving up local authority, and stating that Burbank controls land use, but the FAA controls the skies;

Howard Rothenbach, representing Restore Our Airport Rights (ROAR), in support of requesting the FAA's intervention, referencing the largest voter turnout of a municipal election with the ROAR initiative, and reading from an article regarding the Ontario Airport; Todd Campbell, representing the Coalition for Clean Air, commenting that it is unfortunate the cities have not worked well together, stating if a new terminal is an excuse to expand, then the population would be against it, that the Authority's continuance of piecemealing development does not allow the public to participate in the EIR process, urging the commissioners and councils to commit to developing a traffic plan, to reduce baseline emissions through cleaner equipment, stating there should be a commitment to the flight curfew, and that Burbank has a very high air toxic level due to geography so any expansion needs to be mitigated to ensure public safety for all;

Rich Ramirez, Glendale resident and Chair of the Glendale Homeowners Coordinating Council, noting the financial benefits derived from the Airport are important to the region, however, its important for the people in Glendale to recognize that people in Burbank and North Hollywood suffer the negative impacts of the Airport, stating growth will begin to impact Glendale neighbors as well, that Glendale benefits from the Airport and should cooperate, noting the impacts identified by PERC are important, urging the Glendale City Council to ask the commissioners to seek the best possible mandatory curfew, including cargo and general aviation, and noting that Phase 2 of the Part 161 Study requires that the Airport Authority perform a comprehensive cost benefit analysis; C.L. Stack, addressing the issue of security and safety concerns at the Airport; and Margaret Hammond, stating the airport is an advantage to the Tri-Cities but the other two cities don't suffer the negative impacts as does Burbank, and urging the cities to work together to get the FAA to approve a curfew.

Discussion of  
Issues and  
Actions Relative  
to the Burbank-  
Glendale-  
Pasadena Airport

Mr. Ovrom referenced the reports submitted and stated staff was available to answer any questions regarding the reports.

Council Member Gomez inquired what the Airport Authority is doing to deal with the noise variance decision. Mayor Manoukian referenced receipt of the noise variance decision by the California Department of Transportation which found the Authority's delay in completing the Part 161 Study was excessive and unjustified, and required the Authority to file a schedule for completion of the Part 161 Study. Commissioner Povilaitis stated the Authority adopted a policy which included working through a collaborative effort, including the FAA. He

noted that nobody has ever successfully completed a Part 161 Study and referenced an attempt to grandfather in Burbank for a curfew, but that the FAA denied the request. He noted the Framework for Settlement Agreement, and its eventual demise. Commissioner Polvilaitis stated the collaborative effort included community outreach, noting the Authority does not want to invest \$4 million to have the study rejected on a technicality. He reported the study is currently in Phase II which is the most technical part.

Mayor Bogaard remarked that with respect to the Part 161 Study, when it was initiated it related primarily to the question of the acceptability or justification for a curfew, that the PERC report identified a broader range to include daytime constraints, and that it was his understanding that the Part 161 Study currently underway at best would justify a curfew and that the consideration of other kinds of mitigation measures would require a new 161 study or a modification or broadening of the current one.

Commissioner Povilaitis responded that the curfew as currently proposed would extend between the hours of 10:00 p.m. and 7:00 a.m., with the exception of emergencies, adding that multiple restrictions are probably not acceptable to the FAA because they want to study the impact of one before they implement other restrictions.

Council Member Gomez commented on the February 18, 2003 deadline imposed on the Airport Authority to file the Part 161 schedule by CalTrans, and Commissioner Povilaitis stated the Authority anticipates they will comply before the deadline, adding that the decision has not been discussed by the full Authority because the decision was just rendered. Mayor Manoukian emphasized the importance of the Authority's intention to complete the Part 161 Study and not delay it.

Commissioner Wiggins referenced the success of the collaborative efforts of the Arroyo Verdugo Cities to find solutions to problems affecting the member cities and urged the Council Members to continue to try to find a solution to the problem. He stated his opposition to the sale of the B-6 property because the sale of the property precludes the possibility of a new terminal, and stated he believes that there is a need for a new terminal and a curfew; he believes there is a nexus between the two. He noted of paramount importance is the fact that the cities have an opportunity to work together to move this matter forward and expressed hope that all parties would come to another step on proceeding towards a solution.

President Holden clarified that the Authority did not vote to sell the B-6 property, or put the property on the market, but rather presented a policy statement to consider options for the B-6 property; not to make any decisions, but to seek direction from the FAA. He commented that the Authority is at a point now that the expectation is to understand that the terminal is safe, but it can be safer. The Authority needs to know what priority the FAA is going to place on this relocation effort. Secondly, he stated, if the FAA decides it's important to relocate the terminal, they have to be encouraged to help with a local solution to concerns which have been raised for many years. He commented on the PERC Committee recommendations, stating it is his understanding that members of the Burbank City Council would like a delegation to travel to Washington and basically say what the Authority has already said in their letter. Mr. Holden stated that over the years the FAA has said the terminal should be moved for safety reasons, but the only clear direction the Authority has been given was through Measure A, which has been invalidated by the Court due to legal flaws.

Council Member Vander Borght stated the goal is to provide some form of mitigation for noise and air pollution suffered by Burbank and Los Angeles, noting Burbank bears the brunt of the traffic impacts. He emphasized the need to present a unified front, and encouraged a partnership effort, recognizing that the airport must be run as a business, but also as a public entity with a sense of public responsibility. No one knows exactly what the outcome will be, but a common effort by the three cities, congressional delegation, and the FAA will be a better solution than proceeding directly with the FAA.

President Holden stated there is a process to address a mandatory nighttime curfew, and questioned whether it should be amended to include caps and noise budget issues, warning it will cause further delay with a slim chance for success, or whether separate 161 studies should be undertaken, which would entail a lot of money and would not be very fruitful. He encouraged those who have not had the opportunity to hear policy positions on those points presented by the FAA to go. He stated that if this project has a high enough priority for the FAA, it should become a part of those solutions.

Council Member Vander Borght cautioned against unrealistic expectations as the Airport as an entity will require ongoing attention. He would like to achieve a nighttime curfew and if the cities work together, we might be able to get the FAA to the table and move faster. He emphasized we need to achieve the first step.

Council Member Yousefian stated the current terminal is antiquated, noting the modern construction of airports allows passengers to board planes through covered walkways, and urged the construction of a new terminal on the B-6 property which is modest, sensible, and sensitive to the environment and the residents of Burbank. He does not want the Glendale Airport Commissioners to vote to sell the B-6 Property unless the Glendale Council has made that determination, as there is no other piece of land in the area that can be developed into a new airport. He concurred with Burbank that the time has come for a delegation from all three Councils travel to Washington to get a definitive answer from the FAA, and proceed from there.

Council Member Quintero stated he is pleased that the leadership from all three cities have begun to meet and it makes sense for representatives of the three Councils, Airport Commissioners, representatives from the Airport Authority, the congressional delegation, and maybe Senators, to approach the FAA, as a united front will make an impression on the new FAA Administrator and whoever else is involved in this issue. He concluded that such a delegation would represent a sizable population and expressed support for making the concerted effort.

President Holden stated there has been some concern about the FAA responding, and informed that a letter had been received from the FAA stating they are studying the safety issue and will respond in as timely a manner as possible.

Mr. Ovrom stated copies of the response will be made available to the public at this meeting.

Council Member Ramos stated she believed President Holden and the Glendale Council Members agree there should be a local solution, stating her agreement with Council Member Yousefian's suggestions that we communicate that to the FAA. She stated she recognized that there are processes in place at the federal level which are difficult, but she believes that we can proceed one step at a time, and requested her colleagues in Pasadena and Glendale join Burbank in that mutual goal.

Council Member Gomez stated he also believes in a local solution. He noted the negative impacts of the airport also affect Glendale in terms of noise and air quality, and in terms of relations with their neighboring city. He cited past successful endeavors between Burbank and Glendale. He noted that three years ago, the Glendale City Council

supported an enforceable curfew and stated he was sure the current Glendale Council supported the curfew as well. He outlined his belief that a replacement terminal is needed, one that is not out of proportion, but similar in terms of size, and which addresses the convenience of those who live in the area. He encouraged the Glendale Airport Commissioners to work with the Glendale Council before a decision is made on the B-6 property. Mr. Gomez also noted that although the noise variance was granted for a period of three years, that should not lead the Authority to believe everything is fine. He asked when the Part 161 Study will be complete and hopes it will make Burbank the first Airport in the country with an enforceable curfew.

Vice Mayor Murphy thanked the participants for attending the meeting, and stated the airport needs to be a user-friendly business. She cited the efforts undertaken in Burbank by the studios when working on their master plans. They went to great lengths to work with neighbors. She stated she wanted to be sure that the Airport and the three joint power cities are partners in the process. She indicated she was disturbed that the Airport Authority went to the FAA to request they step in and make a decision without local input, especially since the City Councils of all three joint power cities have clearly stated they preferred to find a local solution, and requested prior to any such steps being taken in the future, that the Councils of all three cities be involved in the process prior to the Authority making such decision. She expressed appreciation to those who spoke favorably of working together in an effort to find a local solution.

President Holden reminded the participants that Jane Garvey, former FAA Administrator, had already been to Burbank to address issues. He stated other than a delegation travelling to Washington, D.C. to ask a question that's already been asked, it would be helpful to know what Burbank wants. He noted the Authority heard what the voters want and know what the process is to achieve what the voters want, but it would be helpful to know how they are supposed to obtain a local solution, and what the elements of a local solution would be. He concluded his remarks by requesting the leadership in Burbank shed some light on what they want, as that would be helpful to the Authority.

Mr. Golonski cautioned that the cities not try to proceed too far, stating what Burbank has laid out is a fairly extensive public outreach process that would help create a consensus-based plan, with the input of the affected cities, congressional delegations and the public. He said it is important to have a package that has the unanimous support of all the

stakeholders, and one that will be supported by the people of Burbank, Glendale, and Pasadena. He stated what Burbank would like to see happen is support for that process and support from our partners that such is the right process. He noted Burbank has laid out a labor-intensive process that will take a while to put all the pieces together to get everyone's input, and the key thing is developing that wholehearted support. He emphasized that for the first time tonight, he heard the Authority supports the spirit of Measure A, and inquired whether that meant the Authority supports controls on growth, because that has not been the Authority's position in the past. He concluded that there is no merit to an ununified effort, that we need to have a unified position what we're 100 percent behind and until we try that, I'll be optimistic that there is a solution that will meet our communities' needs and that will be of benefit to all.

Council Member Quintero stated his goal was to achieve a curfew, followed by a cap on flights and some way to control the growth of the airport, stating he is not particularly interested in a new terminal. As a group of cities, including Los Angeles, I think seeking solutions is worth the effort. He noted that San Jose and John Wayne airports both have curfews, so we are not seeking a solution in uncharted waters.

Mayor Bogaard felt that the primary issue was whether to push for a new terminal in the immediate future, but now understands that from Burbank's point of view, mitigation measures and ultimately some kind of solution to the issues of noise, traffic and pollution are at the top of the agenda. In this regard, he stated there is reason to be hopeful because the Authority has indicated it will pursue the Part 161 Study to its conclusion and the CalTrans order requires some reinforcement of that effort. He stated that he supports the curfew. After discussion in Pasadena, he noted the intention was to wait on the terminal question until a response was received from the FAA on the safety assessment of the current terminal. On the question of whether there should be cooperative action in pursuing a successful outcome to the Part 161 Study, he felt that is the only sensible way to go and hoped to offer a methodology that can be supportive of the current study. He didn't realize many are viewing the Airport Authority letter to the FAA as seeking a federal solution versus a local solution to a local problem. He further stated President Holden said that the FAA is a player, but not necessarily the only decision-maker. He felt the majority believe the local solution is the way to go and cooperative action makes sense and might lead to more effective responses in Washington.

Council Member Yousefian stated even if a new terminal isn't built, we need to do all we can to reduce noise and pollution, and in his opinion the reason for the trip to Washington is twofold: first, to establish a relationship with the new administration, as creating a personal rapport with the federal government is very important, and, second to get a reality check, as it is imperative to know what the parameters are. He urged the participants to not waste time on solutions which are not achievable, but rather to focus on solutions that are realistic. He noted he's been hearing the current terminal was unsafe for many years, and what he has heard in the last two months is something new. He suggested perhaps the question could be put to a vote of Burbank residents regarding whether they want a new terminal, emphasizing that its important to work together as there is a level of trust which needs to be built.

Mayor Laurell thanked Mayors Manoukian and Bogaard for facilitating the meeting and their willingness to participate in the meeting. He expressed his hopes that we make a renewed commitment to work on the issues, and was encouraged by comments that we must not abdicate local control. He further stated his desire to go back to Washington, D.C. and get federal direction so that we can return home with a renewed commitment to come forth with a local solution based on federal guidelines. He stated we need clear guidance from the FAA so we know what is achievable. Mayor Laurell expressed comments with regard to Measure A, but clarifying that the initiative was flawed from the start, otherwise the City would have their legal counsel draft such a document themselves. He noted that while Measure A was illegal, it clearly identified the desire of residents that they don't want a new terminal without controls. He noted he was encouraged with what he has heard from other Council Members.

Mayor Laurell then asked Mayors Manoukian and Bogaard to agendaize council discussion before mid-January on whether or not the Councils are willing to send a delegation back to Washington, D.C., and identifying who their two representatives would be. He stated our congressional delegations can facilitate the meeting with the FAA, and requested another tri-city meeting be scheduled during the first quarter of next year, after the delegation has returned from Washington, D.C.

Mayor Manoukian requested that Mr. Starbird agendaize the discussion for the Glendale Council meeting of December 17, as there was a clear consensus by members present to discuss the trip to Washington, D.C. as well as a future tri-city meeting.



Mayor Bogaard noted many of his colleagues were not present, that he was here to listen and report back to the Pasadena Council. He expressed a desire to participate in a strong effort to address the issues Burbank feels so strongly about, and stated he would recommend to his Council that they support the issue of a delegation traveling to Washington, and that he believed the Pasadena Council will be agreeable to another tri-city meeting after such trip.

Council Member Vander Borcht expressed appreciation for everyone's willingness to work together, and stated he felt heartened by the support for the curfew issue, and that he looked forward to the next tri-city meeting.

Commissioner Crowley stated there was representation missing at this meeting from other constituencies who are affected such as the airlines, who should be a party to the solution, such as the City of Los Angeles and members of the flying public, noting their lack of support may mean the difference between success and failure, and encouraging their inclusion in the future.

Council Member Weaver stated he did not believe the letter in any way indicated the Authority is trying to sell the B-6 property, that the Authority has a right to ask the FAA for their opinion, and that the Authority has not overstepped the bounds of what the Commission should do. He requested discussion of other issues at the next meeting, such as parking issues, noting the potential of Burbank's increasing the Transient Parking Tax and the building of parking structures. He discussed the current night flights of Ameriflight, FedEx and UPS, and stated if we ask them to leave because a curfew is implemented, we should be addressing the impacts which would arise as a result of their departure. Referencing specific language in the Part 161 Study, he stated the FAA will listen to the bigger players, like the airline industry. He noted his opposition to going to Washington because all the parties want no noise, nobody wants traffic congestion or the planes flying at night. He concluded that he is not interested in another tri-city meeting because some Council Members have a hidden agenda to run for higher office and are using the issue to sway the Burbank vote, and that the solution must be worked out by staff and not by politicians.

Mayor Manoukian requested that in the future, the Glendale Airport Commissioners inform the Council of decisions such as with the letter sent to the FAA, as he considered this decision a major policy change. He stated he understands that since

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the Framework For Settlement Agreement fell apart, there has not been open channels of communication between the Burbank staff and the Airport staff, and requested that communication be reopened, volunteering staff if necessary to facilitate that. He emphasized his desire that a local solution be reached that would benefit the region, that having a delegation travel to Washington, D. C. will show solidarity to the FAA, and that we are actively seeking a local solution to the problem. Lastly, he thanked Mayors Laurell and Bogaard for coming to Glendale and the Council Members and staff present, and expressed hope that we take the issue of working together in the spirit of cooperation from this meeting.

Adjournment      There being no further business to come before the Councils, the joint meeting adjourned at 6:21 p.m.

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Margarita Campos, City Clerk

APPROVED FEBRUARY 4, 2003

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Mayor of the Council  
of the City of Burbank