

SAN DIEGO COUNTY REGIONAL AIRPORT AUTHORITY



BOARD MEMBERS

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

** EX OFFICIO BOARD MEMBERS

PRESIDENT/CEO
THELLA F. BOWENS

BOARD

AGENDA

Thursday, June 3, 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:

REPORT FROM CITIZEN COMMITTEE:

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

PRESENTATION(S):

- PRESENTATION ON THE NEW AIRPORT AUTHORITY WEBSITE
(Educational Item):**
Presented by Cheryl Brown, Deputy Director, Marketing & Advertising
- STATUS REPORT ON THE FEDERAL AVIATION REGULATIONS PART 150
(AIRPORT NOISE COMPATIBILITY PLANNING) PROGRAM:**
Presented by Dan Frazee, Director, Noise Mitigation
- 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: Finnila (Vice Chair), Gleason, Smisek (Chair),
Young, Tartre, Buck, Van Sambeek
- **EXECUTIVE PERSONNEL AND COMPENSATION COMMITTEE:**
Committee Members: Boland (Vice Chair), Cox, Desmond (Chair), Smisek
- **FINANCE COMMITTEE:**
Committee Members: Cox (Chair), Finnila, Panknin, Young (Vice Chair)
- **TERMINAL DEVELOPMENT PROGRAM COMMITTEE:**
Committee Members: Boland (Chair), Finnila, Panknin (Vice Chair), Miller (Public
Member)
- **REGIONAL AVIATION STRATEGIC PLAN COMMITTEE:**
Committee Members: Boland (Vice Chair), Desmond, Finnila (Chair), Panknin

AD HOC COMMITTEE

- **PORT DISTRICT AD HOC COMMITTEE:**
Representatives: Boland, Gleason (Primary), Smisek

LIAISONS

- **MILITARY AFFAIRS LIAISONS:**
Liaisons: Boland (Primary), Panknin (Alternate)
- **CALTRANS:**
Representative: Berman

BOARD REPRESENTATIVES

- **SANDAG TRANSPORTATION COMMITTEE REPRESENTATIVE:**
Committee Representatives: Panknin (Alternate), Smisek (Primary)
- **SCAG AVIATION TASK FORCE:**
Task Force Representatives: Finnila (Alternate), Smisek (Primary)
- **WORLD TRADE CENTER:**
Representatives: Panknin (Primary), Young (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 May 6, 2010 regular meeting.

2. ACCEPTANCE OF BOARD MEMBERS 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. JUNE 2010 LEGISLATIVE REPORT:

The Board is requested to approve the report.

RECOMMENDATION: Adopt Resolution No. 2010-0057, approving the June 2010 Legislative report.

(Inter-Governmental Relations: Michael Kulis, Director)

CLAIMS

4. REPORT OF SETTLEMENT OF THE CLAIM OF PEDRO BUGARIN PURSUANT TO SAN DIEGO COUNTY REGIONAL AIRPORT AUTHORITY POLICY 1.41:

The Board is requested to receive the report.

RECOMMENDATION: Receive the report.

(Legal: Breton Lobner, General Counsel)

5. AUTHORIZE THE REJECTION OF THE CLAIM OF JANICE BERKOW:

The Board is requested to reject the claim.

RECOMMENDATION: Adopt Resolution No. 2010-0058, authorizing the rejection of the claim of Janice Berkow.

(Legal: Breton Lobner, General Counsel)

COMMITTEE RECOMMENDATIONS

- 6. FISCAL YEAR 2011 AUDIT PLAN OF THE OFFICE OF THE CHIEF AUDITOR:**
The Board is requested to approve the plan.
RECOMMENDATION: The Audit Committee recommends that the Board approve the plan.
(Audit Department: Mark Burchyett, Chief Auditor)
- 7. FISCAL YEAR 2010 THIRD QUARTER AUDIT ACTIVITIES REPORT, 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 Burchyett, Chief Auditor)
- 8. ANNUAL REVIEW AND APPROVAL OF AMENDMENTS TO AUTHORITY POLICY 4.20 - GUIDELINES FOR PRUDENT INVESTMENT – AND DELEGATION OF AUTHORITY TO INVEST AND MANAGE AUTHORITY FUNDS TO THE TREASURER:**
The Board is requested to review and approve amendments to the policy.
RECOMMENDATION: The Finance Committee recommends that the Board adopt Resolution No. 2010-0059, amending Authority Policy 4.20 and delegating authority to invest and manage Authority funds to the Treasurer.
(Finance: Vernon Evans, Vice President/Treasurer)

CONTRACTS AND AGREEMENTS

- 9. AWARDED CONTRACTS, APPROVED CHANGE ORDERS FROM APRIL 12, 2010 THROUGH MAY 9, 2010, AND REAL PROPERTY AGREEMENTS GRANTED AND ACCEPTED FROM APRIL 12, 2010 THROUGH MAY 9, 2010:**
The Board is requested to receive the report.
RECOMMENDATION: Receive the report.
(Procurement: Jana Vargas, Director)
- 10. AUTHORIZE THE PRESIDENT/CEO TO EXECUTE CONSTRUCTION CHANGE ORDERS FOR THE 96 INCH SEWER PIPE LINER PROJECT:**
The Board is requested to authorize the President/CEO to execute change orders.
RECOMMENDATION: Adopt Resolution No. 2010-0060, authorizing the President/CEO to execute construction change orders in an amount not-to-exceed \$860,700 for Project No. 103044, 96 Inch Sewer Pipe Liner at San Diego International Airport.
(Facilities Development: Iraj Ghaemi, Director)

11. AUTHORIZE AN INCREASE IN THE PRESIDENT/CEO'S CONSTRUCTION CHANGE ORDER AUTHORITY AND INCREASE THE CONTRACT DURATION FOR THE AIRFIELD INFORMATION SIGNS & RUNWAY GUARD LIGHTS, AND REPLACE/UPGRADE TAXIWAY LIGHTS PROJECT:

The Board is requested to authorize an increase in the President/CEO's construction change order authority and increase the contract duration.
RECOMMENDATION: Adopt Resolution No. 2010-0061, authorizing an increase in the President/CEO's construction change order authority of \$205,200 to a revised change order authority of \$330,200, and increase the contract duration from 329 to 427 calendar days for Project Nos. 104059, Airfield Information Signs & Runway Guard Lights, and 104061, Replace/Upgrade Taxiway Lights, at San Diego International Airport.

(Facilities Development: Iraj Ghaemi, Director)

12. AUTHORIZE THE PRESIDENT/CEO TO EXECUTE A THIRD AMENDMENT TO THE AGREEMENT WITH RICONDO AND ASSOCIATES TO PROVIDE ON-CALL AIRPORT PLANNING AND ENVIRONMENTAL CONSULTING SERVICES:

The Board is requested to extend the expiration date.
RECOMMENDATION: Adopt Resolution No. 2010-0062, authorizing the President/CEO to execute a third amendment to agreement with Ricondo and Associates extending the term for one year to expire July 29, 2011, to provide on-call airport planning and environmental consulting services.

(Airport Planning: Keith Wilschetz, Director)

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

13. AUTHORIZE THE PRESIDENT/CEO TO EXERCISE THE SECOND ONE-YEAR OPTION TO EXTEND THE TERM OF THE PORTER NOVELLI CONTRACT FOR PUBLIC OUTREACH SERVICES:

The Board is requested to extend the contract.
RECOMMENDATION: Adopt Resolution No. 2010-0063, authorizing the President/CEO to: (1) exercise the second option of the contract with Porter Novelli for public outreach services, extending the term of the contract for one year to expire June 30, 2011; and (2) reduce the applicable maximum amount payable by \$300,000, resulting in a maximum amount payable of \$2,700,000.

(Public, Community & Customer Relations: Diana Lucero, Director)

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

The Board is requested to authorize the President/CEO to award a contract.
RECOMMENDATION: Adopt Resolution No. 2010-0064, authorizing the President/CEO to reject the low bid of Dick Miller, Inc. as non-responsive and award a contract to the second lowest bidder, S&L Specialty Contracting, Inc., in the amount of \$2,126,550.00, for Phase 5, Group 7B, Project No. 380507B, of the San Diego County Regional Airport Authority's Quieter Home Program.

(Facilities Development: Iraj Ghaemi, Director)

15. AUTHORIZE THE PRESIDENT/CEO TO (1) EXERCISE THE FIRST ONE-YEAR OPTION TO EXTEND THE TERM OF THE NETWORK SECURITY ELECTRONICS, INC., (NSEI) CONTRACT FOR SECURITY ACCESS CONTROL SYSTEM MAINTENANCE AND REPAIR SERVICES, AND (2) AMEND THE EXISTING CONTRACT LANGUAGE TO REFLECT THE JANUARY 4, 2010, AUDIT RECOMMENDATIONS:

The Board is requested to authorize the extension of the contract.
RECOMMENDATION: Adopt Resolution No. 2010-0065, authorizing the President/CEO to (1) exercise the first one-year option to extend the expiration date of the term of the NSEI contract for security access control system maintenance and repair services from September 1, 2010 to August 31, 2011, and (2) approve an amendment to the existing contract language to reflect the January 4, 2010, audit recommendations.

(Aviation Operations and Public Safety: George Condon, Director)

PUBLIC HEARINGS:

OLD BUSINESS:

NEW BUSINESS:

16. APPROVE THE FINAL BUDGET AND SCHEDULE FOR THE TERMINAL DEVELOPMENT PROGRAM (THE GREEN BUILD) DESIGN AND CONSTRUCTION:

The Board is requested to approve the final budget and schedule for the Terminal Development Program (The Green Build) Program Design and Construction.

RECOMMENDATION: The Terminal Development Program Committee recommends that the Board adopt Resolution No. 2010-0066, authorizing final budget approval of \$431,465,038 for Contract 1 (Terminal 2 West Building and Airside Expansion at San Diego International Airport), \$251,520,587 for contract 2 (landside and smart curb improvements), \$121,715,068 for Airport Authority personnel and project administration costs, and schedule completion date approval of March 31, 2013, for the Terminal Development Program (The Green Build) Contracts 1 and 2.

(Development: Bryan Enarson, Vice President)

CLOSED SESSION:

**17. 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).

18. 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.

19. 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.

20. 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

21. 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

22. 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.

23. CONFERENCE WITH LEGAL COUNSEL--EXISTING LITIGATION:

(Cal. Gov. Code Section 54956.9(a)):

City of San Diego, Historical Resources Board: In re: Western Salt Company Salt Works, Report No. HRB-08-005

24. CONFERENCE WITH REAL PROPERTY NEGOTIATORS:

Real Property Negotiations pursuant to Cal. Gov. Code sections 54954.5(b) and 54956.8.

Property: 2701 & 2535 Midway Drive, City of San Diego

Agency Negotiators: Vernon D. Evans, Vice President, Finance/Treasurer under Negotiation: Purchase – Price, Terms of Payment and Conditions.

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 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>
July 1	Thursday	9:00 a.m.	Regular	Board Room
September 2	Thursday	9:00 a.m.	Regular	Board Room
October 7	Thursday	9:00 a.m.	Regular	Board Room

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

I, Linda Gehlken, Assistant Authority Clerk I, of the San Diego County Regional Airport Authority, hereby certify that at the hour of 2:15 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: 5/28/10

SIGNATURE: _____

