

SAN DIEGO COUNTY REGIONAL AIRPORT AUTHORITY



BOARD MEMBERS

LAURIE BERMAN**
BRUCE R. BOLAND
GREG COX
JOHN DAVIES
JIM DESMOND
RAMONA FINNILA
ROBERT H. GLEASON
JIM PANKNIN
COL. FRANK A. RICHIE**
TOM SMISEK
ANTHONY K. YOUNG

** EX OFFICIO BOARD MEMBERS

PRESIDENT/CEO
THELLA F. BOWENS

BOARD

AGENDA

Thursday, March 4, 2010
9:00 A.M.

San Diego International Airport
Commuter Terminal – Third Floor
Board Room
3225 N. Harbor Drive
San Diego, California 92101

***Live web casts of Authority Board meetings can be accessed at
http://www.san.org/airport_authority/boardmeetings.asp.***

This Agenda contains a brief general description of each item to be considered. The indication of a recommended action does not indicate what action (if any) may be taken. If comments are made to the Board without prior notice or are not listed on the Agenda, no specific answers or responses should be expected at this meeting pursuant to State law.

Staff Reports and documentation relating to each item of business on the Agenda are on file in Corporate Services and are available for public inspection.

NOTE: Pursuant to Authority Code Section 2.15, all Lobbyists shall register as an Authority Lobbyist with the Authority Clerk within ten (10) days of qualifying as a lobbyist. A qualifying lobbyist is any individual who receives \$100 or more in any calendar month to lobby any Board Member or employee of the Authority for the purpose of influencing any action of the Authority. To obtain Lobbyist Registration Statement Forms, contact the Corporate Services/Authority Clerk Department.

PLEASE COMPLETE A "REQUEST TO SPEAK" FORM PRIOR TO THE COMMENCEMENT OF THE MEETING AND SUBMIT IT TO THE AUTHORITY CLERK.
PLEASE REVIEW THE POLICY FOR PUBLIC PARTICIPATION IN BOARD AND BOARD COMMITTEE MEETINGS (PUBLIC COMMENT) LOCATED AT THE END OF THE AGENDA.

The Authority has identified a local company to provide oral interpreter and translation services for public meetings. If you require oral interpreter or translation services, please telephone the Corporate Services/Authority Clerk Department with your request at (619) 400-2400 at least three (3) working days prior to the meeting.

CALL TO ORDER:

PLEDGE OF ALLEGIANCE:

ROLL CALL:

BOARD BUSINESS:

- **ELECTION OF EXECUTIVE COMMITTEE MEMBER**

REPORT FROM CITIZEN COMMITTEE:

- **AIRPORT ADVISORY COMMITTEE:**
Bella Heule, Chair, Airport Advisory Committee

PRESENTATIONS:

- A. 2009 PASSENGER SATISFACTION SURVEY RESULTS:**
Presented by Scott Ludwigsen, Executive Vice President, Phoenix Marketing International
- B. FAA NOISE COMPATIBILITY PROGRAM STUDY UPDATE FOR SDIA:**
Presented by Dan Frazee, Director, Airport Noise Mitigation
- C. REPORT ON THE AUTHORITY'S FINANCIAL CONDITION:**
Presented by Vernon Evans, Vice President, Finance/Treasurer

REPORTS FROM BOARD COMMITTEES, AD HOC COMMITTEES, AND CITIZEN COMMITTEES AND LIAISONS:

STANDING BOARD COMMITTEES

- **AUDIT COMMITTEE:**
Committee Members: Finnilla, Smisek (Chair), Young, Tartre, Buck, Van Sambeek
- **EXECUTIVE PERSONNEL AND COMPENSATION COMMITTEE:**
Committee Members: Boland, Desmond (Chair), Smisek
- **FINANCE COMMITTEE:**
Committee Members: Finnilla (Alternate), Gleason (Chair), Panknin, Young
- **TERMINAL DEVELOPMENT PROGRAM COMMITTEE:**
Committee Members: Boland (Chair), Finnilla, Panknin

- **RASP COMMITTEE:**

Committee Members: Boland (Vice Chair), Desmond, Finnila (Chair), Panknin

AD HOC COMMITTEE

- **PORT DISTRICT AD HOC COMMITTEE:**

Representatives: Boland, Smisek

LIAISONS

- **MILITARY AFFAIRS LIAISONS:**

Liaisons: Boland (Primary), Panknin

- **CALTRANS:**

Representative: Berman

BOARD REPRESENTATIVES

- **SANDAG TRANSPORTATION COMMITTEE REPRESENTATIVE:**

Committee Representatives: Smisek (Alternate)

- **SCAG AVIATION TASK FORCE:**

Task Force Representatives: Smisek (Alternate)

- **WORLD TRADE CENTER:**

Representatives: Finnila (Alternate)

PRESIDENT/CEO REPORT:

NON-AGENDA PUBLIC COMMENT (18 MINUTES):

Public Comment is reserved for members of the public wishing to address the Board on matters for which another opportunity to speak **is not provided on the Agenda**, and which is within the jurisdiction of the Board. Please submit a completed speaker slip to the Authority Clerk. ***Each individual speaker is limited to three (3) minutes. Applicants, groups and jurisdictions referring items to the Board for action are limited to five (5) minutes.***

Note: Persons wishing to speak on specific items should reserve their comments until the specific item is taken up by the Board.

CONSENT AGENDA:

The consent agenda contains items that are routine in nature and non-controversial. Some items may be referred by a standing Board Committee or approved as part of the budget process. The matters listed under 'Consent Agenda' may be approved by one motion. Any Board Member may remove an item for separate consideration. Items so removed will be heard before the scheduled New Business Items, unless otherwise directed by the Chair.

1. APPROVAL OF MINUTES:

The Board is requested to approve minutes of prior Board meetings.

RECOMMENDATION: Approve the minutes of the February 4, 2010 regular meeting, and the February 5, 2010 and February 6, 2010 special meetings.

2. ACCEPTANCE OF BOARD MEMBER'S WRITTEN REPORTS ON THEIR ATTENDANCE AT APPROVED MEETINGS AND PRE-APPROVAL OF ATTENDANCE AT OTHER MEETINGS NOT COVERED BY THE CURRENT RESOLUTION:

The Board is requested to accept the reports.

RECOMMENDATION: Accept the reports and pre-approve attendance at other meetings, trainings and events not covered by the current resolution.

(Corporate Services: Tony Russell, Director/Authority Clerk)

3. APPOINTMENTS TO BOARD COMMITTEES AND REPRESENTATIVES AND ALTERNATES TO THE SAN DIEGO ASSOCIATION OF GOVERNMENTS (SANDAG) AND THE SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS (SCAG) AVIATION TASK FORCE:

The Board is requested to make appointments.

RECOMMENDATION: Adopt Resolution No. 2010-0011, making appointments to Board Committees, and representatives and alternates to the SANDAG Transportation Committee and the SCAG Aviation Task Force.

(Corporate Services: Tony Russell, Director/Authority Clerk)

4. MARCH 2010 LEGISLATIVE REPORT:

The Board is requested to approve the report.

RECOMMENDATION: Adopt Resolution No. 2010 -0018, approving the March 2010 Legislative Report.

(Inter-Governmental Relations: Michael Kulis, Director)

CLAIMS

- 5. AUTHORIZE THE REJECTION OF THE CLAIM OF CANDACE ANACKER:**
The Board is requested to reject the claim.
RECOMMENDATION: Adopt Resolution No. 2010-0020, authorizing the rejection of the claim of Candace Anacker.
(Legal: Breton Lobner, General Counsel)
- 6. AUTHORIZE THE REJECTION OF THE CLAIM OF WENDY MCCREA:**
The Board is requested to reject the claim.
RECOMMENDATION: Adopt Resolution No. 2010-0021, authorizing the rejection of the claim of Wendy McCrea.
(Legal: Breton Lobner, General Counsel)

COMMITTEE RECOMMENDATIONS

- 7. QUARTERLY AUDIT ACTIVITIES REPORT – FISCAL YEAR 2010 SECOND QUARTER, AND REPORT ON AUDIT RECOMMENDATIONS ISSUED BY THE OFFICE OF THE CHIEF AUDITOR:**
The Board is requested to receive the information.
RECOMMENDATION: The Audit Committee recommends that the Board receive the information.
(Audit Department: Mark A. Burchyett, Chief Auditor)
- 8. PROPOSED AMENDMENTS TO THE CHARTER OF THE OFFICE OF THE CHIEF AUDITOR:**
The Board is requested to approve the amendments.
RECOMMENDATION: The Audit Committee recommends that the Board Adopt Resolution No. 2010-0022, approving the amendments to the Charter of the Office of the Chief Auditor.
(Audit Department: Mark A. Burchyett, Chief Auditor)
- 9. PROPOSED AMENDMENTS TO THE CHARTER OF THE AUDIT COMMITTEE:**
The Board is requested to approve the amendments.
RECOMMENDATION: The Audit Committee recommends that the Board Adopt Resolution No. 2010-0023, approving the amendments to the Charter of the Audit Committee.
(Audit Department: Mark A. Burchyett, Chief Auditor)

CONTRACTS AND AGREEMENTS

10. AWARDED CONTRACTS, APPROVED CHANGE ORDERS FROM JANUARY 12, 2010 THROUGH FEBRUARY 7, 2010 AND REAL PROPERTY AGREEMENTS GRANTED AND ACCEPTED FROM JANUARY 12, 2010 THROUGH FEBRUARY 7, 2010:

The Board is requested to receive the report.

RECOMMENDATION: Receive the report.

(Procurement: Jana Vargas, Director)

11. MAKE A FINDING OF "NECESSITY" PURSUANT TO PUBLIC CONTRACT CODE SECTION 4109 AND AUTHORIZE INLAND VALLEY ENGINEERING AND DALEY CORPORATION, TO PERFORM WORK AS SUBCONTRACTORS TO ENSLEY ELECTRIC, INC., PROJECT: AIRFIELD INFORMATION SIGNS AND REPLACE/UPGRADE TAXIWAY LIGHTS:

The Board is requested to authorize the subcontractors to perform the work.

RECOMMENDATION: Adopt Resolution No. 2010-0024, making a finding of "necessity" under Public Contract Code Section 4109 and authorizing Inland Valley Engineering and Daley Corporation to perform work as subcontractors, to Ensley Electric, Inc., on Project Nos. 104059/104061, Airfield Information Signs and Replace/Upgrade Taxiway Lights.

(Facilities Development: Iraj Ghaemi, Director)

CONTRACTS AND AGREEMENTS AND/OR AMENDMENTS TO CONTRACTS AND AGREEMENTS EXCEEDING \$1 MILLION

12. AUTHORIZE THE PRESIDENT/CEO TO AWARD A CONTRACT TO G&G SPECIALTY CONTRACTORS, INC. FOR QUIETER HOME PROGRAM PHASE 5, GROUP 7A (100 WEST SIDE NON-HISTORIC CONDOMINIUM UNITS):

The Board is requested to authorize the award.

RECOMMENDATION: Adopt Resolution No. 2010-0025, authorizing the President/CEO to award a contract to G&G Specialty Contractors, Inc. in the amount of \$2,211,948, for Phase 5, Group 7A, Project No. 380507A of the San Diego County Regional Airport Authority's Quieter Home Program.

(Facilities Development: Iraj Ghaemi, Director)

13. AWARD A CONTRACT TO KONE INC. FOR ELEVATOR AND ESCALATOR MAINTENANCE AND REPAIR SERVICES:

The Board is requested to award a contract.

RECOMMENDATION: Adopt Resolution No. 2010-0026, authorizing the President/CEO to award a contract to KONE Inc. ("KONE"), for Elevator and Escalator Maintenance and Repair Services, at the San Diego International Airport ("SDIA"), for a term of three years in an amount not to exceed \$6,500,000.

(Facilities Management: Wayne Harvey, Director)

PUBLIC HEARINGS:

OLD BUSINESS:

NEW BUSINESS:

14. AIRPORT AUTHORITY PENSION PLAN FUNDING LEVEL:

The Board is requested to provide direction.

RECOMMENDATION: The Executive Personnel & Compensation Committee recommends that the Board maintain the existing 95% pension funding requirement under Board Resolution 2006-0152.

(Human Resources: Jeff Lindeman, Director)

15. IMPLEMENTATION OF VEHICLE CONVERSION INCENTIVE-BASED PROGRAM PURSUANT TO MEMORANDUM OF UNDERSTANDING WITH THE CALIFORNIA ATTORNEY GENERAL:

The Board is requested to approve the program.

RECOMMENDATION: Adopt Resolution No. 2010-0027, approving the implementation of the Vehicle Conversion Incentive-Based Program pursuant to the Memorandum of Understanding with the California Attorney General.

(Planning & Operations: Angela Shafer-Payne, Vice President)

16. RECEIVE PRESENTATION OF THE TERMINAL DEVELOPMENT PROGRAM DESIGN, CONSTRUCTION AND BUDGET STATUS AND: (1) AUTHORIZE A TIME EXTENSION OF PREVIOUSLY APPROVED FUNDS TO FUTURE DESIGN, MANAGEMENT AND CONSTRUCTION PHASE SERVICES; (2) AUTHORIZE PRESIDENT/CEO TO EXECUTE TASK AUTHORIZATIONS FOR DESIGN PHASE SERVICES, MANAGEMENT SERVICES AND WORK AUTHORIZATIONS FOR CONSTRUCTION PHASE SERVICES, AND (4) AUTHORIZE PROGRAM FUNDING:

The Board is requested to authorize an extension of services and to authorize the President/CEO to execute task authorizations.

RECOMMENDATION:

1. Adopt Resolution No. 2010-0029, authorizing the extension of Task Authorization funds, in the not to exceed amount of sixty-six million, two hundred thousand dollars (\$66,200,000), granted for Contract 1 (Terminal 2 West Building and Airside Expansion at San Diego International Airport) at the April 2, 2009 and July 9, 2009, Board Meetings for Future Design and Design/Construction Phase Management Services; and

2. Adopt Resolution No. 2010-0030, authorizing the President/CEO to execute Task Authorizations for design and construction phase management services and release funding under Contract 2 (Terminal 2 Elevated Departure Curb / Transit Plaza and Landside Modifications at San Diego International Airport) in an amount not to exceed five million dollars (\$5,000,000); and

3. Adopt Resolution No. 2010-0031, authorizing the President/CEO to execute Work Authorizations for construction-phase services and release funding under Contract 2 (Terminal 2 Elevated Departure Curb / Transit Plaza and Landside Modifications at San Diego International Airport) in an amount not to exceed five million dollars, (5,000,000) .

(Terminal Development Program: Steve Cornell, Director)

17. DISCUSSION AND POSSIBLE DIRECTION REGARDING THE FY2011 BUDGET PLANNING PROCESS:

The Board is requested to provide direction.

RECOMMENDATION: Provide direction to staff.

(Finance/Treasurer: Vernon Evans, Vice President)

CLOSED SESSION:

- 18. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
(Government Code Section 54956.9 (a)):**
San Diego Unified Port District v. TDY Industries, Inc., et al., and related cross-actions. U.S. District Court, Southern District Case No. 03 CV 1146-B (POR).
- 19. CONFERENCE WITH REAL PROPERTY NEGOTIATORS:**
Real Property Negotiations pursuant to Cal. Gov. Code sections 54954.5(b) and section 54956.8.
Property: 1.15 acre parcel located at the northern terminus of 13th Street in Imperial Beach
Agency Negotiators: Vernon D. Evans, Vice President, Finance/Treasurer
under Negotiation: Sale – Terms of Payment and Conditions
- 20. CONFERENCE WITH REAL PROPERTY NEGOTIATORS:**
Real property negotiations pursuant to Cal. Gov. Code sections 54954.5(b) and section 54956.8.
Property: Salt Plant – 17 acre parcel located at 1470 Bay Boulevard, San Diego
Agency Negotiators: Vernon D. Evans, Vice President, Finance/Treasurer
Negotiating Parties: United States Fish and Wildlife Service, GGTW, LLC (current tenant) and/or other interested parties
Under Negotiation: Sale – terms and conditions
- 21. CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION**
Pursuant to Government Code section 54956.9(a):
Save Our Heritage Organization v. San Diego Unified Port District, et al., San Diego Superior Court Case No. 37-2009-00097828-CU-TT-CTL
- 22. CONFERENCE WITH LEGAL COUNSEL--EXISTING LITIGATION**
(Cal. Gov. Code Section 54956.9(a)):
San Diego Unified Port District v. Argonaut Insurance Company, et al,
L.A.S.C. GIC 874394
- 23. CONFERENCE WITH REAL PROPERTY NEGOTIATORS:**
Real Property Negotiations pursuant to Cal Gov. Code §§ 54954.5(b) 54956.8
Property: 3.76 acre easement across MCRD property located on the Washington Street extension south of Pacific Highway, in the City of San Diego, CA .
Agency negotiators: Vernon Evans, Vice President, Finance/Treasurer and Troy Leech, Director, Real Estate Management.
Under Negotiation: Consideration of MCRD's request for exclusive use of portion of the easement.

REPORT ON CLOSED SESSION:

NON-AGENDA PUBLIC COMMENT:

Public Comment is reserved for members of the public wishing to address the Board on matters for which another opportunity to speak **is not provided on the Agenda**, and which is within the jurisdiction of the Board. Please submit a completed speaker slip to the Authority Clerk. ***Each individual speaker is limited to three (3) minutes. Applicants, groups and jurisdictions referring items to the Board for action are limited to five (5) minutes.***

Note: Persons wishing to speak on specific items should reserve their comments until the specific item is taken up by the Board.

GENERAL COUNSEL REPORT:

BUSINESS AND TRAVEL EXPENSE REIMBURSEMENT REPORTS FOR BOARD MEMBERS, PRESIDENT/CEO, CHIEF AUDITOR AND GENERAL COUNSEL WHEN ATTENDING CONFERENCES, MEETINGS, AND TRAINING AT THE EXPENSE OF THE AUTHORITY:

BOARD COMMENT:

ADJOURNMENT:

Policy for Public Participation in Board and Board Committee Meetings (Public Comment)

- 1) Persons wishing to address the Board shall complete a "Request to Speak" form prior to the initiation of the portion of the agenda containing the item to be addressed (e.g., Public Comment and General Items). Failure to complete a form shall not preclude testimony, if permission to address the Board is granted by the Chair.
- 2) The Public Comment Section at the beginning of the agenda is limited to eighteen (18) minutes and is reserved for persons wishing to address the Board on any matter for which another opportunity to speak is not provided on the Agenda, and on matters that are within the jurisdiction of the Board. A second Public Comment period is reserved for general public comment later in the meeting for those who could not be heard during the first Public Comment period.
- 3) Persons wishing to speak on specific items listed on the agenda will be afforded an opportunity to speak during the presentation of individual items. Persons wishing to speak on specific items should reserve their comments until the specific item is taken up by the Board. Public comment on specific items is limited to twenty (20) minutes – ten (10) minutes for those in favor and ten (10) minutes for those in opposition of an item. Each individual speaker will be allowed three (3) minutes, and applicants and groups will be allowed five (5) minutes.
- 4) If many persons have indicated a desire to address the Board on the same issue, then the Chair may suggest that these persons consolidate their respective testimonies. Testimony by members of the public on any item shall be limited to **three (3) minutes per individual speaker and five (5) minutes for applicants, groups and referring jurisdictions.**
- 5) Pursuant to Authority Policy 1.33 (8), recognized groups must register with the Authority Clerk the day prior to the meeting.
- 6) After a public hearing or the public comment portion of the meeting has been closed, no person shall address the Board without first obtaining permission to do so.

Additional Meeting Information

NOTE: This information is available in alternative formats upon request. To request an Agenda in an alternative format, or to request a sign language or oral interpreter, or an Assistive Listening Device (ALD) for the meeting, please telephone the Authority Clerk's Office at (619) 400-2400 at least three (3) working days prior to the meeting to ensure availability.

For your convenience, the agenda is also available to you on our website at www.san.org.

For those planning to attend the Board meeting, parking is available in the public parking lot located directly in front of the Commuter Terminal. Bring your ticket to the third floor receptionist for validation.

You may also reach the Commuter Terminal by using public transit via the San Diego MTS system, Route 992. For route and fare information please call the San Diego MTS at (619) 427-6438.

UPCOMING MEETING SCHEDULE				
<i>Date</i>	<i>Day</i>	<i>Time</i>	<i>Meeting Type</i>	<i>Location</i>
April 1	Thursday	9:00 a.m.	Regular	Board Room
May 6	Thursday	9:00 a.m.	Regular	Board Room
June 3	Thursday	9:00 a.m.	Regular	Board Room

STATE OF CALIFORNIA)
COUNTY OF SAN DIEGO)
SAN DIEGO COUNTY REGIONAL AIRPORT AUTHORITY)

I, Sara Real, Assistant Authority Clerk I, San Diego County Regional Airport Authority, hereby certify that at the hour of 2:00 p.m. I caused the posting of this notice on the bulletin board located on the first floor of the San Diego International Airport, Commuter Terminal.

DATE: 2/26/10

SIGNATURE: Sara B. Real