

SAN DIEGO COUNTY REGIONAL AIRPORT AUTHORITY



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

LAURIE BERMAN
COL. FRANK A. RICHIE
THOMAS L. SHEEHY

PRESIDENT/CEO
THELLA F. BOWENS

BOARD AGENDA

Thursday, December 3, 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.***

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:

ADMINISTER OATH OR AFFIRMATION AND INSTALLATION OF BOARD MEMBERS:

PRESENTATION:

A. 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 November 5, 2009 Board meeting.

2. PRE-APPROVAL OF BOARD MEMBER PARTICIPATION AND REPRESENTATION OF THE AUTHORITY AT MEETINGS, TRAININGS AND EVENTS AND ACCEPTANCE OF BOARD MEMBERS' WRITTEN REPORTS ON THEIR ATTENDANCE AT APPROVED MEETINGS:

The Board is requested to adopt the resolution and accept the reports.

RECOMMENDATION: Adopt Resolution No. 2009-0149, approving Board Member participation and representation of the Authority at meetings, trainings and events and accept the reports.

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

3. NOTIFICATION OF BOARD MEMBER WEIGHTED VOTE POINT ALLOCATION AS REQUIRED BY SECTION 170014 OF THE PUBLIC UTILITIES CODE:

The Board is requested to accept the vote point allocation.

RECOMMENDATION: Accept the report.

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

4. APPOINTMENTS TO THE AIRPORT ART ADVISORY COMMITTEE:

The Board is requested to approve the appointments.

RECOMMENDATION: Adopt Resolution No. 2009-0142, approving appointments to the Airport Art Advisory Committee.

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

5. DECEMBER 2009 LEGISLATIVE REPORT:

The Board is requested to approve the report.

RECOMMENDATION: Adopt Resolution No. 2009-0143, approving the December 2009 Legislative Report.

(Inter-Governmental Relations: Michael Kulis, Director)

CLAIMS

6. AUTHORIZE THE REJECTION OF THE CLAIM OF ROBIN IVESON:

The Board is requested to reject the claim.

RECOMMENDATION: Adopt Resolution No. 2009-0144, authorizing the rejection of the claim of Robin Iveson.

(Legal: Breton Lobner, General Counsel)

COMMITTEE RECOMMENDATIONS

- 7. EXTERNAL AUDITOR'S FISCAL YEAR ENDED JUNE 30, 2009, 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.

(Finance: Vernon Evans, Vice President/Treasurer)

- 8. REVIEW OF THE COMPREHENSIVE ANNUAL FINANCIAL REPORT (CAFR) FOR THE FISCAL YEAR ENDED JUNE 30, 2009:**

The Board is requested to receive the report.

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

(Finance: Vernon Evans, Vice President/Treasurer)

- 9. QUARTERLY AUDIT ACTIVITIES REPORT – FISCAL YEAR 2010 FIRST 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)

- 10. REVISION TO THE FISCAL YEAR 2010 AUDIT PLAN OF THE OFFICE OF THE CHIEF AUDITOR:**

The Board is requested to accept the revised plan.

RECOMMENDATION: The Audit Committee recommends that the Board accept the revised 2010 Audit plan.

(Audit Department: Mark A. Burchyett, Chief Auditor)

CONTRACTS AND AGREEMENTS

- 11. AWARDED CONTRACTS, APPROVED CHANGE ORDERS FROM OCTOBER 12, 2009 THROUGH NOVEMBER 8, 2009 AND REAL PROPERTY AGREEMENTS GRANTED AND ACCEPTED FROM OCTOBER 12, 2009 THROUGH NOVEMBER 8, 2009:**

The Board is requested to receive the report.

RECOMMENDATION: Receive the report.

(Procurement: Jana Vargas, Director)

12. AWARD A CONTRACT TO GORDON-PRILL SAN DIEGO, INC., TO UPGRADE ELECTRONIC VISUAL INFORMATION DISPLAY SYSTEMS CABINETS IN ALL TERMINALS AT SAN DIEGO INTERNATIONAL AIRPORT:

The Board is requested to award the contract.

RECOMMENDATION: Adopt Resolution No. 2009-0145, awarding a contract to Gordon-Prill San Diego, Inc., in the amount of \$305,435.00, for Project No. 104060, Electronic Visual Information Display Systems Cabinet Assessment and Replacement, in all Terminals at San Diego International Airport.

(Facilities Development: Iraj Ghaemi, Director)

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

13. AWARD A CONTRACT TO S&L SPECIALTY CONTRACTING, INC., FOR QUIETER HOME PROGRAM PHASE 5, GROUP 5 (33 HISTORIC WEST SIDE SINGLE-FAMILY UNITS AND 8 NON-HISTORIC WEST SIDE SINGLE-FAMILY UNITS):

The Board is requested to award the contract.

RECOMMENDATION: Adopt Resolution No. 2009-0146, awarding a contract to S&L Specialty Contracting, Inc., in the amount of \$1,988,550.00, for Phase 5, Group 5, Project No. 380505, of the San Diego County Regional Airport Authority's Quieter Home Program.

(Facilities Development: Iraj Ghaemi, Director)

PUBLIC HEARINGS:

OLD BUSINESS:

NEW BUSINESS:

14. AUTHORIZE FIFTH AMENDMENT TO THE AGREEMENT WITH AECOM USA, INC.:

The Board is requested to authorize the amendment.

RECOMMENDATION: Adopt Resolution No. 2009-0147, authorizing a fifth amendment to the AECOM USA, Inc. (formerly known as DMJM Aviation) Agreement to provide Program Management/Construction Management services in support of San Diego County Regional Airport Authority's ("Authority's") Capital Improvement Program, Major Maintenance Program, Quieter Home Program, and Terminal Development Program, increasing the current agreement amount of \$76,500,000 by \$5,200,000 for a new total Agreement amount not-to-exceed \$81,700,000.

(Terminal Development Program: Steven Cornell, Director)

15. PROPOSED AMENDMENTS TO AUTHORITY POLICIES 3.30 AND 3.40 BUSINESS, TRAVEL, AND LODGING EXPENSE REIMBURSEMENT POLICIES:

The Board is requested to approve the amendments to the policies.

RECOMMENDATION: The Audit Committee recommends that the Board Adopt Resolution No. 2009-0148, approving amendments to Authority Policies 3.30 and 3.40 Business, Travel, and Lodging Expense Reimbursement Policies.

(Administration: Jeffrey Woodson, Vice President)

16. SECOND GENERATION RETIREE HEALTHCARE PLAN STATUS UPDATE:

The Board is requested to receive the report and provide direction to staff.

RECOMMENDATION: Receive the report and provide direction to staff.

(Legal: Breton Lobner, General Counsel)

17. IMPLEMENTATION OF AIR QUALITY MANAGEMENT PLAN PURSUANT TO MEMORANDUM OF UNDERSTANDING WITH THE CALIFORNIA ATTORNEY GENERAL:

The Board is requested to approve the plan.

RECOMMENDATION: Adopt Resolution No. 2009-0150, to approve implementation of an Air Quality Management Plan pursuant to the Memorandum of Understanding with the California Attorney General.

(Planning & 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: Finnila, Smisek (Chair), Watkins, Young, Tartre, Buck, Van Sambeek

• **EXECUTIVE PERSONNEL AND COMPENSATION COMMITTEE:**

Committee Members: Boland, Desmond, Watkins (Chair)

• **FINANCE COMMITTEE:**

Committee Members: Gleason (Chair), Panknin, Finnila (Alternate), Sheehy (Ex-Officio), Watkins, Young

• **TERMINAL DEVELOPMENT PROGRAM COMMITTEE:**

Committee Members: Boland (Chair), Finnila, Panknin, Sheehy (Ex-Officio)

AD HOC COMMITTEE

• **RASP/AMAP AD HOC COMMITTEE:**

Representatives: Desmond, Finnila (Chair), Boland, Panknin

- **PORT DISTRICT AD HOC COMMITTEE:**
Representatives: Boland, Smisek, Watkins

LIAISONS

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

BOARD REPRESENTATIVES

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

CLOSED SESSION:

- 18. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION:**
Initiation of litigation pursuant to Cal. Gov. Code §54956.9(c).
Number of potential cases: 1 (Nazbest-Pacific).
- 19. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION:**
Initiation of litigation pursuant to Cal. Gov. Code §54956.9(c).
Number of potential cases: 1 (Galaxy).
- 20. 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)
- 21. 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

22. 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

23. 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

24. 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

25. 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

26. 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

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 MEMBER 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 7	Thursday	9:00 a.m.	Regular	Board Room
February 4	Thursday	9:00 a.m.	Regular	Board Room
March 4	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: 11/25/09

SIGNATURE: Sara B. Real