

# Terence BOGA

## Shareholder

### LOS ANGELES

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Terence represents airport operators, cities, and other public agencies on matters of constitutional law, land use law, and general municipal law. His practice focuses on advising local government officials and employees on transactional matters such as conflicts of interest analysis, contract negotiations, open meetings, ordinance and regulation drafting, public records, and public works projects. As a result of his plain speaking, clear writing, and team attitude, several clients have retained Terence for city attorney or general counsel services for more than two decades.

## WORK FOR CLIENTS

Terence serves as General Counsel for the Burbank-Glendale-Pasadena Airport Authority, and as City Attorney for the Cities of Brea and Westlake Village. He previously has served as General Counsel for the Antelope Valley Transit Authority; as Assistant City Attorney and Planning Commission Counsel for the Cities of Barstow, Carson, Norwalk, and Seal Beach; and as Civil Service Commission Counsel for the City of Torrance.

## PROFESSIONAL EXPERIENCE

Terence joined Richards, Watson & Gershon in 1994. A renowned commentator on legal matters related to local government, he has published articles in more than a dozen periodicals. He is a former author and reviewer for the *Municipal Law Handbook* treatise, and was a consultant on the two-volume *California Land Use Practice* treatise. Additionally, while serving as Chair of the State Bar of California Public Law Section Executive Committee, he conceived and was editor-in-chief of the *How Government Works: An Introduction to Local and Regional Public Agencies in California* consumer pamphlet. Terence has been awarded a Local Government Fellow designation by the International Municipal Lawyers Association, which recognized him as a legal specialist in the field of

### PRACTICE AREAS

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Municipal & Public Agency Law

### FOCUS AREAS

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Airports, Rail & Transit

Brown Act & Open Government

Conflicts of Interest and Local Government Ethics

Land Use Planning & Zoning (Municipal)

Public Works & Public Contracting

### EDUCATION

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J.D., Harvard Law School

A.B., *cum laude*, Princeton University

local government law.

## PROFESSIONAL AND COMMUNITY AFFILIATIONS

Past Chair, State Bar of California Public Law Section Executive Committee

Former Regional Vice President, International Municipal Lawyers Association

Former Member, League of California Cities Transportation, Communication, and Public Works Policy Committee

Former Member, League of California Cities City Attorneys' Department FPPC Committee

Former Member, League of California Cities City Attorneys' Department Legal Advocacy Committee

## EXPERIENCE

### HIGHLIGHTED PROJECTS

Terence has provided transactional advice on the entitlement and development of a number of high-profile projects in Southern California.

- ▶ **Hollywood Burbank Airport Regional Intermodal Transportation Center.** The Hollywood Burbank Airport Regional Intermodal Transportation Center project is comprised of a three-story 507,000 square foot rental car facility, a five-level public parking structure, and an elevated walkway. The ground level of the rental car facility contains a transit center utilized by municipal bus operators. Over the course of the development of the \$112 million project, Terence provided a variety of legal services for the Burbank-Glendale-Pasadena Airport Authority including: advising on a mitigated negative declaration for the project; processing of land use entitlement applications to the City of Burbank; preparation of bid/proposal procurement documents for design-bid-build and design-build components of the project; drafting of professional services agreements, a construction agreement, and a design-build agreement; and advising on the resolution of a bid protest, a Buy America dispute, and contractor claims.
- ▶ **Hollywood Burbank Airport Replacement Passenger Terminal.** The Hollywood Burbank Airport Replacement Passenger Terminal will be a 14-gate 355,000 square foot facility that eliminates a long-standing safety problem and provides new amenities for travelers. Terence has provided a variety of legal services for the Burbank-Glendale-Pasadena Airport Authority in connection with the on-going \$1.3 billion project including: advising on a six volume 4,100 page environmental impact report that analyzed three development options for the replacement terminal; negotiating with the City of Burbank for zoning amendments, conditions of approval, an easement modification, and a 20-year development agreement; negotiating with a labor union and drafting a

project labor agreement that establishes the terms and conditions of employment for workers on the replacement terminal; and preparation of design-build procurement documents for the project.

- ▶ **Westlake Village Community Park.** The Westlake Village Community Park is a 19-acre hillside facility with sports fields, pickleball courts, a skate park, and ancillary recreational amenities such as picnic areas, tot lots, vista points, and walking paths. Terence provided a variety of legal services for the City of Westlake Village in connection with the \$12 million project including: negotiating with a YMCA and drafting a lease/purchase agreement for the city to obtain the park site; advising on prevailing wage, prequalification, and bidding matters; and drafting resolutions necessary for slope landscaping and irrigation work to be completed on an emergency basis without rebidding after a bankruptcy filing by the original contractor.

## PUBLISHED OPINIONS

- ▶ ***City of Los Angeles v. Federal Aviation Admin.* (63 F.4th 835 (9th Cir. 2023)).** Terence co-authored an intervenor's brief to the Ninth Circuit Court of Appeals on behalf of the Burbank-Glendale-Pasadena Airport Authority defending the FAA's environmental impact statement (EIS) for the Hollywood Burbank Airport Replacement Passenger Terminal. The court rejected the vast majority of challenges to the EIS, remanding only for supplemental construction noise and cumulative impact analysis.
- ▶ ***Suter v. City of Lafayette* (57 Cal.App.4th 1109 (1997)).** Terence authored an amicus brief to the California Court of Appeal on behalf of 65 cities supporting a firearm dealer ordinance. The court upheld local government authority to establish licensing and zoning regulations for firearm dealers.
- ▶ ***Nightlife Partners v. City of Beverly Hills* (304 F.Supp.2d 1208 (2004)).** Terence co-authored a summary judgment motion to the Federal District Court for the Central District of California defending the validity of an adult entertainment business ordinance. The court upheld the ordinance against numerous constitutional challenges.

## NEWS

Transit Advertising Policy Prohibition on "Disparaging" Ads Ruled Unconstitutional  
10.01.2018

Terence Boga to Receive IMLA Local Government Fellow Designation  
08.10.2018

Ninth Circuit Invalidates School District's Meeting Invocation Policy  
07.26.2018

International Municipal Lawyers Association  
10.25.2017

Terence Boga Appointed to The Air & Space Lawyer  
09.28.2017

## PUBLICATIONS

America, F\_\_k Yeah!  
*Los Angeles Lawyer Magazine*, 10.2021

Friends Forever? Public Officials, Public Critics, and Social Media  
*Orange County Lawyer*, 04.2019

A Hopeful Development: Terminal Replacement at Bob Hope Airport  
*The Air & Space Lawyer*, Volume 29, No. 4, 2016

Governments to Accommodate Electric Vehicle Charging Stations  
*California Lawyer*, 01.08.2016

The ABCs of Access Fees  
*Airport Revenue News*, 11.2007

Controlling Disruptive Speakers at Open Meetings  
*Western City*, 11.2006

Public Art Displays Carry Legal Risks  
*American City and County*, 02.2005

Psychics and the City  
*American Police Beat*, 02.06.2005

Federal Law Has Minimal Impact on Religious Land Use in the State  
*California Real Estate Journal*, 11.24.2003

Zoning Adult Entertainment Businesses  
*Planning Commissioners Journal*, Summer 2003

A Parade of Horribles? First Amendment Limitations on Street Procession Regulations  
*Municipal Lawyer*, September/October 2003

Newsrack Regulation in California

*State and Local Law News*, Spring 2003

Symposium Introduction: The Terror of the Law

*Public Law Journal*, Fall 2003

PACs Americana: Reinventing Public Access Channel Cable Television Programming

*Communications Lawyer*, Spring 2003

Federal Law Has Minimal Impact on Religious Land Use in the State

*Los Angeles Daily Journal*, 12.23.2002

Questioning the Prompt Judicial Review Requirement

*Los Angeles Lawyer*, July-August 2002

A Word From Our Sponsors: Profiting From Private Advertisements on Public Property

*California Bar Journal*, August 2001 (abridged)

A Word From Our Sponsors: Profiting From Private Advertisements on Public Property

*Public Law Journal*, Summer 2001

Standardless Standard: Government Building Public Art Exhibits Subject to First Amendment

*Los Angeles Daily Journal*, 05.29.2001

Turf Wars: Street Gangs, Local Governments, and the Battle for Public Space

*Gangs: Opposing Viewpoints*, Charles P. Cozic, ed. (Greenhaven Press: 1995) (abridged)

Turf Wars: Street Gangs, Local Governments, and the Battle for Public Space

29 *Harvard Civil Rights-Civil Liberties Law Review* 477 (1994) (unabridged)

## EDITORIAL POSITIONS

Terence has served as an articles editor, contributing editor, or editor-in-chief for a variety of publications.

### American Bar Association Publications

- ▶ *The Air & Space Lawyer*

### Law Reviews

- ▶ *Harvard Blackletter Law Journal*

- ▶ *Harvard Civil Rights-Civil Liberties Law Review*

#### **League of California Cities Publications**

- ▶ *Municipal Law Handbook*
- ▶ *A Guide for Local Agency Counsel: Providing Conflict of Interest Advice*

#### **Los Angeles County Bar Association**

- ▶ *Los Angeles Lawyer Magazine*

#### **State Bar of California Publications**

- ▶ *How Government Works: An Introduction to Local and Regional Public Agencies in California*
- ▶ *Public Law Journal*