

SAN DIEGO COUNTY REGIONAL AIRPORT AUTHORITY



REVISED 8/31/08
BOARD

AGENDA

Thursday, September 4, 2008
9:00 A.M.

San Diego International Airport
Commuter Terminal – Third Floor
Board Room
3225 N. Harbor Drive
San Diego, California 92101

BOARD
MEMBERS

ALAN D. BERSIN*
BRUCE R. BOLAND
JIM DESMOND
RAMONA FINNILA*
JACK MILLER
JIM PANKNIN
ROBERT J. WATKINS*
ANTHONY K. YOUNG
CHARLENE ZETTEL
* EXECUTIVE COMMITTEE

PRESIDENT/CEO
THELLA F. BOWENS

***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:

PRESENTATION (S):

**A. PRESENTATION OF THE SAN DIEGO INTERNATIONAL AIRPORT
TRANSPORTATION SECURITY ADMINISTRATION (TSA) SECURITY
REMINDER VIDEO:**

Presented by Richard Kwiatkowski, Director, Marketing

**B. PRESENTATION OF THE CERTIFICATION OF EXCELLENCE –
INVESTMENT POLICY FROM THE ASSOCIATION OF PUBLIC
TREASURERS OF THE UNITED STATES AND CANADA:**

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 July 10, 2008 regular meeting.

2. SEPTEMBER 2008 LEGISLATIVE REPORT:

The Board is requested to approve the legislative report.

RECOMMENDATION: Adopt Resolution No. 2008-0106, approving the September 2008 Legislative Report.

(Inter-Governmental Relations: Michael Kulis, Director)

3. AMEND AUTHORITY CODE SECTION 2.30 (C)(1) – CONFLICT OF INTEREST CODE:

The Board is requested to amend the code.

RECOMMENDATION: Adopt Resolution No. 2008-0107, amending Authority Code Section 2.30 (c) (1) – Conflict of Interest Code, and updating the list of designated employees.

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

4. AMEND THE AIRPORT AUTHORITY’S RECORDS RETENTION SCHEDULES:

The Board is requested to approve the amendments.

RECOMMENDATION: Adopt Resolution No. 2008-0108, approving amendments to the Authority’s Records Retention Schedules.

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

5. APPOINTMENT TO THE AIRPORT ADVISORY COMMITTEE:

The Board is requested to approve an appointment to the Airport Advisory Committee.

RECOMMENDATION: Adopt Resolution No. 2008-0109, approving the appointment of Chuck Hansen as a member of the Airport Advisory Committee.

(Airport Noise Mitigation: Dan Frazee, Director)

6. AMENDMENT OF AIRPORT AUTHORITY POLICY 9.20, SAN DIEGO INTERNATIONAL AIRPORT NOISE ADVISORY COMMITTEE (ANAC), AND APPROVAL OF AN ADDITIONAL EX OFFICIO REPRESENTATIVE TO ANAC:

The Board is requested to amend the policy and make an appointment.

RECOMMENDATION:

Adopt Resolution 2008-0110, amending Authority Policy 9.20, to allow representation by a planning group not formerly identified; and

Adopt Resolution 2008-0111, approving the appointment of Debbie Watkins as a member of the Airport Noise Advisory Committee.

(Airport Noise Mitigation: Dan Frazee, Director)

7. APPROVAL OF BOARD MEMBER PARTICIPATION AND REPRESENTATION OF THE AUTHORITY AT MEETINGS AND EVENTS:

The Board is requested to approve the resolution.

RECOMMENDATION: Adopt Resolution No. 2008-0112, approving Board Member Participation and Representation of the Authority at meetings and events.

(Legal: Breton Lobner, General Counsel)

8. ACCEPTANCE OF BOARD MEMBERS WRITTEN REPORTS ON THEIR ATTENDANCE AT APPROVED MEETINGS:

The Board is requested to accept the report.

RECOMMENDATION: Accept the report.

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

9. RECYCLING OF SURPLUS ELECTRONIC PROPERTY:

The Board is requested to authorize the recycling of electronic surplus.
RECOMMENDATION: Adopt Resolution No. 2008-0114, authorizing the recycling of surplus electronic property in accordance with Contract number 204111OS awarded to IMS Electronic Recycling Incorporated.
(Procurement: Jana Vargas, Director)

CLAIMS

10. RESOLUTION AUTHORIZING THE REJECTION OF THE CLAIM OF TATYANA LIVSHITS:

The Board is requested to reject the claim of Tatyana Livshits.
RECOMMENDATION: Adopt Resolution No. 2008-0115, authorizing the rejection of the claim of Tatyana Livshits.
(Legal: Breton Lobner, General Counsel)

11. RESOLUTION AUTHORIZING THE REJECTION OF THE CLAIM OF GUENDOLYN GREEN:

The Board is requested to reject the claim of Guendolyn Green.
RECOMMENDATION: Adopt Resolution No. 2008-0116, authorizing the rejection of the claim of Guendolyn Green.
(Legal: Breton Lobner, General Counsel)

12. RESOLUTION AUTHORIZING THE REJECTION OF THE CLAIM OF MICHAEL BLATTNER:

The Board is requested to reject the claim of Michael Blattner.
RECOMMENDATION: Adopt Resolution No. 2008-0117, authorizing the rejection of the claim of Michael Blattner.
(Legal: Breton Lobner, General Counsel)

COMMITTEE RECOMMENDATIONS

13. REVIEW OF THE UNAUDITED FINANCIAL STATEMENTS FOR THE YEAR ENDED JUNE 30, 2008:

The Board is requested to receive the information.
RECOMMENDATION: The Finance Committee recommends that the Board receive the information.
(Finance: Vernon Evans, Vice President/Treasurer)

14. REVIEW OF THE AUTHORITY'S QUARTERLY INVESTMENT REPORT AS OF JUNE 30, 2008:

The Board is requested to receive the report.
RECOMMENDATION: The Finance Committee recommends that the Board receive the report.
(Finance: Vernon Evans, Vice President/Treasurer)

15. APPROVE FUNDING THE OTHER POST EMPLOYMENT BENEFITS, OTHER THAN PENSION BENEFITS, WITH CALPERS IN A 115 TRUST CALLED THE CALIFORNIA EMPLOYERS' RETIREE BENEFIT TRUST PROGRAM:

The Board is requested to approve using the CERBT.

RECOMMENDATION: The Finance Committee recommends that the Board adopt Resolution No. 2008-0128, to approve funding the Other Post-Employment Benefits (OPEB), other than pension benefits, with CalPERS in a 115 Trust called the California Employers' Retiree Benefit Trust Program (CERBT), authorize the President/CEO to negotiate and execute a contract with CalPERS to accomplish this funding, and rescind Resolution No. 2006-0142R which selected VEBA as the funding vehicle for OPEB.

(Finance: Vernon Evans, Vice President/Treasurer)

16. ANNUAL REVIEW AND AMENDMENT OF AUTHORITY POLICY 4.20 – GUIDELINES FOR PRUDENT INVESTMENTS – AND DELEGATION OF AUTHORITY TO INVEST AND MANAGE AUTHORITY FUNDS TO THE TREASURER:

The Board is requested to approve the amendments.

RECOMMENDATION: The Finance Committee recommends that the Board adopt Resolution No. 2008-0118, approving the annual review and amendment of Authority Policy 4.20 - Guidelines for Prudent Investments, and delegating authority to invest and manage Authority funds to the Treasurer.

(Finance: Vernon Evans, Vice President/Treasurer)

17. AUTHORIZE CONTRACTS WITH RECOMMENDED ARTISTS TO CREATE SITE SPECIFIC ARTWORK FOR CAPITAL IMPROVEMENT RELATED PUBLIC ART PROJECTS:

The Board is requested to authorize contracts with artists.

RECOMMENDATION:

Adopt Resolution No. 2008-0119, approving the Art Advisory Committee recommendation to award artist, Christie Beniston, the commission for the Commuter Terminal Elevator Lobby Public Art Project in an amount not to exceed \$75,000.

Adopt Resolution No. 2008-0120, approving the Art Advisory Committee recommendation to award artist, Ann Mudge, the commission for the Curbside Seating Public Art Project in an amount not to exceed \$150,000.

Adopt Resolution No. 2008-0121, approving the Art Advisory Committee recommendation to award La Curva Studios the commission for the Terminal 2 East Ticketing and Concourse Public Art Project in an amount not to exceed \$170,000.

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

CONTRACTS AND AGREEMENTS

18. **AWARDED CONTRACTS, APPROVED CHANGE ORDERS FROM JUNE 2, 2008 THROUGH AUGUST 3, 2008 AND REAL PROPERTY AGREEMENTS GRANTED AND ACCEPTED FROM JUNE 2, 2008 THROUGH AUGUST 3, 2008:**

The Board is requested to receive the report.

RECOMMENDATION: Receive the report.

(Procurement: Jana Vargas, Director)

19. **AWARD OF CONTRACT TO DANNING GILL DIAMOND & KOLLITZ, LLP FOR BANKRUPTCY LEGAL SERVICES:**

The Board is requested to award the contract.

RECOMMENDATION: Adopt Resolution No. 2008-0123, awarding a contract to Danning, Gill, Diamond & Kollitz, LLP, in the amount of \$75,000 for bankruptcy legal services for one year, with two one-year options to renew at the discretion of the President/CEO.

(Legal: Breton Lobner, General Counsel)

20. **AWARD OF CONTRACT TO DIETZ GILMORE & ASSOCIATES FOR WORKERS COMPENSATION LEGAL SERVICES:**

The Board is requested to award the contract.

RECOMMENDATION: Adopt Resolution No. 2008-0124, approving the Award of a contract to Dietz Gilmore & Associates for a term of one year with two one-year options to renew at the discretion of the President/CEO, in an amount not to exceed \$75,000, to provide professional legal services in connection with workers compensation matters.

(Legal: Breton Lobner, General Counsel)

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

21. **AWARD OF SERVICE AND CONSULTING AGREEMENT TO WASTE MANAGEMENT OF SAN DIEGO FOR COLLECTION AND REMOVAL OF SOLID MUNICIPAL WASTE AND RECYCLABLES:**

The Board is requested to award the contract.

RECOMMENDATION: Adopt Resolution No. 2008-0126, awarding a service and consulting agreement to Waste Management of San Diego for solid municipal waste, recyclable waste collection and removal in an amount not to exceed \$2,762,815 over five years, beginning October 1, 2008 through September 30, 2013.

(Landside Operations: Murray Bauer, Director)

22. AWARD OF CONTRACT TO RICONDO & ASSOCIATES, INC. FOR THE DEVELOPMENT OF AIRPORT LAND USE COMPATIBILITY PLANS FOR BROWN FIELD, GILLESPIE FIELD, MCCLELLAN-PALOMAR AIRPORT, MONTGOMERY FIELD, OCEANSIDE MUNICIPAL AIRPORT, TWO U.S. NAVAL FACILITIES, AND SAN DIEGO INTERNATIONAL AIRPORT:

The Board is requested to award the contract.

RECOMMENDATION: Adopt Resolution No. 2008-0127, awarding a contract to Ricondo & Associates, Inc. for technical support services in the development of Airport Land Use Compatibility Plans (ALUCPs) for the five 'urban' airports (Brown Field, Gillespie Field, McClellan-Palomar Airport, Montgomery Field, Oceanside Municipal Airport), two U.S. Naval Facilities (Naval Air Station North Island and Naval Outlying Field Imperial Beach), and San Diego International Airport (SDIA), for a three (3) year term, with one, one-year option to renew at the discretion of the President/CEO in an amount not to exceed \$3,000,000.
(Airport Planning: Keith Wilschetz, Director)

PUBLIC HEARINGS:

OLD BUSINESS:

NEW BUSINESS:

23. PROPOSED AMENDMENT TO AUTHORITY POLICY 3.40 REGARDING AUTHORIZED TRAVEL BY BOARD MEMBERS OUTSIDE THE CONTINENTAL UNITED STATES:

The Board is requested to discuss the proposed amendment.

RECOMMENDATION: Adopt Resolution No. 2008-0113, approving the amendment to Authority Policy 3.40, allowing additional Board Members opportunities for international travel.

(Legal: Breton Lobner, General Counsel)

24. ADOPTION OF EXECUTIVE LEVEL PERFORMANCE MANAGEMENT SYSTEM:

The Board is requested to adopt the Executive Level Performance Management System.

RECOMMENDATION: The Executive Personnel and Compensation Committee recommend that the Board adopt Resolution No. 2008-0125, approving establishing a performance management system for the President/CEO, General Counsel, and Chief Auditor.

(Administration: Jeffrey Woodson, Vice President)

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

CITIZEN COMMITTEES

- **AIRPORT ADVISORY COMMITTEE:**
Gail Naughton, Chair, Advisory Committee

STANDING BOARD COMMITTEES

- **AUDIT COMMITTEE:**
Committee Members: Boland, Finnila (Chair), Panknin, Zettel
- **EXECUTIVE PERSONNEL AND COMPENSATION COMMITTEE:**
Committee Members: Finnila, Miller, Watkins (Chair)
- **FINANCE COMMITTEE:**
Committee Members: Bersin (Chair), Watkins, Young, Sheehan

LIAISONS

- **AIRPORT MULTI-MODAL ACCESSIBILITY PLAN:**
Liaison: Orso-Delgado
- **EXECUTIVE STEERING LIAISONS FOR MOA – CITY OF SAN DIEGO:**
Liaisons: Bersin (Primary), Boland, Young
- **EXECUTIVE STEERING LIAISONS FOR MOA – SANDAG:**
Liaisons: Desmond (Primary), Finnila, Zettel
- **MILITARY AFFAIRS LIAISONS:**
Liaisons: Boland (Primary), O'Connor, Panknin
- **RASP LIAISONS:**
Liaisons: Miller (Primary), Panknin
- **TERMINAL DEVELOPMENT PROGRAM:**
Liaisons: Boland, Miller, Panknin (Primary)
- **AIRPORT TECHNOLOGICAL ADVANCES:**
Liaisons: Desmond (Primary), Watkins

BOARD REPRESENTATIVES

- **AD HOC AIRPORT REGIONAL POLICY COMMITTEE:**
Liaisons: Bersin, Desmond, Zettel (Alternate)

- **SANDAG TRANSPORTATION COMMITTEE REPRESENTATIVE:**
Committee Representatives: Zettel (Primary), Desmond (First Alternate), Finnila (Second Alternate)

- **SCAG AVIATION TASK FORCE:**
Task Force Representatives: Boland (Primary), Zettel (First Alternate), Finnila (Second Alternate)

- **CALTRANS:**
Representative: Orso-Delgado

PRESIDENT/CEO REPORT:

- About the Airport
- Destination Lindbergh: The Ultimate Build Out
- Terminal Development Program
- Regional Aviation Strategic Plan
- Public Outreach and Communication
- International Air Service
- City/SANDAG/Port Collaboration

CLOSED SESSION:

25. **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.

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

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

28. **CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION**
Initiation of litigation pursuant to Cal. Gov. Code §54956.9(b) and (c).
Number of potential cases: 1 (Contract matter – Soltec Pacific).

29. **CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION**
Pursuant to 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.

30. CONFERENCE WITH REAL PROPERTY NEGOTIATORS:

Real property negotiations pursuant to Cal. Gov. Code §§54954.5(b) and §54956.8.

Property: 2722-2724 Truxtun Road (APN 450-841-05-00).

Agency Negotiators: Vernon D. Evans, Vice President, Finance/Treasurer and Eric Podnieks, Real Estate Manager.

Negotiating Parties: Truxtun LLC and/or First National Bank.

Under Negotiation: Purchase agreement – terms of payment, conditions, and purchase price.

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.

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 two 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>
October 2	Thursday	9:00 a.m.	Regular	Board Room
November 13	Thursday	9:00 a.m.	Special	Board Room
December 4	Thursday	9:00 a.m.	Regular	Board Room