

Revised 2/12/13
DRAFT

**SAN DIEGO COUNTY REGIONAL AIRPORT AUTHORITY BOARD
MINUTES
THURSDAY, JANUARY 10, 2013
SAN DIEGO INTERNATIONAL AIRPORT
BOARD ROOM**

CALL TO ORDER: Chair Gleason called the special meeting of the San Diego County Regional Airport Authority Board to order at 9:04 a.m. on Thursday, January 10, 2013 in the Board Room at the San Diego International Airport, Commuter Terminal, 3225 North Harbor Drive, San Diego, CA 92101.

ROLL CALL:

PRESENT: Board Members: Boland, Cox, Desmond, Gleason, Hubbs, Panknin, Robinson, Smisek

ABSENT: Board Members: Berman (Ex Officio), Reyes (Ex Officio)

ALSO PRESENT: Thella F. Bowens, President/CEO; Breton K. Lobner, General Counsel; Tony R. Russell, Director, Corporate Services/Authority Clerk; Lorraine Bennett, Assistant Authority Clerk II

PLEDGE OF ALLEGIANCE: Board Member Cox led the Pledge of Allegiance.

CHAIR'S REPORT:

Chair Gleason recognized the 10th anniversary of the Authority as an independent agency. He thanked Thella Bowens, President/CEO for her leadership, and Authority staff at all levels for creating a superior customer experience at the airport.

A. LEADERSHIP AND THE NEXT GENERATION OF AVIATION PROFESSIONALS:

Thella F. Bowens, President/CEO provided a presentation on Leadership and The Next Generation of Aviation Professionals, which included Sustaining the organization into the future, What does the future hold for airports, and Trends impacting North American airports.

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

STANDING BOARD COMMITTEES

- **AUDIT COMMITTEE:**
Board Member Smisek noted that the next Audit Committee meeting is scheduled on February 4, 2013.
- **EXECUTIVE PERSONNEL AND COMPENSATION COMMITTEE:**
Board Member Desmond reported that the Committee recommended that LTC Performance Strategies be selected to work with the Board in identifying parameters for the renewal of President/CEO's contract. He noted that the Committee met in Closed Session on December 13, 2012 with Ms. Bowens to review the status of her performance goals related to succession planning. He stated that the next Committee meeting is scheduled for January 16, 2013.
- **FINANCE COMMITTEE:** None.
- **CAPITAL IMPROVEMENT PROGRAM OVERSIGHT COMMITTEE:**
Board Member Boland noted that the next Committee meeting is scheduled on January 22, 2013. He provided an update on the Green Build activities.

ADVISORY COMMITTEES

- **AUTHORITY ADVISORY COMMITTEE:** None.
- **ART ADVISORY COMMITTEE:**
Chair Gleason noted that Agenda Item 7 is on the agenda for Board approval. He reported that a recent community meeting was held with the artists engaged in the Rental Car Facility public art opportunity. He requested that staff notify the Board of all future meetings regarding the Rental Car Facility public art opportunity.

LIAISONS

- **AIRPORT LAND USE COMPATIBILITY PLAN FOR SAN DIEGO INTERNATIONAL AIRPORT:**
Board Member Robinson reported that in response to direction received during the November ALUC meeting, staff has been working with internal counsel to resolve the two outstanding policy issues with the SDIA Land Use Plan.

- **CALTRANS:** None.
- **INTER-GOVERNMENTAL AFFAIRS:**
Board Member Cox reported that on December 14th, the Authority hosted a briefing and Green Build tour for several of the region's state and federal legislators and staff. He reported that Chair Gleason recently represented the Authority at a UCSD roundtable event on U.S. – Japan Trade Collaboration; and that he will deliver the State of the County Address on February 13th.
- **MILITARY AFFAIRS:** None.
- **PORT:**
Chair Gleason reported on the Port Commission's election of officers.

BOARD REPRESENTATIVES (EXTERNAL)

- **SANDAG TRANSPORTATION COMMITTEE:**
Board Member Smisek reported that the next meeting of Committee is scheduled for January 18, 2013.
- **WORLD TRADE CENTER:**
Board Member Panknin reported that Steven Weathers is the new President of the World Trade Center. He encouraged the Board and staff to submit to him, any ideas in regards to strategic planning for the World Trade Center.

CHAIR'S REPORT:

Chair Gleason noted that the 2013 committee assignments for Board members is scheduled for the February 14th Board meeting.

PRESIDENT/CEO'S REPORT:

Thella Bowens, President/CEO reported that the Authority received high marks on its new bond rating, and she thanked the Finance team for its leadership. She reported that holiday travel was up, with a 75% average load. She acknowledged key Authority staff who acted swiftly to repair a water main break at the airport on Christmas Day.

NON-AGENDA PUBLIC COMMENT: None

CONSENT AGENDA:

ACTION: Moved by Board Member Smisek and seconded by Board Member Boland to approve the Consent Agenda. Motion carried by the following vote: YES – Boland, Cox, Desmond, Gleason, Hubbs, Panknin, Robinson, Smisek; NO – None; ABSENT – None. (Weighted Vote Points: YES – 87; NO – 0; ABSENT 0).

1. **APPROVAL OF MINUTES:**
RECOMMENDATION: Approve the minutes of the December 13, 2012, Special meeting.
2. **ACCEPTANCE OF BOARD AND COMMITTEE MEMBERS WRITTEN REPORTS ON THEIR ATTENDANCE AT APPROVED MEETINGS AND PRE-APPROVAL OF ATTENDANCE AT OTHER MEETINGS NOT COVERED BY THE CURRENT RESOLUTION:**
RECOMMENDATION: Accept the reports and pre-approve Board member attendance at other meetings, trainings and events not covered by the current resolution.
3. **AWARDED CONTRACTS, APPROVED CHANGE ORDERS FROM NOVEMBER 9, 2012, THROUGH DECEMBER 9, 2012, AND REAL PROPERTY AGREEMENTS GRANTED AND ACCEPTED FROM NOVEMBER 9, 2012, THROUGH DECEMBER 9, 2012:**
RECOMMENDATION: Receive the report.
4. **JANUARY 2013 LEGISLATIVE REPORT:**
RECOMMENDATION: Adopt Resolution No. 2013-0002, approving the January 2013 Legislative Report.

CLAIMS

5. **AUTHORIZE THE REJECTION OF THE CLAIM OF MATTIE AGINS:**
RECOMMENDATION: Adopt Resolution No. 2013-0003, authorizing the rejection of the claim of Mattie Agins.
6. **AUTHORIZE THE REJECTION OF THE CLAIM OF TDY INDUSTRIES, LLC:**
RECOMMENDATION: Adopt Resolution No. 2013-0004, authorizing the rejection of the claim of TDY Industries, LLC.

COMMITTEE RECOMMENDATIONS

7.

APPROVE THE ADOPTION OF AUTHORITY POLICY 8.50 – AIRPORT ART PROGRAM, AND REPEAL EXISTING AUTHORITY POLICIES 8.50, 8.51, AND 8.52:

RECOMMENDATION: The Art Advisory Committee recommends that the Board Adopt Resolution No. 2013-0005, adopting a new Authority Policy 8.50, replacing Policies 8.50 (Guidelines For The Public Art Program), 8.51 (Monuments, Memorials And Plaques), And 8.52 (Donated And Loaned Items).

CONTRACTS AND AGREEMENTS

8. **MAKE A FINDING OF “NECESSITY” PURSUANT TO PUBLIC CONTRACT CODE SECTION 4109 AND AUTHORIZE ANTON’S SERVICE, INC., TO PERFORM DEMOLITION WORK AS A SUBCONTRACTOR TO SOLPAC CONSTRUCTION, INC., D.B.A. SOLTEK PACIFIC CONSTRUCTION COMPANY:**

RECOMMENDATION: Adopt Resolution No. 2013-0007, making a finding of “necessity” under Public Contract Code Section 4109 and authorizing Anton’s Service, Inc., to perform demolition work as a Subcontractor to Solpac Construction, Inc., d.b.a. Soltek Pacific Construction Company on Project No. 104056, Expand Terminal 2 East Facilities.

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

9. **AWARD A CONTRACT TO S&L SPECIALTY CONTRACTING, INC. FOR QUIETER HOME PROGRAM PHASE 6, GROUP 11 (28 WEST SIDE, NON-HISTORIC, CONDOMINIUM UNITS):**

RECOMMENDATION: Adopt Resolution No. 2013-0006, awarding a contract to S&L Specialty Contracting, Inc., in the amount of \$1,013,000, for Project No. 380611, Phase 6, Group 11, of the San Diego County Regional Airport Authority’s Quieter Home Program.

10. **AWARD A CONTRACT TO S&L SPECIALTY CONTRACTING INC. FOR QUIETER HOME PROGRAM PHASE 6, GROUP 10 (32 WEST SIDE, HISTORIC, SINGLE FAMILY HOMES):**

RECOMMENDATION: Adopt Resolution No. 2013-0001, awarding a contract to S&L Specialty Contracting, Inc., in the amount of \$1,958,350, for Project No. 380610, Phase 6, Group 10, of the San Diego County Regional Airport Authority’s Quieter Home Program.

PUBLIC HEARINGS: None

OLD BUSINESS: None

NEW BUSINESS: None

The Board recessed at 9:50 a.m. and reconvened at 10:00 a.m.

CLOSED SESSION: The Board recessed into Closed Session at 10:01 a.m. to discuss Items 17 and 18.

11. CONFERENCE WITH LABOR NEGOTIATOR:

Labor negotiations pursuant to Cal. Gov. Code §54957.6:
Authority Designated Negotiators: Thella F. Bowens, President/CEO; and Jeffrey Woodson, Vice President, Administration
Employee Organization: Teamsters 911

12. CONFERENCE WITH REAL PROPERTY NEGOTIATORS:

Real property negotiations pursuant to Cal. Gov. Code §54954.5(b) and §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

13. CONFERENCE WITH REAL PROPERTY NEGOTIATORS:

Legal Authority: Real property negotiations pursuant to Cal. Gov. Code § 54954.5(b) and § 54956.8
Property: 4347 North Harbor Drive, San Diego, CA 92101
Authority Negotiators: Vernon D. Evans, Vice President, Finance/Treasurer and Troy Ann Leech
Negotiating Party: City of San Diego
Under Negotiation: Terms and conditions of purchase

14. CONFERENCE WITH REAL PROPERTY NEGOTIATORS:

Legal Authority: Real property negotiations pursuant to Cal. Gov. Code §54954.5(b) and §54956.8.
Property: 3312 Goldsmith Street, San Diego, CA 92106 (Assessor's parcel #450-142-13-00)
Agency Negotiators: Vernon Evans, Vice President, Finance/Treasurer and Troy Ann Leech, Director, Real Estate
Under Negotiation: Sale of property – terms and conditions

15. **CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION:**
(Cal.Gov.Code §54956.9(a))
Ann Marie Tejcek v. San Diego County Regional Airport Authority, et al.
LASC No. 37-2011-00102856-CU-PO-CTL

16. **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION:**
(Cal. Gov. Code § 54956.9(a))
Jacob Mojadam, individually and on behalf of all those similarly situated v.
San Diego County Regional Airport Authority, et al
San Diego Superior Court Case No. 37-2012-00098040-CU-MC-CTL

17. **CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION:**
(Cal. Gov. Code Section 54956.9(A))
Diego Concession Group, Inc. v. San Diego County Regional Airport
Authority S.D.S.C Case No. 37-2012-00088083-CU-BT-CTL

18. **CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION:**
Initiation of litigation pursuant to subdivision (c) of §54956.9: (1 case)

19. **CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION:**
Significant exposure to litigation pursuant to Cal. Gov. Code §54956.9(b)
[Number of cases: 1] and §54956.9(b)(3)(C) [Liability claim against
Authority by Theresa, Warren & Carl Hopkins]

20. **CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION:**
Significant exposure to litigation pursuant to Cal. Gov. Code §54956.9(b):
Kelly Lancaster, David Boenitz, Mary Erickson and Richard Gilb, et al v.
SDCERS, San Diego Sup. Court Case No. 37-2011-G0096238-CU-PO-
CT
Number of cases: 1

21. **CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION:**
Significant exposure to litigation (Cal. Gov. Code §§ 54956.9 (b) and
54954.5)
Number of potential cases: 1
Re: Investigative Order No. R9-2012-0009 by the California Regional
Water Quality Control Board regarding submission of technical reports
pertaining to an investigation of bay sediments at the Downtown
Anchorage Area in San Diego Bay

REPORT ON CLOSED SESSION: The Board reconvened at 11:23 a.m. Chair Gleason stated that there was no reportable action.

NON-AGENDA PUBLIC COMMENT: None

GENERAL COUNSEL REPORT: None.

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: None

ADJOURNMENT: The meeting was adjourned at 11:24 a.m.

APPROVED BY A MOTION OF THE SAN DIEGO COUNTY REGIONAL AIRPORT AUTHORITY BOARD THIS 14th DAY OF FEBRUARY, 2013.

TONY R. RUSSELL
DIRECTOR, CORPORATE SERVICES/
AUTHORITY CLERK

APPROVED AS TO FORM:

BRETON K. LOBNER
GENERAL COUNSEL