

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, December 2, 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:

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

PRESENTATIONS:

- PRESENTATION OF 2010 WORKPLACE EXCELLENCE AWARD FOR MID-SIZED COMPANIES:**
Presented by the San Diego Society for Human Resource Management
- UPDATE ON THE PUBLIC ART PROGRAM:**
Presented by Constance White, Art Program Manager
- AIRPORT CONCESSIONS DISADVANTAGED BUSINESS ENTERPRISE (ACDBE) (EDUCATIONAL ITEM):**
Presented by Bob Silvas, Director, Small Business Development
- UPDATE ON THE REGIONAL AVIATION STRATEGIC PLAN (RASP):**
Presented by Angela Shafer-Payne, Vice President, Planning and Operations

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

STANDING BOARD COMMITTEES

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

- **REGIONAL AVIATION STRATEGIC PLAN COMMITTEE:**
Committee Members: Boland, Desmond, Finnila (Chair), Panknin

ADVISORY COMMITTEES

- **AUTHORITY ADVISORY COMMITTEE:**
Liaison: Panknin
- **PUBLIC ART ADVISORY COMMITTEE:**
Committee Member: Gleason

LIAISONS

- **CALTRANS:**
Liaison: Berman
- **INTER-GOVERNMENTAL AFFAIRS:**
Liaison: Cox
- **MILITARY AFFAIRS:**
Liaisons: Boland (Primary), Panknin
- **PORT:**
Liaisons: Boland, Gleason (Primary), Smisek
- **AIRPORT LAND USE COMPATIBILITY PLAN FOR SAN DIEGO INTERNATIONAL AIRPORT:**
Liaison: Robinson

BOARD REPRESENTATIVES (EXTERNAL)

- **SANDAG TRANSPORTATION COMMITTEE:**
Representatives: Panknin, Smisek (Primary)
- **WORLD TRADE CENTER:**
Representatives: Panknin (Primary), Young

CHAIR'S REPORT:

PRESIDENT/CEO'S REPORT:

NON-AGENDA PUBLIC COMMENT:

Non-Agenda 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 (Items 1- 17):

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 November 4, 2010 regular meeting.

2. ACCEPTANCE OF BOARD AND COMMITTEE MEMBERS' WRITTEN REPORTS ON 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. DECEMBER 2010 LEGISLATIVE REPORT:

The Board is requested to approve the report.

RECOMMENDATION: Adopt Resolution No. 2010-0131, approving the December 2010 Legislative Report.

(Inter-Governmental Relations: Michael Kulis, Director)

4. AMEND AUTHORITY POLICY 8.21 - SURPLUS MATERIALS AND EQUIPMENT:

The Board is requested to amend the policy.

RECOMMENDATION: Adopt Resolution No. 2010-0132, amending Authority Policy 8.21 – Surplus Materials and Equipment, to authorize donation of obsolete surplus computers and related electronic equipment to non-profit charitable organizations, and to provide Authority personnel the opportunity to purchase obsolete surplus computers at fair market value.

(Procurement: Jana Vargas, Director)

CLAIMS

COMMITTEE RECOMMENDATIONS

5. EXTERNAL AUDITOR'S FISCAL YEAR ENDED JUNE 30, 2010, REPORTS: A) AUDITED FINANCIAL STATEMENTS, B) COMPLIANCE (SINGLE AUDIT) REPORT, C) PASSENGER FACILITY CHARGE COMPLIANCE REPORT, AND D) REPORT TO THE AUDIT COMMITTEE:

The Board is requested to accept the reports.

RECOMMENDATION: The Audit Committee recommends that the Board accept the reports.

(Audit: Mark Burchyett, Chief Auditor)

6. QUARTERLY AUDIT ACTIVITIES REPORT – FISCAL YEAR 2011 FIRST QUARTER, AND REPORT ON AUDIT RECOMMENDATIONS ISSUED BY THE OFFICE OF THE CHIEF AUDITOR:

The Board is requested to receive the report.

RECOMMENDATION: The Audit Committee recommends that the Board receive the report.

(Audit: Mark Burchyett, Chief Auditor)

7. REVISION TO THE FISCAL YEAR 2011 AUDIT PLAN OF THE OFFICE OF THE CHIEF AUDITOR:

The Board is requested to accept the plan.

RECOMMENDATION: The Audit Committee recommends that the Board accept the revised Fiscal Year 2011 Audit Plan.

(Audit: Mark Burchyett, Chief Auditor)

8. REVIEW OF THE COMPREHENSIVE ANNUAL FINANCIAL REPORT (CAFR) FOR THE FISCAL YEAR ENDED JUNE 30, 2010:

The Board is requested to receive the information.

RECOMMENDATION: The Audit Committee recommends that the Board receive the information.

(Finance: Vernon Evans, Vice President/Treasurer)

CONTRACTS AND AGREEMENTS

9. AWARDED CONTRACTS, APPROVED CHANGE ORDERS FROM OCTOBER 11, 2010 THROUGH NOVEMBER 7, 2010 AND REAL PROPERTY AGREEMENTS GRANTED AND ACCEPTED FROM OCTOBER 11, 2010 THROUGH NOVEMBER 7, 2010:

The Board is requested to receive the report.

RECOMMENDATION: Receive the report.

(Procurement: Jana Vargas, Director)

10. AUTHORIZE THE PRESIDENT/CEO TO CONSENT TO THE ASSIGNMENT OF LEASE AND LICENSE AGREEMENT FROM LANDMARK AVIATION SAN DIEGO, INC. TO LANDMARK AVIATION GSO-SAN, INC.:

The Board is requested to authorize the President/CEO to consent to the assignment of lease and license agreement.

RECOMMENDATION: Adopt Resolution No. 2010-0133, authorizing the President/CEO to consent to the assignment of lease and license agreement from Landmark Aviation San Diego, Inc. to Landmark Aviation GSO-SAN, LLC.

(Finance: Vernon Evans, Vice President/Treasurer)

11. AUTHORIZE THE PRESIDENT/CEO TO EXECUTE A SECOND AMENDMENT TO THE LEASE WITH SAN DIEGO AIR AND SPACE TECH CENTER, INC.:

The Board is requested to authorize the President/CEO to execute an amendment to the lease.

RECOMMENDATION: Adopt Resolution No. 2010-0134, authorizing the President/CEO to execute a second amendment to the lease with San Diego Air and Space Technology Center, Inc., extending the term of the lease for ten (10) years to March 31, 2021.

(Finance: Vernon Evans, Vice President/Treasurer)

12. AWARD A CONTRACT TO ACCURATE ENGINEERING ICS, INC., FOR QUIETER HOME PROGRAM PHASE 5, GROUP 9B (36 EAST SIDE, NON-HISTORIC, APARTMENT UNITS ON 2 RESIDENTIAL PROPERTIES):

The Board is requested to award the contract.

RECOMMENDATION: Adopt Resolution No. 2010-0135, awarding a contract to Accurate Engineering ICS, Inc., in the amount of \$509,050, for Phase 5, Group 9B, Project No. 380509B, of the San Diego County Regional Airport Authority's Quieter Home Program.

(Facilities Development: Iraj Ghaemi, Director)

13. AUTHORIZE THE PRESIDENT/CEO TO EXECUTE A FIRST AMENDMENT TO THE CONTRACT WITH MICROSOFT LICENSING, GP:

The Board is requested to authorize the amendment.

RECOMMENDATION: Adopt Resolution No. 2010-0136, authorizing the President/CEO to execute a first amendment to the contract with Microsoft Licensing, GP increasing the compensation amount by \$80,000 for a not to exceed amount of \$310,777.49.

(Information Technology: Howard Kourik, Director)

14. AUTHORIZE THE PRESIDENT/CEO TO EXECUTE A FIRST AMENDMENT TO THE CONTRACT WITH HARRIS MILLER MILLER AND HANSON INC.:

The Board is requested to authorize the amendment.

RECOMMENDATION: Adopt Resolution No. 2010-0137, authorizing the President/CEO to execute a First Amendment to the contract with Harris Miller Miller And Hanson Inc. regarding the Part 150 Noise Compatibility Program Update, extending the contract term by six (6) months to June 30, 2011.

(Airport Noise Mitigation: Dan Frazee, Director)

15. APPROVE AND AUTHORIZE THE PRESIDENT/CEO TO EXECUTE AN AGREEMENT FOR LABOR AND EMPLOYMENT LEGAL SERVICES TO PAUL, PLEVIN, SULLIVAN & CONNAUGHTON LLP:

The Board is requested to approve the agreement.

RECOMMENDATION: Adopt Resolution No. 2010-0140, approving and authorizing the President/CEO to execute an agreement for Labor and Employment legal services to Paul, Plevin, Sullivan & Connaughton LLP for a term of three (3) years, with two (2) additional one-year options to extend the term with a maximum amount payable not to exceed of \$300,000.

(Legal: Breton Lobner, General Counsel)

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

16. APPROVE AND AUTHORIZE THE PRESIDENT/CEO TO EXECUTE A CONTRACT WITH PACIFIC RIM MECHANICAL CONTRACTORS, INC. FOR HEATING, VENTILATION AND AIR CONDITIONING MAINTENANCE AND REPAIR SERVICES:

The Board is requested to approve the award of the contract.

RECOMMENDATION: Adopt Resolution No. 2010-0138, approving and authorizing the President/CEO to execute a contract with Pacific Rim Mechanical Contractors, Inc., for Heating, Ventilation, and Air Conditioning Maintenance and Repair Services, at the San Diego International Airport, for a term of three (3) years in an amount not-to-exceed \$2,931,916.

(Facilities Management: Wayne Harvey, Director)

17. APPROVE AND AUTHORIZE THE PRESIDENT/CEO TO EXECUTE AN AGREEMENT WITH MERRIWETHER & WILLIAMS INSURANCE SERVICES TO PROVIDE CONSULTING SERVICES FOR THE BOND AND CONTRACT FINANCING SERVICES PROGRAM:

The Board is requested to approve the award of the agreement.

RECOMMENDATION: Adopt Resolution No. 2010-0139, approving and authorizing the President/CEO to execute an agreement with Merriwether & Williams Insurance Services to provide Bond and Contract Finance Consulting services for a three (3) year term with two (2), one year extension options for a maximum amount payable of \$1,868,970.

(Administration: Jeffrey Woodson, Vice President)

PUBLIC HEARINGS:

OLD BUSINESS:

NEW BUSINESS:

18. BOARD DISCUSSION AND APPROVAL OF CONTRACTUAL LANGUAGE REGARDING WORKER RETENTION FOR EMPLOYEES OF CONTRACTORS AND SUBCONTRACTORS TO BE INCLUDED IN THE REQUEST FOR PROPOSAL SOLICITATIONS FOR CONCESSIONS (RETAIL, FOOD AND BEVERAGE), AIRPORT SHUTTLE SERVICES AND PARKING SERVICES:

The Board is requested to approve the proposed language.

RECOMMENDATION: Adopt Resolution No. 2010-0142, approving contractual language regarding Worker Retention for Employees of Contractors and Subcontractors providing services at San Diego International Airport to be incorporated into the Request for Proposal (RFP) solicitations for Concessions (retail, food and beverage), Airport Shuttle Services and Parking Services.

(Administration: Jeffrey Woodson, Vice President)

19. AUTHORIZE A FRAMEWORK FOR THE DEVELOPMENT OF A POLICY ON THE BUSINESS PROCUREMENT PREFERENCE PROGRAM AT SAN DIEGO INTERNATIONAL AIRPORT:

The Board is requested to provide direction to staff.

RECOMMENDATION: Provide direction to staff to develop framework for the Business Procurement Preference Program involving joint usage of goals and preferences that will aid in the future adoption of policy of 5.14.

(Small Business Development: Bob Silvas, Director)

20. 2011 LEGISLATIVE AGENDA:

The Board is requested to approve the legislative agenda.

RECOMMENDATION: Adopt Resolution No. 2010-0141, approving the 2011 Legislative Agenda.

(Inter-Governmental Relations: Mike Kulis, Director)

CLOSED SESSION:

21. CONFERENCE WITH LEGAL COUNSEL: ANTICIPATED LITIGATION:

Initiation of litigation pursuant to subdivision (c) of Section 54956.9: (1 case)

22. 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).

23. 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.

24. 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

25. 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

26. CONFERENCE WITH REAL PROPERTY NEGOTIATORS:

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

Property: 3.76 acre easement across MCRD and San Diego Unified Port District 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 Ann Leech, Director, Real Estate Management.

Under Negotiation: Consideration of MCRD's request for exclusive use of portion of the easement; possible realignment of access and rights; acquisition of easement or right of way from the San Diego Unified Port District.

27. 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

28. 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

REPORT ON CLOSED SESSION:

NON-AGENDA PUBLIC COMMENT:

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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>
January 6	Thursday	9:00 a.m.	Regular	Board Room
February 3	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 4:58 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: 11/2610

SIGNATURE: 