

## **Questions and Answers Regarding Extending the Development Agreement Between the City of Burbank and the Airport Authority**

### **What is the Development Agreement (DA) between the City of Burbank and the Burbank-Glendale-Pasadena Airport Authority?**

The City and the Authority entered into the DA in March 2005 in order to provide greater certainty and predictability in the relationship between the City and the Authority by allowing the Authority to pursue routine projects that would allow it to meet its operational needs without expanding the existing terminal or building a new one. During its seven-year term, the DA controls Airport development, including prohibitions on the expansion of the existing terminal, on the addition of more aircraft gates, and on starting any planning process to construct a new terminal building.

### **What is the status of the DA?**

The DA, including the prohibition on expanding the existing terminal, is effective until June 2012. The prohibition against initiating any planning process for a new terminal extends until March 2015. The DA itself anticipates that the City and Authority will enter into discussions about what will happen after the DA expires by calling for meetings of the Airport Land Use Working Group (ALUWG). The ALUWG is composed of City and Airport staff and consultants and has been meeting every two weeks since January. Their discussions have focused on exploring options for what happens when the DA expires in June 2012 and on ways to establish a consensus between the Authority and City for joint planning for the future of the Airport and its surrounding area. The ALUWG has recommended to the City Council and the Airport Authority that the DA be extended for about three years, until March 2015.

### **Why did the ALUWG recommend extending the DA?**

Over the past six years, the DA has been effective in meeting the goal of providing for greater certainty and predictability in City/Authority relations. The DA has also allowed the City and Authority to focus efforts on finding long-term solutions to Airport-related unresolved issues. Extending the DA will allow the City and Authority more time to explore the viability and desirability of options for future use of the land in and around the Airport. These options include: maintaining the status quo; adopting master plans, specific plans, or comprehensive plans; or rezoning all or a portion of the Airport and/or surrounding property.

### **What will happen if the DA is extended?**

The ALUWG has recommended that decisions about the future of the Airport should be based on three principles:

1. Joint outreach to the public and other interested parties to develop a consensus vision for the future of the Airport;
2. Changes to the governance of the Authority; and
3. Voter approval in accordance with Measure B.

The ALUWG has presented the three principles to the City Council and the Airport Commission. The consensus vision for the future of the Airport could include, but may not be limited to, a comprehensive noise program, a replacement passenger terminal, and development of the former Lockheed B-6 property on Hollywood Way.

**Does that mean any new terminal building must be approved by Burbank voters?**

Yes. Measure B, adopted by Burbank voters in 2000, requires voter approval. If construction of a new or replacement terminal building is part of any future Airport plan, that plan will require approval by Burbank voters.

**What is the B-6 property and why is it important?**

The B-6 property is a large vacant piece of land next to the Airport along Hollywood Way. The property was the site of the Lockheed B-6 Plant, which included the famed Skunk Works. The land was condemned by the Authority in 1999 with the intent of building a new passenger terminal. After the City intervened in the acquisition, the California Superior Court ordered that a portion of the property be placed in a trust, and the balance of the property have deed restrictions to ensure that the City would be involved in all future decisions regarding use of the land. Today, the Authority cannot use the property for any aviation-related purposes, and is required to put the trust portion of the land up for sale in 2015. One aspect of the outreach and planning effort for the future of the Airport will be to determine the future use of this property and whether it should be used for a new passenger terminal, sold for private development, or put to some other use.

**What are the recommended changes to the governance of the Authority?**

The Airport Authority Commission is composed of three members each from the cities of Burbank, Glendale, and Pasadena, for a total of nine Commissioners. Commissioners are appointed by the City Councils of the cities they represent. Currently, the Commission makes most decisions based on a simple majority vote, without regard to the individual cities. Therefore, it is possible that the Commission could make a decision based on five affirmative votes, even if all three Commissioners from one of the cities voted in opposition. The proposed changes would require that certain major facility development decisions by the Commission, such as whether to build a new terminal, be approved by at least two of the three Commissioners from each city. This change would ensure that major decisions about future development of the Airport are agreed upon by representatives of all three cities.

**Will the DA be extended?**

Following the recommendation of the ALUWG, the Authority filed an application with the City, requesting an extension of the DA until March 2015. That request will be reviewed at public hearings by the Planning Board in July and the Burbank City Council in August. The DA will be extended only if approved by the City Council.

### **What happens if the DA is not extended?**

If the DA is not extended, it will expire in June 2012. When the DA expires, a number of controls on Airport development would be removed, such as:

- The Airport Authority could effectively increase the number of commercial airline passenger gates by allowing the airlines to load and unload aircraft at sites other than at the existing terminal;
- The Authority could begin to plan for expansion of the existing terminal building;
- The Authority could develop additional public parking on Airport property; and
- The Authority could submit applications for funding or permits for a new or relocated passenger terminal building.

The ALUWG believes that it is in neither the Authority's nor the City's best interest to let these controls expire before the Authority, the City, and the public give careful thought to the future of the Airport.

### **What's the status and future of nighttime noise protection?**

Today, there is a voluntary nighttime curfew restricting scheduled airlines departures or arrivals between 10 p.m. and 7 p.m. There is a 95 percent compliance with this curfew. This voluntary curfew does not apply to general aviation aircraft. In 2009, the Federal Aviation Administration (FAA) rejected the Airport's Part 161 application for a mandatory nighttime curfew.

The City continues to work with Congressional Representatives Schiff, Berman, and Sherman to seek federal legislation to allow the Authority to legally impose mandatory nighttime noise protection on a Valleywide basis, including the Van Nuys Airport. This is, however, a long-term effort and is likely to take years to be enacted, if successful.

### **Does the Airport still need to build a new terminal?**

The FAA has found that the Airport is safe. However, the location of the terminal does not meet current FAA safety standards, and the FAA has strongly recommended that the Airport relocate the terminal to a location farther from the runways and taxiways.

### **What are the next steps if the DA is extended?**

The Airport Authority and the City of Burbank will conduct a joint public outreach and planning process about the Airport's future that will include the residents of Burbank, other nearby residents, and additional interested parties. This public outreach will help the City and the Airport move toward determining a future vision for the Airport. Among the issues to be addressed will be:

- Providing nighttime noise protection;
- Whether, and if so where, to relocate the terminal;
- How to improve ground access and traffic mitigation; and
- The future of the vacant B-6 property.

### **What is the role of the FAA and the airlines?**

The FAA and airlines are clearly interested and both have a significant role to play in the Airport's future. The FAA has overall regulatory oversight to ensure that the Authority is compliant with all federal laws and FAA policies. The airlines, as independent businesses and tenants, work with the Airport to ensure that their operations are conducted efficiently and safely. Importantly, most major facilities serving airline passengers, like terminals, are financed mainly through charges paid by the airlines and for which the Airport must seek prior approval from the airlines.

**Where can I get more information?**

Websites of both the City of Burbank ([www.burbankusa.com](http://www.burbankusa.com)) and the Airport ([www.BobHopeAirport.com](http://www.BobHopeAirport.com)) will provide current information. Both the City and the Airport will continue to communicate with the community as the process moves forward, and there will be several opportunities for public comment and input.