

**SAN DIEGO COUNTY REGIONAL AIRPORT AUTHORITY  
BOARD AND EXECUTIVE COMMITTEE MINUTES  
MONDAY, FEBRUARY 25, 2008  
SAN DIEGO MARRIOTT HOTEL & MARINA  
SANTA ROSA ROOM**

**CALL TO ORDER**

Chairperson Bersin called the Special Board Meeting and regular meeting of the Executive Committee to order at 9:00 a.m., Monday, February 25, 2008, in the Santa Rosa Room at the San Diego Marriott Hotel & Marina, 333 North Harbor Drive, San Diego, CA 92101.

**PLEDGE OF ALLEGIANCE** Board Member Orso-Delgado led the Pledge of Allegiance.

**ROLL CALL**

**Board**

Present: Board Members: Bersin, Boland, Desmond, Finnila,  
Miller, Orso-Delgado (Ex-Officio),  
Panknin, Watkins

Absent: Board Members: Sheehan (Ex-Officio), Young, Zettel

Also Present: Thella F. Bowens, President/CEO; Breton K. Lobner, General Counsel; Tony R. Russell, Director, Corporate Services/Authority Clerk; Sara Real, Administrative Assistant II

**Executive Committee**

Present: Board Members: Bersin, Finnila, Watkins

Absent: Board Members: None

***BOARD ITEM***

**1. DISCUSSION AND POSSIBLE ACTION ON A MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF SAN DIEGO, SANDAG AND THE AIRPORT AUTHORITY:**

Thella F. Bowens, President/CEO, provided an overview of the proposed Memorandum of Understanding (MOU) between the City of San Diego, SANDAG and the Airport Authority.

In response to Chairperson Bersin regarding the legality of the MOU, Breton Lobner, General Counsel, stated that the MOU complies with all federal and state laws with regard to the Airport Authority. He stated that the MOU specifies the FAA's limitation on the use of airport revenues and the AIP grant assurance which prohibits the use of funds for certain purposes. He also stated that the policy on rates and charges is included because the air carriers have a say in the expenditure of Authority funds.

Board Member Watkins stated that he is concerned with some components of the MOU, specifically that the ability to sue is one way and that the Authority doesn't have the ability to sue for an inability to act.

Mr. Lobner stated that the MOU puts in place a delay on the right of a party to sue under the California Environmental Quality Act (CEQA). He stated that once the Environmental Impact Report (EIR) is certified, it states that after a 30 day period, parties no longer have a right to sue the Authority.

Board Member Panknin stated he was very pleased with the MOU. He stated that it is very important to keep the stakeholders, the City of San Diego, SANDAG and the public involved in the process.

Board Member Finnila stated that it is important that the cost benefit analysis on the north side expansion be carefully prepared to avoid being challenged. She further stated that if no agreement is reached with the City, another special meeting would need to be held with the other parties.

Chairperson Bersin stressed the importance of moving quickly with this MOU because of the risks of litigation. He requested an update on the MOU with the City of San Diego.

RECOMMENDATION: Provide direction to staff.

**ACTION: Moved by Board Member Desmond and seconded by Board Member Panknin to approve the Memorandum of Agreement between SANDAG, the City of San Diego and the Airport Authority with the recommended changes distributed at the meeting. Motion carried unanimously, noting Board Members Young and Zettel as ABSENT. (Weighted Vote Points: YES = 79, NO = 0, ABSENT = 21)**

## ***EXECUTIVE COMMITTEE ITEMS***

### **NEW BUSINESS**

#### **2. APPROVAL OF MINUTES:**

**RECOMMENDATION:** Approve the minutes of the January 28, 2008 Committee Meeting.

Chairperson Bersin requested that the third paragraph under Item 6 on page 4 of the minutes be amended to read *"In response to Board Member Boland, referencing Item 14, regarding whether the Memorandum of Understanding was being presented jointly to SANDAG and the City of San Diego, Chairperson Bersin stated that he will recommend that a separate Memorandum of Understanding be submitted to each agency regarding mitigation costs"*.

**ACTION:** Moved by Board Member Finnila and seconded by Board Member Watkins to approve the minutes as amended. Motion carried unanimously.

#### **3. DISCUSSION REGARDING A PUBLIC REQUEST TO ADDRESS THE BOARD ON AN OCEAN-BASED AIRPORT PROPOSAL:**

ADAM ENGLUND, ENCINITAS, spoke regarding his request to address the Board regarding his proposed ocean-based international airport. He stated that his proposal would be able to help with air capacity.

Board Member Panknin stated that since the focus is now on maximizing Lindbergh Field, he didn't think it's appropriate to look at the proposal now.

Board Member Finnila stated she would like to hear a 30 minute presentation, specifically focusing on sections 3, 4, 5 and 6 in the proposed outline.

Board Member Watkins concurred, stating that as an agency of the public, the Board needs to hear all input.

Chairperson Bersin stated that an opportunity for an initial presentation should be given. He stated that the item could go on the April Board agenda.

Board Member Desmond stated that in light of the agreement with the City of San Diego and SANDAG, this item should not be on the agenda.

Chairperson Bersin stated that it would not be an agenda item, merely a suspension of the Authority's policy for public comment.

**ACTION: Moved by Board Member Watkins and seconded by Board Member Finnila to allow a 30 minute presentation under public comment during the April Board Meeting on the ocean-based airport proposal. Motion carried unanimously.**

**4. AMENDMENTS TO AUTHORITY CODE 9.12 (A) (1) ON GROUND TRANSPORTATION SERVICE PERMITS, INCREASING THE NUMBER OF ALLOWABLE TAXICABS:**

Vernon Evans, Vice President, Finance/Treasurer, provided a presentation which included the Background; Current Solutions to Taxicab Shortages; Issues with Non-Permitted Taxicabs; "P" Permits – Issuance; "P" Permit Taxicab Requirements; "P" Permit Restrictions; "P" Permit Considerations; Long-Term Considerations; and the Proposed Amended Authority Code.

Board Member Watkins expressed concern that this item was on the agenda, in light of the recommendations he presented to staff that addressed this issue. He requested that this item be removed from the Board agenda to be reintroduced with a focus on transit and transportation issues.

Thella F. Bowens, President/CEO, stated that the recommendations presented by Board Member Watkins are valid but would take time to address. She stated that the adjustments requested would provide immediate relief. She stated that the recommendations should be implemented while continuing to work on the ideas presented by Board Member Watkins.

Board Member Boland questioned why the number of vehicles that are ADA Compliant is limited.

Chairperson Bersin questioned why alternative fueled vehicles are limited to two within the proposed amendment.

Board Member Watkins requested staff to report on the ability of the Airport Authority to enforce the rules that are currently in place.

**RECOMMENDATION:** Forward a recommendation to the Board.

**ACTION: Moved by Chairperson Bersin and seconded by Board Member Finnila to forward this item to the Board without a recommendation. Motion carried with Board Member Watkins voting NO.**

*The Executive Committee recessed at 10:15 a.m. and reconvened at 10:30 a.m.*

**5. INTENTIONALLY LEFT BLANK**

Chairperson Bersin noted that the Memorandum of Understanding (MOU) between the Airport Authority and the City of San Diego was pulled from the agenda.

Thella F. Bowens, President/CEO, reported that a letter was sent to the City regarding a MOU on CEQA mitigation. She stated that the projects in Liberty Station under McMillan Corporation continue to be an ongoing issue. She stated that staff is working to develop a process by which all of the remaining Liberty Station projects would be submitted through the City to the Airport Land Use Commission. She further stated that the Authority's obligation is with the City and not the developer.

Breton Lobner, General Counsel, stated that historically, McMillan has been reluctant to submit projects to the Airport Land Use Commission. He stated that a draft MOU has been prepared to address this issue and has been given to the City of San Diego.

**6. SENATE BILL 10 IMPLEMENTATION TO INCLUDE: (A) THE RECOMMENDATION OF THE AUDIT COMMITTEE, AND (B) THE CHAIR'S DESIGNATION OF LIAISON POSITIONS AND APPOINTMENTS TO AD HOC AND BOARD COMMITTEES:**

Michael Kulis, Director, Inter-Governmental Relations, stated that the revised codes and policies would be presented at the March 6, 2008 Board Meeting, incorporating the changes received from the Audit Committee.

**7. INITIAL DISCUSSION OF AIRPORT MASTER PLAN - PHASE III:**

Chairperson Bersin stated that with the existing technology, a major expenditure on the north side of the Airport will not add capacity in terms of operations. He urged the Board to take a more active leadership role and engage sister jurisdictions. He further stated that high speed rail needs to be a major part of aviation strategy in the future.

Board Member Watkins suggested that Mexico be explored for opportunities and determine how to the Authority can incorporate Mexico into its' plans.

Board Member Panknin stated that he would like to see the Board support more aviation education and scholarship programs.

**ACTION: No action taken.**

**BUDGET AND FINANCE ITEMS**

## **REVIEW OF FUTURE AGENDAS**

### **8. REVIEW OF THE DRAFT MARCH 6, 2008 AIRPORT LAND USE COMMISSION AGENDA:**

Thella F. Bowens, President/CEO, presented the draft Airport Land Use Commission meeting agenda.

Chairperson Bersin requested that the President/CEO send a letter to the City of San Diego, outlining the Board's concerns regarding the construction of the new, multi-level parking structure project listed on the agenda.

Chairperson Bersin requested that staff present an updated timeline for the completion of the ALUCP's. He also requested that Item 4 be placed under New Business and that staff provide a report on the process for projects at NTC.

**ACTION: Moved by Board Member Finnila and seconded by Board Member Watkins to approve the draft March 6, 2008 Airport Land Use Commission meeting agenda as amended. Motion carried unanimously.**

### **9. REVIEW OF THE DRAFT MARCH 6, 2008 BOARD AGENDA:**

Thella F. Bowens, President/CEO, presented the draft Board agenda.

Board Member Miller requested that the title of Item 9, regarding the long-term airport vision plan, be changed. Ms. Bowens stated that the title can be changed to incorporate the Memorandum of Understanding between the Authority, the City of San Diego and SANDAG.

Board Member Panknin reported that he would be recusing himself from discussions and actions on Item 11, amendment to the contract with Anderson & Krieger, LLP, because of a potential conflict of interest.

Ms. Bowens requested an item be added to the agenda regarding the proposed parking garage within the Airport Master Plan.

Chairperson Bersin requested that a workshop be held at the end of the March Board Meeting regarding the proposed parking garage.

**ACTION: Moved by Board Member Watkins and seconded by Board Member Finnila to approve the draft March 6, 2008 Board meeting agenda as amended. Motion carried unanimously.**

**CLOSED SESSION:** The Board recessed into Closed Session at 11:26 a.m. to hear Item 10.

**10. CONFERENCE WITH LABOR NEGOTIATOR:  
(Government Code Section 54957.6)**

**Authority Negotiators:** Thella F. Bowens, President/CEO and Jeffrey Woodson, Vice President, Administration

**Employee Organization:** Teamsters 911

**REPORT ON CLOSED SESSION:** The Board reconvened into open session at 12:25 p.m. Breton K. Lobner, General Counsel, reported that there was no reportable action.


**PRESIDENT/CEO REPORT**

**COMMITTEE MEMBER COMMENTS**

**ADJOURNMENT**

The meeting adjourned at 12:26 p.m. The next regular meeting will be held on March 24, 2008 at 9:00 a.m. in the Board Room at the San Diego International Airport, Commuter Terminal, 3225 N. Harbor Drive, San Diego, CA 92101.

APPROVED BY A MOTION OF THE EXECUTIVE COMMITTEE THIS 24<sup>th</sup> DAY OF MARCH, 2008.



TONY R. RUSSELL  
DIRECTOR, CORPORATE SERVICES/  
AUTHORITY CLERK

APPROVED AS TO FORM:



BRETON K. LOBNER  
GENERAL COUNSEL