

SAN DIEGO COUNTY REGIONAL AIRPORT AUTHORITY

BOARD

AGENDA

Thursday, October 1, 2009
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.***



BOARD MEMBERS

BRUCE R. BOLAND
JIM DESMOND
RAMONA FINNILA*
ROBERT H. GLEASON
JIM PANKNIN
TOM SMISEK
ROBERT J. WATKINS*
ANTHONY K. YOUNG*

* EXECUTIVE COMMITTEE EX OFFICIO BOARD MEMBERS

ROBERT PIEPLOW
COL. FRANK A. RICHIE
THOMAS L. SHEEHY

PRESIDENT/CEO
THELLA F. BOWENS

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:

PRESENTATIONS:

- A. UPDATE ON 2050 REGIONAL GROWTH FORECAST AND REGIONAL TRANSPORTATION PLAN:**
Presented by Bob Leiter, San Diego Association of Governments
- B. FLY GREEN SAN DIEGO:**
Presented by Matt Harris, Senior Director, Executive Office
- C. REPORT ON THE AUTHORITY'S FINANCIAL CONDITION:**
Presented by Vernon Evans, Vice President, Finance/Treasurer

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 September 3, 2009 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 not covered by the current resolution.

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

3. OCTOBER 2009 LEGISLATIVE REPORT:

The Board is requested to approve the report.

RECOMMENDATION: Adopt Resolution No. 2009-0119, approving the October 2009 Legislative Report.

(Inter-Governmental Relations: Michael Kulis, Director)

4. 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. 2009-0120, making appointments to Board Committees, and representatives and alternates to the SANDAG Transportation Committee and the SCAG Aviation Task Force.

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

CLAIMS

5. AUTHORIZE THE REJECTION OF THE CLAIM OF KEITH HENDRIX:

The Board is requested to reject the claim.

RECOMMENDATION: Adopt Resolution No. 2009-0121, authorizing the rejection of the claim of Keith Hendrix.

(Legal: Breton Lobner, General Counsel)

6. AUTHORIZE THE REJECTION OF THE CLAIM OF SALIM KHAWAJA:

The Board is requested to reject the claim.

RECOMMENDATION: Adopt Resolution No. 2009-0122, authorizing the rejection of the claim of Salim Khawaja.

(Legal: Breton Lobner, General Counsel)

COMMITTEE RECOMMENDATIONS

7. ANNUAL REVIEW AND APPROVAL OF AMENDMENTS TO AUTHORITY POLICY 4.20 - GUIDELINES FOR PRUDENT INVESTMENTS, AND DELEGATION OF AUTHORITY TO INVEST AND MANAGE AUTHORITY FUNDS TO THE VICE PRESIDENT, FINANCE/TREASURER:

The Board is requested to review and update the policy.

RECOMMENDATION: The Executive/Finance Committee recommends that the Board adopt Resolution No. 2009-0123, approving amendments to Authority Policy 4.20 - Guidelines for Prudent Investments, and delegating authority to invest and manage Authority funds to the Vice President of Finance/Treasurer.

(Finance: Vernon Evans, Vice President/Treasurer)

8. EXTERNAL AUDITOR MCGLADREY AND PULLEN'S AUDIT PLAN, QUALITY CONTROL REPORT, PEER REVIEW, AND STATEMENT OF INDEPENDENCE:

The Board is requested to receive the information.

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

(Audit: Mark A. Burchyett, Chief Auditor)

9. FISCAL YEAR 2009 – ANNUAL REPORT FROM THE AUDIT COMMITTEE:

The Board is requested to receive the information.

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

(Audit: Mark A. Burchyett, Chief Auditor)

10. FISCAL YEAR 2009 – ANNUAL AUDIT ACTIVITIES REPORT FROM THE OFFICE OF THE CHIEF AUDITOR, 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: Mark A. Burchyett, Chief Auditor)

11. REVISION TO THE FISCAL YEAR 2010 AUDIT PLAN OF 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: Mark A. Burchyett, Chief Auditor)

CONTRACTS AND AGREEMENTS

12. AWARDED CONTRACTS, APPROVED CHANGE ORDERS FROM AUGUST 10, 2009 THROUGH SEPTEMBER 6, 2009, AND REAL PROPERTY AGREEMENTS GRANTED AND ACCEPTED FROM AUGUST 10, 2009 THROUGH SEPTEMBER 6, 2009:

The Board is requested to receive the report.

RECOMMENDATION: Receive the report.

(Procurement: Jana Vargas, Director)

13. AWARD A CONTRACT TO FLURORESCO LIGHTING–SIGN MAINTENANCE CORPORATION, TO INSTALL AIRPORT VISUAL PAGING IN TERMINALS, AT SAN DIEGO INTERNATIONAL AIRPORT:

The Board is requested to award a contract.

RECOMMENDATION: Adopt Resolution No. 2009-0124, awarding a construction contract to Fluroresco Lighting–Sign Maintenance Corporation, in the amount of \$225,502.00, for Project No. 104080, Install Airport Visual Paging in Terminals at San Diego International Airport.

(Facilities Development: Iraj Ghaemi, Director)

14. RATIFICATION OF AWARD OF A CONTRACT TO SIERRA PACIFIC WEST, INC.:

The Board is requested to ratify the award of a contract.

RECOMMENDATION: Adopt Resolution No. 2009-0129, ratifying the award of a Contract to Sierra Pacific West, Inc.

(Legal: Breton Lobner, General Counsel)

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

15. AWARD A CONTRACT TO STRONG TOWER CONSTRUCTION, DBA KOCH CORPORATION, FOR QUIETER HOME PROGRAM PHASE 5, GROUP 2 (73 WEST SIDE NON-HISTORIC CONDOMINIUM UNITS):

The Board is requested to award a contract.

RECOMMENDATION: Adopt Resolution No. 2009-0125, relieving the apparent low bidder, Design/Build, of its bid due to bidder error, and awarding a contract to the second lowest bidder, Strong Tower Construction, dba Koch Corporation, in the amount of \$2,298,919.00, for Phase 5, Group 2, Project No. 380502, of the San Diego County Regional Airport Authority's Quieter Home Program.

(Facilities Development: Iraj Ghaemi, Director)

PUBLIC HEARINGS:

OLD BUSINESS:

NEW BUSINESS:

16. ADOPT POLICY 5.13 "LOCAL BUSINESS OPPORTUNITIES POLICY", TO SUPPORT AND PROMOTE LOCAL BUSINESS PARTICIPATION IN THE PERFORMANCE OF AUTHORITY CONTRACTS:

The Board is requested to adopt a new policy.

RECOMMENDATION: Adopt Resolution No. 2009-0126, approving the adoption of Policy 5.13 "Local Business Opportunities Policy", to define local business criteria and support and promote local business participation in the performance of all Authority contracts.

(Administration: Jeffrey Woodson, Vice President)

17. DISCUSSION AND ACTION REGARDING BUSINESS, TRAVEL AND LODGING REIMBURSEMENT POLICIES:

The Board is requested to discuss the policies.

RECOMMENDATION: Adopt Resolution No. 2009-0130, amending Authority Policy 3.40, Travel and Lodging Reimbursement, establishing rates for travel, meals and lodging for Authority Board members; provide direction to staff regarding further amendments to Authority Policies 3.30 and 3.40.

(Administration: Jeffrey Woodson, Vice President)

18. STATUS AND OUTLOOK OF SAN DIEGO INTERNATIONAL AIRPORT PLANNING EFFORTS:

The Board is requested to receive the report.

RECOMMENDATION: Accept the report.

(Airport Planning: Keith Wilschetz, Director)

19. RENEWAL OF THE EMPLOYEE BENEFIT PROGRAM FOR 2010:

The Board is requested to renew benefits for employees.

RECOMMENDATION: The Executive Personnel & Compensation Committee recommends that the Board adopt Resolution No. 2009-0128, approving the renewal of the employee benefit program(s) for 2010.

(Human Resources: Jeff Lindeman, Director)

20. REQUIRED FUNDING LEVEL FOR THE AUTHORITY RETIREMENT FUND AT THE SAN DIEGO CITY EMPLOYEES' RETIREMENT SYSTEM (SDCERS):

The Board is requested to defer discussion of additional funding.

RECOMMENDATION: The Executive Personnel & Compensation Committee recommends that the Board defer discussion of additional funding of \$7.7 million to achieve a 95% funded ratio until completion of the SDCERS Valuation Report.

(Administration: Jeffrey Woodson, Vice President)

21. DISCUSSION AND RECOMMENDATION(S) ON ANY PROPOSED ENHANCEMENT(S)/REVISION(S) TO THE EXECUTIVE PERFORMANCE APPRAISAL PROCESS:

The Board is requested to provide direction to staff.

RECOMMENDATION: Provide direction to staff.

(Human Resources: Jeff Lindeman, Director; Linda Shoob, Consultant, Centre for Organization Effectiveness)

22. AMEND AUTHORITY POLICY 9.30 – AIRPORT PARKING CARD PROGRAM:

The Board is requested to approve amendments to Authority Policy 9.30.

RECOMMENDATION: Adopt Resolution No. 2009-0127, amending Authority Policy 9.30 – Airport Parking Card Program.

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

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

STANDING BOARD COMMITTEES

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

AD HOC COMMITTEE

- **RASP/AMAP AD HOC COMMITTEE:**
Representatives: Desmond, Finnila (Chair), Boland (Vice Chair), Panknin
- **PORT DISTRICT AD HOC COMMITTEE:**
Representatives: Boland, Smisek, Watkins

LIAISONS

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

BOARD REPRESENTATIVES

- **SANDAG TRANSPORTATION COMMITTEE REPRESENTATIVE:**
Committee Representatives: Smisek (Alternate)
- **SCAG AVIATION TASK FORCE:**
Task Force Representatives: Smisek (Alternate)
- **WORLD TRADE CENTER:**
Representatives: Watkins (Primary), Finnila (Alternate)

CLOSED SESSION:

- 23. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION (Government Code Section 54956.9(a)):**
Britt v. San Diego County Regional Airport Authority, et al., San Diego Superior Court Case No. 37-2007-00072794-CU-MC-CTL
- 24. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION:**
Initiation of litigation pursuant to Cal. Gov. Code §54956.9(c).
Number of potential cases: 1 (Nazbest-Pacific).
- 25. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION:**
Initiation of litigation pursuant to Cal. Gov. Code §54956.9(c).
Number of potential cases: 1 (Galaxy).
- 26. 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)
- 27. 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

28. 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

29. CONFERENCE WITH LABOR NEGOTIATORS:

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

30. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION (Government Code 54956.9(a)):

San Diego County Regional Airport Authority v. Gibson/ Kent

San Diego County Superior Court Case No. 37-2009-00004949-SC-SC-CTL

31. CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION

Pursuant to Government Code section 54956.9(a):

Borsboom v. San Diego County Regional Airport Authority, San Diego Superior Court Case No. 37-2009-00087627-CU-WT-CTL

32. CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION

Pursuant to Government Code section 54956.9(a):

Save Our Heritage Organisation v. San Diego Unified Port District, et al., San Diego Superior Court Case No. 37-2009-00097828-CU-TT-CTL

REPORT ON CLOSED SESSION:

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.

PRESIDENT/CEO REPORT:

GENERAL COUNSEL REPORT:

**BOARD MEMBER REPORTS ON MEETINGS ATTENDED 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>
November 5	Thursday	9:00 a.m.	Regular	Board Room
December 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 12:15 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: 9/26/09

SIGNATURE: Sara B. Real