

# SAN DIEGO COUNTY REGIONAL AIRPORT AUTHORITY

Revised 4/15/16

## BOARD AGENDA

Thursday, April 21, 2016  
9:00 A.M.

San Diego International Airport  
SDCRAA Administration Building – Third Floor  
Board Room  
3225 N. Harbor Drive  
San Diego, California 92101

### Board Members

Robert H. Gleason  
Board Chair

David Alvarez

C. April Boling

Greg Cox

Jim Desmond

Lloyd B. Hubbs

Jim Janney

Paul Robinson

Mary Sessom

### Ex-Officio Board Members

Laurie Berman

Eraina Ortega

Col. Jason G. Woodworth

### President / CEO

Thella F. Bowens

*Live webcasts of Authority Board meetings can be accessed at*  
<http://www.san.org/Airport-Authority/Meetings-Agendas/Authority-Board>

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. ***Please note that agenda items may be taken out of order.*** 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 & Information Governance 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 & Information Governance/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 & Information Governance /Authority Clerk Department with your request at (619) 400-2400 at least three (3) working days prior to the meeting.*

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**CALL TO ORDER:**

**PLEDGE OF ALLEGIANCE:**

**ROLL CALL:**

**PRESENTATIONS:**

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

*STANDING BOARD COMMITTEES*

- **AUDIT COMMITTEE:**  
Committee Members: Gleason, Hollingworth, Hubbs, Robinson (Chair), Sessom, Tartre, Van Sambeek
- **CAPITAL IMPROVEMENT PROGRAM OVERSIGHT COMMITTEE:**  
Committee Members: Alvarez, Gleason, Hubbs (Chair), Janney, Robinson
- **EXECUTIVE PERSONNEL AND COMPENSATION COMMITTEE:**  
Committee Members: Boling, Cox, Desmond (Chair), Hubbs, Sessom
- **FINANCE COMMITTEE:**  
Committee Members: Alvarez, Boling (Chair), Cox, Janney, Sessom

*ADVISORY COMMITTEES*

- **AUTHORITY ADVISORY COMMITTEE:**  
Liaison: Robinson (Primary), Boling
- **ART ADVISORY COMMITTEE:**  
Committee Member: Gleason

*LIAISONS*

- **AIRPORT LAND USE COMPATIBILITY PLAN:**  
Liaison: Janney
- **CALTRANS:**  
Liaison: Berman

- **INTER-GOVERNMENTAL AFFAIRS:**  
Liaison: Cox
- **MILITARY AFFAIRS:**  
Liaison: Woodworth
- **PORT:**  
Liaisons: Boling, Cox, Gleason (Primary), Robinson
- **WORLD TRADE CENTER:**  
Representatives: Gleason (Primary)

#### ***BOARD REPRESENTATIVES (EXTERNAL)***

- **SANDAG TRANSPORTATION COMMITTEE:**  
Representatives: Boling (Alternate), Janney (Primary)

#### **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 1-10):**

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 March 7, 2016 special meeting and the March 17, 2016 regular meeting.

**2. ACCEPTANCE OF BOARD AND COMMITTEE 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 Board member attendance at other meetings, trainings and events not covered by the current resolution.

**(Corporate & Information Governance: Tony Russell, Director/Authority Clerk)**

**3. AWARDED CONTRACTS, APPROVED CHANGE ORDERS FROM FEBRUARY 22, 2016 THROUGH MARCH 20, 2016 AND REAL PROPERTY AGREEMENTS GRANTED AND ACCEPTED FROM FEBRUARY 22, 2016 THROUGH MARCH 20, 2016:**

The Board is requested to receive the report.

RECOMMENDATION: Receive the report.

**(Procurement: Jana Vargas, Director)**

**4. APRIL 2016 LEGISLATIVE REPORT:**

The Board is requested to approve the report.

RECOMMENDATION: Adopt Resolution No. 2016-0025, approving the April 2016 Legislative Report.

**(Inter-Governmental Relations: Michael Kulis, Director)**

**5. AMEND AUTHORITY POLICIES 1.20 - FORMATION OF BOARD COMMITTEES AND 1.30 – MEETINGS OF THE BOARD OF DIRECTORS AND BOARD COMMITTEES:**

The Board is requested to amend the policies.

RECOMMENDATION: Adopt Resolution No. 2016-0027, amending Authority Policy 1.20 – Formation of Committees and Policy 1.30 – Meetings, Agendas and Voting of the Board of Directors, to set the date, time and place of Board and Committee meetings.

**(Corporate & Information Governance: Tony Russell, Director/Authority Clerk)**

***CLAIMS***

**6. REJECT THE CLAIM OF ANTHONY NACIN:**

The Board is requested to reject a claim.

RECOMMENDATION: Adopt Resolution No. 2016-0028, rejecting the claim of Anthony Nacin.

**(Legal: Breton Lobner, General Counsel)**

## ***COMMITTEE RECOMMENDATIONS***

### ***CONTRACTS AND AGREEMENTS***

**7. APPROVE AND AUTHORIZE AN INCREASE IN THE PRESIDENT/CEO'S CHANGE ORDER AUTHORITY FOR NORTH SIDE UTILITY (NSU) STORM DRAIN TRUNK PROJECT AT SAN DIEGO INTERNATIONAL AIRPORT:**

The Board is requested to approve an increase in the change order authority.  
RECOMMENDATION: Adopt Resolution No. 2016-0029, approving and authorizing an increase in the President/CEO's change order authority from \$415,867.20 to an amount not to exceed \$439,895.88, for Project No. 104118E, NSU Storm Drain Trunk at San Diego International Airport.

**(Facilities Development: Iraj Ghaemi, Director)**

**8. AUTHORIZE THE PRESIDENT/CEO TO EXECUTE THE VEBA TRUST AGREEMENT WITH MATRIX TRUST COMPANY AS SUCCESSOR TRUSTEE TO US BANK:**

The Board is requested to approve an agreement.  
RECOMMENDATION: Adopt Resolution 2016-0030, authorizing the President/CEO to execute the Matrix Trust Company VEBA Trust Agreement and perform any and all other actions necessary to assign Matrix Trust Company as the successor trustee.

**(Talent, Culture & Capability: Kurt Gering, Director)**

**9. APPROVE THE ASSIGNMENT OF AUTHORITY AGREEMENT 2091730S WITH STUTZ ARTIANO SHINOFF & HOLTZ APC FOR GENERAL LEGAL SERVICES TO DEVANEY PATE MORRIS & CAMERON LLP:**

The Board is requested to approve an assignment.  
RECOMMENDATION: Adopt Resolution No. 2016-0031, approving the assignment of Authority Agreement No. 2091730S with Stutz Artiano Shinoff & Holtz APC for General Legal Services to Devaney Pate Morris & Cameron LLP.

**(Legal: Breton Lobner, General Counsel)**

**10. GRANT A RENTAL CAR CENTER LEASE AND CONCESSION AGREEMENT TO GREEN MOTION SAN, LLC:**

The Board is requested to grant agreements.  
RECOMMENDATION: Adopt Resolution No. 2016-0032, authorizing the President/CEO to negotiate and execute a Non-Exclusive On-Airport Rental Car Concession Agreement and a Rental Car Center Lease Agreement with Green Motion SAN, LLC.

**(Real Property and Concessions: Eric Podnieks, Program Manager)**

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

**PUBLIC HEARINGS:**

**OLD BUSINESS:**

**NEW BUSINESS:**

**11. APPROVE AND AUTHORIZE THE PRESIDENT/CEO TO EXECUTE A FOURTH AMENDMENT TO THE CONTRACT WITH ACE PARKING MANAGEMENT, INC.**

The Board is requested to approve an amendment.

RECOMMENDATION: Adopt Resolution No. 2016-0033, approving and authorizing the President/CEO to execute a Fourth Amendment to the contract with ACE Parking Management, Inc. for Airport Shuttle Services to increase the compensation by \$2,530,682 resulting in a not-to-exceed compensation amount of \$31,330,682.

**(Ground Transportation: David Boenitz, Director)**

**12. STATUS UPDATE AND POSSIBLE ACTION ON COMMUNITY NOISE ISSUES:**

The Board is requested to approve the update.

RECOMMENDATION: Adopt Resolution No. 2016-0034, approving the April 21, 2016 Update – Noise Issues.

**(Airport Planning & Noise Mitigation: Keith Wilschetz, Director)**

**13. AUTHORIZE AND ADOPT THE CREATION OF A SEASONAL INTERNATIONAL AIR SERVICE INCENTIVE PROGRAM (SIASIP):**

The Board is requested to authorize the program.

RECOMMENDATION: Adopt Resolution No. 2016-0026, authorizing the creation of a Seasonal International Air Service Incentive Program (SIASIP).

**(Air Service Development: Hampton Brown, Director)**

**CLOSED SESSION:**

**14. CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION:**

(Cal. Gov. Code § 54956.9(a) and (d)(1).)

Diego Concession Group, Inc. v. San Diego County Regional Airport Authority,  
San Diego Superior Court Case No. 37-2012-00088083-CU-BT-CTL

**15. CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION:**

(Cal. Gov. Code § 54956.9(a) and (d)(1).)

Dryden Oaks, LLC v. San Diego County Regional Airport Authority, et al.,  
San Diego Superior Court, North County, Case No. 37-2014-00004077-CU-EI-NC

**16. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION:**

(Cal. Gov. Code § 54956.9(a) and (d)(1).)

Donna Wilson; John Wilson v. San Diego County Regional Airport Authority;  
Turner-PCL-Flatiron, a joint venture.  
San Diego Superior Court Case No. 37-2014-00015326-CU-PO-CTL (Meyer)

- 17. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION:**  
(Cal. Gov. Code § 54956.9(a)):  
Maria Paula Bermudez v. San Diego County Regional Airport Authority, American Airlines, Inc., et al.  
San Diego Superior Court Case No. 37-2015-00022911-CU-PO-CTL
- 18. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION:**  
(Cal. Gov. Code §54956.9(a) and (d)(1))  
Stanley Moore v. San Diego County Regional Airport Authority, et al.,  
San Diego Superior Court Case No. 37-2015-00030676-CU-OE-CTL
- 19. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION:**  
Cal. Gov. Code § 54956.9(a) and (d).  
In the matter of the Petition of San Diego County Regional Airport Authority for Review of Action by the California Regional Water Quality Control Board in Issuing Order No. R9-2013-0001, as amended by Orders Nos. R9-2015-0001 and R9-2015-0100 (NPDES NO. CAS0109266) [Water Code §§ 13320(a) and 13321(a)]
- 20. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION AND EXISTING LITIGATION:**  
(Significant exposure to litigation pursuant to Cal. Gov. Code §§ 54956.9(a) and 54956.9(b).)  
Jay A. Bass, et al v. San Diego City Employees' Retirement System, et al.,  
San Diego Superior Court Case No. 37-2013-00077566-CU-OE-CTL
- 21. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION:**  
(Significant exposure to litigation pursuant to Cal. Gov. Code §§ 54956.9 (b) and 54954.5.)  
Re: Investigative Order No. R9-2012-0009 by the California Regional Water Quality Control Board regarding submission of technical reports pertaining to an investigation of bay sediments at the Downtown Anchorage Area in San Diego.  
Number of potential cases: 1
- 22. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION:**  
(Initiation of litigation pursuant to Cal. Government Code § 54956.9(d).)  
Number of cases: 2

**REPORT ON CLOSED SESSION:**

**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.

**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, Airport Land Use Commission (ALUC),  
 and Committee Meetings (Public Comment)**

- 1) Persons wishing to address the Board, ALUC, and Committees 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, ALUC, and Committees 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, ALUC and Committees. 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, ALUC and Committees 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, ALUC, and Committees 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](http://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 Administration Building (formerly the Commuter Terminal). Bring your ticket to the third floor receptionist for validation.**

**You may also reach the Administration Building by using public transit via the San Diego Metropolitan Transit System, Route 992. The MTS bus stop at Terminal 1 is a very short walking distance from the Administration Building. ADA paratransit operations will continue to serve the Administration Building as required by Federal regulation. For MTS route, fare and paratransit information, please call the San Diego MTS at (619) 233-3004 or 511. For other Airport related ground transportation questions, please call (619) 400- 2685.**

**UPCOMING MEETING SCHEDULE**

<i>Date</i>	<i>Day</i>	<i>Time</i>	<i>Meeting Type</i>	<i>Location</i>
May 19	Thursday	9:00 a.m.	Regular	Board Room

**DRAFT**  
**SAN DIEGO COUNTY REGIONAL AIRPORT AUTHORITY**  
**SPECIAL BOARD AND EXECUTIVE AND FINANCE COMMITTEE MEETING**  
**MINUTES**  
**MONDAY, MARCH 7, 2016**  
**SAN DIEGO INTERNATIONAL AIRPORT**  
**BOARD ROOM**

**CALL TO ORDER:**

Chair Gleason called the Special Board and Executive and Finance Committee meeting to order at 9:02 a.m., on Monday, March 7, 2016, in the Board Room of the San Diego International Airport, Administration Building, 3225 N. Harbor Drive, San Diego, CA 92101.

**PLEDGE OF ALLEGIANCE:** Board Member Janney led the Pledge of Allegiance.

**ROLL CALL:*****Board***

Present: Board Members: Alvarez, Boling, Cox, Gleason, Janney, Robinson, Sessom

Absent: Board Members: Berman (Ex-Officio), Desmond, Hubbs, Ortega (Ex-Officio), Woodworth (Ex-Officio)

***Executive Committee***

Present: Committee Members: Gleason, Janney, Robinson,

Absent: Committee Members: None

***Finance Committee***

Present: Committee Members: Alvarez, Boling, Cox, Janney, Sessom

Absent: Committee Members: None

Also Present: Angela Shafer-Payne, Vice President, Operations; Breton Lobner, General Counsel; Tony Russell, Director of Corporate and Information Governance/Authority Clerk; Ariel Levy-Mayer, Assistant Authority Clerk I

*Board member Alvarez arrived during the course of the meeting.*

**NON-AGENDA PUBLIC COMMENT:** None

## **NEW BUSINESS**

### **1. APPROVAL OF MINUTES:**

RECOMMENDATION: Approve the minutes of the February 8, 2016 regular meeting.

Chair Gleason requested that Item 3, Approval of Minutes, be amended by removing "noting Board Member Sessom as ABSENT" from the action, because she is not a member of the Executive Committee.

**ACTION: Moved by Board Member Robinson and seconded by Board Member Janney to approve staff's recommendation as AMENDED. Motion carried unanimously.**

## **FINANCE COMMITTEE NEW BUSINESS**

### **2. REVIEW OF THE UNAUDITED FINANCIAL STATEMENTS FOR THE SEVEN MONTHS ENDED JANUARY 31, 2016:**

Scott Brickner, Vice President, Finance and Asset Management/Treasurer, and Kathy Kiefer, Senior Director, Finance and Asset Management, provided a presentation on the Unaudited Financial Statements for the Seven Months Ended January 31, 2016, which included Operating Revenues for the Month Ended January 31, 2016; Operating Expenses for the Month Ended January 31, 2016; Non-operating Revenue & Expenses for the Month Ended January 31, 2016; Revenue & Expense (Unaudited) for the Seven Months Ended January 31, 2016; Operating Revenues for the Seven Months Ended January 31, 2016 (unaudited); Operating Expenses for the Seven Months Ended January 31, 2016; Financial Summary for the Seven Months Ended January 31, 2016 (Unaudited); Non-operating Revenues & Expenses for the Seven Months Ended January 31, 2016 (Unaudited); Statements of Net Position (Unaudited) as of January 31, 2016.

Board Member Gleason requested that staff provide an update on the Harbor Police billing issue.

RECOMMENDATION: Accept the report.

### **3. REVIEW OF THE AUTHORITY'S INVESTMENT REPORT AS OF JANUARY 31, 2016:**

Geoff Bryant, Manager, Airport Finance provided a presentation of the Authority's Investment Report as of January 31, 2016, which included Total Portfolio Summary; Portfolio Composition by Security Type; Portfolio Composition by Credit Rating; Portfolio Composition by Maturity; Benchmark Comparison; Detail of Security Holdings as of January 31, 2016; Portfolio Investment Transactions; Bond Proceeds Summary; and Bond Proceeds Investment Transactions.

RECOMMENDATION: Accept the report.

**EXECUTIVE COMMITTEE NEW BUSINESS**

**4. PRE-APPROVAL OF TRAVEL REQUESTS AND APPROVAL OF BUSINESS AND TRAVEL EXPENSE REIMBURSEMENT REQUESTS FOR BOARD MEMBERS, THE PRESIDENT/CEO, THE CHIEF AUDITOR AND GENERAL COUNSEL:**

RECOMMENDATION: Pre-approve travel requests and approve business and travel expense reimbursement requests.

**ACTION: Moved by Board Member Robinson and seconded by Board Member Janney to approve staff's recommendation. Motion carried unanimously.**

**REVIEW OF FUTURE AGENDAS**

**5. REVIEW OF THE DRAFT AGENDA FOR THE MARCH 17, 2016 BOARD MEETING:**

Angela Shafer-Payne, Vice President, Operations, provided an overview of the draft agenda for the March 17, 2016 Board Meeting.

In response to Chair Gleason regarding whether the Board will be receiving an update on the Metroplex and community noise issues, Jeffrey Woodson stated that an update would be provided in April.

**6. REVIEW OF THE DRAFT AGENDA FOR THE MARCH 17, 2016 AIRPORT LAND USE COMMISSION MEETING:**

Angela Shafer-Payne, Vice President, Operations, provided an overview of the draft agenda for the March 17, 2016 ALUC Meeting.

Chair Gleason requested that staff include the order in which the ALUCP's will be updated.

Board Member Alvarez stated that the City of San Diego has not adopted the Airport Land Use Compatibility Plan and recommended that the City of San Diego City Council be notified of the ALUCP process and requirements.

Chair Gleason requested that staff draft a letter for his signature to City Council as well as Civic San Diego. He also suggested that staff brief Council Member Zapf and her staff on the ALUCP process and requirements.

Board Member Boling requested that the Board be updated on the status of the notifications.

**ACTION: Moved by Board Member Janney and seconded by Board Member Robinson to approve Items 5 and 6. Motion carried unanimously.**

**BOARD BUSINESS**

**7. APPOINTMENT OF AND APPROVAL OF CONTRACT WITH GENERAL COUNSEL:**

Chair Gleason made a motion to appoint Amy Gonzalez as General Counsel effective June 1, 2016 through June 30, 2017 with the following provisions:

- Base salary of \$235,825
- Senior executive standard benefits to include a car allowance of \$500 per month, participation in SDCERS retirement plan pursuant to plan provisions, Authority deferred compensation contribution of \$5,000 into a 401(a) account, paid time off, health and life insurance, holidays, and other employee fringe benefits.
- Employment is “at will” unless terminated by cause, death or disability, severance to be the amount of salary due for the remaining term of the contract.

He requested authorization for outside counsel, Rod Betts of Paul, Plevin, Sullivan, & Connaughton, to prepare the employment agreement and approve it as to form; and authorize the Board chair to execute the contract on behalf of the Authority.

Several Board members questioned the recommended termination, renewal and severance provisions.

Chair Gleason requested input from staff regarding the termination, renewal and severance provisions in the contract for the President/CEO, Chief Auditor, and General Counsel and a referral to the Executive Personnel and Compensation Committee for discussion.

**RECOMMENDATION:** Adopt Resolution No. 2016-0018, appointing the General Counsel and approving the contract with the General Counsel.

**ACTION:** Moved by Chair Gleason and seconded by Board Member Robinson to approve the recommendation. Motion carried by the following vote: YES – Alvarez, Boling, Cox, Gleason, Janney, Robinson, Sessom; NO – None; Absent – Desmond, Hubbs (Weighted Vote Points: YES – 76; NO – 0; ABSENT – 24)

**CLOSED SESSION:** The Board did not recess into Closed Session.

**8. PUBLIC EMPLOYEE EMPLOYMENT (GC 54957):**  
Title: General Counsel

**NON-AGENDA PUBLIC COMMENT:** None

**COMMITTEE MEMBER COMMENTS:** None

**ADJOURNMENT:**

The meeting was adjourned at 9:50 a.m. The next meeting of the Executive and Finance Committee will be held on Monday, April 4, 2016, at 9:00 a.m. in the Board Room at the San Diego International Airport, Administration Building, 3225 N. Harbor Drive, San Diego, CA 92101.

APPROVED BY A MOTION OF THE SAN DIEGO COUNTY REGIONAL AIRPORT AUTHORITY EXECUTIVE COMMITTEE THIS 4<sup>th</sup> DAY OF APRIL, 2016.

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TONY R. RUSSELL  
DIRECTOR OF CORPORATE & INFORMATION  
GOVERNANCE/AUTHORITY CLERK

APPROVED AS TO FORM:

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BRETON K. LOBNER  
GENERAL COUNSEL

**DRAFT**  
**SAN DIEGO COUNTY REGIONAL AIRPORT AUTHORITY BOARD**  
**MINUTES**  
**THURSDAY, MARCH 17, 2016**  
**SAN DIEGO INTERNATIONAL AIRPORT**  
**BOARD ROOM**

**CALL TO ORDER:** Chair Gleason called the regular meeting of the San Diego County Regional Airport Authority Board to order at 9:04 a.m. on Thursday, March 17, 2016, in the Board Room at the San Diego International Airport, Administration Building, 3225 North Harbor Drive, San Diego, CA 92101.

**PLEDGE OF ALLEGIANCE:** Lieutenant Colonel Presto led the pledge of allegiance.

**ROLL CALL:**

PRESENT: Board Members: Alvarez, Boling, Cox, Desmond, Gleason, Hubbs, Janney, Robinson, Sessom

ABSENT: Board Members: Berman (Ex Officio), Ortega (Ex Officio), Woodworth (Ex Officio)

ALSO PRESENT: Thella F. Bowens, President/CEO; Breton K. Lobner, General Counsel; Tony R. Russell, Director, Corporate and Information Governance/Authority Clerk; Dawn D'Acquisto, Assistant Authority Clerk I

*Board Member Alvarez arrived during the course of the meeting.*

**PRESENTATIONS:** None

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

***STANDING BOARD COMMITTEES***

- **AUDIT COMMITTEE:**  
None
- **CAPITAL IMPROVEMENT PROGRAM OVERSIGHT COMMITTEE:**  
None
- **EXECUTIVE PERSONNEL AND COMPENSATION COMMITTEE:**  
Board Member Desmond reported that the next Committee meeting is scheduled on May 9<sup>th</sup> immediately following the Executive/Finance Committee meeting.
- **FINANCE COMMITTEE:**  
Board Member Boling reported that the Committee met on March 7<sup>th</sup> and reviewed and accepted the financial reports of the Authority.

## **ADVISORY COMMITTEES**

- **AUTHORITY ADVISORY COMMITTEE:**  
None
- **ART ADVISORY COMMITTEE:**  
Chair Gleason reported that on March 10<sup>th</sup> the Authority hosted a tour and reception for the artists and organizations that are featured in the Point of Entry temporary exhibits. He also reported that on April 28<sup>th</sup> there will be a dedication of the public art at the Rental Car Center.

*Board Member Sessom arrived at 9:06 a.m.*

*Board Member Hubbs arrived at 9:07 a.m.*

## **LIAISONS**

- **AIRPORT LAND USE COMPATIBILITY PLAN:**  
None
- **CALTRANS:**  
None
- **INTER-GOVERNMENTAL AFFAIRS:**  
Board Member Cox reported that Authority staff provided Airport Land Use Compatibility Plan updates to Coronado Councilmembers Bill Sandke, Richard Bailey, Mike Woiwode, Carrie Downey, and San Diego Councilmember Lorie Zapf. He also stated that Authority staff provided an airport briefing and airfield tour to staff from the Office of Congresswoman Susan Davis. He reported that Authority staff provided airport updates to the Washington, D.C. staff from the offices of Senators Dianne Feinstein and Barbara Boxer. He also reported that Board Members Boling and Janney represented the Authority at the annual SANDAG retreat and that Board Members Sessom and Desmond were also in attendance representing the Cities of La Mesa and San Marcos respectively. He reported that Authority staff met on March 16<sup>th</sup> with Elizabeth Ray and Shirley Miller of the FAA's Air Traffic Organization in Washington, D.C. and updated the FAA on the ongoing community concerns related to the proposed Metroplex changes. He reiterated the Authority's strong support for maintaining the LOMA waypoint. He reported that FAA staff anticipates completing their responses to the public comments and questions on this issue in June or July.
- **MILITARY AFFAIRS:**  
None
- **PORT:**  
None



- **WORLD TRADE CENTER:**

Chair Gleason reported that the Committee held its first meeting on March 4<sup>th</sup> and moved forward with a management agreement with the Economic Development Council (EDC). He stated that the Committee will be meeting quarterly.

**BOARD REPRESENTATIVES (EXTERNAL)**

- **SANDAG TRANSPORTATION COMMITTEE:**

None

**CHAIR'S REPORT:**

Chair Gleason informed the Board that Board Member Alvarez will represent the Board at the San Diego Chamber event to Mexico City. He asked that any Board Members who would like to attend the San Diego Chamber trip to Sacramento let him know.

**PRESIDENT/CEO'S REPORT:**

Thella F. Bowens, President/CEO stated that it is forecasted that there will be 1.5 million additional travelers during the spring break period. She reported that British Airlines has upgauged its service starting March 27, 2016 to the Boeing 747- 400, increasing seat capacity by an additional 70 seats. She also reported that the Authority won the Envision Platinum Award for the Green Build project and landside improvement and that Envision is a sustainable infrastructure rating system that provides a holistic framework for evaluating the community and economic benefits of projects such as roads and lighting. She stated that the San Diego International Airport is one of the first airports to receive the Platinum Certification for our landscaping and external products. She reported that two directors received awards; Jana Vargas, Director of Procurement, received the Woman Breaking Barriers Award, and Paul Manasjan, Director of Environmental Affairs, was honored with the Peer Recognition for Outstanding Individual Contribution and Leadership Award from Airport Council International – North America (ACI-NA).

**NON-AGENDA PUBLIC COMMENT:**

BRUCE BAILEY, SAN DIEGO, expressed concerns regarding departure routes over Point Loma.

JULIE CONNOLLY, SAN DIEGO, expressed concerns regarding irregular flights over her neighborhood in Point Loma and requested assistance from the Board to help residents get answers.

CASEY SCHNOOR, SAN DIEGO, expressed concerns regarding missed approaches, early turns, and the Metroplex project. He stated that the Red Dot agreement is not being followed.

HUGO CARMONA, SAN DIEGO, representing Congressman Scott Peters' office, read a letter sent to Chair Gleason from Congressman Peters regarding noise issues in Point Loma.

Board Member Desmond requested that Congressman Peters reach out to the FAA and encourage them to attend ANAC meetings, work with residents and answer questions from the Community.

DEBRA TURNER, SAN DIEGO, expressed concerns regarding new noise in her neighborhood from the Rental Car Center. Ms. Turner requested that another sound study be done.

Chair Gleason requested that staff investigated the matter and provide an update to the Board.

KEITH JONES, SAN DIEGO, representing Ace Parking, provided a handout to the Board titled "Year in Review of Ace's Parking Performance at the San Diego International Airport." He requested that the Board direct staff to hold off on the Parking RFP until the parking plaza is complete.

Board Member Cox stated that there are noise problems in the Point Loma community and that the issues need to be dealt with. He stated that once the plane leaves the ground, the Authority has no control. He suggested that staff review the structure of the ANAC to better address concerns and that the FAA needs to be at the table. He suggested looking at the composition of the committee and frequency of meetings. He stated that there needs to be strict adherence with the Red Dot agreement. He stated that he would like to see the Rental Car Center noise study at the April meeting.

Board Member Desmond requested that staff work with Congressman Peters' office to get TRACON and the FAA tower to attend future ANAC meetings to address these concerns.

Chair Gleason requested that staff review adherence with the Red Dot agreement. He also stated that he is looking forward to getting the 1<sup>st</sup> quarter noise data.

**CONSENT AGENDA (Items 1-9):**

Chair Gleason requested that Item 4 be pulled from the consent agenda for staff to provide an update on changes to the Senate version of the Federal Aviation Administrative Reauthorization bill.

**ACTION: Moved by Board Member Robinson and seconded by Board Member Desmond to approve the Consent Agenda as amended. Motion carried by the following vote: YES – Boling, Cox, Desmond, Gleason, Hubbs, Janney, Robinson, Sessom; NO – None; ABSENT – Alvarez. (Weighted Vote Points: YES – 87; NO – 0; ABSENT – 13)**

**1. APPROVAL OF MINUTES:**

RECOMMENDATION: Approve the minutes of the February 8, 2016 special meeting; February 18, 2016 regular meeting; and February 26 and 27, 2016 special meeting.

- 2. ACCEPTANCE OF BOARD AND COMMITTEE MEMBERS WRITTEN REPORTS ON THEIR ATTENDANCE AT APPROVED MEETINGS AND PRE-APPROVAL OF ATTENDANCE AT OTHER MEETINGS NOT COVERED BY THE CURRENT RESOLUTION:**  
RECOMMENDATION: Accept the reports and pre-approve Board member attendance at other meetings, trainings and events not covered by the current resolution.
- 3. AWARDED CONTRACTS, APPROVED CHANGE ORDERS FROM JANUARY 25, 2016 THROUGH FEBRUARY 21, 2016 AND REAL PROPERTY AGREEMENTS GRANTED AND ACCEPTED FROM JANUARY 25, 2016 THROUGH FEBRUARY 21, 2016:**  
RECOMMENDATION: Receive the report.
- 4. MARCH 2016 LEGISLATIVE REPORT:**  
**ACTION:** This item was pulled from the consent agenda for discussion.
- 5. APPROVE AN APPOINTMENT TO THE ART ADVISORY COMMITTEE:**  
RECOMMENDATION: Adopt Resolution No. 2016-0008, approving the appointment of Gail Roberts to the Art Advisory Committee.

#### ***CLAIMS***

- 6. REJECT THE CLAIM OF MAYA SANCHEZ:**  
RECOMMENDATION: Adopt Resolution No. 2016-0020, rejecting the claim of Maya Sanchez.

#### ***COMMITTEE RECOMMENDATIONS***

#### ***CONTRACTS AND AGREEMENTS***

- 7. APPROVE AND AUTHORIZE THE PRESIDENT/CEO TO NEGOTIATE AND EXECUTE GENERATING FACILITY INTERCONNECTION AGREEMENTS WITH SAN DIEGO GAS & ELECTRIC COMPANY ASSOCIATED WITH THE NORTHSIDE SOLAR PHOTOVOLTAIC GENERATING SYSTEMS:**  
RECOMMENDATION: Adopt Resolution No. 2016-0021, approving and authorizing the President/CEO to negotiate and execute 1) a Generating Facility Interconnection Agreement with SDG&E to permit the Authority to interconnect and operate an electrical generating facility for the Phase 1 generating facility in the Economy parking lot in parallel with SDG&E's distribution system; and 2) Generating facility Interconnection Agreements for future generating facilities up to 5.1 MW in the Economy parking lot in parallel with SDG&E's distribution system, at San Diego International Airport.

**7-B. APPROVE AND AUTHORIZE THE PRESIDENT/CEO TO EXECUTE AMENDMENT NO. 3 TO THE AMENDED AND RESTATED SAN DIEGO COUNTY REGIONAL AIRPORT AUTHORITY RETIREMENT PLAN AND TRUST OF 2013:**

RECOMMENDATION: Adopt Resolution 2016-0024, approving and authorizing the President/CEO to execute Amendment No. 3 to the Amended and Restated San Diego County Regional Airport Authority Retirement Plan and Trust of 2013.

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

**8. APPROVE AND AUTHORIZE THE PRESIDENT/CEO TO EXECUTE A SECOND AMENDMENT TO THE PEST CONTROL AND REMEDIATION SERVICES AGREEMENT WITH CARTWRIGHT TERMITE & PEST CONTROL, INC.:**

RECOMMENDATION: Adopt Resolution No. 2016-0022, approving and authorizing the President/CEO to execute a Second Amendment to the Pest Control and Remediation Services Agreement with Cartwright Termite & Pest Control, Inc., increasing the total amount payable by \$1,057,776 for a total not-to-exceed compensation amount of \$6,357,776.

**9. APPROVE AND AUTHORIZE THE PRESIDENT/CEO TO EXECUTE A SECOND AMENDMENT TO THE AIRPORT SIGNAGE SERVICES AGREEMENT WITH SIGN AGE IDENTITY SYSTEMS, INC.:**

RECOMMENDATION: Adopt Resolution No. 2016-0023, approving and authorizing the President/CEO to execute a Second Amendment to the Agreement for Airport Signage Services with Sign Age Identity Systems, Inc., increasing the total amount payable by \$265,000 for a total not-to-exceed compensation amount of \$1,565,000.

**ITEM(S) REMOVED FROM THE CONSENT AGENDA**

**4. MARCH 2016 LEGISLATIVE REPORT:**

Mike Kulis, Director, Inter-Governmental Relations, provided an update on recent changes to the Senate version of the Federal Aviation Administration (FAA) Reauthorization bill. He stated, unlike the House FAA bill, the Senate bill does not have a provision transferring the air traffic organization functions to the new corporation, and the Senate bill lasts 18 months, ending Fiscal Year (FY) 2017. He stated that the Senate bill provides additional funds for airport improvement, with an increase to \$3.7 billion for FY 2017. He stated that the Senate bill does not include a passenger facility charge increase or assistance to reestablish service to Reagan National Airport, which are two priority issues in the FY 2016 Legislative Agenda. He stated that staff recommends that the Board adopt a position of "Oppose Unless Amended" on Senate bill.

*It was moved by Board Member Cox and seconded by Board Member Boling, to approve staff's recommendation.*

Board Member Desmond inquired about H.R. 3548 and requested a more detailed report at the next meeting.

RECOMMENDATION: Adopt Resolution No. 2016-0019, approving the March 2016 Legislative Report.

**ACTION: Moved by Board Member Cox and seconded by Board Member Boling to approve staff's recommendations, and directed staff to provide an update on H.R. 3584 – Transportation Security Administration Reform and Improvement Act of 2015, at next Board meeting. Motion carried by the following vote: YES – Boling, Cox, Desmond, Gleason, Hubbs, Janney, Robinson, Sessom; NO – None; ABSENT – Alvarez. (Weighted Vote Points: YES – 87; NO – 0; ABSENT – 13)**

**PUBLIC HEARINGS:**

**OLD BUSINESS:**

**NEW BUSINESS:**

**10. ANNUAL GROUND TRANSPORTATION OPERATIONS UPDATE:**

David Boenitz, Director, Ground Transportation, provided an update on Ground Transportation Operations, which included Ground Transportation Commercial Vehicle Operations, Contract RFPs, Transportation Network Company (TNC) Operations, Parking Operations, Rental Car Center Bus Operations, MTS/Palm Street Shuttle Service, California TNC Legislation, Federal TNC Legislation, and Office of the Chief Auditor TNC Audits.

Board Member Boling requested clarification on why the Authority is terminating the shuttle contract before the end of the contract instead of requesting an increase in funding.

Angela Shafer-Payne, Vice President, Operations, explained that with less than a year remaining on the contract and recent changes in shuttle operations, staff decided to re-compete the shuttle operation early instead of adding additional funds to the contract, which would allow for changes based on shuttle operation needs and separate the two major ground transportation contracts.

Board Member Desmond suggested continuing the Parking Shuttle contract to the end of the term. He stated that it's not in the best interest of the Authority to switch contractors at this time.

Chair Gleason stated that he would be comfortable with directing staff to bring an item back to the Board to continue with the Parking Shuttle contract through its term and to include an overview of all the impacts.

Board Member Cox and Desmond stated that we should provide a staging area for TNC's if we have the space.

Board Member Hubbs stated that more data is needed to determine the need for a staging area.

Chair Gleason requested to see staff's suggested TNC permit alterations and a range of options for TNC staging areas in the future presentation.

Board Member Robinson requested a copy of the termination language in the shuttle contract.

The Board requested that staff provide information regarding the impacts of continuing with the shuttle contract through December 2016 at the April Board meeting, and at the May Board meeting staff provide a report on the impacts of extending the shuttle and parking management contracts until after the completion of the parking plaza.

**ACTION: Moved by Board Member Desmond and seconded by Board Member Cox directing staff to place an item on the April Agenda to continue the shuttle contract through December 2016 term date and an update on the impacts of continuing the contract, and requested that staff provide an update in May on the potential costs and other long-term impacts of extending the parking management and shuttle contracts until after the completion of the parking plaza. Motion carried by the following vote: YES – Boling, Cox, Desmond, Gleason, Hubbs, Janney, Robinson, Sessom; NO – None; ABSENT – Alvarez. (Weighted Vote Points: YES – 87; NO – 0; ABSENT – 13)**

*Board Member Sessom left the dais at 10:30 a.m.*

*Board Member Alvarez arrived at the meeting at 11:00 a.m.*

ADRIAN KWIATKOWSKI, SAN DIEGO, representing Transportation Alliance Group (TAG), provided a presentation on the progress of vehicle conversions, Transportation Network Company (TNC) operations, TNC and Taxi economic impact, TNC post pilot program concerns, and concerns about the possibility of hold lot impacts if the TNC's were allowed to get their own lot.

MICHAEL AMADEO, SAN DIEGO, representing Uber Technologies, spoke in support of enhanced signage of pick up location for TNCs and closer TNC pick up locations.

XEMA JACOBSON, SPRING VALLEY, representing Super Shuttle, expressed concerns regarding requirements for shuttles that are not required by the TNCs, specifically vehicle inspections.

Board Member Desmond requested more information regarding what is included in the costs for the Intermodal Transit Center in the SANDAG Plan.

Board Member Boling stated that the Authority should be encouraging transit to the airport.

Board Member Hubbs expressed concerns with the lack of interest from transit providers to help utilize the Palm Street trolley stop.

Chair Gleason requested that the Board receive an update on what's being done to level the playing field for all ground transportation providers. He also requested an update on TNC legislation and TNC signage.

Board Member Alvarez suggested contacting the Attorney General to see if the MOU can be amended to include TNCs to reduce greenhouse gases.

**RECOMMENDATION: Accept the presentation.**

**11. DISCUSSION REGARDING THE PARAMETERS FOR THE FISCAL YEAR 2017 AND FISCAL YEAR 2018 OPERATING BUDGETS:**

Scott Brickner, Vice President, Finance and Asset Management/Treasurer, provided an update on Parameters for the Fiscal Year 2017 and Fiscal Year 2018 Operating Budget, which included the Economic Update, Moody's Report, Initiatives, Budget Objectives, Authority Financials, and Budget Challenges, Guidelines and Calendar.

RECOMMENDATION: Provide direction to staff.

**ACTION: No action was taken on this item.**

**BOARD COMMENT:**

Chair Gleason requested that a discussion item regarding establishing a policy for changing meeting dates be added to the next Executive Committee agenda.

**CLOSED SESSION:** The Board recessed into Closed Session at 12:24 p.m. to hear item 20.

**12. CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION:**

(Cal. Gov. Code § 54956.9(a) and (d)(1).)

Diego Concession Group, Inc. v. San Diego County Regional Airport Authority,  
San Diego Superior Court Case No. 37-2012-00088083-CU-BT-CTL

**13. CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION:**

(Cal. Gov. Code § 54956.9(a) and (d)(1).)

Dryden Oaks, LLC v. San Diego County Regional Airport Authority, et al.,  
San Diego Superior Court, North County, Case No. 37-2014-00004077-CU-EI-NC

**14. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION:**

(Cal. Gov. Code § 54956.9(a) and (d)(1).)

Donna Wilson; John Wilson v. San Diego Port Authority; San Diego International Airport; San Diego County Regional Airport Authority  
San Diego Superior Court Case No. 37-2014-00015326-CU-PO-CTL (Meyer)

**15. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION:**

(Cal. Gov. Code § 54956.9(a)):

Maria Paula Bermudez v. San Diego County Regional Airport Authority,  
American Airlines, Inc., et al.,  
San Diego Superior Court Case No. 37-2015-00022911-CU-PO-CTL

**16. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION:**

(Cal. Gov. Code §54956.9(a) and (d)(1))

Stanley Moore v. San Diego County Regional Airport Authority, et al.,  
San Diego Superior Court Case No. 37-2015-00030676-CU-OE-CTL



**17. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION:**

Cal. Gov. Code § 54956.9(a) and (d).

In the matter of the Petition of San Diego County Regional Airport Authority for Review of Action by the California Regional Water Quality Control Board in Issuing Order No. R9-2013-0001, as amended by Orders Nos. R9-2015-0001 and R9-2015-0100 (NPDES NO. CAS0109266) [Water Code §§ 13320(a) and 13321(a)]

**18. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION AND EXISTING LITIGATION:**

(Significant exposure to litigation pursuant to Cal. Gov. Code §§ 54956.9(a) and 54956.9(b).)

Jay A. Bass, et al v. San Diego City Employees' Retirement System, et al., San Diego Superior Court Case No. 37-2013-00077566-CU-OE-CTL

**19. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION:**

(Significant exposure to litigation pursuant to Cal. Gov. Code §§ 54956.9 (b) and 54954.5.)

Re: Investigative Order No. R9-2012-0009 by the California Regional Water Quality Control Board regarding submission of technical reports pertaining to an investigation of bay sediments at the Downtown Anchorage Area in San Diego.  
Number of potential cases: 1

**20. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION:**

(Initiation of litigation pursuant to Cal. Government Code § 54956.9(d).)

Number of cases: 2

**REPORT ON CLOSED SESSION:** The Board reconvened into Open Session at 1:38 p.m. There was no reportable action.

**NON-AGENDA PUBLIC COMMENT:**

**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:**

**ADJOURNMENT:** The meeting adjourned at 1:40 p.m.

APPROVED BY A MOTION OF THE SAN DIEGO COUNTY REGIONAL AIRPORT  
AUTHORITY BOARD THIS 21<sup>st</sup> DAY OF APRIL, 2016.

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TONY R. RUSSELL  
DIRECTOR, CORPORATE &  
INFORMATION GOVERNANCE/  
AUTHORITY CLERK

APPROVED AS TO FORM:

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BRETON K. LOBNER  
GENERAL COUNSEL



SAN DIEGO COUNTY  
REGIONAL AIRPORT AUTHORITY  
**STAFF REPORT**

Item No.  
**2**

Meeting Date: **APRIL 21, 2016**

**Subject:**

**Acceptance of Board and Committee Members Written Reports on Their Attendance at Approved Meetings and Pre-Approval of Attendance at Other Meetings not Covered by the Current Resolution**

**Recommendation:**

Accept the reports and pre-approve Board Member attendance at other meetings, trainings and events not covered by the current resolution.

**Background/Justification:**

Authority Policy 1.10 defines a "day of service" for Board Member compensation and outlines the requirements for Board Member attendance at meetings.

Pursuant to Authority Policy 1.10, Board Members are required to deliver to the Board a written report regarding their participation in meetings for which they are compensated. Their report is to be delivered at the next Board meeting following the specific meeting and/or training attended. The reports (Attachment A) were reviewed pursuant to Authority Policy 1.10 Section 5 (g), which defines a "day of service". The reports were also reviewed pursuant to Board Resolution No. 2009-0149R, which granted approval of Board Member representation for attending events and meetings.

The attached reports are being presented to comply with the requirements of Policy 1.10 and the Authority Act.

*The Board is also being requested to pre-approve Board Member attendance at briefings by representatives of a local police department or a state or federal governmental agency regarding safety, security, immigration or customs affecting San Diego International Airport.*

**Fiscal Impact:**

Board and Committee Member Compensation is included in the FY 2016 Budget.

**Authority Strategies:**

This item supports one or more of the Authority Strategies, as follows:

- Community Strategy     Customer Strategy     Employee Strategy     Financial Strategy     Operations Strategy

**Environmental Review:**

- A. This Board action is not a project that would have a significant effect on the environment as defined by the California Environmental Quality Act (CEQA), as amended. 14 Cal. Code Regs. Section 15378. This Board action is not a "project" subject to CEQA. Pub. Res. Code Section 21065.
- B. California Coastal Act Review: This Board action is not a "development" as defined by the California Coastal Act, Pub. Res. Code Section 30106.

**Application of Inclusionary Policies:**

Not applicable.

**Prepared by:**

TONY R. RUSSELL  
DIRECTOR, CORPORATE & INFORMATION GOVERNANCE/AUTHORITY CLERK

**APRIL BOLING**

SDCRAA

APR 05 2016

**SAN DIEGO COUNTY REGIONAL AIRPORT AUTHORITY**  
**Board Member Event/Meeting/Training Report Summary**

Corporate &amp; Information Governance

Period Covered: Mar. 2016

**Directions:** This Form permits Board Members to report their attendance at meetings, events, and training that qualify for "day of service" compensation pursuant to Cal. Pub. Util. Code §170017, Board Policy 1.10 and Board Resolution 2009-0149R. Unless attending a meeting held pursuant to the Brown Act, attendance must be pre-approved by the Board prior to attendance and a written report delivered at the next Board meeting. After completing this Form, please forward it to Tony Russell, Authority Clerk.

BOARD MEMBER NAME: (Please print)		DATE OF THIS REPORT:
C. APRIL BOLING		4/04/16
TYPE OF MEETING	DATE/TIME/LOCATION OF EVENT/MEETING/TRAINING	SUMMARY AND DESCRIPTION OF THE EVENT/MEETING/TRAINING
<input checked="" type="checkbox"/> Brown Act <input type="checkbox"/> Pre-approved <input type="checkbox"/> Res. 2009-0149R	Date: 3/7/16 Time: 9:00 Location: Airport	Airport Executive/Finance Committee Meeting
<input type="checkbox"/> Brown Act <input checked="" type="checkbox"/> Pre-approved <input type="checkbox"/> Res. 2009-0149R	Date: 3/10/16 Time: 8:00 Location: Barona Resort	SANDAG Retreat
<input checked="" type="checkbox"/> Brown Act <input type="checkbox"/> Pre-approved <input type="checkbox"/> Res. 2009-0149R	Date: 3/17/16 Time: 9:00 Location: Airport	ALUC Meeting
<input checked="" type="checkbox"/> Brown Act <input type="checkbox"/> Pre-approved <input type="checkbox"/> Res. 2009-0149R	Date: 3/18/16 Time: 9:00 Location: SANDAG	SANDAG Transportation Committee Meeting
<input checked="" type="checkbox"/> Brown Act <input type="checkbox"/> Pre-approved <input type="checkbox"/> Res. 2009-0149R	Date: 3/24/16 Time: 10:00 Location: Airport	Airport Advisory Committee Meeting
<input type="checkbox"/> Brown Act <input type="checkbox"/> Pre-approved <input type="checkbox"/> Res. 2009-0149R	Date: Time: Location:	
<input type="checkbox"/> Brown Act <input type="checkbox"/> Pre-approved <input type="checkbox"/> Res. 2009-0149R	Date: Time: Location:	
<input type="checkbox"/> Brown Act <input type="checkbox"/> Pre-approved <input type="checkbox"/> Res. 2009-0149R	Date: Time: Location:	

I certify that I was present for at least half of the time set for each meeting, event and training listed herein.

Signature: 

**GREG COX**

SDCRAA  
MAR 23 2016

**SAN DIEGO COUNTY REGIONAL AIRPORT AUTHORITY** Corporate & Information Governance  
**Board Member Event/Meeting/Training Report Summary**  
 Period Covered: MARCH 1-31, 2016

Directions: This Form permits Board Members to report their attendance at meetings, events, and training that qualify for "day of service" compensation pursuant to Cal. Pub. Util. Code §170017, Board Policy 1.10 and Board Resolution 2009-0149R. Unless attending a meeting held pursuant to the Brown Act, attendance must be pre-approved by the Board prior to attendance and a written report delivered at the next Board meeting. After completing this Form, please forward it to Tony Russell, Authority Clerk.

BOARD MEMBER NAME: (Please print)		DATE OF THIS REPORT:
<b>GREG COX</b>		<b>MARCH 22, 2016</b>
TYPE OF MEETING	DATE/TIME/LOCATION OF EVENT/MEETING/TRAINING	SUMMARY AND DESCRIPTION OF THE EVENT/MEETING/TRAINING
<input type="checkbox"/> Brown Act <input type="checkbox"/> Pre-approved <input type="checkbox"/> Res. 2009-0149R	Date: <b>MARCH 7, 2016</b> Time: <b>9:00am</b> Location: <b>SDIA</b>	<b>SPECIAL BOARD MEETING EXECUTIVE/ FINANCE COMMITTEE</b>
<input type="checkbox"/> Brown Act <input type="checkbox"/> Pre-approved <input type="checkbox"/> Res. 2009-0149R	Date: <b>MARCH 17, 2016</b> Time: <b>9:00am</b> Location: <b>SDIA</b>	<b>BOARD MEETING AIRPORT LAND USE COMMISSION</b>
<input type="checkbox"/> Brown Act <input type="checkbox"/> Pre-approved <input type="checkbox"/> Res. 2009-0149R	Date: Time: Location:	
<input type="checkbox"/> Brown Act <input type="checkbox"/> Pre-approved <input type="checkbox"/> Res. 2009-0149R	Date: Time: Location:	
<input type="checkbox"/> Brown Act <input type="checkbox"/> Pre-approved <input type="checkbox"/> Res. 2009-0149R	Date: Time: Location:	
<input type="checkbox"/> Brown Act <input type="checkbox"/> Pre-approved <input type="checkbox"/> Res. 2009-0149R	Date: Time: Location:	
<input type="checkbox"/> Brown Act <input type="checkbox"/> Pre-approved <input type="checkbox"/> Res. 2009-0149R	Date: Time: Location:	
<input type="checkbox"/> Brown Act <input type="checkbox"/> Pre-approved <input type="checkbox"/> Res. 2009-0149R	Date: Time: Location:	
<input type="checkbox"/> Brown Act <input type="checkbox"/> Pre-approved <input type="checkbox"/> Res. 2009-0149R	Date: Time: Location:	

I certify that I was present for at least half of the time set for each meeting, event and training listed herein.

Signature: *Greg Cox*



**ROBERT H. GLEASON**

**SAN DIEGO COUNTY REGIONAL AIRPORT AUTHORITY**

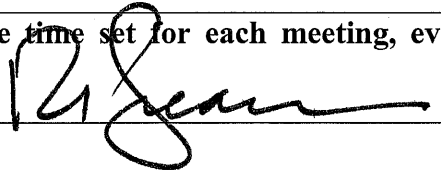
**Board Member Event/Meeting/Training Report Summary**

Period Covered: MARCH 2016

Directions: This Form permits Board Members to report their attendance at meetings, events, and training that qualify for “day of service” compensation pursuant to Cal. Pub. Util. Code §170017, Board Policy 1.10 and Board Resolution 2009-0149R. Unless attending a meeting held pursuant to the Brown Act, attendance must be pre-approved by the Board prior to attendance and a written report delivered at the next Board meeting. After completing this Form, please forward it to Tony Russell, Authority Clerk.

BOARD MEMBER NAME: (Please print)		DATE OF THIS REPORT:
ROBERT H. GLEASON		April 4, 2016
TYPE OF MEETING	DATE/TIME/LOCATION OF EVENT/MEETING/TRAINING	SUMMARY AND DESCRIPTION OF THE EVENT/MEETING/TRAINING
<input checked="" type="checkbox"/> Brown Act <input type="checkbox"/> Pre-approved <input type="checkbox"/> Res. 2009-0149R	Date: March 4, 2016 Time: 8:00 am Location: SDCRAA offices	World Trade Center San Diego meeting
<input checked="" type="checkbox"/> Brown Act <input type="checkbox"/> Pre-approved <input type="checkbox"/> Res. 2009-0149R	Date: March 7, 2016 Time: 9:00 am Location: SDCRAA offices	Executive / Finance Committee meeting
<input checked="" type="checkbox"/> Brown Act <input type="checkbox"/> Pre-approved <input type="checkbox"/> Res. 2009-0149R	Date: March 11, 2016 Time: 9:00 am Location: SDCRAA offices	Art Advisory Committee meeting
<input type="checkbox"/> Brown Act <input checked="" type="checkbox"/> Pre-approved <input type="checkbox"/> Res. 2009-0149R	Date: March 25, 2016 Time: 8:30 am Location: Symphony Towers	City of San Diego Commission for Arts & Culture meeting; spoke on behalf of the Airport Authority
<input type="checkbox"/> Brown Act <input checked="" type="checkbox"/> Pre-approved <input type="checkbox"/> Res. 2009-0149R	Date: March 28, 2016 Time: 6:00 pm Location: RCC	Rental Car Center Restaurant Space event, spoke on behalf of the Airport Authority
<input type="checkbox"/> Brown Act <input type="checkbox"/> Pre-approved <input type="checkbox"/> Res. 2009-0149R	Date: Time: Location:	
<input type="checkbox"/> Brown Act <input type="checkbox"/> Pre-approved <input type="checkbox"/> Res. 2009-0149R	Date: Time: Location:	
<input type="checkbox"/> Brown Act <input type="checkbox"/> Pre-approved <input type="checkbox"/> Res. 2009-0149R	Date: Time: Location:	

**I certify that I was present for at least half of the time set for each meeting, event and training listed herein.**

Signature: 

**LLOYD HUBBS**

**SAN DIEGO COUNTY REGIONAL AIRPORT AUTHORITY**  
**Board Member Event/Meeting/Training Report Summary**

Period Covered: MARCH 2016

Directions: This Form permits Board Members to report their attendance at meetings, events, and training that qualify for "day of service" compensation pursuant to Cal. Pub. Util. Code §170017, Board Policy 1.10 and Board Resolution 2009-0149R. Unless attending a meeting held pursuant to the Brown Act, attendance must be pre-approved by the Board prior to attendance and a written report delivered at the next Board meeting. After completing this Form, please forward it to Tony Russell, Authority Clerk.

BOARD MEMBER NAME: (Please print)		DATE OF THIS REPORT:
LLOYD HUBBS		3/17/16
TYPE OF MEETING	DATE/TIME/LOCATION OF EVENT/MEETING/TRAINING	SUMMARY AND DESCRIPTION OF THE EVENT/MEETING/TRAINING
<input checked="" type="checkbox"/> Brown Act <input type="checkbox"/> Pre-approved <input type="checkbox"/> Res. 2009-0149R	Date: 3-17-16 Time: 9:00 Location: BOARD RM	BOARD / ALVC
<input type="checkbox"/> Brown Act <input type="checkbox"/> Pre-approved <input type="checkbox"/> Res. 2009-0149R	Date: Time: Location:	
<input type="checkbox"/> Brown Act <input type="checkbox"/> Pre-approved <input type="checkbox"/> Res. 2009-0149R	Date: Time: Location:	
<input type="checkbox"/> Brown Act <input type="checkbox"/> Pre-approved <input type="checkbox"/> Res. 2009-0149R	Date: Time: Location:	
<input type="checkbox"/> Brown Act <input type="checkbox"/> Pre-approved <input type="checkbox"/> Res. 2009-0149R	Date: Time: Location:	
<input type="checkbox"/> Brown Act <input type="checkbox"/> Pre-approved <input type="checkbox"/> Res. 2009-0149R	Date: Time: Location:	
<input type="checkbox"/> Brown Act <input type="checkbox"/> Pre-approved <input type="checkbox"/> Res. 2009-0149R	Date: Time: Location:	
<input type="checkbox"/> Brown Act <input type="checkbox"/> Pre-approved <input type="checkbox"/> Res. 2009-0149R	Date: Time: Location:	
<input type="checkbox"/> Brown Act <input type="checkbox"/> Pre-approved <input type="checkbox"/> Res. 2009-0149R	Date: Time: Location:	

I certify that I was present for at least half of the time set for each meeting, event and training listed herein.

Signature: \_\_\_\_\_

*Lloyd Hubbs*

**JIM JANNEY**

SDCRAA  
**APR 01 2016**  
 Corporate & Information Governance

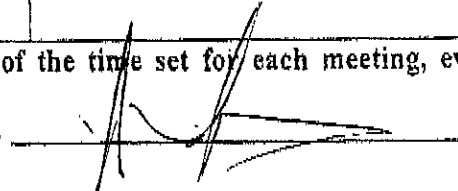
**SAN DIEGO COUNTY REGIONAL AIRPORT AUTHORITY**  
**Board Member Event/Meeting/Training Report Summary**

Period Covered: March 16

**Directions:** This Form permits Board Members to report their attendance at meetings, events, and training that qualify for "day of service" compensation pursuant to Cal. Pub. Util. Code §170017, Board Policy 1.10 and Board Resolution 2009-0007. Unless attending a meeting held pursuant to the Brown Act, attendance must be pre-approved by the Board prior to attendance and a written report delivered at the next Board meeting. After completing this Form, please forward it to Tony Russell, Authority Clerk.

BOARD MEMBER NAME (Print name)		DATE OF THIS REPORT
Jim Janny		4-1-16
TYPE OF MEETING	DATE/TIME/LOCATION OF EVENT/MEETING/TRAINING	SUMMARY AND DESCRIPTION OF THE EVENT/MEETING/TRAINING
Brown Act Pre-approved Res. 2009-0149R	Date: 3-7-16 Time: 0900 Location: SDCRAA	Exec & Finance
Brown Act Pre-approved Res. 2009-0149R	Date: 3-17-16 Time: 0900 Location: SDCRAA	Board & AUC
Brown Act Pre-approved Res. 2009-0149R	Date: 3-10-16 Time: 0800-1600 Location: Barona	San Diego Board Retreat
Brown Act Pre-approved Res. 2009-0149R	Date: 3-16-16 Time: 0900 Location: SANDAG	San Diego Transportation
Brown Act Pre-approved Res. 2009-0149R	Date: Time: Location:	
Brown Act Pre-approved Res. 2009-0149R	Date: Time: Location:	
Brown Act Pre-approved Res. 2009-0149R	Date: Time: Location:	
Brown Act Pre-approved Res. 2009-0149R	Date: Time: Location:	

I certify that I was present for at least half of the time set for each meeting, event and training listed herein.

Signature: 

**PAUL ROBINSON**

**SAN DIEGO COUNTY REGIONAL AIRPORT AUTHORITY**

**Board Member Event/Meeting/Training Report Summary**

Period Covered: 3/31/16

**Directions:** This Form permits Board Members to report their attendance at meetings, events, and training that qualify for "day of service" compensation pursuant to Cal. Pub. Util. Code §170017, Board Policy 1.10 and Board Resolution 2009-0149R. Unless attending a meeting held pursuant to the Brown Act, attendance must be pre-approved by the Board prior to attendance and a written report delivered at the next Board meeting. After completing this Form, please forward it to Tony Russell, Authority Clerk.

<b>BOARD MEMBER NAME: (Please print)</b>		<b>DATE OF THIS REPORT:</b>
Paul E. Robinson		
<b>TYPE OF MEETING</b>	<b>DATE/TIME/LOCATION OF EVENT/MEETING/TRAINING</b>	<b>SUMMARY AND DESCRIPTION OF THE EVENT/MEETING/TRAINING</b>
<input checked="" type="checkbox"/> Brown Act <input type="checkbox"/> Pre-approved <input type="checkbox"/> Res. 2009-0149R	Date: 3/7/16 Time: 9:00 - 10:30 Location: SDCRAA Bd Rm	SDCRAA Exec. Fin. Bmm Mtgs
<input checked="" type="checkbox"/> Brown Act <input type="checkbox"/> Pre-approved <input type="checkbox"/> Res. 2009-0149R	Date: 3/17/16 Time: 9:00 - 1:00 p.m. Location: SDCRAA Bd Rm	SDCRAA Bd / ALUC Mtgs.
<input type="checkbox"/> Brown Act <input checked="" type="checkbox"/> Pre-approved <input type="checkbox"/> Res. 2009-0149R	Date: 3/24/16 Time: 10:00 - 12:00 p.m. Location: Wright Conf Rm	Airport Advisory Comm Mtg
<input type="checkbox"/> Brown Act <input type="checkbox"/> Pre-approved <input type="checkbox"/> Res. 2009-0149R	Date: Time: Location:	
<input type="checkbox"/> Brown Act <input type="checkbox"/> Pre-approved <input type="checkbox"/> Res. 2009-0149R	Date: Time: Location:	
<input type="checkbox"/> Brown Act <input type="checkbox"/> Pre-approved <input type="checkbox"/> Res. 2009-0149R	Date: Time: Location:	
<input type="checkbox"/> Brown Act <input type="checkbox"/> Pre-approved <input type="checkbox"/> Res. 2009-0149R	Date: Time: Location:	
<input type="checkbox"/> Brown Act <input type="checkbox"/> Pre-approved <input type="checkbox"/> Res. 2009-0149R	Date: Time: Location:	

**I certify that I was present for at least half of the time set for each meeting, event and training listed herein.**

Signature: 





SAN DIEGO COUNTY  
REGIONAL AIRPORT AUTHORITY  
**STAFF REPORT**

Item No.  
**3**

Meeting Date: **APRIL 21, 2016**

**Subject:**

**Awarded Contracts, Approved Change Orders from February 22, 2016 through March 20, 2016 and Real Property Agreements Granted and Accepted from February 22, 2016 through March 20, 2016**

**Recommendation:**

Receive the report.

**Background/Justification:**

Policy Section Nos. 5.01, Procurement of Services, Consulting, Materials, and Equipment, 5.02, Procurement of Contracts for Public Works, and 6.01, Leasing Policy, require staff to provide a list of contracts, change orders, and real property agreements that were awarded and approved by the President/CEO or her designee. Staff has compiled a list of all contracts, change orders (Attachment A) and real property agreements (Attachment B) that were awarded, granted, accepted, or approved by the President/CEO or her designee since the previous Board meeting.

**Fiscal Impact:**

The fiscal impact of these contracts and change orders are reflected in the individual program budget for the execution year and on the next fiscal year budget submission. Amount to vary depending upon the following factors:

1. Contracts issued on a multi-year basis; and
2. Contracts issued on a Not-to-Exceed basis.
3. General fiscal impact of lease agreements reflects market conditions.

The fiscal impact of each reported real property agreement is identified for consideration on Attachment B.

**Authority Strategies:**

This item supports one or more of the Authority Strategies, as follows:

- Community Strategy     Customer Strategy     Employee Strategy     Financial Strategy     Operations Strategy

**Environmental Review:**

A. CEQA: This Board action is not a project that would have a significant effect on the environment as defined by the California Environmental Quality Act ("CEQA"), as amended. 14 Cal. Code Regs. §15378. This Board action is not a "project" subject to CEQA. Cal. Pub. Res. Code §21065.

B. California Coastal Act Review: This Board action is not a "development" as defined by the California Coastal Act. Cal. Pub. Res. Code §30106.

**Application of Inclusionary Policies:**

Inclusionary Policy requirements were included during the solicitation process prior to the contract award.

**Prepared by:**

JANA VARGAS  
DIRECTOR, PROCUREMENT

## Attachment "A"

AWARDED CONTRACTS AND CHANGE ORDERS SIGNED BETWEEN - February 22, 2016- March 20, 2016

 <b><u>New Contracts</u></b>							
Date Signed	CIP #	Company	Description	Solicitation Method	Owner	Contract Value	End Date
02/25/16	N/A	ICF SH&E Inc.	The Contractor will provide aviation industry consulting services to assist the Authority with briefings on the state of the aviation industry current policy trends and how they apply to the operations of the San Diego International Airport.	Informal RFP	Corporate and Information Governance	\$45,000.00	02/25/19
 <b><u>New Contracts Approved by the Board</u></b>							
Date Signed	CIP #	Company	Description	Solicitation Method	Owner	Contract Value	End Date
2/22/16	N/A	US Bank National Association	This Contract was approved by the Board at the December 17, 2015 Board Meeting. The Contractor will provide a Line of Credit in the amount of \$4,000,000 in order to continue the Authority's Bonding and Contract Financing Assistance Program.	RFB	Business & Financial Management	\$4,000,000	02/28/19

**Attachment "A"**

**AWARDED CONTRACTS AND CHANGE ORDERS SIGNED BETWEEN February 22, 2016- March 20, 2016**



**Amendments and Change Orders**

<b>Date Signed</b>	<b>CIP #</b>	<b>Company</b>	<b>Description of Change</b>	<b>Owner</b>	<b>Previous Contract Amount</b>	<b>Change Order Value (+ / -)</b>	<b>Change Order Value ( % ) (+ / -)</b>	<b>New Contract Value</b>	<b>New End Date</b>
3/4/2016	N/A	PlanetBids, Inc.	The First Amendment increases the maximum amount payable by \$10,000.00 to align the term of the compliance module with the Authority's Bid Management System and to establish a portal within the Vendor Database for subcontracting opportunities with Swinerton Builders for the Terminal 2 Parking Plaza.	Procurement/ Small Business	\$205,000.00	\$10,000.00	5%	\$215,000.00	1/17/2017
3/15/2016	N/A	Corey Clarke, dba Filter Shine Southwest	The First Amendment increases the maximum amount payable by \$50,000.00 due to frequency of services for Restaurant Hood Cleaning and Inspection Services at San Diego International Airport.	Terminal and Tenants	\$50,000.00	\$50,000.00	100%	\$100,000.00	9/20/2017
3/15/2016	N/A	Monica Zinchiak dba Z. Research, Services	The First Amendment increases the maximum amount payable by \$3,400.00 to complete the Rental Car Center (RCC) Focus Study Services.	Terminal and Tenants	\$21,200.00	\$3,400.00	16%	\$24,600.00	2/16/2016
<b><u>Amendments and Change Orders-Approved by the Board</u></b>									
			None						



**Attachment "B"**

**REAL PROPERTY AGREEMENTS EXECUTED FROM FEBRUARY 22, 2016 THROUGH MARCH 20, 2016.**



**Real Property Agreements**

Begin/End Dates	Authority Doc. #	Tenant/Company	Agreement Type	Property Location	Use	Property Area (s.f)	Consideration	Comments
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No Agreements to Report



**Real Property Agreement Amendments and Assignments**

Effective Date	Authority Doc. #	Tenant/Company	Agreement Type	Property Location	Use	Property Area (s.f)	Consideration	Comments
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No Amendments or Assignments to Report



**SAN DIEGO COUNTY  
REGIONAL AIRPORT AUTHORITY  
STAFF REPORT**

**Item No.  
4**

Meeting Date: **APRIL 21, 2016**

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**Subject:**

**April 2016 Legislative Report**

**Recommendation:**

Adopt Resolution No. 2016-0025, approving the April 2016 Legislative Report.

**Background/Justification:**

The Authority's Legislative Advocacy Program Policy requires that staff present the Board with monthly reports concerning the status of legislation with potential impact to the Authority. The April 2016 Legislative Report updates Board members on legislative activities that have taken place since the previous Board meeting. The Authority Board provides direction to staff on legislative issues by adoption of a monthly Legislative Report (Attachment A).

**Local Legislative Action**

The Authority's legislative team recommends that the Board adopt a SUPPORT position on a proposed City of San Diego ordinance that would regulate the use of unmanned aircraft systems (drones) within the City of San Diego. The purpose of this ordinance is to address the potential hazard of drones to other aircraft in flight, persons on the ground, and critical infrastructure. Specifically, this ordinance would codify regulations on a local level similar to those enacted by the Federal Aviation Administration (FAA). The proposed ordinance would prohibit the operation of a model aircraft (operated for hobby or recreational purposes) within five miles of an airport without authorization of FAA air traffic control tower staff. The ordinance would also prohibit the operation of model aircraft in a manner that interferes with manned aircraft or when the model aircraft is beyond the operator's visual line of sight and would limit the operation of model aircraft to a height of 400 feet and only during daylight hours.

**State Legislative Action**

The Authority's legislative team recommends that the Board adopt a SUPPORT position on AB 1289 (Cooper). This bill would require transportation network companies (TNCs) to conduct comprehensive criminal background checks for drivers and prohibit TNCs to contract with, employ, or retain drivers who are required to register as sex offenders, convicted of a violent felony, sexual offense, driving under the influence offense, non-felony violent crime, act of fraud, act of terror, or crime involving property damage or theft.

The Authority's legislative team recommends that the Board adopt a SUPPORT position on AB 2611 (Low). This bill would expand a number of exemptions related to public records requests to include investigatory security audio or video recordings, personal information disclosures that would endanger the privacy of persons involved in investigations, crimes and complaints, and any audio or video depicting the serious injury or death of a peace officer. The Authority's legislative team recommends that the Board adopt a SUPPORT position on AB 2724 (Gatto). This bill would require manufacturers of unmanned aircraft sold in California to include with the aircraft copies of applicable FAA safety regulations as well as a notice of FAA registration requirements, if applicable. AB 2724 would also require that drones equipped with global positioning satellite (GPS) capabilities be equipped with geo-fencing technology to prevent them from flying from within five miles of an airport and that the owners of unmanned aircraft secure adequate protection from liability for injury or property damage.

The Authority's legislative team recommends that the Board adopt an OPPOSE position on AB 1707 (Linder). This bill would require that responses to public records requests which state that a record is exempt from disclosure must identify the type(s) of records withheld and the specific exemption that justifies withholding the record.

The Authority's legislative team recommends that the Board adopt a WATCH position on SB 1035 (Hueso). This bill would authorize the Public Utilities Commission (PUC) to fix the rates and establish rules for Transportation Network Companies (TNCs), study specified background check measures and potentially adopt a background check measure as a condition to participate as a TNC driver. SB 1035 would also require the PUC to study TNC insurance requirements and accessibility issues for disabled populations and authorize peace officers to enforce TNC rules and impound vehicles under certain circumstances.

The Authority's legislative team recommends that the Board adopt a WATCH position on AB 1455 (Rodriguez), legislation that would authorize the City of Ontario to issue revenue bonds, for the purpose of financing the acquisition of Ontario International Airport from the City of Los Angeles.

The Authority's legislative team recommends that the Board adopt a WATCH position on AB 2687 (Achadjian), legislation that would make it illegal for a person who has 0.04 percent or more of alcohol in his or her blood to drive a passenger for hire.

### **Federal Legislative Action**

The Authority's legislative team recommends that the Board adopt a SUPPORT position H.R. 3584 (Katko), a compilation of several individual bills previously approved by the House in 2015. Pursuant to the Board's request during the March 17, 2016 Board meeting, the following is a detailed summary of the provisions included in H.R. 3584:

- Limits PreCheck participation to enrolled passengers and those given access through an approved alternative method, such as canine screening
- Requires TSA to review the necessity of security directives that have been in effect for longer than one year
- Requires TSA to review the security-screening technology deployed at airports

- Mandates that airports place an expiration date on airport credentials denoting the period in which an individual may lawfully work in the U.S.
- Authorizes a pilot project to establish a secure, automated biometric-based system at airports to verify the identity of PreCheck passengers
- Encourages TSA to expand the marketing and enrollment options for PreCheck
- Expands enrollment in PreCheck by adding private sector application capabilities
- Ensures that TSA PreCheck screening lanes are open and available during peak and high-volume travel times at airports
- By December 31, 2017, establishes a secure, automated system at all large hub airports for verifying travel and identity documents of passengers who are not members of the TSA PreCheck program
- Develops a process for regularly evaluating the root causes of screening errors at airport checkpoints so corrective measures can be identified
- Requires the completion of a comprehensive, agency-wide efficiency review

On March 30, 2016, the President signed into law H.R. 4721 (Shuster), "The Airport and Airway Extension Act of 2016." This legislation extends current authorizations for aviation programs and related excise taxes through July 15, 2016.

On April 6, 2016, the full Senate began its consideration of H.R. 636, an 18-month Federal Aviation Authorization (FAA) Reauthorization bill. Pursuant to Board direction during the March 17, 2016, Board meeting, the Airport Authority position on the Senate FAA Reauthorization bill is OPPOSE UNLESS AMENDED, as this legislation does not address legislative priorities included in the Authority's 2016 Legislative Agenda. If approved by the Senate, this bill would have to be reconciled with the House version of the FAA Reauthorization bill.

As the Senate was actively considering numerous amendments to H.R. 636 during the filing of the April 2016 Legislative Report, Authority staff will be prepared to provide the Board any necessary update on this bill during the April 21, 2016, Board meeting.

### **Fiscal Impact:**

Not applicable.

### **Authority Strategies:**

This item supports one or more of the Authority Strategies, as follows:

- Community Strategy  
  Customer Strategy  
  Employee Strategy  
  Financial Strategy  
  Operations Strategy



**Environmental Review:**

- A. CEQA: This Board action is not a project that would have a significant effect on the environment as defined by the California Environmental Quality Act (CEQA), as amended. 14 Cal. Code Regs. § 15378. This Board action is not a “project” subject to CEQA. Cal. Pub. Res. Code § 21065.
- B. California Coastal Act Review: This Board action is not a “development” as defined by the California Coastal Act. Cal. Pub. Res. Code § 30106.

**Application of Inclusionary Policies:**

Not applicable.

**Prepared by:**

MICHAEL KULIS  
DIRECTOR, INTER-GOVERNMENTAL RELATIONS

RESOLUTION NO. 2016-0025

A RESOLUTION OF THE BOARD OF THE SAN DIEGO  
COUNTY REGIONAL AIRPORT AUTHORITY APPROVING  
THE APRIL 2016 LEGISLATIVE REPORT

WHEREAS, the San Diego County Regional Airport Authority (“Authority”) operates San Diego International Airport as well as plans for necessary improvements to the regional air transportation system in San Diego County, including serving as the responsible agency for airport land use planning within the County; and

WHEREAS, the Authority has a responsibility to promote public policies consistent with the Authority’s mandates and objectives; and

WHEREAS, Authority staff works locally and coordinates with legislative advocates in Sacramento and Washington, D.C. to identify and pursue legislative opportunities in defense and support of initiatives and programs of interest to the Authority; and

WHEREAS, under the Authority’s Legislative Advocacy Program Policy, the Authority Board provides direction to Authority staff on pending legislation; and

WHEREAS, the Authority Board, in directing staff, may adopt positions on legislation that has been determined to have a potential impact on the Authority’s operations and functions.

NOW, THEREFORE, BE IT RESOLVED that the Board hereby approves the April 2016 Legislative Report (“Attachment A”); and

BE IT FURTHER RESOLVED that the Board FINDS that this action is not a “project” as defined by the California Environmental Quality Act (“CEQA”) (Cal. Pub. Res. Code § 21065); and is not a “development” as defined by the California Coastal Act (Cal. Pub. Res. Code § 30106).

PASSED, ADOPTED, AND APPROVED by the Board of the San Diego County Regional Airport Authority at a regular meeting this 21<sup>st</sup> day of April, 2016, by the following vote:

AYES: Board Members:

NOES: Board Members:

ABSENT: Board Members:

ATTEST:

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TONY RUSSELL  
DIRECTOR, CORPORATE  
& INFORMATION GOVERNANCE/  
AUTHORITY CLERK

APPROVED AS TO FORM:

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BRETON K. LOBNER  
GENERAL COUNSEL

April 2016 Legislative Report

Local Legislation

**Legislation/Topic**

**City of San Diego Drone Ordinance**

**Background/Summary**

The purpose of this proposed ordinance is to address the potential hazard of drones to other aircraft in flight, persons on the ground, and critical infrastructure. Specifically, this proposed ordinance would codify on a local level regulations similar to those of the Federal Aviation Administration prohibiting the operation of a model aircraft (operated for hobby or recreational purposes) within five miles of an airport without authorization of air traffic control tower staff. The ordinance would also prohibit the operation of model aircraft in a manner that interferes with manned aircraft or operation of model aircraft beyond the visual line of sight by the operator. The operation of model aircraft would also be limited to a height of 400 feet and would only be allowed during daylight hours. In addition, the proposed ordinance would prohibit the operation of both model aircraft and civil unmanned aircraft systems (drones operated for any purpose other than for hobby or recreation) in a manner prohibited by any federal statute or regulation, in violation of any temporary flight restriction or notice to airmen, or in a careless or reckless manner. It would not apply to drones operated by a public agency for government related purposes.

**Anticipated Impact/Discussion**

This bill could benefit San Diego International Airport (SDIA) by creating regulations that foster a safer operating environment for unmanned aircraft operated in the City of San Diego.

**Status:** 4/20/16 – Expected to be considered by the San Diego City Council Public Safety Committee

**Position:** Support

*\*Shaded text represents new or updated legislative information*

## State Legislation

### New Assembly Bills

#### Legislation/Topic

**AB 1289 (Cooper) – Transportation Network Companies: Driver Penalties**

#### Background/Summary

This bill would require Transportation Network Companies (TNCs) to conduct comprehensive criminal background checks for each participating driver that include local, state, and federal law enforcement records. AB 1289 would prohibit TNCs from contracting with, employing, or continuing to retain a driver if he or she is required to register as a sex offender or has been convicted of any violent felony, sexual offense, driving under the influence offense, non-felony violent crime, act of fraud, act of terror, or crime involving damage or theft.

#### Anticipated Impact/Discussion

If enacted, this legislation could reduce the risk of passengers using TNCs to travel to and from SDIA.

**Status:** 1/28/16 – Referred to Senate Committee on Energy, Utilities and Communications and Senate Committee on Public Safety

**Position:** Support

#### Legislation/Topic

**AB 1455 (Rodriguez) – Ontario International Airport**

#### Background/Summary

AB 1455 would authorize the City of Ontario to issue revenue bonds for the purpose of financing the acquisition of Ontario International Airport from the City of Los Angeles. The bonds would be secured solely by the revenues and charges at the Ontario International Airport.

#### Anticipated Impact/Discussion

Passage of this bill would not impact San Diego International Airport or the Airport Authority.

**Status:** 6/30/15 – Amended and re-referred to the Senate Committee on Governance and Finance

**Position:** Watch

*\*Shaded text represents new or updated legislative information*

**Legislation/Topic**

**AB 1707 (Linder) – Public Records: response to request**

**Background/Summary**

This bill would require that responses to public record requests demonstrating that a record is exempt from disclosure identify the type(s) of records withheld and the specific exemption that justifies withholding the record.

**Anticipated Impact/Discussion**

This bill would place unnecessary requirements on Authority record keeping and make the release of records to the public increasingly complicated by requiring lists of exemptions. Additionally, it could also have a negative impact by increasing opportunities for the public to dispute identified exemptions to the release of records.

**Status:** 3/29/16 – Approved by the Assembly Committee on the Judiciary on a vote of 10-0 and referred to Assembly Committee on Local Government

**Position:** Oppose

**Legislation/Topic**

**AB 2611 (Low) – The California Public Records Act: exemptions**

**Background/Summary**

This bill would expand a number of exemptions related to the disclosure of public records to include:

- Any investigatory or security audio or video recording
- Disclosures of personal information that would endanger the privacy of those involved in complaints or investigations related to incidents, victims or any person who suffers injury or property damage/loss
- Any audio or video recording depicting the death or serious injury of a peace officer

**Anticipated Impact/Discussion**

This bill could reduce some of the requirements for Airport Authority disclosure of records to the public.

**Status:** 3/17/16 – Referred to Assembly Committee on the Judiciary and the Assembly Committee on Privacy and Consumer Protection

**Position:** Support

*\*Shaded text represents new or updated legislative information*

**Legislation/Topic**

**AB 2687 (Achadjian) – Vehicles: Passenger for Hire: Driving Under the Influence**

**Background/Summary**

This legislation would make it unlawful for a person who has 0.04 percent, by weight, or more of alcohol in his or her blood to drive a passenger for hire.

**Anticipated Impact/Discussion**

Although AB 2687 would not have any direct impact to San Diego International Airport, it could enhance safety for passengers utilizing vehicles for hire to travel to and from SDIA.

**Status:** 3/10/16 - Referred to Assembly Committee on Public Safety

**Position:** Watch

**Legislation/Topic**

**AB 2724 (Gatto) – Unmanned Aircraft**

**Background/Summary**

This bill would require manufacturers of unmanned aircraft (drones) sold in California to include with the aircraft a copy of applicable Federal Aviation Administration (FAA) safety regulations. If the unmanned aircraft is required to be registered with the FAA, a notification of that requirement is to be included as well. AB 2724 would also require that unmanned aircraft equipped with global positioning satellite (GPS) mapping capabilities be equipped with geo-fencing technologies that prohibit the unmanned aircraft from flying within five miles of an airport. This bill would also require the owner of an unmanned aircraft to procure adequate protection against liability for the payment of damages for bodily injury, death and property damage resulting from the operation of the unmanned aircraft. Lastly, this bill would exempt an unmanned aircraft operated pursuant to a current commercial operator exemption from these requirements.

**Anticipated Impact/Discussion**

This bill could benefit San Diego International Airport (SDIA) by creating regulations that foster a safer operating environment for unmanned aircraft. Its provisions to require geo-fencing capabilities for all GPS enabled unmanned aircraft could reduce or eliminate the operation of unmanned aircraft within a five mile radius of the SDIA.

**Status:** 3/17/16 – Amended and re-referred to Assembly Committee on Privacy and Consumer Protection

**Position:** Support

*\*Shaded text represents new or updated legislative information*

## **New Senate Bills**

### **Legislation/Topic**

#### **SB 1035 (Hueso) – Transportation Network Companies**

### **Background/Summary**

This bill would authorize the Public Utilities Commission (PUC) to implement the following authorizations related to the operation of transportation network companies (TNCs):

- To fix rates and establish rules for TNCs, prohibit discrimination, and award reparation for the exaction of unreasonable, excessive, or discriminatory charges by a TNC
- Require the PUC, in consultation with the Department of California Highway Patrol, the United States Department of Justice, and local law enforcement, if they choose, to study specific background check measures and adopt those measures if it is determined they would enhance public safety
- Require that the study contain additional information regarding TNC insurance and accessibility issues for disabled populations
- Authorize the PUC to collect data from TNCs and commence a proceeding to determine how that data can best be shared with local government and planning agencies for transportation and environmental purposes
- Authorize peace officers to enforce and assist with violations of the Passenger Charter-party Carriers Act with respect to TNCs
- Authorize peace officers to impound any vehicle of a charter-party carrier for 30 days if the carrier does not have a valid permit or certificate, or the driver does not have the proper license, endorsement or required certificate.

### **Anticipated Impact/Discussion**

Although this bill could result in enhanced background checks for TNC drivers, SB 1035 would initiate several other TNC actions such as the setting of rates.

**Status:** 3/29/16 – Amended and re-referred to Assembly Committee on Privacy and Consumer Protection

**Position:** Watch

*\*Shaded text represents new or updated legislative information*



## **Assembly Bills from Previous Report**

### **Legislation/Topic**

**AB 1595 (Campos) – Employment: human trafficking training: mass transportation employers**

### **Background/Summary**

This bill would require a private or public employer that provides mass transportation services (specifically excluding taxi services or travel by air), to train its employees who are likely to interact or come into contact with victims of human trafficking, in recognizing the signs of human trafficking and how to report those signs to the appropriate law enforcement agency. The bill would require that by January 1, 2018, the training be incorporated into the initial training process for all new employees and that all existing employees receive the training by that date.

### **Anticipated Impact/Discussion**

This bill is not expected to directly impact Airport Authority operations or training requirements, due to the exemption for providers of travel by air.

**Status:** 3/29/16 – Amended and re-referred to Assembly Committee on Law Enforcement

**Position:** Watch (3/17/16)

### **Legislation/Topic**

**AB 1648 (Wilk) – Public Records**

### **Background/Summary**

This bill would have amended the California Public Records Act by prohibiting a state or local agency from selling, exchanging, furnishing or otherwise providing a public record that is subject to disclosure to a private entity in a manner that prevents a member of the public from sharing, distributing, or publishing the public record subject to disclosure. As amended, AB 1648 would modify the definition of “state publication” to specify that publications issued by the state on the internet are state publications and that the public can copy, share, distribute or republish publications authored by the state.

### **Anticipated Impact/Discussion**

As amended, this bill is no longer applicable to the Airport Authority.

**Status:** 3/16/16 – Amended and re-referred to Assembly Committee on the Judiciary

**Position:** Watch (2/18/16)

*\*Shaded text represents new or updated legislative information*

## **Legislation/Topic**

### **AB 1657 (O'Donnell) – Air Pollution: public ports and intermodal terminals**

#### **Background/Summary**

This bill would establish the Zero- and Near-Zero-Emission Intermodal Terminals Program. This program would be administered by the state Air Resources Board and would fund equipment upgrades and investments at intermodal terminals to help transition the state's freight system to zero-emission and near-zero-emission operations. Funding to implement the program would be appropriated from the Greenhouse Gas Reduction Fund. This bill would also establish the Port Building and Lighting Efficiency Greenhouse Gas Reduction Fund Program. Also funded via the Greenhouse Gas Reduction Fund, this program would fund energy efficient upgrades and investments at public ports to help reduce electrical load and increase on-site renewable energy generation.

#### **Anticipated Impact/Discussion**

This bill could potentially benefit San Diego International Airport (SDIA) by allowing local entities and partners, like SANDAG and MTS, to identify needed funding for projects that benefit the airport, such as SANDAG's proposed Intermodal Transit Center. Furthermore, the bill could directly benefit SDIA if amended to identify airports as eligible recipients of funds from these programs. The Authority's legislative team plans to work with the California Airports Council, our state legislative consultants, and the bill's author in an effort to include language in this bill identifying airports as eligible recipients of these funds.

**Status:** 2/4/16 – Referred to Assembly Committee on Natural Resources and  
Assembly Committee on Transportation

**Position:** Watch (2/18/16)

## **Legislation/Topic**

### **AB 1661 (McCarty) – Local Government: sexual harassment training and education**

#### **Background/Summary**

This bill would require local agency officials (defined as any member of a local agency governing body and any elected local agency official) to receive a minimum of two hours sexual harassment training and education if the local agency provides any type of compensation, salary, or stipend to those officials, and would permit a local agency to require its employees to receive sexual harassment training. The local agency officials training would be required within the first six months of taking office or commencing employment and would be required every two years.

*\*Shaded text represents new or updated legislative information*

### **Anticipated Impact/Discussion**

Pursuant to existing law, the Authority currently provides sexual harassment training on a bi-annual basis to supervisory employees. This training could be provided to board members as well. The bill does not specify if compensated local officials can be exempted from this requirement if they provide proof and certification of training through another organization with which they are affiliated. The Authority's legislative team plans to work with our state legislative consultants and the bill's author to determine if sexual harassment training taken as an official of another local agency would satisfy the proposed requirements of AB 1661.

**Status:** 3/17/16 – Amended and re-referred to the Assembly Committee on Local Government

**Position:** Watch (2/18/16)

### **Legislation/Topic**

**AB 1662 (Chau) – Unmanned Aircraft Systems: accident reporting**

### **Background/Summary**

This bill would require the operator of any unmanned aircraft system involved in an accident resulting in injury to an individual or damage to property to immediately land the unmanned aircraft at the nearest safe location. The operator would also be required to provide certain information to the injured party or the owner or person in charge of the damaged property, or place that information in a conspicuous place on the damaged property. A person who violates this requirement would be guilty of a misdemeanor.

### **Anticipated Impact/Discussion**

Although this bill would not directly impact SDIA operations, it could result in safer operations of unmanned aircraft and increase accountability for the operators of such aircraft near San Diego International Airport (SDIA).

**Status:** 3/7/16 – Amended and re-referred to the Assembly Committee on Privacy and Consumer Protection

**Position:** Support (2/18/16)

### **Legislation/Topic**

**AB 1820 (Quirk) – Unmanned Aerial Systems**

### **Background/Summary**

This bill would provide conditions on how law enforcement agencies operate and obtain drones as well as how the data and information they gather is used and stored. Specifically, this bill would:

*\*Shaded text represents new or updated legislative information*

- Prohibit a law enforcement agency from using a drone, obtaining a drone from another public agency by contract, loan or other arrangement or using information obtained from a drone used by another public agency except as provided by this bill's provisions
- Apply to all law enforcement agencies and private entities when contracting with or acting as the agent of a law enforcement agency when using a drone
- Require law enforcement agencies to create a policy on their use of drones and make it publicly available
- Prohibit a law enforcement agency from using a drone for surveillance of private property without obtaining a search warrant from the appropriate jurisdiction
- Require images, footage and data obtained through the use of drones to be destroyed within one year except as specified
- Prohibit a law enforcement agency from equipping or arming drones with weapons or other devices that can be carried by, directed by, or launched from that drone
- Provide that specified surveillance restrictions on electronic devices apply to the use or operation of drones by a law enforcement agency

**Anticipated Impact/Discussion**

Although this bill would not directly impact San Diego International Airport (SDIA) operations, it could result in changes to Harbor Police operations and protocol, resulting in adjustments to our engagement with law enforcement.

**Status:** 3/15/16 – Passed Assembly Committee on Public Safety by a vote of 7-0 and re-referred to the Assembly Committee on Privacy and Consumer Protection

**Position:** Watch (3/17/16)

**Legislation/Topic**

**AB 1841 (Irwin) – Cyber Security**

**Background/Summary**

As amended, this bill would require by July 1, 2018, that the Office of Emergency Services (OES) develop a comprehensive cybersecurity strategy setting standards for state agencies to prepare for cybersecurity interference with or the compromise or incapacitation of critical infrastructure. The state agencies required to coordinate with OES would include every state office, officer, department, division, bureau, board, and commission. OES would be required to post the cybersecurity strategy on their internet website and transmit it to the State Legislature.

**Anticipated Impact/Discussion**

Having an outside agency develop standards for cybersecurity strategies could place a burden on Authority operations, as it is unclear that an external agency would be able to

*\*Shaded text represents new or updated legislative information*

create a strategy that properly addresses the uniqueness of an airport versus other forms of critical infrastructure. Also, AB 1841 does not appear to consider the National Institute of Standards and Technology (NIST) framework - the federal agency that provides guidance on cyber strategies. This could create two competing sets of standards. AB 1841 could also require the Authority to share sensitive information with external parties, which could increase the possibility of a security breach and exposing the Authority to greater risk of cyber-threat.

**Status:** 3/28/16 – Amended and re-referred to Assembly Committee on Privacy and Consumer Protection

**Position:** Oppose (3/17/16)

### **Legislation/Topic**

**AB 2161 (Quirk) – Parking lots: design insurance discount**

### **Background/Summary**

This bill would require the California Building Standards Commission with the State Architect and the State Fire Marshal, to consider standards for the installation of vehicle barriers to protect pedestrians and property from vehicle collisions. The bill would also authorize insurers to offer discounts on a property owner's insurance covering damage or loss or liability based on any reduced risk resulting from the installation of vehicle barriers.

### **Anticipated Impact/Discussion**

The passage of this this bill could benefit the Authority via discounted insurance premiums for SDIA parking facilities.

**Status:** 2/29/16 – Referred to Assembly Committee on Business and Professions and Assembly Committee on Insurance

**Position:** Support (3/17/16)

### **Legislation/Topic**

**AB 2257 (Maienschein) – Local agency meetings: agenda online posting**

### **Background/Summary**

This bill would require an online posting of a meeting agenda by a local agency to have a prominent direct link to the current agenda itself. It would also require the link to be on the local agency's Internet website homepage, not in a contextual menu on the homepage.

*\*Shaded text represents new or updated legislative information*

### **Anticipated Impact/Discussion**

The passage of this this bill would require the Airport Authority to post meeting agendas in the manner specified by AB 2257.

**Status:** 3/3/16 – Referred to Assembly Committee on Local Government

**Position:** Watch (3/17/16)

### **Legislation/Topic**

**AB 2320 (Calderon & Low) – Unmanned Aircraft Systems: regulation**

### **Background/Summary**

This bill would prohibit a person who is prohibited from coming within a specified distance of another person, from operating an unmanned aircraft in a way that causes it to fly within the prohibited distance of the other person, or from capturing images of the other person by using an unmanned aircraft. This bill would also prohibit a person required to register as a sex offender for offenses committed after January 1, 2017, from operating an unmanned aircraft. In addition, AB 2320 would prohibit drone use in interfering with emergency responses, following and harassing individuals or bringing prohibited items into a correctional facility.

### **Anticipated Impact/Discussion**

Although this bill is not expected to directly impact any operations at San Diego International Airport, its enactment could prevent drone interference during an emergency situation.

**Status:** 3/17/16 – Amended re-referred to the Assembly Committee on Privacy and Consumer Protection

**Position:** Watch (3/17/16)

### **Senate Bills from Previous Report**

### **Legislation/Topic**

**SCR 114 (Fuller) – Aviation Awareness Month**

### **Background/Summary**

SCR 114 is a Senate Concurrent Resolution that would designate the month of April 2016 as Aviation Awareness Month.

### **Anticipated Impact/Discussion**

This resolution would benefit the Authority by creating additional opportunities for outreach and visibility regarding our legislative priorities and other activities.

*\*Shaded text represents new or updated legislative information*

**Status:** 3/17/16 – Ordered to the Inactive File on request of the author

**Position:** Support (3/17/16)

**Legislation/Topic**

**SB 868 (Jackson) – State Remote Piloted Aircraft Act**

**Background/Summary**

As amended, this bill would enact the State Remote Piloted Aircraft Act, establishing conditions for operating remote piloted aircraft and a requirement for the procurement of liability insurance. It would also authorize the Department of Transportation and Office of Emergency Services to adopt rules and regulations governing the conditions under which remote piloted aircraft may be operated. Unless the consent of the owner/operator, a waiver exemption or other authorization has been obtained, operation of remote piloted aircraft would be prohibited in any of the following circumstances:

- Within 500 feet of “critical infrastructure”
- Within 1,000 feet of a heliport
- Within five miles of an airport
- Within immediate reaches of the “enveloping atmosphere” of private property
- Within airspace of state parks
- Within airspace overlaying lands or waters managed by the Department of Fish and Wildlife
- Within 500 feet of the State Capitol or other buildings housing state legislative offices and chambers
- Within any other area deemed to present an imminent danger to public health and safety

**Anticipated Impact/Discussion**

This bill would benefit San Diego International Airport (SDIA) by identifying and prohibiting allowable areas for remote piloted aircraft. Additionally, it provides SDIA with a consistent point of contact and identifies authority within the State government (the Department of Transportation) to oversee drone related issues and concerns.

**Status:** 3/28/16 –Amended and re-referred to Senate Committee on Transportation and Housing

**Position:** Support (2/18/16)

*\*Shaded text represents new or updated legislative information*

**Legislation/Topic**

**SB 874 (Gaines) – Personal Income Tax Law**

**Background/Summary**

As introduced, SB 874 was a placeholder “spot bill” and would have made nonsubstantive changes to definitions applicable to transportation network companies (TNCs). The bill’s author has amended SB 874 and its focus is now on personal income tax and exemption credits for dependents.

**Anticipated Impact/Discussion**

This bill is no longer relevant to the Airport Authority or San Diego International Airport.

**Status:** 3/15/16 – Read and amended in the Senate Committee on Rules

**Position:** Watch (2/18/16)

**Legislation/Topic**

**SB 949 (Jackson) – Emergency services: critical infrastructure information**

**Background/Summary**

This bill would authorize the Governor to require owners and operators of critical infrastructure to submit information regarding their operations to the Office of Emergency Services or any other designee, for the purposes of gathering, analyzing, communicating or disclosing critical infrastructure information. This bill also provides that critical infrastructure information obtained pursuant to this bill would be confidential and not subject to disclosure under the California Public Records Act, subpoena, discovery or admissible as evidence in any private action.

**Anticipated Impact/Discussion**

This bill would require Airport Authority staff to provide critical infrastructure information to the Office of Emergency Services when requested by the Governor.

**Status:** 3/15/16 – Referred to Senate Committee on Governmental Organization and the Senate Committee on the Judiciary. Scheduled to be considered by Senate Committee on Governmental Organization on 4/12/16

**Position:** Watch (3/17/16)

*\*Shaded text represents new or updated legislative information*



**Legislation/Topic**  
**SB 1215 (Allen) – California Aerospace Commission**

**Background/Summary**

This bill would establish the California Aerospace Commission to foster the development of activities in the state related to aerospace, including, but not limited to: aviation, commercial and governmental space travel, unmanned aerial vehicles, aerospace education and job training, infrastructure and research launches, manufacturing, academic and applied research, economic diversification, business development, tourism, and education.

**Anticipated Impact/Discussion**

The passage of this bill could benefit the Authority by creating additional interest and resources in aviation and its related fields.

**Status:** 3/3/16 – Referred to Senate Committee on Business, Professions and Economic Development and scheduled to be considered on 4/4/16

**Position:** Watch (3/17/16)

**Legislation/Topic**  
**SB 1231 (Hueso) – Charter-party carriers of passengers: consumer protection**

**Background/Summary**

SB 1231 is currently a placeholder “spot bill” and would declare the intent of the State Legislature to enact legislation that would address consumer protection with respect to charter-party carriers of passengers.

**Anticipated Impact/Discussion**

This bill will be closely monitored as the author develops more substantive bill language.

**Status:** 3/3/16 – Referred to the Senate Committee on Rules

**Position:** Watch (3/17/16)

*\*Shaded text represents new or updated legislative information*

## Federal Legislation

### New House Bills

#### **H.R. 636 (Tiberi) – Federal Aviation Administration Reauthorization Bill**

### Background/Summary

H.R. 636 was significantly amended in the Senate to serve as the Senate version of the Federal Aviation Administration Reauthorization Act. This bill would reauthorize FAA programs for 18 months. The legislation does not include an increase to the current \$4.50 Passenger Facility Charge (PFC) limit and does not include language that would assist in reestablishing nonstop air service between San Diego and Ronald Reagan Washington National Airport.

### Anticipated Impact/Discussion

Senate leaders have agreed to add a package of energy tax credits to this bill as well as other non-aviation legislation. Authority staff will continue to monitor this bill for potential impact to San Diego International Airport as additional amendments are offered in the Senate.

**Status:** 4/6/16 – Under consideration on the Senate floor

**Position:** Oppose Unless Amended (3/17/16)

### Previous House Bills

### Legislation/Topic

#### **H.R. 1835 (Mica) – The Air Traffic Controller Reform and Employee Stock Ownership Act of 2015**

### Background/Summary

This bill would privatize some facets of the nation's air traffic control system and create a new private corporation that would oversee functions currently handled by the Federal Aviation Administration (FAA). The Secretary of Transportation would be required to submit a transfer plan to Congress within 60 days of enactment of H.R. 1835.

### Anticipated Impact/Discussion

This bill is being closely monitored by the Authority's legislative team for any potential impact to San Diego International Airport. Legislation similar to H.R. 1835, which would create a federally-chartered, fully independent, not-for-profit corporation to administer Air Traffic Control (ATC), was included in H.R. 4441, the Aviation Innovation, Reform and Reauthorization Act of 2016.

*\*Shaded text represents new or updated legislative information*

**Status:** 4/16/15 – Introduced and Referred to the House Committee on Transportation and Infrastructure and the House Committee on Oversight and Government Reform

**Position:** Watch (5/21/15)

**Legislation/Topic**

**H.R. 2127 (Thompson) – The Securing Expedited Screening Act**

**Background/Summary**

This bill would require the Transportation Security Administration (TSA) to limit expedited security screening at airports to passengers enrolled in a Department of Homeland Security trusted traveler program, members of the armed forces, and other low-risk travelers.

**Anticipated Impact/Discussion**

This legislation is not expected to result in any significant impact to San Diego International Airport operations.

**Status:** 7/27/15 – Approved by the House on a voice vote and referred to the Senate Committee on Commerce, Science and Transportation

**Position:** Watch (7/23/15)

**Legislation/Topic**

**H.R. 2530 (Duckworth) – The Friendly Airports for Mothers Act of 2015**

**Background/Summary**

This bill would require large and medium hub airports to install and maintain post-security lactation areas at each airport terminal building. These areas must have a locking door, sitting area, flat surface, electrical outlet, and accessibility compliant with the Americans with Disabilities Act (ADA), and must not be located in a restroom.

**Anticipated Impact/Discussion**

The legislation is not expected to require any changes to SDIA airport facilities as post-security lactation areas in the terminals already exist. H.R. 4441, The Aviation Innovation, Reform and Reauthorization Act of 2016 has included language that would require similar accommodations for nursing mothers.

**Status:** 5/21/15 – Introduced and referred to the House Committee on Transportation and Infrastructure

**Position:** Watch (7/23/15)

*\*Shaded text represents new or updated legislative information*

**Legislation/Topic**

**H.R. 2750 (Katko) – The Improved Security Vetting for Aviation Workers Act of 2015**

**Background/Summary**

This bill would codify recommendations issued by the Department of Homeland Security Inspector General related to the vetting and badging of airport employees. This bill would require the establishment of new guidance procedures for the annual review of badging offices by the end of 2015. Inspections will include a review of applicants' Criminal History Records Check (CHRC) and work authorization documentation. The legislation would also require airport badging offices to indicate, on an employee's credentials, the date their authorization to work in the United States ends. Further, the bill would require the Transportation Security Administration (TSA) to review cases involving credentials denied due to issues determining the legal status of an employee. The findings of this review will be used to identify and correct weaknesses of airports.

**Anticipated Impact/Discussion**

If enacted, Authority staff will coordinate with TSA staff on any actions necessary to implement these new requirements.

**Status:** 7/27/15 – Approved by the House on a voice vote and referred to the Senate Committee on Commerce, Science and Transportation

**Position:** Watch (7/23/15)

**Legislation/Topic**

**H.R. 2770 (Rice) – The Keeping Our Travelers Safe and Secure Act**

**Background/Summary**

This bill would require the Transportation Security Administration (TSA) Administrator to develop and implement a preventative maintenance validation process for security-related screening technology at airports.

**Anticipated Impact/Discussion**

This bill is not expected to impact San Diego International Airport operations.

**Status:** 7/27/15 – Approved by the House on a vote of 380-0 and referred to the Senate Committee on Commerce, Science and Transportation

**Position:** Watch (7/23/15)

*\*Shaded text represents new or updated legislative information*

**Legislation/Topic**

**H.R. 2776 (Cohen) – The Carry-On Freedom Act of 2015**

**Background/Summary**

This bill would direct the Secretary of Transportation to issue regulations that prevent airlines that charge a fee for checked baggage from reducing the size of carry-on luggage from the size standards utilized by airlines on June 8, 2015.

**Anticipated Impact/Discussion**

This bill is not expected to impact operations at San Diego International Airport.

**Status:** 6/15/15 – Introduced and referred to the House Committee on Transportation and Infrastructure

**Position:** Watch (7/23/15)

**Legislation/Topic**

**H.R. 2843 (Katko) – The TSA PreCheck Expansion Act**

**Background/Summary**

This bill would require the Transportation Security Administration (TSA) Administrator to coordinate with private sector partners to increase public enrollment in the PreCheck Program and to maximize the availability of PreCheck screening, particularly during peak and other high volume travel times.

**Anticipated Impact/Discussion**

Authority staff will coordinate with TSA staff as needed to assist in implementing the actions in H.R. 2843 if this legislation is enacted.

**Status:** 7/27/15 – Approved by the House on a voice vote  
12/9/15 – Amended and approved by the Senate Committee on Commerce, Science and Transportation

**Position:** Watch (7/23/15)

**Legislation/Topic**

**H.R. 3102 (Katko) – Airport Access Control Security Improvement Act of 2015**

**Background/Summary**

This bill would direct the Administrator of the TSA to establish a risk-based, intelligence-driven model for screening airport employees based on level of employment related access to secure areas. The Administrator would also be required to determine the types of federal disqualifying criminal offenses to be used in denying employee

*\*Shaded text represents new or updated legislative information*

credentials necessary to access Secure Identification Display Areas (SIDAs) of airports and establish a national database.

### **Anticipated Impact/Discussion**

If enacted, this legislation could alter the current screening process for employees at SDIA and may affect the current process used by Airport Authority staff in determining the eligibility of airport employees obtaining SIDA credentials.

**Status:** 10/6/15 – Approved by the House by voice vote and referred to the Senate Committee on Commerce, Science and Transportation

**Position:** Watch (1/21/16)

### **Legislation/Topic**

**H.R. 3384 (Meng) – Quiet Communities Act of 2015**

### **Background/Summary**

This bill would require the Environmental Protection Agency (EPA) to reestablish the Office of Noise Abatement and Control - established in 1972 and defunded since 1982 - and require the Administrator to conduct an airport noise study, and submit the results to Congress.

### **Anticipated Impact/Discussion**

This bill will be monitored by the Authority's legislative staff for any potential impact to San Diego International Airport.

**Status:** 7/29/15 – Introduced and referred to the House Committee on Transportation and Infrastructure and the House Committee on Energy and Commerce

**Position:** Watch (12/17/15)

### **Legislation/Topic**

**H.R. 3584 (Katko) – Transportation Security Administration Reform and Improvement Act of 2015**

### **Background/Summary**

H.R. 3584 is a compilation of several other legislative bills and would:

- Authorize a pilot project to establish a secure, automated biometric-based system at airports to verify the identity of PreCheck passengers
- Expand enrollment in PreCheck by adding private sector application capabilities
- Ensure that TSA PreCheck screening lanes are open and available during peak and high-volume travel times at airports

*\*Shaded text represents new or updated legislative information*

- By December 31, 2017, establish a secure, automated system at all large hub airports for verifying travel and identity documents of passengers who are not members of the TSA PreCheck program
- Develop a process for regularly evaluating the root causes of screening errors at airport checkpoints so corrective measures can be identified
- Require the completion of a comprehensive, agency-wide efficiency review

### **Anticipated Impact/Discussion**

This bill could benefit operations at SDIA by potentially streamlining TSA operations at checkpoints through biometric-based screening and increased use of the PreCheck program, thereby reducing passenger screening wait times.

**Status:** 2/23/16 – Approved by the House on a voice vote and referred to Senate Committee on Commerce, Science and Transportation

**Position:** Support (3/17/16)

### **Legislation/Topic**

**H.R. 3965 (Gallego) – FAA Community Accountability Act of 2015**

### **Background/Summary**

This bill would require the FAA Administrator to undertake actions to limit negative impacts of the implementation of the Next Generation Air Transportation System (NextGen) on individuals living in the vicinity of affected airports and allow the Administrator to give preference to overlays of existing flight paths and procedures to ensure land use compatibility. The following are specific provisions included in the bill:

- The Administrator would be required to appoint an FAA Community Ombudsman for each region of the FAA to serve as a liaison between affected communities and the Administrator.
- Ombudsmen would also monitor the impact of NextGen implementation on communities near affected airports and make recommendations to the Administrator to address community concerns and consider community input.
- FAA could not implement revisions of flight paths or procedures via a categorical exemption (under NEPA) if an ombudsman or airport operator notifies the FAA that proposed changes will have a significant adverse impact on individuals in the vicinity of such airport or if extraordinary circumstances exist.
- FAA would be required to provide a 30-day public comment period before deeming new or revised flight paths covered under a categorical exemption.
- The Administrator would be required to reconsider a flight path or procedure established or revised under NextGen if an FAA Community Ombudsman or affected airport operator notifies the Administrator that the changes would result in significant adverse impact on the human environment in the vicinity of the airport.

*\*Shaded text represents new or updated legislative information*

### **Anticipated Impact/Discussion**

This legislation would enhance the role of the Authority and residents living in close proximity to the airport during the consideration and implementation of the NextGen Air Transportation System.

**Status:** 11/5/15 – Introduced and referred to the House Committee on Transportation and Infrastructure

**Position:** Support (12/17/15)

### **Legislation/Topic**

**H.R. 4441 (Shuster) – The Aviation Innovation, Reform and Reauthorization Act of 2016**

### **Background/Summary**

This bill would authorize funding for the Federal Aviation Administration and related federal aviation programs for the next six years. A major provision in this legislation would create a new Air Traffic Control Corporation governed by an eleven member board of directors, four of whom would represent airlines. The bill does not include any airport representatives on the governing board. Although H.R. 4441 would increase Airport Improvement Program (AIP) authorizations each fiscal year – reaching a level of approximately \$4 billion in FY 2022 – this bill would not increase the \$4.50 Passenger Facility Charge (PFC) limit. In addition, H.R. 4441 does not include any provision to alter the “perimeter rule” that restricts nonstop flights from Ronald Reagan Washington National Airport (DCA) to a distance of 1,250 miles.

### **Anticipated Impact/Discussion**

Although the increase in AIP funding authorizations proposed in H.R. 4441 would provide some additional funds for SDIA projects, the benefit to SDIA would not be significant. Because there is no increase in the PFC limit, as supported by the airport industry, and because this bill would not provide any assistance in reestablishing a nonstop flight to DCA – both of which are legislative priorities for the Airport Authority – the enactment of H.R. 4441 would result in a “status quo” situation for SDIA. As this bill is a six-year measure, the Airport Authority would have little, if any, chance of increasing the PFC limit or achieving changes to the perimeter rule to assist in reestablishing nonstop service to DCA until 2023 under this legislation. The Authority’s legislative team will work with airport industry advocates and our Congressional delegation members to amend H.R. 4441 as the legislation moves forward.

**Status:** 2/11/16 – Approved by House Transportation and Infrastructure Committee by a vote of 34 to 25

**Position:** Oppose Unless Amended (2/18/16)

*\*Shaded text represents new or updated legislative information*



## **Senate Bills from Previous Report**

### **Legislation/Topic**

#### **S.1608 (Feinstein) – Consumer Safety Drone Act**

### **Background/Summary**

This bill would require the Administrator of the Federal Aviation Administration to issue a regulation governing the operation of consumer drones. Specifically, the regulation would include: limits on altitude for consumer drones; a means of preventing unauthorized operation within protected airspace; a system that enables the avoidance of collisions; a technological means to maintain safety in the event of compromised communications between drone and operator; and a means to prevent tampering with safety mechanisms and educational materials for consumers.

### **Anticipated Impact/Discussion**

This legislation would assist Authority staff in maintaining public safety and could help prevent drone incursions on airport property and in the flight path of aircraft operating at SDIA.

**Status:** 6/18/15 – Introduced and referred to the Senate Committee on Commerce, Science and Transportation

**Position:** Support (9/17/15)

### **Legislation/Topic**

#### **S. 2361 (Thune) – Airport Security Enhancement and Oversight Act**

### **Background/Summary**

This bill would require the Administrator of the TSA to determine the level of risk posed to the domestic air transportation system by individuals with unescorted access to secure areas. It would also require additional oversight of the credentialing and vetting process for unescorted personnel. Specifically, the bill includes the following provisions:

- Requires the TSA Administrator to issue guidance to airport operators regarding placement of an expiration date on each airport credential issued to non-U.S. citizens for the time they are authorized to work in the U.S.
- Requires the TSA Administrator to enhance the eligibility requirements and disqualifying criminal offenses for individuals seeking or having unescorted access to an airport SIDA
- Ensures that the TSA Administrator is authorized to receive additional access to Terrorist Identities Datamart Environment data
- Requires the TSA Administrator to develop and implement performance metrics to measure the effectiveness of security for airport SIDAs
- Requires the TSA Administrator to increase covert testing of airport access controls to airport SIDAs

*\*Shaded text represents new or updated legislative information*

- Requires the TSA Administrator to submit reports to Congress on TSA's actions to improve aviation security under this bill

**Anticipated Impact/Discussion**

If enacted, this legislation may affect the current process used by Airport Authority staff in determining the eligibility of airport employees to obtain SIDA credentials.

**Status:** 12/7/15 – Approved by Senate Committee on Commerce, Science and Transportation

**Position:** Watch (1/21/16)

*\*Shaded text represents new or updated legislative information*



SAN DIEGO COUNTY  
REGIONAL AIRPORT AUTHORITY  
**STAFF REPORT**

Item No.  
**5**

Meeting Date: **APRIL 21, 2016**

**Subject:**

**Amend Authority Policies 1.20 - Formation of Board Committees and 1.30 – Meetings of the Board of Directors and Board Committees**

**Recommendation:**

Adopt Resolution No. 2016-0027, amending Authority Policy 1.20 – Formation of Committees and Policy 1.30 – Meetings, Agendas and Voting of the Board of Directors, to set the date, time and place of Board and Committee meetings.

**Background/Justification:**

Pursuant to the Ralph M. Brown Act (§54954(a)), a legislative body shall provide for the time and place for regular meetings by ordinance, resolution, or by-laws. The Board adopted Resolution No. 2015-0105, setting the date and time of Board and Committee meetings through the adoption of the 2016 Master Calendar of Board and Committee meetings. The master calendar of board and committee meetings is prepared annually in accordance with the Ralph M. Brown Act and criteria adopted by the Board.

Authority Policy 1.20 provides that the time and date of Committee meetings will be determined by the Board or, at the Board's discretion, by the Chair of the Committee.

Authority Policy 1.30(2) requires that regular meetings shall be held at least once each month with the dates, time and location to be set annually by Board resolution with notice of the meetings provided to the media and public as required by law.

Authority Policies 1.20 and 1.30 are being amended to formally clarify the date, time and place for Board and Committee meetings and to establish a policy for changing meeting dates once they have been adopted.

Proposed amendments to the policy include directing that, to the maximum extent practicable, all Board and Committee meetings will be held on a Thursday or Monday and establishing a policy that once the master calendar of Board and Committee meetings is approved by the Board, the Executive Committee would first be notified of any proposed change.

**Fiscal Impact:**

Not applicable.

**Authority Strategies:**

This item supports one or more of the Authority Strategies, as follows:

- Community Strategy     Customer Strategy     Employee Strategy     Financial Strategy     Operations Strategy

**Environmental Review:**

- A. This Board action is not a project that would have a significant effect on the environment as defined by the California Environmental Quality Act (CEQA), as amended. 14 Cal. Code of Regs. § 15378. This Board action is not a "project" subject to CEQA. Cal. Pub. Res. Code § 21065.
  
- B. California Coastal Act Review: This Board action is not a "development" as defined by the California Coastal Act. Pub. Res. Code § 30106.

**Application of Inclusionary Policies:**

Not applicable.

**Prepared by:**

TONY R. RUSSELL  
DIRECTOR, CORPORATE & INFORMATION GOVERNANCE/AUTHORITY CLERK

RESOLUTION NO. 2016-0027

A RESOLUTION OF THE BOARD OF THE  
SAN DIEGO COUNTY REGIONAL AIRPORT  
AUTHORITY AMENDING AUTHORITY POLICIES  
1.20 FORMATION OF BOARD COMMITTEES AND  
1.30 MEETINGS, AGENDAS AND VOTING OF THE  
BOARD OF DIRECTORS SETTING THE DATE,  
TIME AND PLACE OF BOARD AND COMMITTEE  
MEETINGS

WHEREAS, pursuant to the Ralph M. Brown Act (§54954(a)), a legislative body shall provide for the time and place for regular meetings by ordinance, resolution, or by-laws; and

WHEREAS, Resolution No. 2015-0105 set the current date and time for Board and ALUC Meetings, as well as all Board Committee meetings; and

WHEREAS, Authority Policy 1.20 provides that the time and date of Committee meetings will be determined by the Board or, at the Board's discretion, by the Chair of the Committee; and

WHEREAS, in accordance with Authority Policy 1.30(2), regular meetings of the Board shall be held at least once each month at such date, time and location as shall be set annually by Board resolution with notice of the meetings provided to the media and public as required by law; and

WHEREAS, the Board wishes to amend Authority Policies 1.20 and 1.30 to more formally clarify the date, time and place for Board and Committee meetings and to establish a policy for changing meeting dates once they have been adopted by the Board.

NOW, THEREFORE, BE IT RESOLVED that the Board hereby approves the amendments to Authority Policies 1.20 Formation of Board Committees and 1.30 Meetings, Agendas And Voting of the Board of Directors setting the date, time and place of Board and Committee meetings (Attachments A and B); and

BE IT FURTHER RESOLVED the Board finds that this action is not a "project" as defined by the California Environmental Quality Act ("CEQA") (Cal. Pub. Res. Code § 21065); and is not a "development" as defined by the California Coastal Act (Cal. Pub. Res. Code § 30106).

PASSED, ADOPTED, AND APPROVED by the Board of the San Diego County Regional Airport Authority at a regular meeting this 21<sup>st</sup> day of April, 2016, by the following vote:

AYES: Board Members:

NOES: Board Members:

ABSENT: Board Members:

ATTEST:

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TONY R. RUSSELL  
DIRECTOR, CORPORATE &  
INFORMATION GOVERNANCE /  
AUTHORITY CLERK

APPROVED AS TO FORM:

---

BRETON K. LOBNER  
GENERAL COUNSEL

# ATTACHMENT A

## SAN DIEGO COUNTY REGIONAL AIRPORT AUTHORITY

### POLICIES

- ARTICLE 1** - **ADMINISTRATION AND GOVERNANCE**  
**PART 1.3** - **BOARD MEETINGS**  
**SECTION 1.30** - **MEETINGS, AGENDAS AND VOTING OF THE BOARD OF DIRECTORS**
- 

**PURPOSE:** To establish a policy for conducting meetings of the Board of Directors (“**Board**”) of the San Diego County Regional Airport Authority (“**Authority**”).

**POLICY STATEMENT:**

- (1) Board meetings shall be conducted by the Chair of the Board (“**Chair**”) according to Robert’s Rules of Order.
- (2) Regular meetings shall be held at least once each month. The regular meeting dates, time and location shall be set annually by Board resolution. To the maximum extent practicable, meetings of the Board shall be held on either a Monday or Thursday. Before any meeting is changed, the members of the Executive Committee shall be notified. Notice of the meetings shall be provided to the media and public as required by law.
- (3) Special meetings may be called at any time by the Chair or by a majority of the Board, by delivering personally, by U.S. mail, by facsimile or by electronic mail, written notice to each member of the Board. A written notice also shall be given to news media as required by law and in accordance with any and all policies adopted by the Board. The notices required herein must be delivered at least 24 hours before the time of the meeting as specified in the notice. The notice shall state the business to be transacted and no other business shall be considered at the special meeting. Written notice need not be provided to any member who, at or prior to the time the meeting convenes, files with the Authority’s Clerk (“**Clerk**”) a written waiver of notice.
- (4) The Board shall adopt rules or bylaws for its proceedings. All meetings of the Board shall be open and public and all persons shall be permitted to attend any meeting, except for closed sessions held pursuant to applicable California public meeting law or otherwise permitted by law. Meetings of the Board are subject to the provisions of the Ralph M. Brown Act, Gov. Code §54950 *et seq.* [P.U.C. §170010(a)(7) and §170014(a),(g)]
- (5) Closed Sessions. Closed sessions shall be held upon the order of the Chair or the affirmative vote of a majority of the Board members. Such closed sessions may be only for purposes permitted by the California public meeting law or otherwise permitted by law.
- (6) Quorum. A majority of the total voting membership of the Board shall constitute a quorum for the transaction of business. [P.U.C. §170014(b).]

(7) Approval of Agendas. The agendas for all Board meetings shall be set and approved by either the Board or the Executive Committee. All agendas must be in compliance with the Ralph M. Brown Act.

(a) Normal Request for Agenda Item. Any Board Member or the President/Chief Executive Officer (“**President/CEO**”) may request an item be included on a forthcoming Board meeting agenda. The item shall be included on the agenda (1) upon review by the Executive Committee, which may discuss and appropriately modify the requested agenda item, or (2) by direction of the Board at a prior meeting.

(b) Extraordinary Request for Agenda Item. During the interval after an Executive Committee’s last meeting and prior to the posting of the Board’s agenda for its next meeting, any Board Member or the President/CEO may request an item be added to the Board’s agenda (1) by requesting the President/CEO add the item, and (2) by submitting written notice of the request to the Executive Committee members. The item shall be added where the President/CEO finds that good cause exists, the need for Board consideration was ascertained after the Executive Committee meeting, and Board action is necessary before the Board’s following month scheduled meeting.

(c) Request to Remove and Agenda Item. During the interval after the Executive Committee’s meeting and prior to the posting of the ALUC or Board agendas for its next meeting, the President/CEO may remove items from the ALUC or Board’s agenda by submitting written notice to the Executive Committee Members. The item shall be removed where the President/CEO finds that good cause exists and the need for removal of an item was ascertained after the Executive Committee Meeting and delay in consideration of the item will not cause an impact to the operations of the Airport Authority.

(d) Intent. It is the intent of the Board and the Executive Committee to honor all requests of Board Members to add an item to an agenda. If a Board Member believes a properly submitted request has not been honored, the Board Member together with two other Members may submit a written request to the Executive Committee in which event the item shall be added to the agenda of the next Board meeting.

(8) Agendas. An agenda shall be prepared by the Clerk. Each agenda shall contain the following statement: “Please complete and submit to the Clerk a Request to Speak Form Prior to the Commencement of the Meeting.”

(9) The order of business shall be:

- (a) Call to Order;
- (b) Pledge of Allegiance;
- (c) Roll Call;
- (d) Presentations;
- (e) Reports From Board Committees, Ad Hoc Committees, and Citizen Committees and Liaisons;
- (f) Chair’s Report;
- (g) President/CEO Report;



- (h) Non-Agenda Public Comment;
- (i) 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:
  - (j) Public Hearings;
  - (k) Old Business;
  - (l) New Business Items. Regular items requiring Board action, arranged in a sequence that will minimize unnecessary waiting by the public and interested persons;
  - (m) Closed Session;
  - (n) Report on Closed Session;
  - (o) Non-Agenda Public Comment;
  - (p) General Counsel Report;
  - (q) Board Comment; and
  - (r) Adjournment.
- (10) The Board shall receive a staff report for each action item on the agenda. Staff reports shall classify the item, summarize the background, analyze the subject matter and state the President/CEO's recommendation. The President/CEO or the Clerk shall ensure that the Board is provided with the agenda and all supporting staff reports not later than one week preceding a regular meeting.
- (11) The Board shall act only by ordinance, resolution, or motion. [P.U.C. §170014(c)]
- (12) Voting. Except as provided below in paragraph 13 or by law, to adopt an ordinance, resolution, or motion requires both a numerical majority vote and a weighted majority vote of the total voting membership of the Board. [P.U.C. §170010]
  - (a) Numerical Majority Votes. A numerical majority vote requires an affirmative vote of at least five of the voting membership of the Board.
  - (b) Weighted Majority Votes. A weighted majority requires an affirmative vote of at least 51 vote points that are allocated to the voting membership of the Board, unless the total number of vote points is expanded beyond 100 as a result of the operation of subparagraph (4). If the total number of vote points is greater than 100 as a result of the operation of subparagraph (4), a weighted majority requires an affirmative vote of at least 50 percent plus one of the total vote points. Vote points shall be allocated pursuant to subparagraph (1).

(1) There shall be a total of 100 allocated vote points for the weighted vote, except that additional vote points shall be allocated pursuant to subparagraph (4). For purposes of this paragraph, the City of San Diego, the County of San Diego, the east county cities, the north county coastal cities, the north county inland cities, and the south county cities are each a jurisdiction. The points allocated to the City of San Diego shall be divided among the three Board members appointed pursuant P.U.C. §170010(a)(1). The points shall be allocated among the three Board members by the Mayor of the City of San Diego, keeping the votes for each seat as close to equal as possible but in a manner that avoids fractional vote points. The vote points allocated to the County of San Diego shall be divided between the two Board members appointed pursuant to P.U.C. §170010(a)(2). The vote points shall be allocated among the two Board members by the chair of the San Diego County Board of Supervisors, keeping the votes for each seat as close to equal as possible but in a manner that avoids fractional vote points. Each jurisdiction shall have that number of vote points determined by the following allocation formula, except that each jurisdiction shall have at least one vote point, no jurisdiction shall have more than 40 vote points, and there shall be no fractional vote points:

(i) If any jurisdiction has 40 percent or more of the total population of the San Diego County region, 40 vote points shall be allocated to that jurisdiction and the remaining vote points shall be allocated to the remaining jurisdictions pursuant to clause (ii). If no jurisdiction has 40 percent or more of the total population of the San Diego County region, vote points shall be allocated pursuant to clause (iii).

(ii) The total population of the remaining jurisdictions shall be computed and the remaining 60 vote points allocated based upon the percentage of the total that each jurisdiction has, in the following manner:

(I) The percentage each jurisdiction bears to the total remaining population shall be multiplied by 60 to determine fractional shares.

(II) Each fraction less than one shall be rounded up to one, so that no jurisdiction has less than one vote point.

(III) Disregarding any fractional vote points and adding just the whole vote points, if the total vote points is 60, fractional vote points are dropped and the whole numbers are the vote points for each jurisdiction.

(IV) If, after disregarding the fractional vote points and adding just the whole vote points, the total vote points for the remaining jurisdictions is less than 60, the difference in vote points shall be allocated to jurisdictions in order of the highest fractions until a total of 60 vote points are allocated, excepting those jurisdictions whose vote was increased to one pursuant to subclause (II).

(V) If, after disregarding the fractional vote points and adding just the whole vote points, the total vote points for the remaining jurisdictions is more than 60, the vote points in excess of 60 shall be eliminated by subtracting vote points from jurisdictions with the lowest percentage to the total remaining population except that no jurisdiction's vote points shall be reduced to less than one.

(iii) If no jurisdiction has 40 percent or more of the total population of the San Diego County region, the total population of the region shall be computed and all 100 vote points shall be allocated based upon the percentage each jurisdiction bears to the total population of the region, in the following manner:

(I) The percentage of any jurisdiction that is less than one shall be rounded up to one, so that no jurisdiction has less than one vote point.

(II) Disregarding any fractional vote points and adding just the whole vote points, if the total vote points is 100, fractional vote points shall be dropped and the whole numbers shall be the vote points for each jurisdiction.

(III) If, after disregarding the fractional vote points and adding just the whole vote points, the total vote points for all jurisdictions is less than 100, the difference in vote points shall be allocated to jurisdictions in order of the highest fractions until a total of 100 vote points are allocated, excepting those jurisdictions whose vote was increased to one pursuant to subclause (I).

(IV) If, after disregarding the fractional vote points and adding just the whole vote points, the total vote points for all jurisdictions is more than 100, the vote points in excess of 100 shall be eliminated by subtracting vote points from jurisdictions with the lowest percentage to the total population or the region except that no jurisdiction's vote points shall be reduced to less than one.

(2) When a weighted vote is taken on any item that requires more than a majority vote of the Board, it shall also require the same supermajority percentage of the weighted vote.

(3) The allocation of vote points pursuant to this subdivision shall be made annually by the Board based upon the population calculations made by the San Diego Association of Governments ("SANDAG").

(4) Any other newly incorporated city shall be added to the jurisdiction designated by SANDAG. The Board member representing that jurisdiction shall receive one additional vote under the weighted vote procedure specified above until the next allocation of vote points pursuant to subparagraph (3), at which time the new jurisdiction shall receive votes in accordance with the formula specified in this paragraph. Until this next vote points allocation, the total number of weighted vote points may exceed 100.

**POLICY SECTION NO. 1.30**

- (13) Ballot Measures. Any act to submit a ballot measure to the voters at a regular or special election shall require a two-thirds majority vote, both numerically and by weighted vote, of the total voting membership of the Board. [P.U.C. §170014(e)]
- (14) Record of All Board Actions. The Board shall keep a record of all of its actions, including financial transactions. [ P.U.C. §170014(f)]

[Amended by Resolution No. 2013-0132 dated December 12, 2013]

[Amended by Resolution No. 2008-0029 dated March 6, 2008]

[Amended by Resolution No. 2005-0099 dated September 8, 2005]

[Amended by Resolution No. 2005-0095 dated July 7, 2005.]

[Adopted by Resolution No. 2002-02 dated September 20, 2002.]

# ATTACHMENT B

## SAN DIEGO COUNTY REGIONAL AIRPORT AUTHORITY

### POLICIES

- ARTICLE 1** - **ADMINISTRATION AND GOVERNANCE**  
**PART 1.2** - **BOARD COMMITTEES**  
**SECTION 1.20** - **FORMATION OF BOARD COMMITTEES**
- 

**PURPOSE:** To establish a policy for the formation of committees of and for the Board of Directors (the “**Board**”) of the San Diego County Regional Airport Authority (the “**Authority**”).

**POLICY STATEMENT:**

(1) Formation of Committees.

(a) The Board may designate one or more committees (each, a “**Committee**” and collectively, the “**Committees**”) to serve at the pleasure of the Board.

(b) Each Committee will have such powers, duties and responsibilities as shall be determined by the Board from time to time.

(c) The Board will designate the size and composition of each Committee and whether such Committee will include non-Board members.

(d) The Board will determine the term of Committee members and the duration of each Committee, including whether such Committee is an *ad hoc* special purpose committee formed for a limited duration to address a specific problem. Members of an *ad hoc* special purpose committee have a responsibility to inform the Board when any meeting, negotiation, mediation, or similar activity is scheduled. Further, all *ad hoc* committees should brief the Board on their progress in a timely manner, whether by memorandum or oral communication similar to Policy 1.20(4).

(e) The Board may request Committees to prepare a general work plan for consideration by the Board.

(f) Except as specifically authorized by the Board, Committees will have no authority to negotiate for, represent or commit the Board or the Authority in any respect. The Board retains the final authority on all matters. Committees are not authorized to give direction to the Authority’s staff to implement substantive actions.

(g) Notwithstanding the above, the Chair of the Board shall be vested with emergency designation powers to fill any vacancy on any committee (except the Executive Committee) caused by the resignation, death, or removal for cause of a Board or other non-Board member serving on that committee. Emergency designations by the Chair shall be effective on the date made and shall remain valid until the next meeting of the Board when the vacancy can be considered and duly acted upon by the full Board.

(2) Committee Meetings.

(a) The time and date of Committee meetings will be determined by the Board or, at the Board's discretion, by the Chair of the Committee. To the maximum extent practicable, Committee meetings shall be held on either a Monday or Thursday.

(b) Committee meetings shall be conducted in accordance with Roberts Rules of Order and applicable laws of the State of California. A quorum will be considered established if a majority of the members of the Committee are present. Provided a quorum present, the affirmative vote of a majority of the Committee members present at a duly called meeting of the Committee shall be required for any action, except as otherwise required by law.

(c) The Board may designate one or more Board or non-Board members as alternate members of any Committee, who may replace any absent member at any meeting of such Committee. The appointment of members or alternate members of any Committee will require the prior approval of the Board.

(d) All Committee meetings shall be noticed and open to the public if required under California law. Committee members shall abstain from discussion where a conflict of interest could occur as a result of their participation.

(e) Members of the media attending Committee meetings will be identified. While the Committee discusses Committee matters and issues, the members of such Committee will not make statements about Committee deliberations to the media.

(3) Committee Recommendations.

(a) Each Committee shall make recommendations to the Board on the matters or issues requested by the Board.

(b) Each Committee may request information from the Authority's staff, ask for information from other sources and formulate recommendations for submission to the full Board. Requests that require substantial resources or consulting services should be submitted to the Board for prior approval.

(c) The Authority's staff will provide each Committee with its recommendations on matters or issues falling within such Committee's purview. If such Committee chooses to make a recommendation to the Board that is inconsistent with the Authority's staff recommendation, then the Authority's staff will have the option of presenting its recommendation to the Board when that matter is presented to the Board.

(d) Committee recommendations will not be represented as the position of the Authority until the Board has endorsed the recommendation at a Board meeting.

(4) Summary Reports. Committees shall forward to the Board summary reports of each Committee meeting if requested by the Board. Summary reports of each Committee meeting will include, the Committee's recommendations to the Board, the votes of the members' recommendations and such other information as may be requested by the Board.

(5) Compensation. Committee members shall receive compensation for their services related to any Committee in accordance with this Policy and the law. [Cal. Pub. Util. Code §170017]

(6) Compliance. Committees will comply with all policies, codes and directives set forth by the Board and all applicable federal, state and local laws.

(7) Audit and Executive Committees. Each provision of Policy 1.20 shall apply to the Audit Committee and Executive Committee, unless the provision is inconsistent with the San Diego County Regional Airport Authority Act, as amended, or another provision of this policy specifically applicable to said Committee.

[Amended by Resolution No. 2008-0029 dated March 6, 2008.]

[Amended by Resolution No. 2006-0041 dated April 3, 2006.]

[Amended by Resolution No. 2005-0028 dated March 7, 2005.]

[Amended by Resolution No. 2004-0079 dated September 9, 2004.]

[Resolution No. 2002-02 dated September 20, 2002.]



SAN DIEGO COUNTY  
REGIONAL AIRPORT AUTHORITY  
**STAFF REPORT**

Item No.  
**6**

Meeting Date: **APRIL 21, 2016**

**Subject:**

**Reject the Claim of Anthony Nacin**

**Recommendation:**

Adopt Resolution No. 2016-0028, rejecting the Claim of Anthony Nacin.

**Background/Justification:**

On February 29, 2016, Anthony Nacin filed a claim ("Attachment A") with the San Diego County Regional Airport Authority ("Authority") alleging that he sustained injuries to his right arm and wrist as a result of falling in Terminal Two at San Diego International Airport. Nacin claims general and special damages in an amount exceeding \$10,000.

On September 7, 2015, Nacin claims he was walking through the Terminal Two West baggage claim area when he slipped in a puddle of water and fell on his right arm in front of the Traveler's Aid information desk. He further claims the lighting and floor coloration contributed to his inability to see the water.

Nacin's claim should be denied. An investigation into the incident revealed no notice of a dangerous or unsafe condition. There is no record that Nacin reported his fall to the Authority at the time of the incident, nor was either the police or paramedics called to the scene. Authority records indicate Nacin worked a regular schedule for three months following the incident and the claim indicates the surgery for his injury occurred more than five months after the alleged date. Nacin was in the process of leaving work as an employee of United Airlines when the alleged incident occurred and is being treated under Worker's Compensation coverage, as noted in the claim.

**Fiscal Impact:**

Not Applicable.

**Authority Strategies:**

This item supports one or more of the Authority Strategies, as follows:

- Community Strategy     Customer Strategy     Employee Strategy     Financial Strategy     Operations Strategy

**Environmental Review:**



A. CEQA: This Board action is not a project that would have a significant effect on the environment as defined by the California Environmental Quality Act ("CEQA"), as amended. 14 Cal. Code Regs. §15378. This Board action is not a "project" subject to CEQA. Cal. Pub. Res. Code §15065.

B. California Coastal Act Review: This Board action is not a "development" as defined by the California Coastal Act. Cal. Pub. Res. Code §30106.

**Application of Inclusionary Policies:**

Not Applicable.

***Prepared by:***

SUZIE JOHNSON  
GENERAL COUNSEL

ATTACHMENT A

LAW OFFICES

MICHAEL A. CHOLODENKO  
Attorney at Law

MICHAEL A. CHOLODENKO

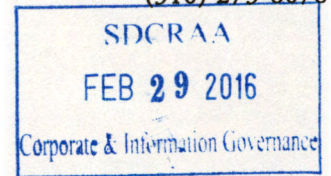
A PROFESSIONAL LAW CORPORATION

GREGORY M. TICH  
Attorney at Law

9350 Wilshire Boulevard  
Suite 328  
Beverly Hills, California 90212

Telephone  
(310) 273-8682

Fax  
(310) 273-8078



February 19, 2016

Via Certified Mail – Return Receipt Requested

San Diego County Regional Airport Authority  
Tony Russell, Director, Corporate & Information Governance  
Authority Clerk, Corporate & Information Governance  
P.O. Box 82776  
San Diego, CA 92138-2776

Attention: Liability Claims Processing

RE: My Client: Anthony Nacin  
Date of Loss: September 7, 2015

Dear Mr. Russell:

Enclosed herewith, please find one original and two copies (also with original signatures) of a governmental claim for personal injuries to be submitted on behalf of claimant, Anthony Nacin.

Please conform one copy of this claim and return it to this office in the stamped, pre-addressed envelope provided for your convenience.

Thank you for your time and attention in this regard.

Sincerely yours,

MICHAEL A. CHOLODENKO  
A Professional Law Corporation

A handwritten signature in blue ink, appearing to read "mac", written over a light-colored rectangular background.

MICHAEL A. CHOLODENKO

MAC/jb  
Enclosures (4): 1 form, 2 form copies, 1 return envelope

ATTACHMENT A

SAN DIEGO COUNTY REGIONAL AIRPORT AUTHORITY  
ACCIDENT OR DAMAGE CLAIM FORM

Please complete all sections.  
Incomplete submittals will be returned, unprocessed.  
Use a typewriter or print in ink.

CLAIM FORM SUBMITTED MUST HAVE AN ORIGINAL "WET" SIGNATURE

FOR AUTHORITY CLERK USE ONLY

Document No.: CL-262

Filed: 2-29-16

SDCRAA

FEB 29 2016

Corporate & Information Governance

1) Claimant Name: <u>ANTHONY NACIN</u>	
2) Address to which correspondence regarding this claim should be sent: <u>MICHAEL A. CHOLODENKO, ESQ.</u> <u>9350 WILSHIRE BLVD. # 328</u> <u>BEVERLY HILLS, CA 90212</u>	
Telephone No.: <u>310-273-8682</u>	Date: <u>FEBRUARY 19, 2016</u>
3) Date and time of incident: <u>SEPTEMBER 7, 2015 AT APPROXIMATELY 1:48 PM</u>	
4) Location of incident: <u>SAN DIEGO INTERNATIONAL AIRPORT, SAN DIEGO, CA</u>	
5) Description of incident resulting in claim:  <p align="center">THE CLAIMANT IS A UNITED AIRLINES EMPLOYEE WHO WAS LEAVING WORK VIA THE SECURE AREA EXIT INTO THE DELTA AIRLINES BAGGAGE CLAIMS AREA. AS THE CLAIMANT WAS WALKING THROUGH BAGGAGE CLAIMS, HE SLIPPED AND FELL IN A PUDDLE OF WATER THAT WAS LOCATED DIRECTLY IN FRONT OF THE TRAVELERS AID/AIRPORT AMBASSADORS INFORMATION DESK. DUE TO THE LIGHTING IN THE AREA AND THE FLOOR COLORATION, THE CLAIMANT WAS UNABLE TO SEE THE WATER ON THE FLOOR. THE CLAIMANT FELL VERY HARD AND AWKWARDLY ONTO HIS RIGHT HAND AND ARM.</p>	
6) Name(s) of the Authority employee(s) causing the injury, damage or loss, if known: <u>UNKNOWN</u>	
7) Persons having firsthand knowledge of incident:	
Witness (es)	Physician(s):
Name: <u>SHIRLEY ALEXANDER</u>	Name: <u>U.S. HEALTHWORK MEDICAL GROUP</u>
Address: <u>UNKNOWN</u>	Address: <u>3930 4TH AVE. # 200</u> <u>SAN DIEGO, CA 92130</u>
Phone: <u>619-429-1844 (SHIRLEY WAS WORKING AT THE TRAVELERS AID DESK, POSSIBLY WITH OTHER CO-EMPLOYEES)</u>	Phone: <u>619-297-9610</u>

ATTACHMENT A

8) Describe property damage or personal injury claimed:

THE CLAIMANT SUSTAINED PERSONAL INJURIES TO HIS RIGHT ARM AND HAND, INCLUDING A FRACTURE TO HIS RIGHT WRIST. THE CLAIMANT HAD RIGHT WRIST SURGERY ON FEBRUARY 16, 2016 INVOLVING THE INSTALLATION OF A PLATE AND TWO PINS. THE CLAIMANT IS RIGHT HAND DOMINANT.

9) Owner and location of damaged property or name/address of person injured:

ANTHONY NACIN  
1930 W. SAN MARCOS BLVD. # 258  
SAN MARCOS, CA 92078

10) Detailed list and amount of damages claimed as of date of presentation of claim, including prospective damages. If amount exceeds \$10,000.00, a specific amount need not be included.

THE AMOUNT OF THIS CLAIM FOR SPECIAL AND GENERAL DAMAGES AND LOSS-OF-EARNINGS EXCEEDS \$10,000. ALL RELEVANT DOCUMENTATION WILL BE SUBMITTED WHEN AVAILABLE AT A FUTURE TIME.

Dated: FEBRUARY 19, 2016 Claimant:  MICHAEL A. CHOLODENKO, ESQ.,  
(Signature) ATTORNEY FOR CLAIMANT,  
ANTHONY NACIN

**Notice to Claimant:**

Where space is insufficient, please use additional paper and identify information by proper section number.

Mail completed original form to:

San Diego County Regional Airport Authority  
Tony Russell, Director, Corporate & Information Governance/Authority Clerk  
Corporate & Information Governance  
P.O. Box 82776  
San Diego, CA 92138-2776

RESOLUTION NO. 2016-0028

A RESOLUTION OF THE BOARD OF THE  
SAN DIEGO COUNTY REGIONAL AIRPORT  
AUTHORITY REJECTING THE CLAIM OF  
ANTHONY NACIN.

WHEREAS, on February 29, 2016, Anthony Nacin filed a claim with the San Diego County Regional Airport Authority for injuries he claims to have suffered as the result of falling in Terminal Two at San Diego International Airport on September 7, 2015; and

WHEREAS, at its regular meeting on April 21, 2016, the Board considered the claim filed by Anthony Nacin and the report submitted to the Board, and found that the claim should be rejected.

NOW, THEREFORE, BE IT RESOLVED that the Board rejects the claim of Anthony Nacin; and

BE IT FURTHER RESOLVED the Board finds that this action is not a "project" as defined by the California Environmental Quality Act ("CEQA") (California Public Resources Code § 21065); and is not a "development" as defined by the California Coastal Act (California Public Resources Code § 30106).

PASSED, ADOPTED, AND APPROVED by the Board of the San Diego County Regional Airport Authority at its regular meeting this 21st day of April, 2016, by the following vote:

AYES: Board Members:

NOES: Board Members:

ABSENT: Board Members:

ATTEST:

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TONY R. RUSSELL  
DIRECTOR, CORPORATE &  
INFORMATION GOVERNANCE /  
AUTHORITY CLERK

APPROVED AS TO FORM:

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BRETON K. LOBNER  
GENERAL COUNSEL



**SAN DIEGO COUNTY  
REGIONAL AIRPORT AUTHORITY  
STAFF REPORT**

**Item No.  
7**

Meeting Date: **APRIL 21, 2016**

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**Subject:**

**Approve and Authorize an Increase in the President/CEO's Change Order Authority for North Side Utility (NSU) Storm Drain Trunk Project at San Diego International Airport**

**Recommendation:**

Adopt Resolution No. 2016-0029, approving and authorizing an increase in the President/CEO's change order authority from \$415,867.20 to an amount not to exceed \$439,895.88, for Project No. 104118E, NSU Storm Drain Trunk at San Diego International Airport.

**Background/Justification:**

On January 15, 2015, the San Diego Regional Airport Authority ("Authority") Board ("Board") awarded a contract to Orion Construction Corporation in the amount of \$10,396,680 for Project No. 104118E, NSU Storm Drain Trunk [Resolution 2015-0010].

The North Side Utility ("NSU") Storm Drain Trunk Project includes a gravity line, storm drain pump station, and a force main to provide storm drainage for the North Side development. Areas on the North Side that will be served by this pump station include the Rental Car Center, the new Fixed Based Operator, SAN Park 2, the North Side Interior Road, and a portion of the Air Cargo Facility. (Attachment A)

During the design phase of this project, it was noted that the largest variable in terms of construction costs was the dewatering element of the project. Due to the airport's proximity to the San Diego Bay, there are areas with high water tables. It was necessary to draw down the water table using pumps so that items such as pipelines and concrete structures can be built upon dry and stable bedding in order to ensure that suitable construction methods can be utilized and a quality product is delivered to the Authority.

Even with the most diligent estimating efforts by the design team, the actual value of the dewatering process could not be determined until the contractor was able to develop a dewatering plan by performing an additional geotechnical investigation including the required equipment. During the dewatering permit process with the City of San Diego it was determined that every gallon of water pumped from the ground would need to be treated before it could be discharged into the public sewer system for disposal. The dewatering process required three separate discharge locations and filtration systems. Gas powered generators and pumps operating 24 hours per day, 7 days per week for 7 months, were required at each of the three separate filtration units, supporting approximately 8,200 linear feet of storm drain piping and associated pump station.

The final cost for the dewatering of the project was \$1,656,329.07, which was in excess of the \$300,000 bid estimate originally intended for this effort. Staff was able to offset this cost increase through value engineering during construction to mitigate all except \$439,895.88 which will exceed the President/CEO's authorized change order capacity by \$24,028.68. This change order represents 4.23% of the total construction budget for the project.

Authority Policy 5.02(4)(b)(iii) requires Board approval for change orders in excess of 4% of the original contract amount on contracts awarded for more than \$5 million, which in this case is \$415,867.20. Therefore, staff is requesting that for the Orion Construction Corporation contract, Policy 5.02(4)(b)(iii) be waived and the maximum change order authorization limit for the President/CEO be increased by \$24,028.68 from \$415,867.20 to an amount not to exceed \$439,895.88

**Fiscal Impact:**

Adequate funds for the contract are included within the Board approved FY2016-FY2020 Capital Program Budget in Project No.104118E, NSU Storm Drain Trunk. Sources of funding for this project includes Federal Entitlement and Discretionary Grants, Airport Revenue Bonds, Special Facility Bonds, and Airport Cash.

**Authority Strategies:**

This item supports one or more of the Authority Strategies, as follows:

- Community Strategy
- Customer Strategy
- Employee Strategy
- Financial Strategy
- Operations Strategy

**Environmental Review:**

- A. The proposed NSU Storm Drain Trunk was evaluated pursuant to the California Environmental Quality Act, Pub. Res. Code §21065, as a project component of the San Diego International Airport Master Plan Final Environmental Impact Report (SCH #2005091105; SDCRAA #EIR-06-01), certified on May 1, 2008, and the Northside Improvements Final Supplemental Environmental Impact Report (also SCH #2005091105; SDCRAA #EIR-10-01) certified by the San Diego County Regional Airport Authority on September 1, 2011.
- B. A Coastal Development Permit (#6-12-065) for the NSU Storm Drain trunk was approved by the California Coastal Commission on March 12, 2014.

**Application of Inclusionary Policies:**

The Authority has the following inclusionary programs/policies: a Disadvantaged Business Enterprise (DBE) Program, an Airport Concession Disadvantaged Business Enterprise (ACDBE) Program, Policy 5.12 and Policy 5.14. These programs/policies are intended to promote the inclusion of small, local, service disabled veteran owned, historically underrepresented businesses and other business enterprises, on all contracts. Only one of the programs/policies named above can be used in any single contracting opportunity.

The Authority's DBE Program, as required by the U.S. Department of Transportation, 49 Code of Federal Regulations (CFR) Part 26, calls for the Authority to submit a triennial overall goal for DBE participation on all federally funded projects. When federal funds are utilized, the Authority is prohibited from using a program that provides a preference such as those used in Policies 5.12 and 5.14. Therefore, the Authority must utilize other means as provided in the DBE Plan to achieve participation.

This project utilizes federal funds; therefore, it will be applied toward the Authority's overall DBE goal. Orion Construction Corporation proposed 0% DBE participation on the North Side Utility Storm Drain Trunk.

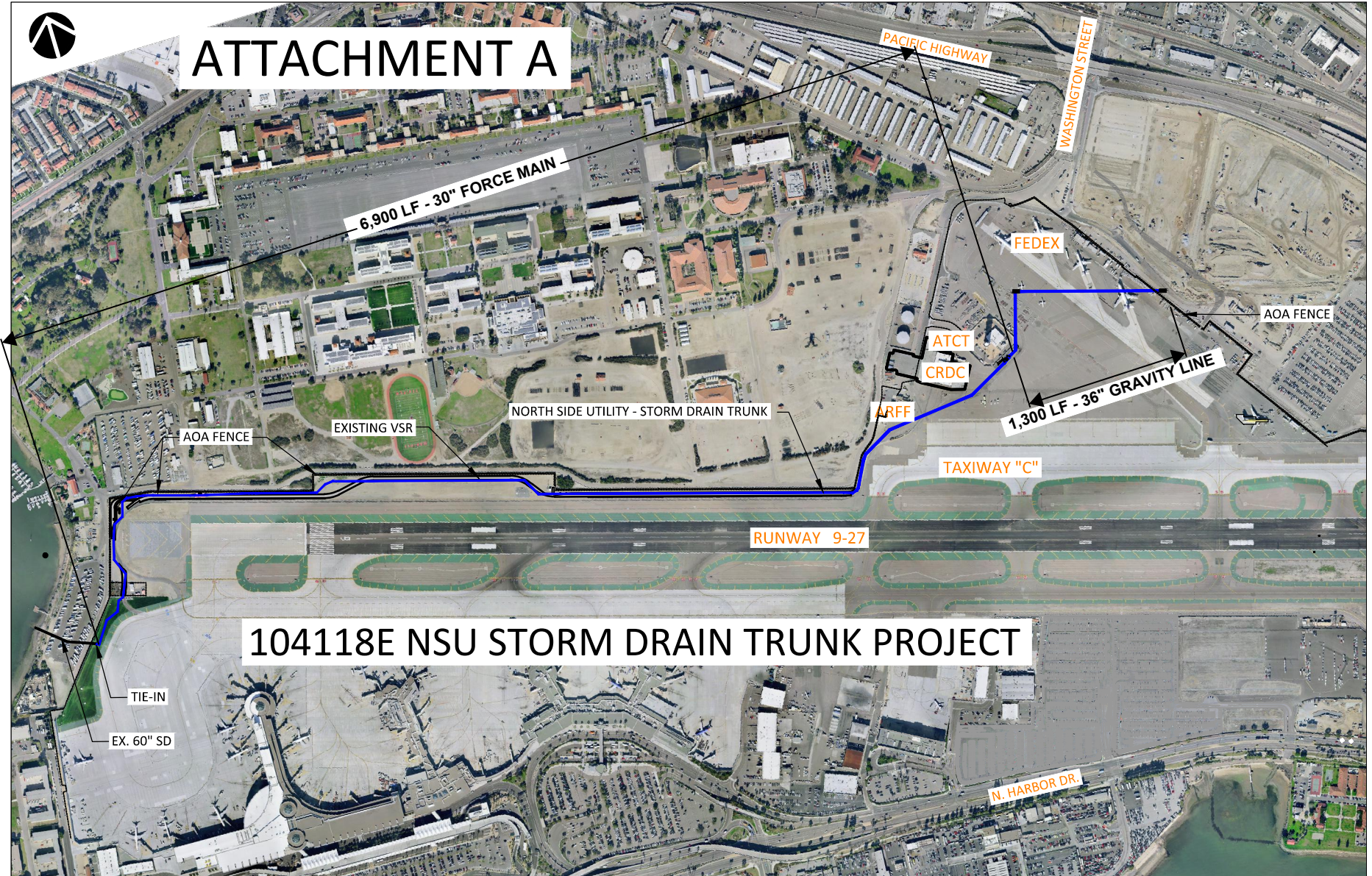
**Prepared by:**

IRAJ GHAEMI  
DIRECTOR, FACILITIES DEVELOPMENT





# ATTACHMENT A



## 104118E NSU STORM DRAIN TRUNK PROJECT

RESOLUTION NO. 2016-0029

A RESOLUTION OF THE BOARD OF THE SAN DIEGO COUNTY REGIONAL AIRPORT AUTHORITY, APPROVING AND AUTHORIZING AN INCREASE IN THE PRESIDENT/CEO'S CHANGE ORDER AUTHORITY FROM \$415,867.20 TO AN AMOUNT NOT TO EXCEED \$439,895.88, FOR PROJECT NO. 104118E, NSU STORM DRAIN TRUNK AT SAN DIEGO INTERNATIONAL AIRPORT

WHEREAS, on January 15, 2015, the San Diego Regional Airport Authority ("Authority") Board ("Board") awarded a contract to Orion Construction Corporation in the amount of \$10,396,680 for Project No. 104118E, NSU Storm Drain Trunk [Resolution 2015-0010]; and

WHEREAS, the North Side Utility ("NSU") Storm Drain Trunk Project includes a gravity line, storm drain pump station, and a force main to provide storm drainage for the North Side development; and

WHEREAS, areas on the North Side that will be served by this pump station include the Rental Car Center, the new Fixed Based Operator, SAN Park 2, the North Side Interior Road, and a portion of the Air Cargo Facility; and

WHEREAS, the largest variable in terms of construction costs was the dewatering element of the project and due to the airport's proximity to the San Diego Bay, there are areas with high water tables; and

WHEREAS, it was necessary to draw down the water table using pumps so that items such as pipelines and concrete structures can be built upon dry and stable bedding in order to ensure that suitable construction methods can be utilized and a quality product is delivered to the Authority; and

WHEREAS, the actual value of the dewatering process could not be determined until the contractor was able to develop a dewatering plan by performing an additional geotechnical investigation including the required equipment; and

WHEREAS, during the dewatering permit process with the City of San Diego staff it was determined that every gallon of water pumped from the ground would need to be treated before it could be discharged into the public sewer system for disposal; and

WHEREAS, the dewatering process required three separate discharge locations and filtration systems. Gas powered generators and pumps operating 24 hours per day, 7 days per week for 7 months, were required at each of the three separate filtration units, supporting approximately 8,200 linear feet of storm drain piping and associated pump station; and

WHEREAS, the final cost for the dewatering of the project was \$1,656,329.07, which was in excess of the \$300,000 bid estimate originally intended for this effort. Staff was able to offset this cost increase through value engineering during construction to mitigate all except \$439,895.88 which will exceed the President/CEO's authorized change order capacity by \$24,028.68; and

WHEREAS, this change order represents 4.23% of the total construction budget for the project; and

WHEREAS, Authority Policy 5.02(4)(b)(iii) requires Board approval for change orders in excess of 4% of the original contract amount on contracts awarded for more than \$5 million, which in this case is \$415,867.20. Therefore, staff is requesting that for the Orion Construction Corporation contract, Policy 5.02(4)(b)(iii) be waived and the maximum change order authorization limit for the President/CEO be increased by \$24,028.68 from \$415,867.20 to an amount not to exceed \$439,895.88; and

WHEREAS, the Board believes it is in the best interest of the Authority, and the public it serves, to waive Policy 5.02(4)(b)(iii) in this instance and authorize the President/CEO to approve change orders in an amount not to exceed \$439,895.88.

NOW, THEREFORE, BE IT RESOLVED that the Board hereby approves and authorizes an increase in the President/CEO's change order authority from \$415,867.20 to an amount not to exceed \$439,895.88, for Project No. 104118E, NSU Storm Drain Trunk at San Diego International Airport; and

BE IT FURTHER RESOLVED that the proposed NSU Storm Drain Trunk was evaluated pursuant to the California Environmental Quality Act, Pub. Res. Code §21065, as a project component of the San Diego International Airport Master Plan Final Environmental Impact Report (SCH #2005091105; SDCRAA #EIR-06-01), certified on May 1, 2008, and the Northside Improvements Final Supplemental Environmental Impact Report (also SCH #2005091105; SDCRAA #EIR-10-01) certified by the San Diego County Regional Airport Authority on September 1, 2011; and

BE IT FURTHER RESOLVED that a Coastal Development Permit (#6-12-065) for the NSU Storm Drain trunk was approved by the California Coastal Commission on March 12, 2014.

PASSED, ADOPTED, AND APPROVED by the Board of the San Diego County Regional Airport Authority at a regular meeting this 21<sup>st</sup> day of April, 2016, by the following vote:

AYES: Board Members:

NOES: Board Members:

ABSENT: Board Members:

ATTEST:

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TONY R. RUSSELL  
DIRECTOR, CORPORATE &  
INFORMATION GOVERNANCE /  
AUTHORITY CLERK

APPROVED AS TO FORM:

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BRETON K. LOBNER  
GENERAL COUNSEL



SAN DIEGO COUNTY  
REGIONAL AIRPORT AUTHORITY  
**STAFF REPORT**

Item No.  
**8**

Meeting Date: **APRIL 21, 2016**

**Subject:**

**Authorize the President/CEO to Execute the VEBA Trust Agreement with Matrix Trust Company as Successor Trustee to US Bank**

**Recommendation:**

Adopt Resolution 2016-0030, authorizing the President/CEO to execute the Matrix Trust Company VEBA Trust Agreement and perform any and all other actions necessary to assign Matrix Trust Company as the successor trustee.

**Background/Justification:**

On May 8, 2009, the Board approved the offering of a Second Generation Retiree Healthcare Plan for represented employees hired on or after October 1, 2008 and unrepresented employees hired on or after May 1, 2006. [Resolution No. 2009-0070]. The Second Generation Retiree Healthcare Plan allows the Authority to set aside, into a Voluntary Employees' Beneficiary Association (VEBA)-type fund, an allowance for employees to save for their post-retirement healthcare expenses. The Second Generation Retiree Healthcare Plan includes the following provisions: (a) a \$600 contribution per year by the Authority; (b) a one-time opportunity for employees to opt-in to a \$300 employee contribution per year; (c) an employee-directed investment of the employee's funds in the VEBA trust. On December 3, 2009, the Board directed staff to finalize the VEBA Plan and Trust documents and approved the implementation of the Plan to commence on January 1, 2010. [Resolution No. 2009-0151].

In accordance with the Board's direction, the Authority entered into a tri-party provider agreement for administration of the VEBA Plan and Trust ("Plan") and its assets with the Authority as the Plan Sponsor and Administrator, Total Administrative Services Corporation ("TASC"), formerly Genesis Employee Benefits, Inc., as the Plan Supervisor and U.S. Bank as the Directed Trustee. The purposes of the Plan are (1) to provide a source of funds to pay benefits and administrative expenses under the Plan, and (2) to permit trust assets to be invested and to ensure that such earnings thereon are not taxable under the IRS Code.

On December 15, 2015, the Authority was notified that effective June 30, 2016, U.S. Bank will resign as the Directed Trustee. TASC identified Matrix Trust Company, a qualified VEBA Trustee, as the successor Trustee. Matrix Trust Company, a Broadridge Company, is one of the nation's largest providers of back-office, trust, custody, trading, and mutual fund settlement services managing \$300 billion in assets. Under the Plan, Matrix Trust Company will provide the following services: Directed trustee services for the Plan assets, custodial services for the safekeeping of assets, a menu of investment

options, quarterly fund review reports, and certified quarterly trust statements. The proposed Board action is required to authorize the transfer of assets and responsibilities from U.S. Bank to Matrix Trust Company as the new Directed Trustee under the Plan.

The change in Directed Trustee does not modify how the Plan is administered or managed between the three parties.

Staff recommends approval of the assignment to Matrix Trust Company as Directed Trustee and authorization of the President/CEO to take any actions required to effectuate the assignment.

**Fiscal Impact:**

There is no fiscal impact with regard to the proposed Resolution.

**Authority Strategies:**

This item supports one or more of the Authority Strategies, as follows:

- Community Strategy     Customer Strategy     Employee Strategy     Financial Strategy     Operations Strategy

**Environmental Review:**

A. CEQA: This Board action is not a project that would have a significant effect on the environment as defined by the California Environmental Quality Act ("CEQA"), as amended. 14 Cal. Code Regs. §15378. This Board action is not a "project" subject to CEQA. Cal. Pub. Res. Code §21065.

B. California Coastal Act Review: This Board action is not a "development" as defined by the California Coastal Act. Cal. Pub. Res. Code §30106.

**Application of Inclusionary Policies:**

Not applicable.

**Prepared by:**

KURT GERING  
DIRECTOR, TALENT, CULTURE & CAPABILITY

RESOLUTION NO. 2016-0030

A RESOLUTION OF THE BOARD OF THE SAN DIEGO COUNTY REGIONAL AIRPORT AUTHORITY AUTHORIZING THE PRESIDENT/CEO TO EXECUTE THE MATRIX TRUST COMPANY VEBA TRUST AGREEMENT AND PERFORM ANY AND ALL OTHER ACTIONS NECESSARY TO ASSIGN MATRIX TRUST COMPANY AS THE SUCCESSOR TRUSTEE

WHEREAS, on May 8, 2009, the Board approved the offering of a Second Generation Retiree Healthcare Plan for represented employees hired on or after October 1, 2008 and unrepresented employees hired on or after May 1, 2006; and

WHEREAS, the Second Generation Retiree Healthcare Plan allows the Authority to set aside, into a Voluntary Employees' Beneficiary Association (VEBA)-type fund, an allowance for employees to save for their post-retirement healthcare expenses; and

WHEREAS, on December 3, 2009, the Board directed staff to finalize the VEBA Plan and Trust documents and approved the implementation of the Plan to commence on January 1, 2010; and

WHEREAS, the Authority entered into a tri-party provider agreement for administration of the VEBA Plan and Trust ("Plan") and its assets with the Authority as the Plan Sponsor and Administrator, Total Administrative Services Corporation ("TASC"), formerly Genesis Employee Benefits, Inc., as the Plan Supervisor and U.S. Bank as the Directed Trustee; and

WHEREAS, on December 15, 2015, the Authority was notified that effective June 30, 2016, U.S. Bank will resign as the Directed Trustee; and

WHEREAS, TASC identified Matrix Trust Company, a qualified VEBA Trustee, as the successor Trustee; and

WHEREAS, if approved by the Board, Matrix Trust Company will provide the following services under the Plan: Directed trustee services for the Plan assets, custodial services for the safekeeping of assets, a menu of investment options, quarterly fund review reports, and certified quarterly trust statements.

NOW, THEREFORE, BE IT RESOLVED that the Board hereby Approves the transfer of Plan assets from U.S. Bank to Matrix Trust Company as the Directed Trustee for the VEBA Trust Agreement; and

BE IT FURTHER RESOLVED that the Board authorizes the President/CEO or his/her designee to execute the Matrix Trust Company VEBA Trust Agreement and perform any and all other actions necessary to implement the transfer of plan assets to the successor trustee; and

BE IT FURTHERED RESOLVED that the Board Finds this action is not a "project" as defined by the California Environmental Quality Act ("CEQA") (California Public Resources Code §21065), and is not a "development" as defined by the California Coastal Act (California Public Resources Code §30106).

PASSED, ADOPTED, AND APPROVED by the Board of the San Diego County Regional Airport Authority at a regular meeting this 21<sup>st</sup> day of April, 2016, by the following vote:

AYES: Board Members:

NOES: Board Members:

ABSENT: Board Members:

ATTEST:

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TONY R. RUSSELL  
DIRECTOR, CORPORATE &  
INFORMATION GOVERNANCE /  
AUTHORITY CLERK

APPROVED AS TO FORM:

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BRETON K. LOBNER  
GENERAL COUNSEL





**SAN DIEGO COUNTY  
REGIONAL AIRPORT AUTHORITY  
STAFF REPORT**

**Item No.  
9**

Meeting Date: **APRIL 21, 2016**

**Subject:**

**Approve the Assignment of Authority Agreement 209173OS with Stutz Artiano Shinoff & Holtz APC for General Legal Services to Devaney Pate Morris & Cameron LLP**

**Recommendation:**

Adopt Resolution No. 2016-0031, approving the assignment of Authority Agreement No. 209173OS with Stutz Artiano Shinoff & Holtz APC for General Legal Services to Devaney Pate Morris & Cameron LLP.

**Background/Justification:**

On September 6, 2013, the Authority released a Request for Proposals ("RFP") to obtain the legal services of one or more qualified firms to assist the General Counsel with general legal issues. Seven law firms submitted timely proposals in response to the RFP. An evaluation panel, comprised of four attorneys from the Office of the General Counsel, reviewed the proposals submitted and selected a short list of six firms for interviews. On February 4 and 5, 2014, the evaluation panel, with a representative from the Procurement Department in attendance to facilitate the interviews, reviewed the written proposals and documents submitted and interviewed representatives from the six firms. The lawyers from the law firm of Stutz Artiano Shinoff & Holtz APC ("Stutz") that participated in the interview included Leslie Devaney, William Pate, Jeffrey Morris and Christina Cameron. The decision of the evaluation panel to recommend award to the Stutz firm was based upon the resumes and response to interview questions provided by these attorneys. At the conclusion of the interviews, the evaluation panel ranked the firms and concluded that the best and most responsive proposer was the Stutz firm and recommended an award for general legal services to Stutz Artiano Shinoff & Holtz APC.

On April 3, 2014, the Board awarded an Agreement for Legal Services to Stutz Artiano Shinoff & Holtz APC for a term of three years with two one-year options to renew at the discretion of the General Counsel and the President/CEO with a maximum compensation amount of \$300,000.

On May 1, 2014, the Authority entered into a Legal Services Agreement with the Stutz Firm which lists attorneys Devaney, Pate, Morris and Cameron as individuals approved to provide legal services. Over the term of the Agreement, the attorneys who were interviewed in February, 2014 and who are listed in the Agreement have provided legal services regarding various legal issues. The General Counsel's office would like to continue its relationship with this team of attorneys.

**Page 2 of 2**

Attorneys Devaney, Pate, Cameron and Morris have formed a new law firm named Devaney Pate Morris & Cameron LLP. The firm will commence operations April 1, 2016 with ten practitioners. Principals Devaney, Pate, Morris and Cameron will be joined by partners Richard Romero, Barry Schultz and Randy Risner, and associates David Plancarte, Melissa Lewis and Lesley Brothers. Many of the attorneys have been practicing law for over twenty-four years and have 164 years of combined experience practicing public entity law.

The General Counsel recommends that the Agreement be assigned from the Stutz firm to Devaney Pate Morris & Cameron LLP to allow the team of attorneys to continue to provide general legal services to the Authority. The hourly rates, term and maximum compensation amount would remain unchanged.

**Fiscal Impact:**

Adequate funding for this agreement is included in the adopted FY 2016 and conceptually approved FY 2017 Operating Expense Budgets within the Contractual Services line item.

**Authority Strategies:**

This item supports one or more of the Authority Strategies, as follows:

Community Strategy     Customer Strategy     Employee Strategy     Financial Strategy     Operations Strategy

**Environmental Review:**

A. CEQA: This Board action is not a project that would have a significant effect on the environment as defined by the California Environmental Quality Act ("CEQA"), as amended. 14 Cal. Code Regs. §15378. This Board action is not a "project" subject to CEQA. Cal. Pub. Res. Code §21065.

B. California Coastal Act Review: This Board action is not a "development" as defined by the California Coastal Act. Cal. Pub. Res. Code §30106.

**Application of Inclusionary Policies:**

The Authority has the following inclusionary programs/policies: a Disadvantaged Business Enterprise (DBE) Program, an Airport Concession Disadvantaged Business Enterprise (ACDBE) Program, Policy 5.12 and Policy 5.14. These programs/policies are intended to promote the inclusion of small, local, service disabled veteran owned, historically underrepresented businesses and other business enterprises, on all contracts. Only one of the programs/policies named above can be used in any single contracting opportunity.

No preference is applied to this action.

**Prepared by:**

BRETON K. LOBNER  
GENERAL COUNSEL

RESOLUTION NO. 2016-0031

A RESOLUTION OF THE BOARD OF THE  
SAN DIEGO COUNTY REGIONAL AIRPORT  
APPROVING THE ASSIGNMENT OF AUTHORITY  
AGREEMENT 2091730S WITH STUTZ ARTIANO  
SHINOFF & HOLTZ APC FOR GENERAL LEGAL  
SERVICES TO DEVANEY PATE MORRIS &  
CAMERON LLP

WHEREAS, on September 6, 2013, the Authority released a Request for Proposals ("RFP") to obtain the legal services of one or more qualified firms to assist the General Counsel with general legal issues; and

WHEREAS, on February 4 and 5, 2014, an evaluation panel consisting of 4 attorneys from the General Counsel's office, with a representative from the Procurement Department in attendance to facilitate the interviews, reviewed the written proposals and documents submitted and interviewed representatives from the six short-listed firms; and

WHEREAS, the evaluation panel ranked the firms based upon the resumes and responses to interview questions provided by the attorneys and concluded that the best and most responsive proposer was the law firm of Stutz Artiano Shinoff & Holtz APC ("the Stutz firm"); and

WHEREAS, the lawyers from the Stutz firm that participated in the interview included Leslie Devaney, William Pate and Christina Cameron; and

WHEREAS, the evaluation panel and General Counsel recommended award of an agreement for general legal services to the Stutz firm based upon the qualifications and experience of the lawyers interviewed; and

WHEREAS, on April 3, 2014, the Board awarded an Agreement to Stutz Artiano Shinoff & Holtz APC for a term of three years with two-one year options to renew at the discretion of the President/CEO and General Counsel and a maximum compensation amount of \$300,000; and

WHEREAS, on May 1, 2014, the Authority entered into a Legal Services Agreement with Stutz Artiano Shinoff & Holtz APC on the terms and conditions approved by the Board; and

WHEREAS, the Agreement lists attorneys Devaney, Pate, Morris and Cameron as individuals who may provide legal services to the Authority; and

WHEREAS, during the term of the current Agreement, the attorneys who were interviewed in February, 2014 and who are listed in the Agreement have provided excellent legal services regarding various legal issues; and

WHEREAS, the General Counsel wishes to continue its relationship with this team of attorneys; and

WHEREAS, attorneys Devaney, Pate, Morris and Cameron have formed a new law firm named Devaney Pate Morris & Cameron LLP that will commence operations April 1, 2016 and the Stutz firm has agreed to consent to an assignment of the current Agreement; and

WHEREAS, the General Counsel recommends that the Agreement be assigned from the Stutz firm to Devaney Pate Morris & Cameron LLP to allow the team of attorneys to continue to provide general legal services to the Authority; and

WHEREAS, the Board finds it is in the best interest of the Authority to approve the assignment of the Agreement with Stutz Artiano Shinoff & Holtz to Devaney Pate Morris & Cameron LLP.

NOW, THEREFORE, BE IT RESOLVED that the Board hereby approves the assignment of the Agreement with Stutz Artiano Shinoff & Holtz APC to Devaney Pate Morris & Cameron LLP; and

BE IT FURTHER RESOLVED that the Board finds that this Board action is not a "project" as defined by the California Environmental Quality Act ("CEQA") (Cal. Pub. Res. Code § 21065); and is not a "development" as defined by the California Coastal Act (Cal. Pub. Res. Code § 30106).

PASSED, ADOPTED, AND APPROVED by the Board of the San Diego County Regional Airport Authority at a regular meeting this 21<sup>st</sup> day of April, 2016, by the following vote:

AYES: Board Members:

NOES: Board Members:

ABSENT: Board Members:

ATTEST:

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TONY R. RUSSELL  
DIRECTOR, CORPORATE &  
INFORMATION GOVERNANCE /  
AUTHORITY CLERK

APPROVED AS TO FORM:

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BRETON K. LOBNER  
GENERAL COUNSEL



SAN DIEGO COUNTY  
REGIONAL AIRPORT AUTHORITY  
**STAFF REPORT**

Item No.  
**10**

Meeting Date: **APRIL 21, 2016**

**Subject:**

**Grant a Rental Car Center Lease and Concession Agreement to Green Motion SAN, LLC**

**Recommendation:**

Adopt Resolution No. 2016-0032, authorizing the President/CEO to negotiate and execute a Non-Exclusive On-Airport Rental Car Concession Agreement and a Rental Car Center Lease Agreement with Green Motion SAN, LLC.

**Background/Justification:**

On January 20, 2016, the Airport Authority opened its Rental Car Center (RCC) effectively consolidating rental car operations on the northern portion of the Airport. Provisions were made within the design of the RCC to allow operations of up to 9 small market operators (those with a market share of less than generally 4%). Currently 5 small market operators ("SMOs") hold agreements to conduct operations within the RCC (EZ, Advantage, Midway, Payless, and Sixt).

A new SMO has applied and requested to operate within the RCC: Green Motion SAN, LLC. Green Motion SAN, LLC ("Green Motion") is a franchisee of Green Motion Car and Van Rental of the United Kingdom. Green Motion is known as the world's first environmental friendly focused car and van rental company. Green Motion currently only has US based operations in Florida. This San Diego International Airport operation will be Green Motion's first operation outside of Florida within the United States.

In order to allow Green Motion to operate at the RCC, two Agreements must be executed between the Authority and Green Motion SAN, LLC:

1. Rental Car Center Lease Agreement; and
2. Non-Exclusive On-Airport Rental Car Concession Agreement

These Agreements have been approved by the Board for all other rental car companies currently operating within the RCC. The Rental Car Center Lease Agreement expires on June 30, 2046; the Non-Exclusive On-Airport Rental Car Concession Agreement expires on June 30, 2026 with the option to extend the agreement for four separate five-year periods. Given the term that each Agreement exceeds 5 years, Board action is required.

**Fiscal Impact:**

Green Motion SAN, LLC is estimating \$2.1 Million of gross sales within the first year of operation; thus resulting in approximately \$210,000 worth of concession fee income to the Authority. It is, however, assuming that the gross sales will not cannabilize existing rental car gross sales.

Green Motion will also collect and remit the on-airport Customer Facility Charge ("CFC") which is currentlty set at \$7.50 per day up to a cap of 5 days.

Green Motion will pay a proportion of the established land rent of \$6,277,566.20 currently being paid by the other rental car participants. This will not increase Authroity revenue from land rent, it merely allocates the fixed land rent over additional parties.

Green Motion will participate within the existing SMO space within the RCC; consequently, no additional Authority capital cost is antipcated to accommodate their entry into the market. Green Motion will, similarly to that of the other SMOs, pay its share of the SMO tenant improvement capital costs the Authority implemented prior to the opening of the RCC.

**Authority Strategies:**

This item supports one or more of the Authority Strategies, as follows:

- Community Strategy
- Customer Strategy
- Employee Strategy
- Financial Strategy
- Operations Strategy

**Environmental Review:**

A. CEQA: This Board action is not a project that would have a significant effect on the environment as defined by the California Environmental Quality Act ("CEQA"), as amended. 14 Cal. Code Regs. §15378. This Board action is not a "project" subject to CEQA. Cal. Pub. Res. Code §21065.

B. California Coastal Act Review: This Board action is not a "development" as defined by the California Coastal Act. Cal. Pub. Res. Code §30106.

**Application of Inclusionary Policies:**

The Authority has the following inclusionary programs/policies: a Disadvantaged Business Enterprise (DBE) Program, an Airport Concession Disadvantaged Business Enterprise (ACDBE) Program, Policy 5.12 and Policy 5.14. These programs/policies are intended to promote the inclusion of small, local, service disabled veteran owned, historically underrepresented businesses and other business enterprises, on all contracts. Only one of the programs/policies named above can be used in any single contracting opportunity.

The Authority has an Airport Concession Disadvantaged Business Enterprise ("ACDBE") Plan as required by the U.S. Department of Transportation, 49 Code of Federal Regulations (CFR) Part 23. The ACDBE Plan calls for the Authority to submit a triennial overall goal for ACDBE participation on all concession projects other than car rentals and a separate triennial overall goal for car rentals.

This agreement applies toward the Authority's overall ACDBE Car Rental Goal of 2.4%. Green Motion SAN, LLC has committed to working with the Airport Authority to maximize participation by ACDBE providers of goods & services.

**Prepared by:**

ERIC PODNIEKS  
PROGRAM MANAGER, REAL ESTATE AND CONCESSIONS



RESOLUTION NO. 2016-0032

A RESOLUTION OF THE BOARD OF THE SAN DIEGO COUNTY REGIONAL AIRPORT AUTHORITY, AUTHORIZING THE PRESIDENT/CEO TO NEGOTIATE AND EXECUTE A NON-EXCLUSIVE ON-AIRPORT RENTAL CAR CONCESSION AGREEMENT AND A RENTAL CAR CENTER LEASE AGREEMENT WITH GREEN MOTION SAN, LLC

WHEREAS, the San Diego County Regional Airport Authority (“Authority”) opened a consolidate rental car facility (“Rental Car Center”) on January 20, 2016; and

WHEREAS, the Authority designed and constructed the Rental Car Center to accommodate new entrants and Small Market Operators within the facility; and

WHEREAS, Green Motion SAN, LLC has completed an application and desires to enter the Rental Car Center and operate within the designated Small Market Operator area.

NOW, THEREFORE, BE IT RESOLVED that the Board hereby authorizes the President/CEO to negotiate and execute a Non-Exclusive On-Airport Rental Car Concession Agreement and a Rental Car Center Lease Agreement with Green Motion SAN, LLC; and

BE IT FURTHER RESOLVED the President/CEO may consent and negotiate other necessary enabling documents to allow for proper implementation of the aforementioned agreements; and

BE IT FURTHER RESOLVED by the Board that it finds that this Board action is not a “project” as defined by the California Environmental Quality Act (“CEQA”) (California Public Resources Code §21065); and is not a “development” as defined by the California Coastal Act (California Public Resources Code §30106).

PASSED, ADOPTED, AND APPROVED by the Board of the San Diego County Regional Airport Authority at a regular meeting this 21<sup>st</sup> day of April, 2016, by the following vote:

AYES: Board Members:

NOES: Board Members:

ABSENT: Board Members:

ATTEST:

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TONY R. RUSSELL  
DIRECTOR, CORPORATE &  
INFORMATION GOVERNANCE /  
AUTHORITY CLERK

APPROVED AS TO FORM:

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BRETON K. LOBNER  
GENERAL COUNSEL



**SAN DIEGO COUNTY  
REGIONAL AIRPORT AUTHORITY  
STAFF REPORT**

**Item No.  
11**

Meeting Date: **APRIL 21, 2016**

**Subject:**

**Approve and Authorize the President/CEO to Execute a Fourth Amendment to the Contract with ACE Parking Management, Inc.**

**Recommendation:**

Adopt Resolution No. 2016-0033, approving and authorizing the President/CEO to execute a Fourth Amendment to the contract with ACE Parking Management, Inc. for Airport Shuttle Services to increase the compensation by \$2,530,682 resulting in a not-to-exceed compensation amount of \$31,330,682.

**Background/Justification:**

In February 2012, the Authority entered into a five-year contract with ACE Parking Management, Inc. ("Ace") to provide courtesy vehicle and shuttle services ("Courtesy Shuttle Service") between the Airport's terminals and remote parking facilities for Airport passengers, the public and tenant employees. The contract had a not to exceed value of \$28,800,000. The First Amendment to the contract (dated June 27, 2012) allowed the Authority greater flexibility in determining the number and hours of shuttles to be operated by Ace at the Airport and to modify the compensation accordingly. In the contract's second year, additional service hours along with the additional costs were incurred to compensate for the original estimate shortfall and to upgrade the overall customer service levels.

The Second Amendment to the contract (dated January 23, 2013) clarified the reimbursable language to include the cost of ongoing monitoring of the GPS system. The Third Amendment to the contract (dated May 30, 2013) added Fueling Service language to ensure Contractor performs to the Authority's specifications.

The Authority provided for an on-site propane fueling station that necessitated a third amendment. None of the aforementioned amendment added compensation to the original contract amount.

The current contract funds will be depleted by August 2016 based on the following analysis.

<i>Contract summary and Airport Staff Estimates</i>
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**Original Contract Amount (not to exceed) \$ 28,800,000**

<u>Contract Summary</u>	<u>Service Hours</u>	<u>Service Costs</u>
Year 2012 (Feb-Jan)	113,510	\$ 3,808,901
Year 2013 (Feb-Jan)	196,209	\$ 7,048,472
Year 2014 (Feb-Jan)	189,548	\$ 7,019,865
Year 2015 (Feb-Jan)	184,794	\$ 6,847,487
Expense sub-total (to date)		\$ 24,724,725
Remaining contract amount (as of Feb 1, 2016)		\$ 4,075,275

Months of available funding under existing contract 7 Mos  
(Feb 1, 2016 to Aug 31, 2016)

**Staff Estimates for Contract Amendment**

<u>Average Monthly Hours and Cost</u> (based on current contract amounts)	<u>Hours</u>	<u>Cost</u>
	15,288	\$ 534,757

Months under new Amendment 4 Mos  
Amendment Duration (Sep 1, 2016 to Dec 31, 2016)

*Amendment Service Rate per Hour		\$ 34.98
Amendment Hours and Cost (based on estimate)	61,150	\$ 2,139,639
<u>Other Amendment Costs</u>		
Fuel, GPS, Special Projects		\$ 191,043
Contingency		\$ 200,000
Total		\$ 2,530,682

**Net Amendment Amount \$ 2,530,682**

No terms or conditions are modified with this amendment. Staff will present terms and conditions requiring modification at the May 19<sup>th</sup> Board meeting.

Staff recommends that the Board authorize the President/CEO to execute a Fourth Amendment to the contract with ACE for Airport Shuttle Services to increase the compensation by \$2,530,682 resulting in a not-to-exceed amount of \$31,330,682 over the term of the contract. The increased compensation will allow Ace to continue providing shuttle services through the term of the contract which expires on December 31, 2016.

**Fiscal Impact:**

Adequate funding for Airport Shuttle Services is included in the Adopted FY2016 and conceptually approved FY2017 Operating Expense Budgets within the Contractual Services line item.

**Authority Strategies:**

This item supports one or more of the Authority Strategies, as follows:

Community Strategy     Customer Strategy     Employee Strategy     Financial Strategy     Operations Strategy

**Environmental Review:**

A. CEQA: This Board action is not a project that would have a significant effect on the environment as defined by the California Environmental Quality Act ("CEQA"), as amended. 14 Cal. Code Regs. §15378. This Board action is not a "project" subject to CEQA. Cal. Pub. Res. Code §21065.

B. California Coastal Act Review: This Board action is not a "development" as defined by the California Coastal Act. Cal. Pub. Res. Code §30106.

**Application of Inclusionary Policies:**

The Authority has the following inclusionary programs/policies: a Disadvantaged Business Enterprise (DBE) Program, an Airport Concession Disadvantaged Business Enterprise (ACDBE) Program, Policy 5.12 and Policy 5.14. These programs/policies are intended to promote the inclusion of small, local, service disabled veteran owned, historically underrepresented businesses and other business enterprises, on all contracts. Only one of the programs/policies named above can be used in any single contracting opportunity.

This contract does not utilize federal funds and provides limited opportunities for sub-contractor participation; therefore; at the option of the Authority, Policy 5.12 was applied to promote the participation of qualified small businesses. Policy 5.12 provides a preference of up to five percent (5%) to small businesses in the award of selected Authority contracts. When bid price is the primary selection criteria, the maximum amount of the preference cannot exceed \$200,000. The preference is only applied in measuring the bid. The final contract award is based on the amount of the original bid.

In accordance with Policy 5.12, the recommended firm ACE Parking did not receive the small business preference.

**Prepared by:**

DAVID BOENITZ  
DIRECTOR, GROUND TRANSPORTATION

RESOLUTION NO. 2016-0033

A RESOLUTION OF THE BOARD OF THE SAN DIEGO COUNTY REGIONAL AIRPORT AUTHORITY APPROVING AND AUTHORIZING THE PRESIDENT/CEO TO EXECUTE A FOURTH AMENDMENT TO THE CONTRACT WITH ACE PARKING MANAGEMENT, INC. FOR AIRPORT SHUTTLE SERVICES TO INCREASE THE COMPENSATION BY \$2,530,682 RESULTING IN A NOT-TO-EXCEED COMPENSATION AMOUNT OF \$31,330,682

WHEREAS, in August 2011, the Board awarded a contract to ACE Parking Management, Inc. (ACE) to provide shuttle management services at San Diego International Airport; and

WHEREAS, on February 8, 2012, the Authority entered into a contract with ACE to provide shuttle management services for a term beginning on February 8, 2012 and ending on December 31, 2016 in an amount not to exceed twenty-eight million eight hundred thousand dollars (\$28,800,000); and

WHEREAS, on May 3, 2012, the Board approved Resolution No. 2012-0048, approving and authorizing the President/CEO to execute a First Amendment to the contract with ACE giving the Authority greater flexibility to increase or decrease shuttle operations and providing for adjustment to hourly rates if certain thresholds are achieved; and

WHEREAS, on January 23, 2013, the parties executed a Second Amendment to the contract clarifying the reimbursable language to include the cost of ongoing monitoring of the GPS system; and

WHEREAS, on May 30, 2014, the parties executed a Fourth Amendment to the contract adding fueling service language to ensure ACE performs to the Authority's specifications; and

WHEREAS, it has been recognized and acknowledged that the current contract's funding will be depleted on or about August 2016 due to increased service levels; and

WHEREAS, on March 17, 2016, Authority Staff was directed by the Board to amend the contract, adding a not to exceed amount of \$2,530,682 through the termination date of December 31, 2016.

NOW, THEREFORE, BE IT RESOLVED that the Board hereby approves and authorizes the President/CEO to execute a Fourth Amendment to the contract with ACE Parking Management, Inc. for Airport Shuttle Services to increase the compensation by \$2,530,682 resulting in a not-to-exceed compensation amount of \$31,330,682; and

BE IT FURTHER RESOLVED by the Board that it finds that this Board action is not a "project" as defined by the California Environmental Quality Act ("CEQA") (California Public Resources Code §21065); and is not a "development" as defined by the California Coastal Act (California Public Resources Code §30106).

PASSED, ADOPTED, AND APPROVED by the Board of the San Diego County Regional Airport Authority at a regular meeting this 21<sup>st</sup> day of April, 2016, by the following vote:

AYES: Board Members:

NOES: Board Members:

ABSENT: Board Members:

ATTEST:

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TONY R. RUSSELL  
DIRECTOR, CORPORATE &  
INFORMATION GOVERNANCE /  
AUTHORITY CLERK

APPROVED AS TO FORM:

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BRETON K. LOBNER  
GENERAL COUNSEL



# ACE Airport Shuttle Services Amendment

David Boenitz

Director, Ground Transportation

April 21, 2016





# RECOMMENDATION

- ❖ Adopt Resolution No. 2016- \_\_\_\_\_, authorizing the President/CEO to execute a Fourth Amendment to the contract with ACE Parking Management, Inc. for Airport Shuttle Services.



# BACKGROUND

- ❖ In February 2012, the Authority entered into a five-year contract with ACE Parking Management, Inc. to provide courtesy vehicle and shuttle services between the Airport's terminals and remote parking facilities for Airport passengers, the public and tenant employees.
- ❖ The contract had a not to exceed value of \$28,800,000.



# BACKGROUND

- ❖ Three (3) amendments have been previously executed.
- ❖ The First Amendment to the contract (dated June 27, 2012) allowed the Authority greater flexibility to determine the number and hours of shuttles to be operated by the Ace at the Airport and to modify the compensation accordingly.
- ❖ The current contract funds will be depleted by August 2016 based on the following analysis.

# Contract Summary

*Contract summary  
and Airport Staff  
Estimates*

**Original Contract Amount (*not to exceed*)** **\$ 28,800,000**

**Contract Summary**

Service Hours   Service Costs

Year 2012 (Feb-Jan)	113,510	\$ 3,808,901
Year 2013 (Feb-Jan)	196,209	\$ 7,048,472
Year 2014 (Feb-Jan)	189,548	\$ 7,019,865
Year 2015 (Feb-Jan)	184,794	\$ 6,847,487
Expense sub-total ( <i>to date</i> )		<u>\$ 24,724,725</u>

Remaining contract amount (*as of Feb 1, 2016*) \$ 4,075,275

Months of available funding under existing contract **7 Mos**  
(*Feb 1, 2016 to Aug 31, 2016*)

# Contract Amendment

## Staff Estimates for Contract Amendment

Average Monthly Hours and Cost <i>(based on current contract amounts)</i>	<u>Hours</u> 15,288	<u>Cost</u> \$ 534,757
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Months under new Amendment <i>Amendment Duration (Sep 1, 2016 to Dec 31, 2016)</i>	4 Mos
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*Amendment Service Rate per Hour	\$ 34.98
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Amendment Hours and Cost <i>(based on estimate)</i>	61,150	\$ 2,139,639
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### Other Amendment Costs

Fuel, GPS, Special Projects	\$ 191,043
Contingency	\$ 200,000

Total	<u>\$ 2,530,682</u>
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<b>Net Amendment Amount</b>	<b>\$ 2,530,682</b>
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# ACE Airport Shuttle Services Amendment

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Questions?



SAN DIEGO COUNTY  
REGIONAL AIRPORT AUTHORITY  
**STAFF REPORT**

Item No.  
**12**

Meeting Date: **APRIL 21, 2016**

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**Subject:**

**Status Update and Possible Action on Community Noise Issues**

**Recommendation:**

Adopt Resolution No. 2016-0034, approving the April 21, 2016 Update – Noise Issues.

**Background/Justification:**

As a result of the draft SoCal Metroplex, an initiative by the Federal Aviation Administration (FAA), and other current aircraft operations, there has been a recent increase in airport noise concerns in the Pt. Loma Peninsula community. Staff has prepared a comprehensive presentation overview of airport noise.

**Legal Aspects of the Control of Aircraft Noise**

Congress through federal law has essentially preempted airports, states and local governments from regulating (a) the price, route and service of air carriers, (b) the use of airspace and airspace management, and (c) aircraft noise. Federal Aviation Act of 1958, as amended (Pub. L. No. 85-726, 72 Stat. 731 49 U.S.C, § 0103(b)(1)&(2)); Noise Control Act of 1972 (49 U.S.C. §§ 44709, 44715); Airline Deregulation Act of 1978 ("ADA") (49 U.S.C. 41713(b)); Airport Noise & Capacity Act of 1990 ("ANCA") (49 U.S.C. § 47521 et. seq; 14 Code of Federal Regulations Part 161.); and Aviation Safety & Noise Abatement Act of 1979 ("ANSA") (49 U.S.C. § 40116, 46505, 47501 et seq.).

"Federal preemption" is a legal concept based on the Supremacy Clause in the U.S. Constitution [Article VI, Clause 2]. It applies when Congress evidences an intention to exercise broad federal control in a particular area. Today, airports are preempted from controlling or regulating aircraft in flight, regulating early turns, mandating departure headings or altitude, restricting access to an airport based on aircraft type, and adopting noise curfews. San Diego International Airport, however, is one of a few unique airports in the U.S. that operates with a night noise curfew because its curfew was adopted prior to the passage of ANCA in 1990 and therefore is grandfathered by law.

Under the federal laws cited above, *inter alia*, Congress has vested the U.S. Department of Transportation, Federal Aviation Administration with the plenary power to regulate aircraft, use of airspace, departure headings, aircraft altitudes, air carrier routes, airline services, aircraft noise, aircraft safety, and more.

**Airport Noise Mitigation Office Roles and Responsibilities**

The Airport Noise Mitigation Office (Noise Office) within the San Diego County Regional Airport Authority (Authority), has a responsibility to meet the standards that are set forth in the California Airport Noise Standards, California Code of Regulations, Title 21, § 5000 *et seq.* ("Title 21"). Title 21 provides noise standards governing the operation of an airport within the State. Among many things, Title 21 defines the basis for the acceptable level of aircraft noise for persons living in the vicinity of an airport, which is using a Community Noise Equivalent Level<sup>1</sup> of 65 decibels (dB). In addition, Title 21 states that no proprietor of a "noise problem" airport shall operate an airport with a Noise Impact Area (N.I.A.) of 65 dB CNEL or more unless the operator has applied for and received a Variance from the California Department of Transportation ("CALTRANS"), Division of Aeronautics (Title 21 § 5012).

San Diego International Airport (SAN) is one of ten (10) California airports subject to the "noise problem airport" requirements. These regulations establish 65 dB CNEL as a N.I.A. within which there shall be no incompatible land uses (i.e., residential homes, schools, places of worship, etc.). SAN has received 11 such variances since the late 1970s. As of April 2014, the SAN N.I.A. contains approximately 6,600 dwelling units and 15,000 persons. The variance establishes stipulations with which the Authority must comply, including:

- Continued enforcement of the curfew established in the Airport Use Regulations, restricting departures between the hours of 11:30 p.m. and 6:30 a.m. and restricting above-idle engine run-ups between those same hours
- Implementation of the residential sound attenuation program (Quieter Home Program)
- Continued meetings of the Airport Noise Advisory Committee (ANAC), where Authority staff provides regular updates on noise complaints, early turns, missed approaches, aircraft fleet mix, aircraft operations and any other as-needed reporting as required
- Maintaining a noise monitoring system and remote monitoring sites, as certified by the State of California
- Provide quarterly and annual noise reports containing information on changes in the noise impact area, noise levels at remote monitoring sites, aircraft operational information and updates on Noise Office efforts
- Maintain a website that provides the public with information on airport noise issues, current updates on noise information, posting of meeting agendas and information, quarterly noise report historical information, a method for the public to view their own residence in relation to the noise contours and other enhancements such as web-based flight tracking

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<sup>1</sup> Community Noise Equivalent Level (CNEL) is the average sound level over a 24-hour period, with a penalty of 5 dB added between 7 p.m. and 10 p.m. and a penalty of 10 dB added for the nighttime hours of 10 p.m. to 7 a.m.



**Airport Noise and Operations Monitoring System**

The Airport Noise and Operations Monitoring System (ANOMS) collects and analyzes flight data and correlates that data with noise events collected from the 23 remote monitoring sites located within the noise impacted area surrounding SAN. The radar data collected by the Authority includes both the FAA local area radar as well as a third-party source to supplement the flight track information.

In the quarterly noise reports provided to the State of California, the Authority must validate the CNEL contours. This is achieved by collecting aircraft noise data from the 23 remote monitoring sites. Sites used in the validation process must be located where the predominant noise source is generated by SAN aircraft operations. Any other permanent sites are unadvisable, as SAN operations would not be the predominant noise source, and the sites would not provide the necessary data to support the quarterly and annual noise contours. Other sites would also make it challenging to separate SAN aircraft noise events from the local ambient noises (military operations, road noise, etc.). One of the key components of the ANOMS system is that it matches aircraft noise events with FAA radar track information, which can only be done at locations where SAN aircraft noise is the predominant noise source.

Noise event data is sent to the ANOMS system on a nightly basis. This data is used to respond to community noise complaints as well as provide detailed analysis for the reporting required by the Noise Office. ANOMS and the SAN Noise Office have been audited on three separate occasions (October of 2000 [State of CA] and Authority internal audits in 2009 and 2015) with no major findings.

WebTrak™ is a community engagement tool that allows the public to view local airport area flight tracks with a 30-minute delay. When this tool became available in 2006, SAN noise complaints were almost immediately reduced because the community had the opportunity to research the aircraft flights that concerned them. Once a resident has found a particular operation, they can file a complaint that is automatically sent to the Noise Office. In the emailed complaint, the aircraft type, operator/airline, time and date are automatically provided. This allows Noise staff to input the exact complaint information into ANOMS and provide an email response to provide further information, if the resident has requested it.

Every five seconds the radar signal transmits information on the aircraft's precise location. While there are many web-based flight tracking applications, the high update rate of the radar signals used in WebTrak™ make this application reliable.

**Airport Noise Advisory Committee**

Staff has an obligation, mandated by Title 21, to ensure that it coordinates with local neighborhoods that are impacted by SAN aircraft noise. One of the primary mechanisms used to achieve this goal is the Airport Noise Advisory Committee (ANAC), which is advisory to the Board.

In accordance with Board Policy 9.20, ANAC provides a forum for resident and community input and involvement on aircraft noise issues. The current members are shown in the table below. ANAC is comprised of community members representing City of San Diego Community Planning Groups (CPGs) within the noise impacted areas. Currently there are six CPGs in the 65 dB CNEL: the Downtown Community Planning Council, the Greater Golden Hill Planning Committee, Midway/Pacific Highway Community Planning Group, Ocean Beach Planning Group and the Peninsula Community Planning Board. Each CPG Chairman designates their ANAC representative. The voting panel also includes one general community member that resides within the 65 dB CNEL, staff members from the City of San Diego, the County of San Diego, an airline pilot, and the United States Military. Types of issues that typically require a vote are approval of minutes and any issues ANAC wants to bring to the Board. Member terms are three years and can be reappointed at the discretion of the President/CEO.

<b>Represented Affiliation</b>	<b>Name</b>
Airline Pilot (retired)	Jack Bewley
City of San Diego	Victoria White
Community Member	Kirk Hanson
County of San Diego	John Bennett
Downtown Community Planning Council	Susan Ranft
Greater Golden Hill Planning Committee	David Swarens
Midway / Pacific Highway Community Planning Group	VACANT
Ocean Beach Planning Board	Tom Gawronski
Peninsula Community Planning Board	Paul Webb
Uptown Planners	Chris Cole
US Marine Corps (MCRD)	Carl "Rick" Huenefeld
<b>Ex-Officio Members:</b>	
Commercial Airline	Grady Boyce
Congress, 53rd District	Ms. Lee Steuer for Rep. Susan Davis
San Diego City Council District 2	Conrad Wear for Lorie Zapf
Mission Beach Precise Planning Board	Deborah Watkins
FAA Representative	Rob Cook
S.D. County Board of Supervisor District 1	Victor Avina for Sup. Greg Cox
Congress, 52 <sup>nd</sup> District	Hugo Carmona for Rep. Scott Peters
Acoustician	Justin Cook

Ex-officio or non-voting members are represented by the United States Congress, State of California legislature, County Board of Supervisors, San Diego City Council, the FAA, an airline industry representative, acoustician and the Mission Beach Precise Planning Board. A CPG located in the 60-65 dB CNEL contour could request membership as this ex-officio member position is unfilled.

Board Policy states that ANAC shall meet at least quarterly, as has been the practice in the past. Given the recent noise community concerns, ANAC meetings will be more frequent. Beginning in June 2016, the ANAC meetings will be held bi-monthly. Staff will look to add a new member that resides within the 60-65 CNEL.

Because of the complexity of the current noise issues regarding the FAA's SoCal Metroplex, early turns, and missed approaches, staff is proposing a subcommittee to ANAC. We are grateful for the efforts the local community has taken to engage in this issue and want to provide a forum where a dialogue between the local communities and industry stakeholders can address these complex issues. We are proposing that this subcommittee meet on a monthly basis until it is determined that the issues are appropriately addressed, and staff is considering professionally facilitating these meetings. This subcommittee will be represented by a broad group of noise-impacted communities both east and west of SAN.

#### **Departure Curfew and Curfew Violation Review Panel**

Since 1976, SAN has had a departure curfew. Adopted as Authority Code 9.40 in 2003, it states that Stage 2 aircraft can depart from 7 a.m. to 10 p.m. (Stage 2 aircraft were phased out at SAN as of January 1, 1999 for all regularly scheduled commercial, cargo, and commuter operators using aircraft weighing more than 75,000 pounds). Stage 3 aircraft can depart between 6:30 a.m. and 11:30 p.m. Life-flight and mercy flights are exempt from the curfew. Landings are permitted 24-hours a day. Engine run-ups above idle are only permitted between 6:30 a.m. and 11:30 p.m.

When a curfew violation occurs, the Curfew Violation Review Panel (CVRP) evaluates the violation and determines if a penalty is warranted. CVRP meetings are held every other month and are open to the public. The penalty structure is: \$2,000 for the 1st violation in the six-month compliance period; \$6,000 for the 2nd violation in the six-month compliance period; and, \$10,000 for the 3rd violation in the six-month compliance period. Fine amounts are also increased by the operator's multiplier factor, which is the number of penalized violations that occurred by that operator during the previous 6 month compliance period. Collected fines are applied to the Authority's general operating budget to help offset the costs of maintaining the State-mandated Airport Noise Mitigation Office.

The CVRP reports on each curfew violation and includes such information as:

- Flight information, including the operator, scheduled departure time, actual departure time and aircraft type
- Background information provided by the operator to explain why the curfew was violated
- Transcription of FAA Air Traffic Control communications at the time surrounding the departure, including notification to the pilot that the aircraft is departing after the curfew and is subject to a penalty in accordance with the Airport Use Regulations
- Radar Flight Track
- Radar Track showing noise level event

- Noise Level Summary identifying the noise events logged at remote noise monitoring stations as a result of the curfew violation
- Curfew Log identifying the arrivals and departures during the curfew period
- Emails and related documentation from the air carrier to support curfew violation information

The table below shows the total number of curfew violations since 2012.

Year	Total Curfew Violations
2012	36
2013	60
2014	47
2015	30
2016	9

\*Through 3/31/2016

### **Collaboration with Industry Stakeholders**

In order for noise abatement procedures to be successful, the Noise Office must work collaboratively with industry stakeholders. On a regular basis, staff is in communication and meets one-on-one with the FAA (Air Traffic Control and the Airports District Office), the airlines and any other operators that use SAN to collaborate on ways to reduce noise impacts for the communities surrounding the airport. Many of these stakeholders are also regular members of the ANAC. Recent discussions with industry stakeholders include topics on curfew violations, early turns and the Fly Quiet Program (discussed later in this Staff Report).

### **Quieter Home Program**

The Quieter Home Program (Program) is the Authority's Residential Sound Insulation Program. The FAA has determined that residences within the FAA-approved 65 dB CNEL contour around SAN may be eligible for sound insulation treatments to mitigate aircraft noise. The FAA has set a goal of reducing interior noise levels for eligible residents by at least five (5) dB inside the home, providing a noticeable reduction in noise. The Airport Authority's Quieter Home Program is the means to obtain that goal. For the past 16 years, the Authority has provided residential sound attenuation treatments (six schools were insulated starting in 1993) in the noise impacted area. The Authority has spent over \$185 million dollars (both Airport Authority and Federal Grant funds) sound insulating over 3,300 homes.

**Noise Complaints**

Currently, there are three ways a resident can register a noise complaint:

1. The 24-hour noise complaint hotline
2. Email complaints
3. Through the Authority's web-based flight tracking system

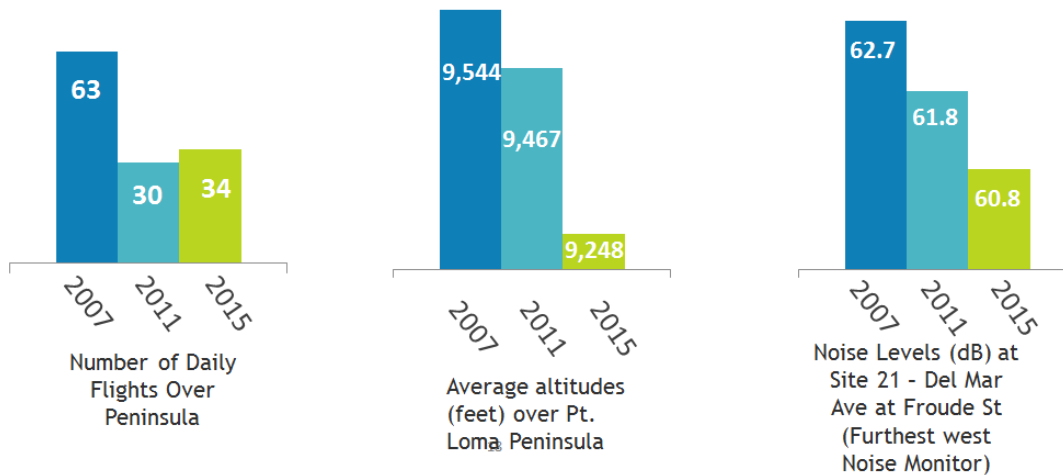
Noise staff enters each noise complaint into the ANOMS. Complaints are reviewed and researched to establish what further action is necessary. At the end of each month, Noise staff generates noise complaint statistics that are presented at ANAC. If the caller requests a call back, relevant information is gathered from the ANOMS and relayed in a timely manner to the caller. All phone calls, e-mails, and web-based noise complaints are personally responded to by Noise staff, if the caller wishes. In the past 7 months, staff has personally returned approximately 1,620 noise complaints.

From 2009 – 2014, the Noise Office received, on average, 18 complaints a month. Since the draft SoCal Metroplex Environmental Assessment went public in June of 2015, noise complaints have significantly increased and continue to rise. During the first quarter of 2016 (January 1 – March 30, 2016) the Noise Office received 11,681 noise complaints -- an average of 3,894 complaints per month. It should be noted, however, that 9,617 of the 11,681 complaints (82%) were submitted by one household, as shown below.

82%	One Household	9,617 Complaints
11%	Four Households	Between 66-667 Complaints
5 %	28 Households	Between 6-65 Complaints
2%	127 Households	Between 1-5 Complaints

**Pt. Loma Peninsula Analysis**

For the January 20, 2016 ANAC meeting, Noise staff reviewed SAN aircraft operations over the Pt. Loma Peninsula between 2005 through 2015. Analysis showed that there have been no significant increases in number of daily flights, altitudes, or noise levels over the Peninsula. The charts on the following page provide a sample of the analysis.



### **Additional Noise Studies in Pt. Loma**

In order to investigate some of the noise concerns by the citizens in the Pt. Loma community, Noise staff hired an acoustical engineering consultant, BridgeNet International, an acoustical engineering firm with over 20 years of experience completing aircraft noise studies, to conduct portable noise monitoring analysis in five locations.

For two locations in Pt. Loma, where the majority of the noise complaints were received, from September through December of 2015, noise monitoring was conducted to determine the cumulative average aircraft noise level from SAN aircraft operations, the overall average daily noise level from all other noise and the overall cumulative average noise level. All other noise sources are from non-SAN aircraft operations.

- Pt. Loma Nazarene University (PLNU) – Noise measurements were taken from the roof of the Rohr Science Building. The noise monitor was placed at the location for two weeks. For two days of the monitoring the consultant positioned staff at the site from the hours of 6 a.m. to 6 p.m. to personally listen to and record all noise events.

The overall noise levels from all non-SAN noise sources ranged from 52 to 60 dB CNEL, while the overall daily noise levels from SAN aircraft operations ranged between 47 to 51 dB CNEL. These results conclude that noise events from arrivals and departures from SAN did not increase the overall noise levels at PLNU.

- Sunset Cliffs – Noise measurements were taken on Adair Street between Santa Barbara and Guizot Streets, for two weeks. For two days of the monitoring the consultant positioned staff at the site from the hours of 6 a.m. to 6 p.m. to personally listen to and record all noise events.

The overall noise levels from all non-SAN noise sources ranged from 50 to 61 dB CNEL, while the overall daily noise levels from SAN aircraft operations ranged between 48 and 53 dB CNEL. These results conclude that noise events from arrivals and departures from SAN increased the overall noise levels at Sunset Cliffs by only 1 dB.

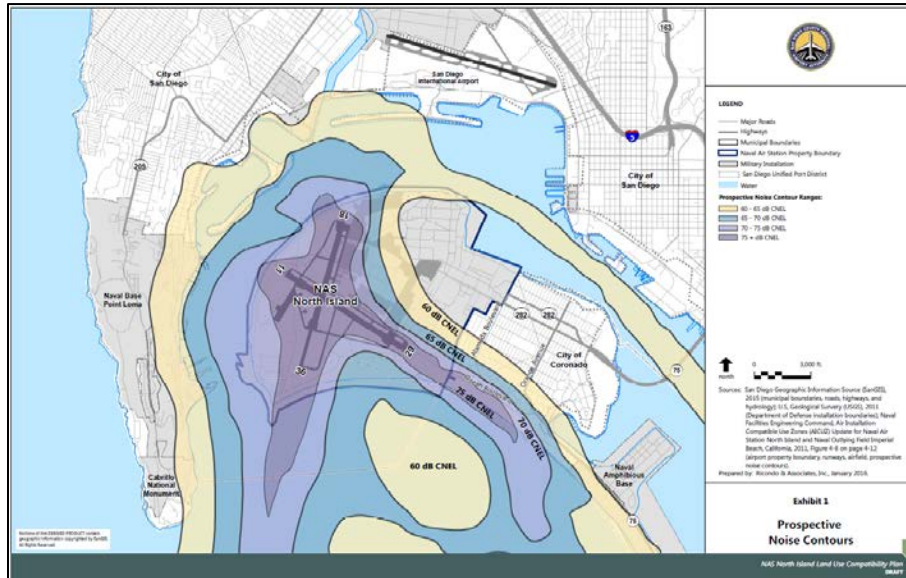
- La Playa noise monitoring was conducted in three locations, on Gage Street, Silvergate Place, and Via Flores. The acoustical engineer conducted noise measurements with staff onsite from 6:00 a.m. until 12:00 a.m. at select days at each site.

Each site was monitored and measurements were taken to determine the predominant noise sources in La Playa and if SAN aircraft operations were contributors to these noise sources.

In all three locations SAN aircraft operations were not the predominant noise source. Below is a table summarizing some of the observed noise sources. The noise monitoring analysis concluded that SAN aircraft operations do not increase the overall noise in the La Playa area.

Location	Noise Sources	Maximum Noise Level (dBA Lmax) Observed
Silvergate Place	<b>Predominant - Military Helicopters / Small Propeller Aircraft</b>	<b>80</b>
	Gardener's Equipment / Military Helicopters	78
	Helicopters / SAN Departing Aircraft	61
Gage Drive	<b>Predominant - Gardener's equipment</b>	<b>79</b>
	Dogs Barking / Car Alarm	78
	SAN Departing Aircraft	63
Via Flores	<b>Predominant - Helicopters</b>	<b>74</b>
	Helicopters / Roadway	65
	SAN Departing Aircraft	61

Staff has received questions from the public regarding the noise contours from Naval Base North Island. Below is an image showing the 75 – 60 dB CNEL contours.

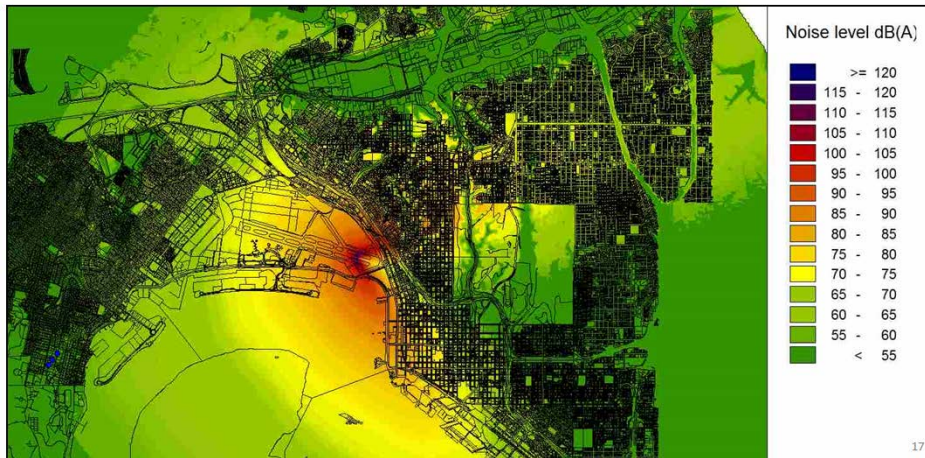


### Ground Noise Study

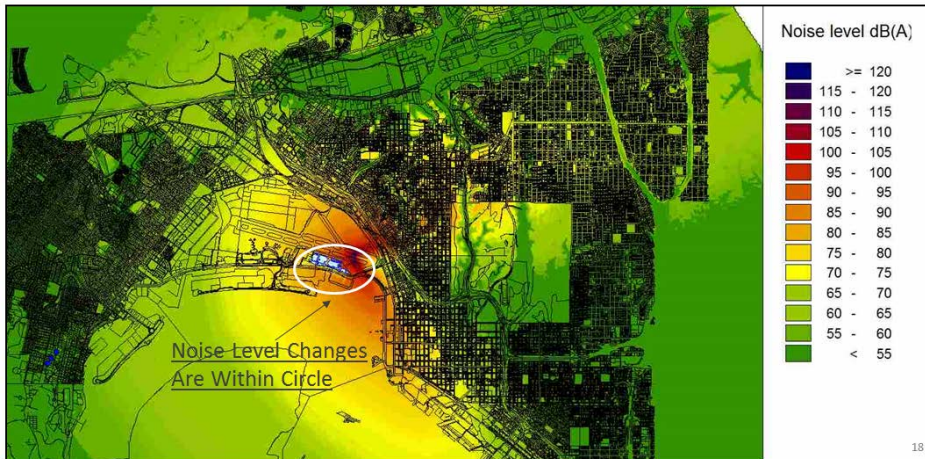
Further, staff has received aircraft ground noise complaints from members in the community that SAN aircraft engine noise has increased due to the removal of the Teledyne Ryan buildings along Harbor Island Drive and the construction of the Rental Car Center (RCC) along Pacific Highway. In response, noise staff had an acoustical engineer study the ground noise. The study determined through an advanced acoustic modeling program that removal of the TDY buildings and the construction of the RCC resulted in no change to the average noise levels anywhere around SAN, including in the La Playa area. The following images reflect the changes in noise levels 1) without the buildings, 2) with the Teledyne-Ryan buildings and 3) with the new Rental Car Center.



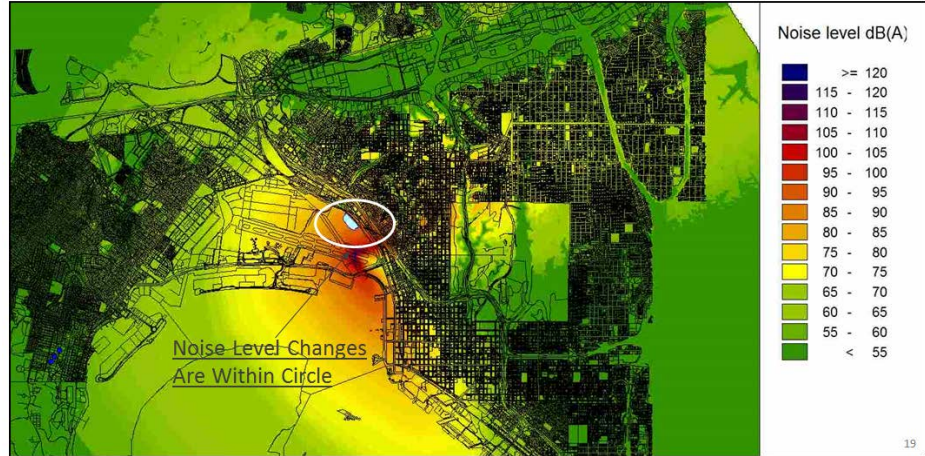
### Ground Noise Modeling - Without Buildings



### Ground Noise Modeling - With Teledyne-Ryan



### Ground Noise Modeling - With Rental Car Center



### Noise Dot Agreement

This section explains the “FAA Noise Dot” agreement that has been discussed recently by some people in the Point Loma community. In preparing this report, Airport staff conducted a significant amount of research to determine the history of this agreement. Unfortunately, staff has been unable to locate any formal, written document that substantiates an agreement between the FAA and any other organization on the use of dots to control air traffic departing SDIA. Staff has located only two documents that contain references to a formal agreement: a letter from then Congressman Brian Bilbray, and a California State Audit of the Noise Office that included a small section on the agreement, dated October 2000. However, neither document clearly identifies when the dots were created, the exact locations of the dots, or the reason(s) for their locations.

### Initial Noise Dot Agreement

According to a letter dated October 28, 1998, from then Congressman Brian Bilbray (Attachment 1), the congressman led an effort to meet with the FAA to establish procedures to reduce the number of flights over neighborhoods in the Pt. Loma Peninsula. As a result of those meetings, the FAA established four dots on the controllers’ scopes to assist in routing departing aircraft. The FAA voluntarily agreed that, when conditions permit, controllers would ensure that aircraft fly outside of the dots before they turn back over the Peninsula.

The second written source of information is the October 2000, California State Auditor report, entitled San Diego International Airport at Lindbergh Field (Attachment 2). Although very little of the audit directly addresses the “noise dot” agreement, a brief section defines its general operating parameters. According to the audit:

*“In December of 1998, responding to concerned citizens and a congressional representative about aircraft departures, the FAA implemented new procedures and installed new radar maps with a series of ‘noise dots’ that define regular departure paths. These improvements have helped to redirect air traffic away from residential areas in Point Loma.*

*The new procedures direct aircraft 1.5 miles west of the shoreline before turning south. Aircraft also are directed so they do not cross Point Loma until as far south as Fort Rosecrans National Cemetery. The FAA representatives have also made assurances that Lindbergh Field air traffic controllers direct departing aircraft to a 275- or 290-degree heading when cleared for takeoff.”*

The graphic below, directly from Page 25 of the audit, is the only known information that identifies the locations of the noise dots. This graphic represents an “example of flights using the 275-degree departure heading between 7:10 p.m. and 8 p.m. on September 20, 2000.” It is critical to note that the dots were not established headings, but were simply end points of a “gate” that aircraft were directed to fly through, as further described on Page 26 of the audit:

*“Departing aircraft do not fly to a specific point on the 275-degree departure heading. Instead, air traffic control directs aircraft to fly through a departure gate about two miles wide and 1.5 nautical miles west of the shoreline. As a result, an aircraft can fly from the departure end of runway 27 to the southern end of the departure gate and cross the shoreline as far south as Orchard Avenue.”*

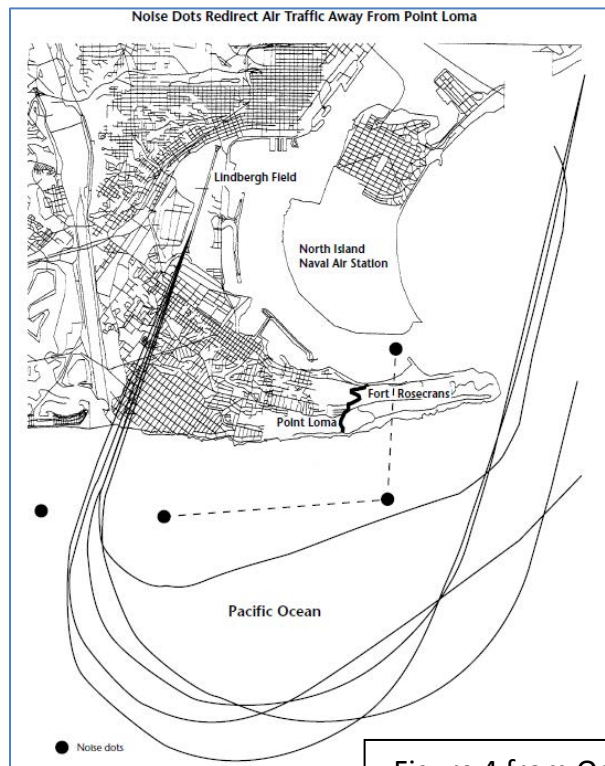
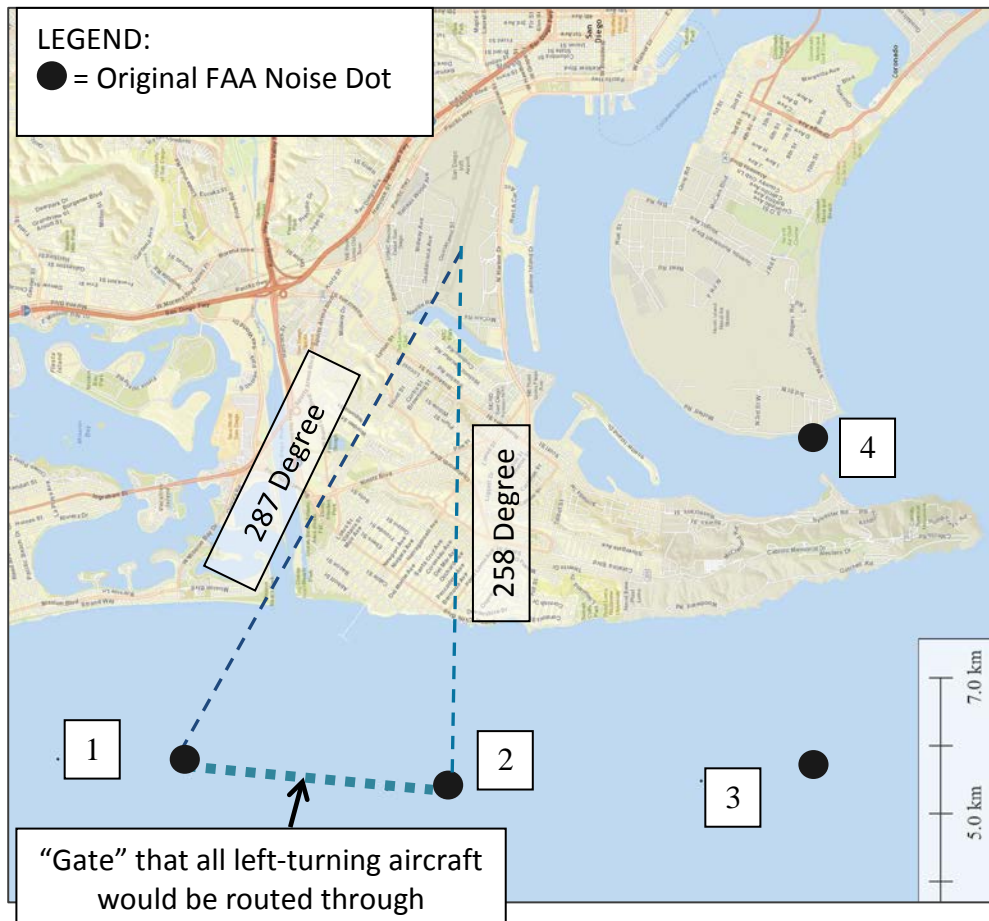


Figure 4 from October 2000 Audit

In summary, the Audit suggests that the original “noise dot” agreement required that, for departing flights that turned left after departure, air traffic controllers would direct the aircraft to, 1) exit the runway on an initial 275 or 290 degree heading, 2) fly between the two northernmost dots before turning left, and 3) clear the two southernmost dots as they turn eastbound.

While the Audit seems to make it clear that the two northernmost dots (forming the endpoints of the gate) were not intended to be on specific headings, a recent AutoCAD analysis by Noise staff shows that the two dots are located on 287 and 258 degree headings from the runway. It should also be noted that these dots are not navigational points, otherwise known as “waypoints,” that pilots use in satellite-based departure route procedures. They are simply points that the FAA air traffic controllers use to help guide departing flights. A waypoint is a reference point in physical space used for purposes of navigation.

The noise dots as initially defined are shown on the exhibit below, with numbers assigned by Staff on the exhibit to help identify each dot.

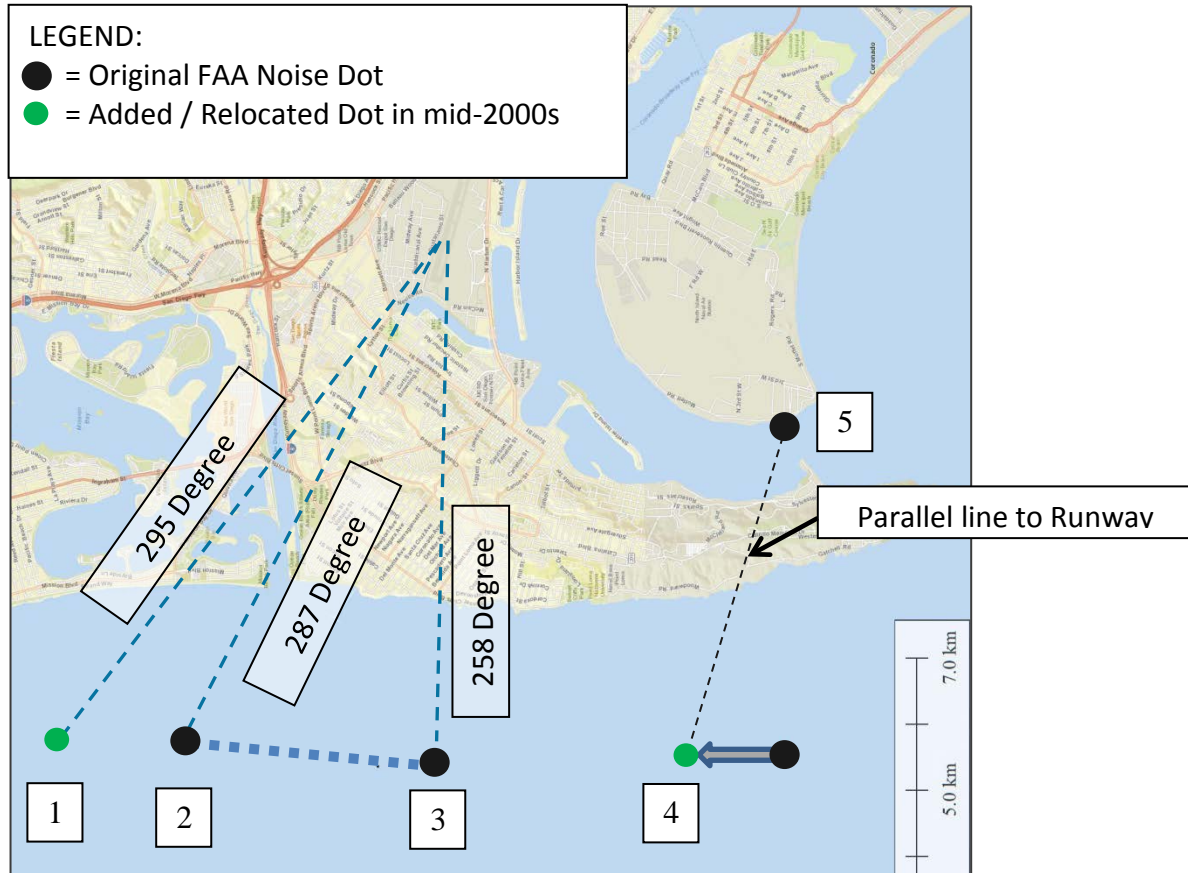


#### Modifications Since the Initial Agreement

In the mid-2000's, two modifications were made to the original dots:

1. Based on aircraft performance on the standard departure procedures, the FAA determined that it was difficult for the larger air carrier operators to make the turn to the left (from Dot 2 to Dot 4) without turning prior to the 3rd noise dot. Therefore, the 3rd dot was relocated approximately 0.3 miles to the north. This resulted in the line connecting the 3rd and 4th dots being parallel to Runway 9/27. Staff has been unable to determine exactly when this change was made or who was involved in its decision.
2. Based on concerns that aircraft were flying too far to the right after departure, Mission Beach residents requested a new dot be established on the right side to discourage aircraft from flying beyond the 295-degree heading. The FAA agreed to add this dot to their radar scopes, although staff has been unable to determine exactly when this change was made or who was involved in its decision. At this point, the FAA defined "early turns" as any aircraft that overflies the 295 degree heading to the right or the 258 degree heading to the left.

These two modifications are shown in the graphic below, along with a revised numbering of the dots.



#### "Early Turns"

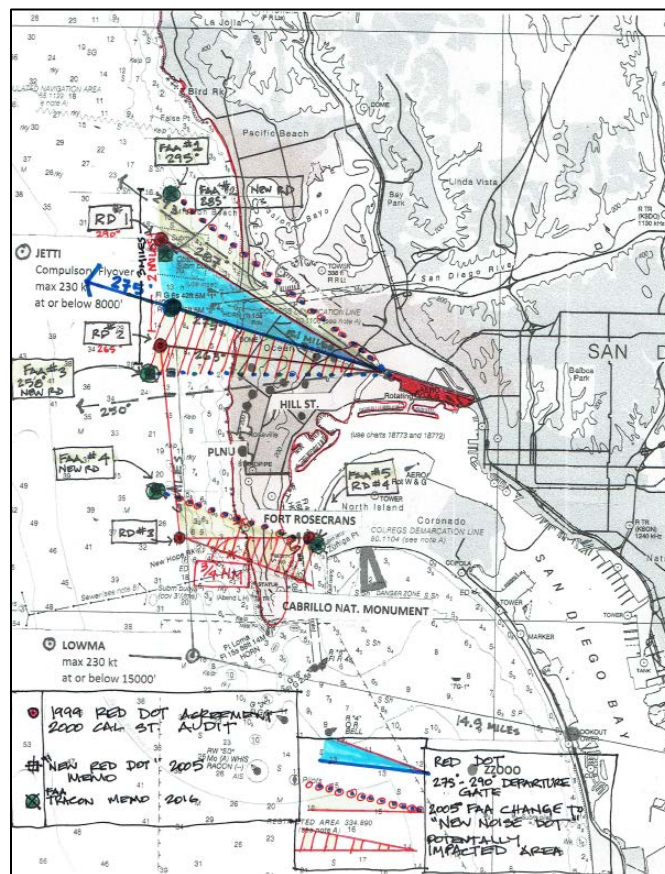
For right-turning departures, the FAA considers "non-compliant" any aircraft that turns prior to clearing the 295 degree dot (Dot 1 above). The Authority concurs with the FAA in using Dot 1 as its gauge for "early turns" to the right.

For left-turning departures, the FAA considers "non-compliant" any aircraft that either, 1) turns prior to clearing the 258 degree dot (Dot 3 above), or 2) turns eastbound without first clearing Dots 4 and 5. However, to address community concerns in the mid-2000s, the Airport Authority began using a different dot than the FAA's Dot 3 to represent early left turns. Rather than using the FAA's 258 degree dot (Dot 3), the Airport Authority began recording "early turns" using a narrower 265 degree heading.

To avoid confusion and to further address community concerns, on March 22, 2016, Airport staff requested FAA TRACON<sup>2</sup> staff consider abandoning their 258 degree Dot 3 and begin using the more restrictive 265 degree dot to measure “non-compliance,” consistent with Authority practices. FAA TRACON staff is amenable to this request and are currently determining its viability.

#### Drawing Submitted by Community Resident

In a map provided by a Pt. Loma resident (below), additional dot locations and various zones are identified. Although staff is unaware of the origin and intent of several of these dots and zones, those dots that are consistent with the FAA noise dots are explained below.



**FAA #1 295** – This is a correct representation of the FAA’s current Noise Dot 1. It is used to contain right hand turns over Mission Beach.

**287- Degrees** – This is the location of FAA Dot 2.

<sup>2</sup> Terminal Radar Approach Control (TRACON) are FAA facilities that house air traffic controllers who use radar displays and radios to guide aircraft approaching and departing airports generally within a 30- to 50-mile radius up to 10,000 feet, as well as aircraft that may be flying over that airspace. (Source: faa.org)

**FAA#2 285 New RD** – When airport staff plotted this dot in AutoCAD, it was determined the location is the same as the current FAA Noise Dot 2, which is located at approximately a 287 degree heading.

**275- Degree heading** – JETTI Waypoint – The blue dot represents the JETTI waypoint which, as described above, is a satellite-based waypoint and is not related to the FAA Noise Dots.

**265-Degrees** – This heading reflects the Airport Authority's current definition of early left turns.

**RD #2** – According to airport staff's analysis, Red Dot #2 and FAA Noise Dot 3 are at the same location (258 degrees).

**FAA#3 258 New RD** – As stated above, this is the location of FAA Noise Dot 3 and Red Dot #2

**250-Degrees** – The intent of this heading is unclear.

**FAA #4 – New RD** – This appears to be generally consistent with the FAA's Noise Dot 4.

**RD #3** – This appears to be generally consistent with the original Red Dot #3.

**FAA #5 RD#4** - This appears to be generally consistent with the original Red Dot #4 which is the same location as FAA Noise Dot 5.

**LOWMA** – It is our understanding that the LOWMA waypoint is included on the map to indicate the community's preference that all aircraft fly over LOWMA waypoint instead of turning over the Peninsula.

The map also depicts zones:

**275-290 Departure Gate** – Shaded in blue, and based on conversations with members of the public steering committee from Pt. Loma, it is their feeling that this should be the acceptable "corridor" for aircraft to stay within when departing San Diego International airport.

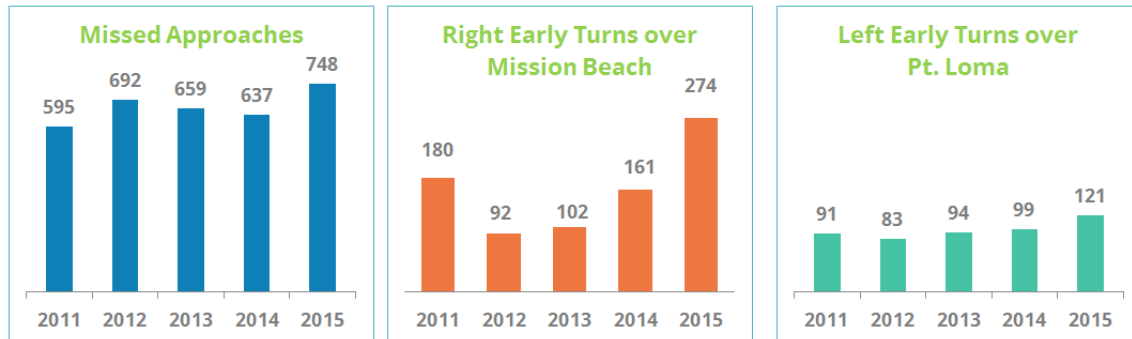
However, in past meetings with FAA TRACON, it has been made clear that a reasonable and safe corridor is 265-degrees to the left and 295-degrees to the right, which is how the Airport Authority's early turn boundaries were established.

### **Annual Noise Statistics**

The Noise Office collects information on Missed Approaches and Early Turns and presents this information to ANAC and provides the information to the public via the website. A Missed Approach is commonly referred to as a "go-around," a missed approach occurs when an aircraft cannot complete its landing and is required to make another attempt. It can be caused by inclement weather conditions, debris on the runway, FAA Air Traffic separation of aircraft (slower aircraft unable to exit airspace or runway, forcing larger aircraft to go around). They can be requested by either the FAA Air Traffic Control, or the pilot in command of the aircraft. Missed Approaches are safety operations that the Authority cannot impact.

Once again, the Authority has defined early turns to the right as those jet aircraft that turn prior to FAA Noise Dot 1 at the 295 degree heading to the right. Left early turns are defined as those jet aircraft that turn prior to the 265 degree heading to the left.

The tables below show the annual statistics for Missed Approaches, Right Early Turns and Left Early turns. Noise staff is working with the FAA to determine the significant increase in right early turns over Mission Beach.



### **FAA SoCal Metroplex Update**

Metroplex projects provide benefits to Air Traffic Control (ATC) by providing more options for routing aircraft to increase airspace and airport efficiency. The project benefits the traveling public by reducing delays and enhancing safety. Metroplex procedures benefit the airlines by reducing fuel burn and emissions.

Recent communications with the FAA indicated that they are still reviewing the public comments on the draft SoCal Metroplex and hope to have this review completed by June or July of 2016. No procedures from the draft SoCal Metroplex have been implemented. In December of 2015, the Board took action to support the Authority's public comment letter on the draft SoCal Metroplex, which included maintaining the LOWMA waypoint.

### **Additional Efforts**

Finally, to address increased concerns by the public, the Authority has undertaken a series of new efforts to provide easier access and transparency to aircraft noise data:

- New Airport Noise Webpage – Noise staff are in the process of finalizing a new noise webpage to provide easily accessible information and communicate with the community in a faster and more readable format. The new website will be directly accessible from the [www.san.org](http://www.san.org) main page. Staff will have the ability to update the website on a regular basis to provide quick information on unusual aircraft operations. An automated form on the website will allow residents an additional method to file complaints quickly and easily while ensuring that the important information regarding the aircraft noise incident are completed for use by noise staff.
- Airline Meetings – Noise staff has historically conducted regular meetings with airline corporate headquarters to coordinate our noise mitigation efforts. These meetings have fostered a collaborative relationship and are particularly helpful during periods of increased noise concerns. Based on recent concerns, staff arranged face-to-face meetings with Chief Pilots and their staffs from Southwest



- Airlines, United Airlines, Delta Air Lines, jetBlue Airways, and American Airlines to discuss early turns, curfews and other noise concerns. The meetings thus far have been highly productive and we anticipate that we will see an improvement on compliance with early turns and a continued reduction in curfew violations. We will continue to schedule more meetings with other air carriers as necessary.
- FAA Meetings – Staff will continue to meet on a monthly basis with FAA TRACON staff. At these monthly meetings staff coordinates with the FAA on any noise complaints related to FAA air traffic control procedures to determine if there are any procedural changes that could be made to reduce aircraft noise impacts on the communities surrounding SAN. As mentioned previously, the Authority has requested the FAA abandon its Noise Dot 3 (at 258 degrees) and begin using the more restrictive 265 degree dot to measure “non-compliance,” consistent with Airport Authority practices.
  - Fly Quiet Report – Beginning this summer, a new Fly Quiet Program (Fly Quiet) will be implemented, which will provide bi-monthly reports on how well operators are adhering to noise procedures such as early turns and the curfew. The purpose of Fly Quiet is to encourage individual airlines to operate as quietly as possible at SAN. The program promotes a participatory approach in complying with noise abatement procedures and objectives by grading an airline’s performance and by making the scores available to the public online publications and public meetings.

Fly Quiet offers a dynamic venue for implementing new noise abatement initiatives by praising and publicizing active participation rather than a system that admonishes violations from essentially voluntary procedures.

Fly Quiet reports communicate results in a clear, understandable format on a scale of 0-10, zero being poor and ten being good. This allows for an easy comparison between airlines over time. Individual airline scores are computed and reports are generated every other month. These quantitative scores allow airline management and flight personnel to measure exactly how they stand compared to other operators and how their proactive involvement can positively reduce noise in the communities surrounding SAN. The Fly Quiet program currently include three elements, 1) the overall noise quality of each airline’s fleet operating at SAN, 2) adherence to the Authority’s curfew, and 3) adherence to the Early Turns.

- Staff has been made aware of communication shared between Congressman Scott Peter’s office and FAA related to information (staff is not privy to the exact format discussed) that will be shared by the FAA Administrator, Michael P. Huerta, related to aircraft noise. We understand this information may include requests related to retaining the LOWMA navigational waypoint (proposed to be removed in the FAA SoCal Metroplex), the original and subsequent location of FAA noise dots, and increased communication and meetings with the FAA TRACON.

**Proposed Board Action:**

Staff proposes the Board support the following initiatives Noise staff are currently working on:

- Request the FAA to abandon its Noise Dot 3 (258 degree) and begin using the more restrictive 265 degree dot to measure "non-compliance," consistent with Airport Authority practices
- Implement the Fly Quiet Program, a bi-monthly reporting program on how well operators are adhering to noise procedures such as early turns and the curfew.

**Fiscal Impact:**

Not applicable.

**Authority Strategies:**

This item supports one or more of the Authority Strategies, as follows:

- Community Strategy    Customer Strategy    Employee Strategy    Financial Strategy    Operations Strategy

**Environmental Review:**

- A. CEQA: This Board action is not a project that would have a significant effect on the environment as defined by the California Environmental Quality Act (CEQA), as amended. 14 Cal. Code Regs. § 15378. This Board action is not a "project" subject to CEQA. Cal. Pub. Res. Code § 21065.
- B. California Coastal Act Review: This Board action is not a "development" as defined by the California Coastal Act. Cal. Pub. Res. Code § 30106.

**Application of Inclusionary Policies:**

Not applicable.

**Prepared by:**

KEITH WILSCHETZ  
DIRECTOR, AIRPORT PLANNING & NOISE MITIGATION

**Attachment 1**  
**Brian Bilbray Letter**  
October 28, 1998

BRIAN P. BILBRAY  
5TH DISTRICT, CALIFORNIA  
COMMERCE COMMITTEE

SUBCOMMITTEE ON  
HEALTH AND ENVIRONMENT

SUBCOMMITTEE ON  
FINANCE AND HAZARDOUS  
MATERIALS

SUBCOMMITTEE ON  
OVERSIGHT AND  
INVESTIGATIONS



Congress of the United States  
House of Representatives  
Washington, DC 20515

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**ATTACHMENT 1**

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brian.bilbray@mail.house.gov

World Wide Web:  
<http://www.house.gov/bilbray/>

October 28, 1998

Dear \_\_\_\_\_

Thank you for contacting my office regarding your concern with the Lindbergh Field aircraft noise patterns affecting the Point Loma and Ocean Beach residential areas. I have heard from approximately 400 of my constituents on this subject through petitions collected by Craig Plummer, James Badger, and Judi Curry, and many who have individually contacted my office. This letter is written to update you regarding what we have done to address this problem and what we will be doing in the future.

On Friday, October 16, I convened a teleconference to discuss this issue. The participants were FAA Regional Administrator William C. Withycombe, FAA Regional Executive Manager Lynore C. Brekke, Daris Patterson from Lindbergh Field Airport Traffic Control Tower, Walter White from the Southern California TRACON at Miramar, FAA Operations Safety Program Manager Mike Harris, Port District Senior Director of Strategic Planning Services Dan Wilkins, Port District Director of Airport Noise Information Nyle Marmion, Paul Grimes from Councilman Byron Wear's office, Peninsula residents Craig Plummer and Judi Curry, and Mike Devine and Richard Hass of San Diego County Environmental Health. After introductions, I turned the conversation over to Mr. Plummer and Ms. Curry who presented the problems we had gathered to discuss:

- First, some aircraft are making a tight turn back over Point Loma as they reach the Pacific Ocean and flying over the residential sections rather than crossing the Point further to the south. This brings noise to areas of the Peninsula that have not experienced noise problems to this extent.
- Second, some aircraft are turning south immediately after take off and therefore take a departure path south of the standard 275 and 290 routes. Again, this brings aircraft noise to areas that have not previously experienced it.

After the constituent presentations, I turned the meeting over to the FAA. Both Mr. Withycombe and Ms. Brekke expressed their commitment to working with the community on these issues. They then asked Walter White from the Southern California TRACON to provide some specific information. Mr. White was most responsive to our concerns. He stated that the FAA has no intention of creating any new take off routes in addition to the traditional 275 and 290 routes. He indicated that he was aware that aircraft did occasionally depart on a more southernly route, usually 250 and most often for safety reasons.

Regarding the tight turns back over Point Loma, Mr. White indicated that he was very open to the idea of marking the air traffic controllers' screens so that they could more easily direct traffic out to sea and then back over Point Loma, crossing land south of the the residential areas. We arranged for Mr. White to meet with Mr. Plummer, Ms. Curry, and Mr. Grimes on October 27 to discuss the specific placement of these markers.

We then continued the discussion of the complaints regarding take offs which fly to the south, outside normal patterns. We reviewed radar tracking printout for a sample of recent days, seeing that the paths of all planes can be tracked by these records.

Page 2

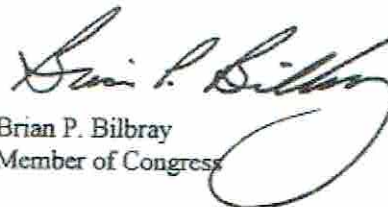
For any day when the Port receives a number of complaints, they are able to print the display and discuss the situation with the FAA. Unfortunately, there is a concern that Point Loma residents no longer call the Port to complain about noise because that do not believe that their calls are taken seriously.

On October 27, Mr. Plummer, Ms. Curry, and Mr. Grimes met with Mr. White and my staff as planned. Mr. White explained that he will implement a procedure to highlight the air traffic controllers' screens so that the controllers will direct aircraft approximately 1 1/2 miles out to sea before turning south. They will also direct the aircraft across Point Loma south of Ft. Rosecrans Cemetery. This procedure should be in place in 5 to 6 weeks.

The issue of the aircraft veering south after take off needs our ongoing attention. Mr. White has assured my office that the Lindbergh Field tower controllers give departing aircraft clearance for take off along with a directed heading of 275 or 290. It remains unclear, therefore, why aircraft are veering to the south immediately after take off. Please be assured that my office will continue to investigate this problem. We will first work with the Port's Office of Airport Noise Information to examine radar tracks for specific days. We will do this with the goal of further defining the problem and focusing on a solution. I will get back to you when we have more information.

Again, thank you for contacting my office with your concerns. I am committed to our ongoing effort to control the impact of aircraft noise in the Point Loma area. If you have further questions, please contact Pat Baker of my staff at (619) 291-1430.

Sincerely,

  
Brian P. Bilbray  
Member of Congress

BPB:pb

cc: William C. Withycombe, FAA  
Lynore C. Brekke, FAA  
Daris Patterson, Lindbergh Tower  
Walter White, Southern California TRACON  
Mike Harris, FAA  
Dan Wilkins, Port District  
Nyle Marmion, Port District  
Councilman Byron Wear  
Mike Devine, San Diego County Environmental Health  
Richard Hass, San Diego County Environmental Health

**Attachment 2**  
**California State Auditor's Report on Noise**  
October 2000

# **San Diego International Airport at Lindbergh Field:**

*Local Government, Including the San Diego  
Unified Port District, Can Improve Efforts to  
Reduce the Noise Impact Area and Address  
Public Dissatisfaction*



October 2000  
2000-126

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# CALIFORNIA STATE AUDITOR

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ELAINE M. HOWLE  
STATE AUDITOR

STEVEN M. HENDRICKSON  
CHIEF DEPUTY STATE AUDITOR

October 31, 2000

2000-126

The Governor of California  
President pro Tempore of the Senate  
Speaker of the Assembly  
State Capitol  
Sacramento, California 95814

Dear Governor and Legislative Leaders:

As requested by the Joint Legislative Audit Committee, the Bureau of State Audits presents its audit report concerning the accuracy of the San Diego Unified Port District's (port district) noise-monitoring data, its process of evaluating airplane noise and flight tracks to respond to complaints, and whether the California Department of Transportation (Caltrans) uses this information when considering the port district's application for a variance to California's noise standards.

This report concludes that although some community members consider the noise-monitoring system data suspect, we found the data to be accurate. Contributing to the community's distrust of the port district's data is the cessation of the county of San Diego's (county) Noise Control Hearing Board, which enforces the terms and conditions of Lindbergh Field's variance to the noise standards and audits the port district's noise-monitoring data. The port district, San Diego Association of Governments (SANDAG), and the city of San Diego (city) all share some responsibility for resolving Lindbergh Field's noise problem. However, the port district's delays in implementing sound-attenuation programs, combined with the city's failure to consistently implement certain provisions of the comprehensive land use plan, have prevented further decreases in incompatible land use within Lindbergh Field's noise impact area. The SANDAG bears some responsibility for not ensuring that the city's regulations were consistent with the land use plan. Finally, we found that state regulations limit Caltrans' role to ensuring that the port district's noise-monitoring system meets state standards, to granting variances to the noise standards, and to reviewing quarterly noise-monitoring data for the purpose of assessing progress towards reducing Lindbergh Field's noise impact area.

Total aircraft operations at Lindbergh Field are projected to grow at an average annual rate of 2 percent through 2020. At this rate, Lindbergh Field will reach its maximum operating capacity by 2011. Therefore, the SANDAG, local agencies, and others must band together and decide whether to expand or relocate Lindbergh Field.

Respectfully submitted,

ELAINE M. HOWLE  
State Auditor

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BUREAU OF STATE AUDITS

555 Capitol Mall, Suite 300, Sacramento, California 95814 Telephone: (916) 445-0255 Fax: (916) 327-0019

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# SUMMARY

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## Audit Highlights . . .

### Our review found that:

- ☑ *Delays in implementing sound-attenuation programs, combined with the city of San Diego's (city) failure to implement certain provisions of a land use plan, have prevented further decreases in incompatible land use within the San Diego International Airport at Lindbergh Field's (Lindbergh Field) noise impact area.*
- ☑ *By law, the Federal Aviation Administration has the sole authority to manage the air traffic control system and navigable airspace in the United States; therefore, the San Diego Unified Port District (port district) cannot restrict access to noisier aircraft or dictate departure routes.*
- ☑ *The cessation of public meetings by the county of San Diego's Noise Control Hearing Board may have lessened the community's trust of the port district.*

*(continued on next page)*

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## RESULTS IN BRIEF

In 1972, the county of San Diego (county) declared the San Diego International Airport at Lindbergh Field (Lindbergh Field) a “noise problem airport” in accordance with state regulations. Lindbergh Field’s owner and operator, the San Diego Unified Port District (port district), applied to the California Department of Transportation (Caltrans) for a variance to the noise standards. Caltrans granted a variance but stipulated that the port district proceed with efforts to reduce the number of incompatible properties within the area surrounding the airport, known as the noise impact area. Also, state law requires local governments to develop a comprehensive land use plan to ensure that future developments near Lindbergh Field are compatible land uses. Over the past 25 years, the port district has applied for and received seven variances and each time has taken some actions to address Caltrans’ requirements for reducing the noise impact area. However, its delays in implementing sound-attenuation programs, combined with the city of San Diego’s (city) failure to implement certain provisions of a comprehensive land use plan, have prevented further decreases in incompatible land use within Lindbergh Field’s noise impact area. Incompatible land use within the noise impact area includes such properties as residences and schools.

Public concerns about preserving historic homes near the airport have delayed the port district’s residential sound-attenuation program, designed to decrease the impact of noise in existing structures. The port district and the Federal Aviation Administration (FAA) have, however, provided about \$14 million to the San Diego Unified School District, which upgraded six schools in the noise impact area. In contrast, the port district has not upgraded the Marine Corps Recruit Depot because the U.S. Marine Corps is ineligible to receive FAA funding for sound attenuation, and the port district did not seek an alternative until 1999.

The city’s failure to consistently implement certain provisions of a comprehensive land use plan is partly responsible for the lack of further reductions to Lindbergh Field’s noise impact area. In

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**Audit Highlights . . .**  
**(continued)**

- ☑ *The port district estimates that total aircraft operations at Lindbergh Field will increase at an average annual rate of 2 percent through 2020.*
  - ☑ *There have been numerous studies about relocating the airport, but thus far, there has been no final decision to move or expand it.*
- 

February 1992, the San Diego Association of Governments (SANDAG) adopted such a plan, with the approval of the port district and the city, requiring that any development near Lindbergh Field be compatible with the surrounding noise level, such as parking, manufacturing facilities, or amusement parks. The city's role was to ensure consistency between its general plan, zoning ordinances, and building regulations for properties within a specific zone and the comprehensive land use plan. The city was also to obtain aviation easements when required. Aviation easements are one way of converting land use from incompatible to compatible. Aviation easements grant the port district unrestricted aircraft access to and from Lindbergh Field and limit the property owner's ability to initiate legal action related to aircraft noise. However, for at least five years, the city took no action to ensure that its ordinances were consistent with plan provisions. Although the port district informed the city of new incompatible land uses in the noise impact area in January 1997, the city again did not take action promptly. The city waited until October 2, 2000, to vote to include Lindbergh Field in its ordinance addressing land development restrictions near airports. The port estimates that more than 28,000 residents live within Lindbergh Field's noise impact area.

The port district receives an average of about 1,000 complaints a year about the location and intensity of aircraft noise. The most common complaints are related to loud aircraft overhead and aircraft disregarding the regular departure route. By law, the FAA has the sole authority to manage the air traffic control system and navigable airspace in the United States and to establish flight operational procedures. Therefore, the port district cannot restrict the access of noisier aircraft or dictate the appropriate departure route and has no authority to resolve these types of complaints. The port district uses its noise-monitoring system to determine whether these complaints are valid. Although some community members consider the noise-monitoring system data suspect, we found the data to be accurate. However, contributing to the community distrust is the cessation of public meetings by the county's Noise Control Hearing Board (noise board), which enforces the terms and conditions of Lindbergh Field's variance to the noise standards and audits the port district's noise-monitoring data. Also, the port district's Airport Noise Advisory Committee can improve its interaction with the community.

The SANDAG, port district, and local agencies must consider not only how to deal with current noise issues, but also how to handle the projected increase in total aircraft operations at

Lindbergh Field, estimated to increase by an average annual rate of 2 percent through 2020. At this rate, Lindbergh Field will reach its maximum aircraft operating capacity of 275,000 by 2011. There have been numerous studies about relocating the airport, but thus far there has been no final decision regarding the expansion or relocation of Lindbergh Field.

## **RECOMMENDATIONS**

To further its efforts to reduce the impact of aircraft noise and to respond effectively to complaints, the port district should improve its community relations efforts. One possibility is to establish working groups that include local residents. It also should continue to work with the U.S. Marine Corps to resolve noise-related issues at the Marine Corps Recruit Depot.

To fully implement the comprehensive land use plan, the city should continue to work toward making its planning, zoning, and building regulations consistent with the plan's provisions. For example, it should ensure that it obtains the necessary aviation easements. In addition, the SANDAG should comply with the plan requirements for ensuring that the city's general plan and ordinances agree with the land use plan.

To provide independent verification of the port district's noise information, the county should reactivate the noise board.

To address projected growth in air traffic, the SANDAG, local agencies, and community groups should determine whether to move the airport.

## **AGENCY COMMENTS**

The San Diego Unified Port District generally agrees with our recommendations. The city of San Diego, the county of San Diego, and the San Diego Association of Governments (SANDAG) also generally agreed with our recommendations. The SANDAG, however, disagreed with our recommendation that it and other local entities should decide whether to relocate the airport. The SANDAG states that this recommendation is unnecessary because there are public policies in place to address it. Additional comments made by each entity and our responses begin on page 31. ■

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# INTRODUCTION

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## BACKGROUND

The San Diego International Airport at Lindbergh Field (Lindbergh Field), which opened in 1928, is only three miles northwest of downtown San Diego and one mile northwest of the central business district. It is also adjacent to densely populated communities located west (Point Loma and Ocean Beach) and east (downtown area). The San Diego Bay and the Marine Corps Recruit Depot are south and north, respectively. Lindbergh Field is the primary commercial service airport in the San Diego area. It was the busiest single runway airport and the 28<sup>th</sup> busiest airport nationwide in terms of passenger volume in 1999, with more than 15.3 million passengers. Currently, more than 25 passenger and cargo airlines operate an average of 630 arrivals and departures daily. Various state and local entities monitor and manage noise levels at Lindbergh Field, in compliance with federal and state regulations.

## THE ROLE OF THE CALIFORNIA DEPARTMENT OF TRANSPORTATION

In 1969, the Legislature directed the California Department of Transportation (Caltrans) to adopt noise standards, to the extent allowed by federal law, for the operation of aircraft and aircraft engines at airports operating under a valid permit. Aircraft noise is measured using units of A-weighted decibels, a logarithmic measure of the magnitude of a sound as the average person hears it.<sup>1</sup> The higher the number of decibels, the louder the sound noise seems. Decibel levels are measured logarithmically, so each increase of about 10 decibels doubles the loudness that people perceive. Although airport-related sound measurements are normally single events, the State's noise standards are based on a cumulative average that takes into account the number of

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<sup>1</sup> The A-weighting accounts for the fact that humans do not hear low or high frequencies as well as they hear middle frequencies, and it corrects for the relative efficiency of the human ear at the different frequencies.

aircraft noise events within a 24-hour day.<sup>2</sup> Human response to noise involves both the maximum level and its duration, so the cumulative average presents a more accurate picture of noise exposure and the overall impact of noise on a community. Figure 1 shows peak noise levels for common events.

The Federal Aviation Administration (FAA) and other federal agencies measure noise impact using the Yearly Day Night Average Sound Levels (DNL), which assigns additional weight to sounds occurring between 10 p.m. and 7 a.m.<sup>3</sup> The FAA has specified a 65-decibel DNL as the lower limit for defining significant noise impact on people.

California uses a somewhat different measurement method—the community noise equivalent level (CNEL), which specifies 65 decibels and weighting similar to the DNL but adds an additional weighting of about five decibels to flights occurring between 7 p.m. and 10 p.m.

Caltrans can grant variances to the noise standards to “noise problem airports” that have incompatible land uses within the CNEL of 65 decibels. A variance constitutes compliance with the noise standards even though airport noise levels vary from established standards. The ultimate goal of the variance process is to require the airport proprietors to develop and implement programs to reduce any airport noise impact area to zero. In January 1975, the San Diego Unified Port District (port district) applied to Caltrans for its first variance to the noise standards and has since applied for and received seven variances. It applied for its eighth variance on August 16, 2000.

## **THE ROLE OF THE SAN DIEGO UNIFIED PORT DISTRICT**

Lindbergh Field is owned and operated by the port district, which was created by the Legislature in 1962. The city councils of Chula Vista, Coronado, Imperial Beach, and National City

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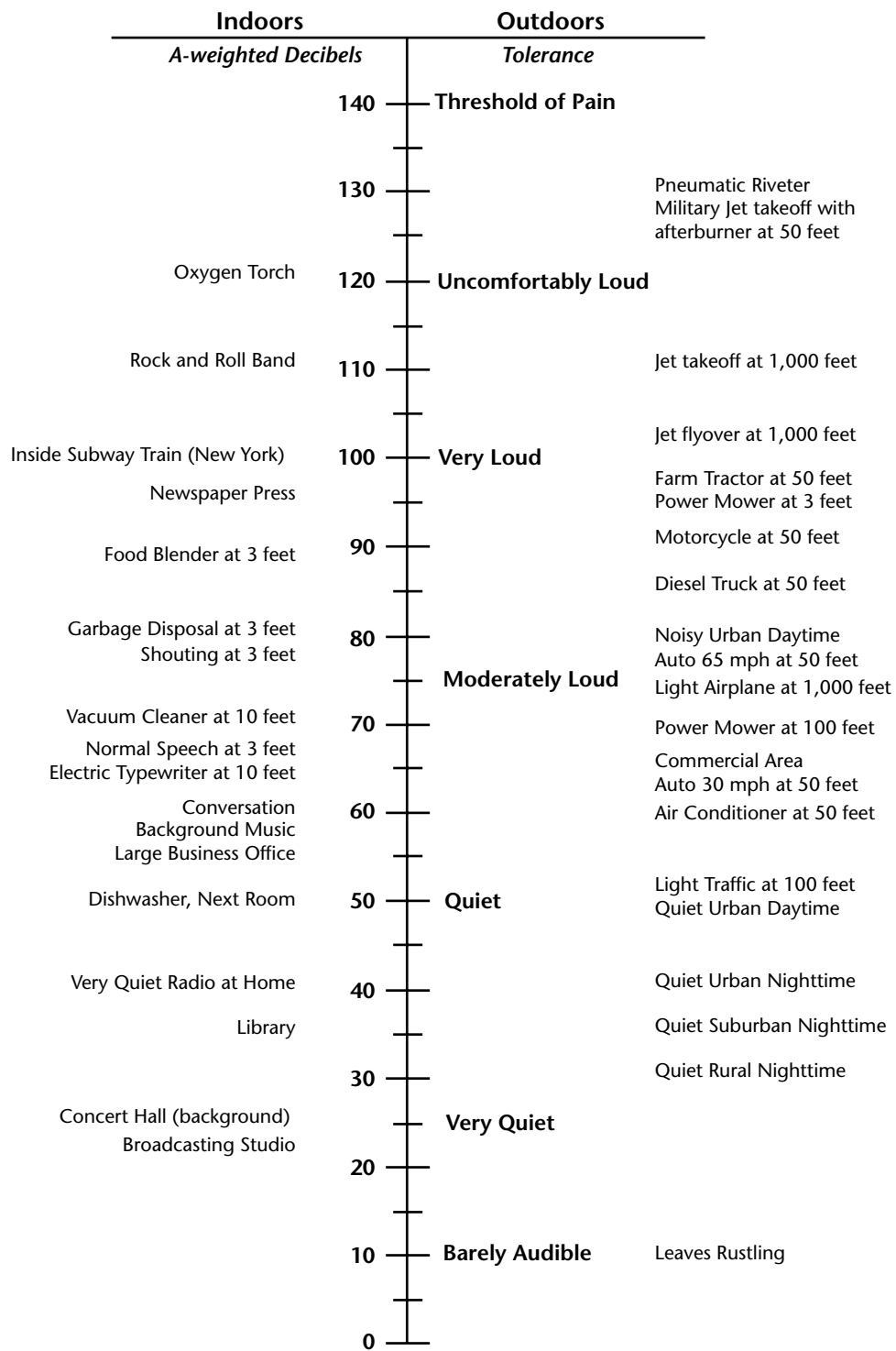
<sup>2</sup> A single event is usually measured from the time the sound is heard above the background sound level to its maximum sound level and then until it is no longer distinct. Another method for measuring a single event is by using the sound exposure level, which measures the total sound energy the listener is exposed to during a single event.

<sup>3</sup> An additional 10-decibel weighting is added to the measurement of noise events occurring between 10 p.m. and 7 a.m. to account for sleep disturbances and other effects.



**FIGURE 1**

**Approximate Sound Level of Common Sound Sources**



Source: *The Airport Land Use Planning Handbook*, prepared for Caltrans; Compiled by Hodges & Shutt from various sources (December 1993).

### **Some Functions of the Airport Noise Management Office**

- Monitor compliance with state and federal regulations.
- Enforce airport use regulations and impose fines for airline violations.
- Manage sound-attenuation programs.
- Manage its Aircraft Noise and Operations Monitoring System, including flight track data.
- Respond to community complaints and concerns.
- Monitor land use development within the noise impact area.

each select one commissioner to the port district board, and the San Diego City Council appoints three commissioners. These seven commissioners, who hold four-year terms, govern the port district and the operations of Lindbergh Field.

The port district has two groups involved in airport noise reduction issues: the Airport Noise Management Office, with a staff of four and an annual budget of \$1.6 million, and the Airport Noise Advisory Committee (committee), which is composed of individuals from various organizations, residential areas, and professional associations and provides a public forum to discuss airport noise issues. The committee reports directly to the port district board.

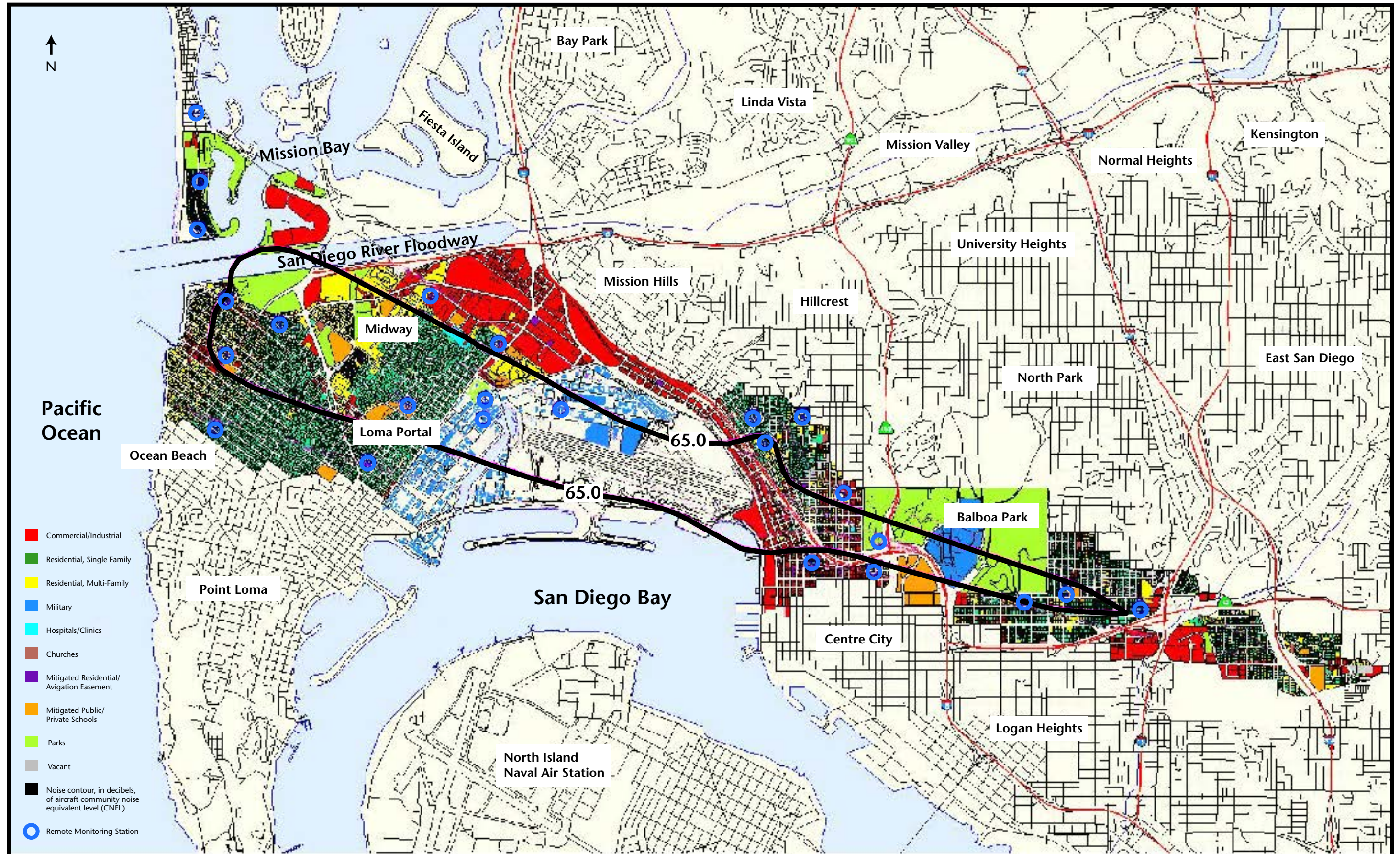
## **THE ROLE OF LOCAL GOVERNMENT AGENCIES IN SAN DIEGO**

The county of San Diego (county) enforces state airport noise regulations. It reviews and audits the noise-monitoring data from the port district and reports quarterly to Caltrans on information pertaining to Lindbergh Field's noise impact area. Figure 2 on the next page shows Lindbergh Field's impact area. The county delegates these responsibilities to its Noise Control Hearing Board (noise board), which is composed of industry representatives and community members. The county designated Lindbergh Field as a noise problem airport in 1972.

In accordance with state law, the San Diego Association of Governments (SANDAG), as the airport land use commission, adopted a comprehensive land use plan to ensure the development of compatible land use surrounding Lindbergh Field. The plan requires the SANDAG to monitor the city of San Diego's (city) general and specific plans, zoning ordinances, and building regulations to ensure that they are consistent with the comprehensive land use plan. The city is responsible—through its ordinances, regulations, and other policies—for prohibiting incompatible land use around Lindbergh Field.

FIGURE 2

1999 Annual 65 Decibel Contour of Aircraft Community Noise Equivalent Level (CNEL)



Source: Airport Noise Management Office, Lindbergh Field, San Diego Unified Port District

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## THE ROLE OF THE FEDERAL GOVERNMENT

By law, the FAA has the sole authority to manage the air traffic control system and navigable airspace in the United States and to establish flight operational procedures. The courts have long held that federal control over airport use is sufficiently “pervasive” that it occupies the entire field of regulation. Under the Supremacy Clause of the U.S. Constitution, federal regulation totally preempts any attempts by state or local agencies to regulate the use of airports that are part of the national air transportation system for environmental purposes, including noise or air quality control.

The only exception to this rule is that airport proprietors can voluntarily exercise some regulatory authority over airport use to limit their potential damage liability. This “proprietor exception,” however, has been held to be an insufficient basis for state or local agencies to indirectly regulate airport use. For example, in 1969, the Legislature directed Caltrans to adopt noise standards that limited permissible noise generated by aircraft and subjected the violator to a misdemeanor liability and a fine of \$1,000. Relying on the principles announced by the U.S. Supreme Court in *Lockheed Air Terminal, Inc. v. City of Burbank (Lockheed)*, the U.S. District Court for the Northern District of California struck down the limits as violating the rule of federal preemption in *Air Transport Ass’n v. Crotti*. In *Lockheed*, the U.S. Supreme Court stated that the FAA must balance considerations of safety, efficiency, technological progress, common defense, and environmental protection when formulating rules and regulations with respect to the use of the nation’s airspace. The U.S. Supreme Court concluded that the extensive control of the federal government “seems to us to leave no room for local curfews or other local controls.”

### Stage 2 and Stage 3 Noise Criteria

Stage 2 and stage 3 designations define the maximum allowable noise level for each aircraft type (Boeing 737, DC 10, etc.). The maximum levels are based on the maximum weight, number of engines, and phase of flight (approaches and flyovers).

- The maximum noise level for any stage 2 aircraft type ranges from 93 to 108 decibels. However, the number of engines is not used in determining the maximum noise level.
- The maximum noise level for stage 3 aircraft types ranges from 89 to 106 decibels.

To help airports and communities reduce or mitigate the effects of airport noise, the FAA undertakes activities to reduce aircraft noise, to change runway use, or to alter flight operations. In addition, although the FAA has no authority over state and local land use decisions, the Aviation Safety and Noise Abatement Act of 1979 directed the FAA to define land uses considered to be incompatible with the noise levels to which communities near airports are exposed. Incompatible land uses can include schools and residences. The act also directed the FAA to administer a program to encourage airports to

identify incompatible land uses and to develop noise compatibility programs to reduce any existing or potential incompatible land uses.

In its Airport Noise and Capacity Act of 1990 (act), Congress acknowledged the importance of aviation noise management to the continued increase in airport capacity. The act also called for a federal noise policy to reduce the number of uncoordinated and inconsistent community-level restrictions on aviation that could impede the national air transportation system. Moreover, it concluded that local interest in aviation noise management should be considered in determining the national interest, and that more advanced aircraft technology could alleviate community concerns. Congress also directed the transportation secretary to establish a national aviation noise policy by July 1, 1991. The policy would phase out aircraft certified by the FAA as stage 2 and require that essentially all civil subsonic turbojet airplanes with a maximum weight of more than 75,000 pounds comply with its stage 3 noise-level standards after December 31, 1999.

## **SCOPE AND METHODOLOGY**

The Joint Legislative Audit Committee requested that the Bureau of State Audits (bureau) examine the accuracy of the noise-monitoring data that the port district reports to Caltrans. The bureau also was asked to evaluate Lindbergh Field's noise-monitoring and flight-tracking system and the port district's use of that system to respond to complaints. The bureau was asked to determine the extent to which Caltrans monitors the port district's noise complaint process. We found that state regulations limit Caltrans' role to ensuring that the port district's noise-monitoring system meets state standards, to granting variances to the noise standards, and to reviewing quarterly noise-monitoring data for the purpose of assessing progress towards reducing Lindbergh Field's noise impact area.

To obtain an understanding of the laws and regulations governing airport operations, we reviewed federal and state laws, as well as relevant court cases. We also interviewed management and staff at the port district, Caltrans, and the county.

To obtain an understanding of the variance process, we reviewed state regulations. We also spoke with Caltrans staff to clarify our understanding and to determine whether it considers noise complaints when issuing variances.

To determine the accuracy of information reported by the port district in its application for a variance, we reviewed the terms and conditions of the variance as well as relevant data demonstrating how it met the terms and conditions. We reviewed federal documents as well as those from the port district and the city's Historical Resources Board. We also made inquiries of port district and the San Diego Unified School District staff. Further, we examined the quarterly noise reports and noise contours produced by the port district from 1996 to March 31, 2000.

To determine the county's role in monitoring the port district's compliance with state airport noise regulations, we reviewed local policies and state regulations. We also interviewed the county's noise control officer.

To determine if local entities were adhering to the requirements of the city's comprehensive land use plan, we reviewed state and federal regulations regarding land use and city ordinances and internal policies. In addition, we interviewed management and staff of the port district, the city, and the SANDAG.

To obtain assurance on the accuracy of the port district's noise-monitoring system, we interviewed the system's manufacturer. We also watched aircraft departures, recorded single-event noise meter readings and flight tracks, and compared our results to data obtained from the port district's noise-monitoring system.

Finally, to determine the frequency of deviations from original flight plans at Lindbergh Field, we reviewed flight track data and interviewed FAA staff. ■

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# CHAPTER 1

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## ***San Diego's Local Governments Must Do More to Further Reduce Lindbergh Field's Noise Impact Area***

### CHAPTER SUMMARY

The San Diego International Airport at Lindbergh Field (Lindbergh Field) is a noise problem airport and the San Diego Unified Port District (port district) has received variances to the noise standards from the California Department of Transportation (Caltrans). The variance process requires the port district to move toward reducing incompatible land use within the noise impact area to zero.

The port district's current residential sound-attenuation program, designed to upgrade existing structures, offers promise. However, problems with building permits arising from public concern about preserving the architectural and historical integrity of properties within the noise impact area have delayed the program's implementation. The port district has made little progress in implementing its military sound-attenuation program because the U.S. Marine Corps is ineligible for Federal Aviation Administration (FAA) funding and the port district had to seek other alternatives. The county of San Diego (county), which is responsible for compliance with state airport regulations, has virtually disbanded the board that was charged with ensuring compliance with the variance. Moreover, the city of San Diego (city) failed to consider noise impact issues when granting new building permits. Aircraft noise continues to affect thousands of residents within the noise impact area.

### COMMUNITY CONCERNS AND MILITARY NEGOTIATIONS SLOW IMPLEMENTATION OF SOUND-ATTENUATION PROGRAMS

Although the port district has funded improvements to schools within the San Diego Unified School District, delays in the startup of its residential and military sound-attenuation programs have slowed its ability to further reduce Lindbergh Field's noise impact area. The port district estimates that more than 28,000

people are affected by the noise within the 1.3 square miles of the noise impact area. When granting a variance, Caltrans requires the port district to develop and implement programs to reduce its noise impact area to an acceptable degree over a reasonable period. However, it took nearly two years of negotiations between the city, county, military, community representatives, and the port district to agree in October 1997 to include the military and residential sound-attenuation programs in its seventh variance.

The port district has successfully implemented the San Diego Unified School District sound-attenuation program. The port district and the FAA provided about \$14 million to the school district. By August 1999, six schools in the noise impact area received sound-attenuation upgrades to reduce the airport noise.

Progress in the residential sound-attenuation program has not been as steady. The program's goal is to achieve an interior noise level of 45 decibels in eligible dwellings. Homes eligible for the sound-attenuation program include single family and multi-family residences with six or fewer units, whether owner-occupied or not, within the highest noise impact area near Lindbergh Field. Participation is voluntary; however, each property owner choosing to participate must sign an avigation easement to the port district. Avigation easements grant the port district unrestricted aircraft access to and from Lindbergh Field and limit the property owner's ability to initiate legal action related to aircraft noise. In return, the property owners can receive upgrades to windows, doors, attics, and wall insulation and have air conditioning installed at no cost.

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***The residential sound-attenuation program was delayed due to concerns over preserving the architectural and historical integrity of homes within the noise impact area.***

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The port district receives FAA grant money for the residential sound-attenuation program. The FAA had awarded a total of \$10 million as of September 2000. The port district will contribute about \$2 million for the program. The port district intended to begin upgrading eligible homes in 1999, but the program was delayed when the city's Historical Resources Board (historical board) voiced concerns about the preservation of some homes within the noise impact area. The historical board instructed city administrators not to issue building permits to the port district and asked the port district to develop an inventory of area homes with historic value. The port district completed the inventory in April 2000 and expects more than 200 residences to receive upgrades by January 2002.

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*Although learning in 1997 that the U.S. Marine Corps was ineligible for federal sound-attenuation funds, the port district did not seek other alternatives until 1999.*

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The port district has made little progress toward implementing its military sound-attenuation program, which is similar to the residential program. The port district became aware in May 1997 that the U.S. Marine Corps was ineligible to receive funding from the FAA for sound attenuation. However, between 1997 and 1999 the port district did not seek other funding alternatives. In 1999, unrelated to the variance process, the port district began working on a potential exchange of property with the U.S. Marine Corps. If the property exchange is approved, the port district could begin addressing some of the noise issues at the Marine Corps Recruit Depot within two to three years.

### **THE COUNTY IS NOT PROPERLY MONITORING THE PORT DISTRICT'S PROGRESS**

State law requires the county to enforce the noise regulations established by Caltrans. San Diego County established its Noise Control Hearing Board (noise board) to enforce the terms and conditions of Lindbergh Field's variance to the noise standards and submit quarterly reports to Caltrans based on information provided by the port district. There are no specific requirements outlining how often the noise board must meet to certify the accuracy of the port district's quarterly reports. However, the noise board has not met since April 1999, so it cannot ensure that the port district is meeting the requirements stipulated by the variance.

During its review of Lindbergh Field's variance application, Caltrans will hold a public hearing, under the provision of the State's Administrative Procedure Act, if any person or governmental agency residing in, owning property within, or having jurisdiction over the noise impact area requests one. Lindbergh Field's existing variance allows local parties that participated in the variance negotiation to submit written objections to Caltrans. In reviewing the port district's application, Caltrans will consider the written objections.

#### **Factors That Caltrans Considers When Reviewing Variance Applications**

- Economic and technological feasibility of complying with Caltrans' noise standards.
- Noise impact resulting from the approval of the variance.
- Benefit to the public.
- Good faith effort made by the port district to achieve state noise standards.

In accordance with the requirements of the seventh variance, the port district must include in its quarterly reports the composition of the current jet operations fleet mix and each air carrier's anticipated aircraft additions and replacements as of January 1 and July 1. The report also must

include information such as a report of operations by airline, aircraft type, and stage classification for each quarter and cumulative six-month period ending June 30 and December 31. This data allows interested parties to track the number of aircraft considered to be excessively noisy.

In 1999, the port district required all regularly scheduled commercial operations at Lindbergh Field to meet FAA requirements for stage 3 certification. As a result, the port district no longer needed to include operations by stage classification in its quarterly reports. However, the port district also stopped reporting on operations by airline and aircraft type. A community member commented on the information missing from the quarterly reports as early as March 1999 and requested that the port district continue to report on operations by airline and aircraft type, but the port district has not included this data in its reports as of July 2000. The port district states that, in the future, it will comply with the variance and include data on operations by airline and aircraft type in the quarterly noise reports sent to Caltrans.

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*Because the noise board has not met since April 1999, no independent, local governing body is ensuring that the port district complies with the conditions of its variance from noise standards.*

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The noise board has not met since April 1999 and as a result the port district has been submitting the quarterly reports directly to Caltrans without independent verification. The county states that staff changes and a general lack of interest from previous board members has prevented the noise board from monitoring the port district's performance. Unless the noise board resumes its oversight responsibilities, there is no independent, local governing body to ensure that the port district is meeting the terms and conditions of Lindbergh Field's variance and that progress toward reducing the noise impact area is acceptable.

### **THE CITY OF SAN DIEGO HAS FAILED TO ENFORCE CERTAIN PROVISIONS OF LINDBERGH FIELD'S COMPREHENSIVE LAND USE PLAN**

The federal government recognizes the importance of land use planning in mitigating noise impacts and considers it to be among the most potent and affordable of all the compatibility strategies. It therefore encourages airport operators to act as an integral participant in the planning process, which includes tracking the development taking place around their airports. The city approved a comprehensive land use plan for Lindbergh Field that the San Diego Association of Governments (SANDAG)

adopted. However, the city has not complied with certain plan requirements. Consequently, it has impeded the port district's progress in reducing its noise impact area.

The SANDAG, composed of council members, mayors, and a county supervisor from each of the region's 19 local governments, is also the airport land use commission for the San Diego region. The comprehensive land use plan that the SANDAG adopted in February 1992, with a subsequent amendment in April 1994, directs the city to prohibit the development of any further incompatible land uses within the area surrounding Lindbergh Field and to require new projects to be consistent with the plan. In certain instances, property owners must file an avigation easement with the county recorder and the port district to obtain building permits. Avigation easements are one way of converting land use from incompatible to compatible.

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***Although the city agreed in 1992 to prohibit the development of any further incompatible land uses within the noise impact area surrounding Lindbergh Field, it did not amend its land use regulations to include Lindbergh Field until October 2000.***

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However, the city has not consistently obtained avigation easements when required. In fact, it was not until October 2, 2000, that the city council amended an ordinance to include supplemental regulations for Lindbergh Field's land use plan and update its avigation easement requirements. The ordinance still requires the approval of the Coastal Commission, which oversees local coastal programs.

In January 1997, the port district identified a number of new residential homes within the noise impact area for which it had not received avigation easements. Despite working with the port district to implement plan provisions for obtaining avigation easements, the city remains inconsistent in its enforcement of plan requirements. For example, as part of its discretionary permit process, the city prepares and makes available to the public an environmental report for new developments. The city's September 2000 environmental analysis for a new eight-unit development incorrectly stated that this proposed apartment complex would be a compatible land use, and the city did not address the need for an avigation easement in the future. As early as 1997, the city knew that certain provisions of the land use plan, including the avigation easement requirements, were internally inconsistent, and as a result, its staff disagreed on exactly when to apply the provisions. If the city believed that the plan contained certain inconsistencies, it should have taken action sooner to seek clarification and implement plan provisions.

The SANDAG also bears some responsibility for ensuring that certain provisions of the land use plan are met. Specifically, the plan requires the SANDAG to monitor the city's general and community plans, zoning ordinances, and building regulations. Initially, the SANDAG believed that it adequately monitored the city's compliance with the plan, and that the city's ordinance covered Lindbergh Field. However, five years after adoption of the plan, port district staff recognized the omission of Lindbergh Field from the ordinance. Although the omission eventually was corrected, the SANDAG's failure to ensure that all the city's regulations were consistent with the plan before 1997 contributed to the city's delays in seeking the necessary aviation easements to reduce incompatible land developments.

## **RECOMMENDATIONS**

The port district should continue its negotiations with the U.S. Marine Corps to resolve noise-related issues at the Marine Corps Recruit Depot. It also should continue to report on operations by airline and aircraft type as the variance requires.

To maintain proper oversight of the port district's progress in meeting the conditions of Lindbergh Field's variance and to meet its regulatory responsibilities, the county should reactivate the noise board. It should ensure that the noise board meets quarterly and submits regular and complete reports to Caltrans.

To fully implement the comprehensive land use plan and prevent any additional incompatible land uses, the city should develop procedures to ensure that property owners obtain the necessary aviation easements for new developments within the noise impact area. The city also should make certain that its general and community plans, zoning, and regulations and ordinances are consistent with the comprehensive land use plan.

Finally, the SANDAG should comply with the plan requirements for ensuring that the city's general plan and ordinances agree with the comprehensive land use plan. ■

## CHAPTER 2

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### ***The Port District Cannot Impose Noise Restrictions Without FAA Approval, but It Can Improve Its Community Relations in Other Ways***

#### CHAPTER SUMMARY

Noise problems at the San Diego International Airport at Lindbergh Field (Lindbergh Field) have provoked complaints from the surrounding communities for many years. In response, the Airport Noise Management Office of the San Diego Unified Port District (port district) makes available a complaint hot line. The port district is limited in addressing community complaints because it cannot impose noise and access restrictions on older aircraft that have been retrofitted to meet the Federal Aviation Administration's (FAA) requirements for stage 3 certification but still produce substantial levels of noise.

Distrust of the port district's flight-tracking and noise-monitoring system data further hampers positive community relations. Although our flight observations were consistent with the data obtained from the port district's noise-monitoring system, the manner in which the district's Airport Noise Advisory Committee (committee) interacts with the community and the cessation of the county of San Diego's (county) Noise Control Hearing Board (noise board) may be partly responsible for the community's distrust.

Although the FAA added "noise dots" to air traffic control radar maps to define regular departure paths and to limit flights over residences in the southern area of Point Loma, we found that the noise dots are only minimally able to affect the area's overall noise level. Moreover, the anticipated growth in Lindbergh Field's aircraft operations warrants the necessity for the San Diego Association of Governments (SANDAG), local agencies, and others to band together and decide whether to expand or relocate Lindbergh Field.

## THE PORT DISTRICT CAN IMPROVE ITS COMMUNITY RELATIONS

Lindbergh Field's variance to the noise standards requires the port district's Airport Noise Management Office to respond to aircraft noise complaints. It uses a noise-monitoring system to measure noise, track flight paths, and calculate the noise impact area. The Airport Noise Management Office uses this data to respond to complaints. Although some community members consider the noise-monitoring system data suspect, we found it to be accurate. However, the cessation of the county's noise board and the port district's failure to effectively communicate with community members through its committee may be responsible for public distrust.

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*Although responsible for reviewing the accuracy of noise-monitoring data and serving as a forum for public discussion of airport noise issues, the county's noise board has not met for at least 18 months.*

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The noise board reviews and audits the port district's noise-monitoring data. It further serves as a forum for public discussion of airport noise issues. However, the county states that the noise board has not met for at least 18 months due to staff changes and a lack of interest among board members. As a result, community members affected by Lindbergh Field's aircraft noise no longer have an independent verification of the port district's data.

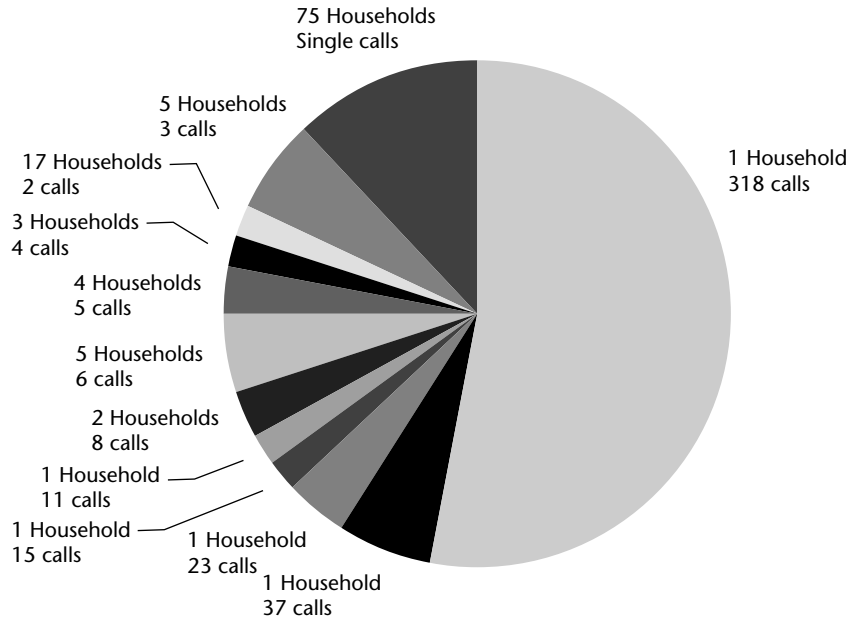
The public can register complaints through a hot line established by the port district's Airport Noise Management Office. The hot line receives an average of 500 complaints semiannually. After researching each complaint, the Airport Noise Management Office responds to complainants who have so requested. Our analysis of Lindbergh Field's data shows that a single household may file numerous complaints. For example, one household filed 46 complaints between January and June 1999, while another household filed 20 between July and December 1999. Moreover, as Figure 3 shows, one household made 318 calls, or 53 percent of the total complaints, between January and June 2000.

Complaints range from a loud aircraft overhead to possible curfew violations. Another common complaint is that aircraft



**FIGURE 3**

**Aircraft Noise Complaint Distribution by Household  
January Through June 2000  
(Total Calls = 606)**



Source: San Diego Unified Port District Airport Noise Management Office.

Note: The figure shows the number of calls each household made.

are not following the regular departure route. The Airport Noise Management Office also receives complaints regarding aircraft not landing or departing from Lindbergh Field, such as banner flights, emergency response flights, or military flights. In these cases, the Airport Noise Management Office attempts to identify the aircraft and inform the caller of the proper jurisdiction to lodge its complaint.

Another forum for residents to voice their concerns is the committee, established by the port district in 1981 and composed of 14 voting members from various agencies, industries, and other interested groups. The composition of the committee was a requirement of the existing variance and was approved by the FAA. The committee meets at least once each calendar quarter. Any community members wishing to address the committee must do so within a time limit of three minutes.

### **Composition of the Airport Noise Advisory Committee**

- Air Transport Association
- Commercial airline pilot
- Acoustician
- Military
- Federal Aviation Association
- Greater Golden Hill Planning Board
- Little Italy Association
- Midway Community Plan Advisory Committee
- Ocean Beach Planning Board
- Peninsula Community Planning Board
- Uptown planners
- City of San Diego
- County of San Diego
- Port district

At the committee's September 14, 2000 meeting, emotions ran high and involved outbursts that were not conducive to rational discussion. The existing meeting format, similar to that of a public meeting, did not appear to generate constructive communication between the port district and the public. This is consistent with a 1996 FAA survey of about 90 major North American airports that found that the most successful techniques for developing solutions to airport noise while ensuring community involvement are advisory committees and working groups. Public meetings and public hearings are the least successful. We believe the port district may benefit by establishing smaller working groups that include community members. This facilitation of more one-on-one communication would encourage community members to become an integral part of the decision-making process.

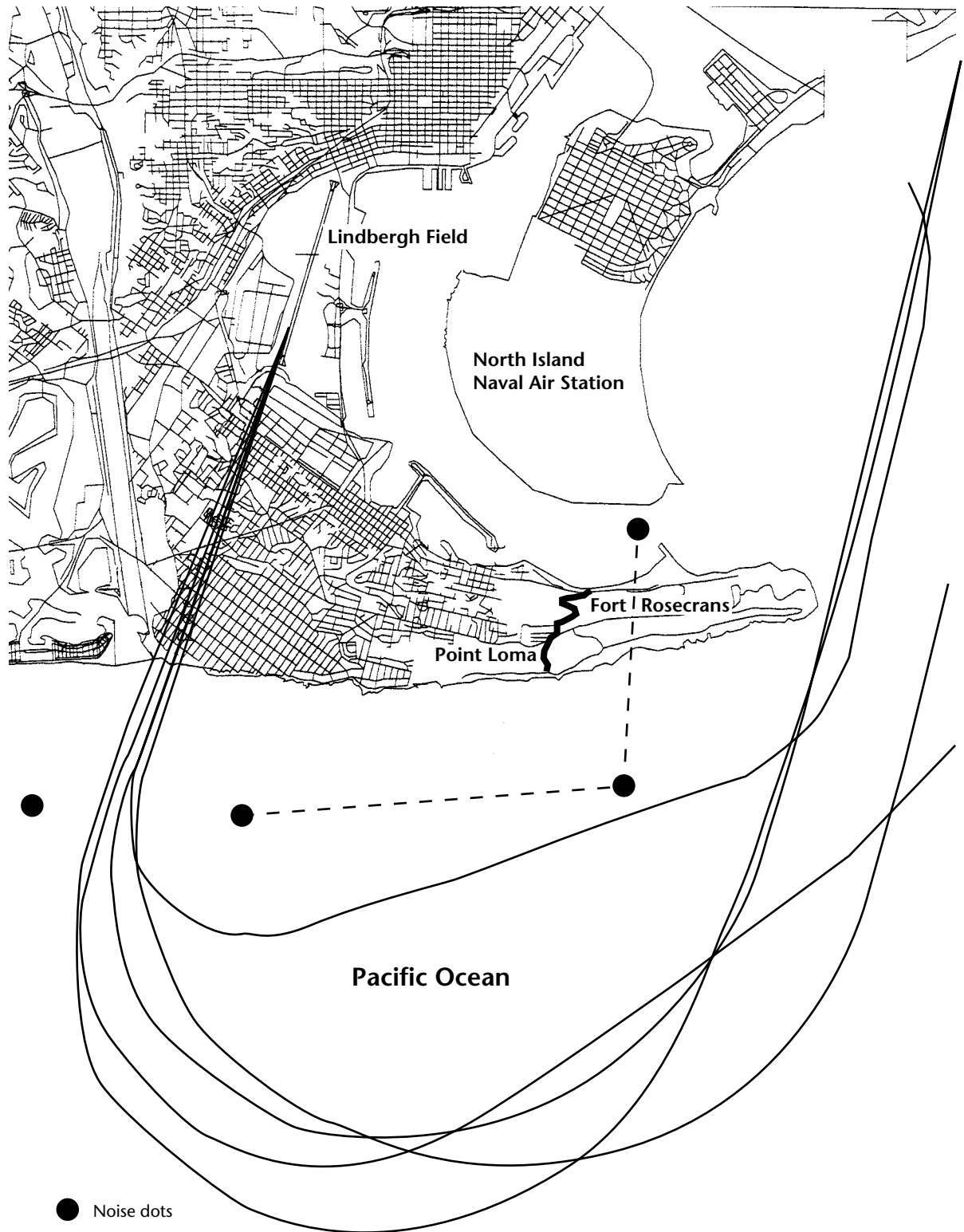
### **The FAA's "Noise Dots" Restrict Flights Over Residential Areas**

In December 1998, responding to concerned citizens and a congressional representative about aircraft departures, the FAA implemented new procedures and installed new radar maps with a series of "noise dots" that define regular departure paths. These improvements have helped to redirect air traffic away from residential areas in Point Loma.

The new procedures direct aircraft 1.5 miles west of the shoreline before turning south. Aircraft also are directed so they do not cross Point Loma until as far south as Fort Rosecrans National Cemetery. The FAA representatives have also made assurances that Lindbergh Field air traffic controllers direct departing aircraft to a 275- or 290-degree heading when cleared for takeoff. Figure 4 shows an example of flights using the 275-degree departure heading between 7:10 p.m. and 8 p.m. on September 20, 2000. The figure also depicts the radar gate through which aircraft should fly to comply with the FAA "noise dot" procedures.

**FIGURE 4**

**Noise Dots Redirect Air Traffic Away From Point Loma**



Source: San Diego Unified Port District Airport Noise Management Office.

Departing aircraft do not fly to a specific point on the 275-degree departure heading. Instead, air traffic control directs aircraft to fly through a departure gate about two miles wide and 1.5 nautical miles west of the shoreline. As a result, an aircraft can fly from the departure end of runway 27 to the southern end of the departure gate and cross the shoreline as far south as Orchard Avenue. Our review of daily flight track data for the months of April 1999, October 1999, and July 2000 showed a decreasing number of flights outside the departure corridor bounded by the “noise dots.” The Airport Noise Management Office routinely reviews daily flight track data and makes a list of any flights that occur outside the “noise dots.” It submits that list to the FAA representative at the air traffic control facility. When the FAA identifies a specific cause behind multiple irregular flight tracks, it follows up to correct the problem. In some instances, the reported irregular flight tracks are warranted because of safety considerations.

### **RETROFITTED STAGE 3 AIRCRAFT CONTINUE TO CAUSE PROBLEMS**

Since January 1, 1999, the port district has prohibited noisy stage 2 planes, with the exception of general aviation aircraft and operators that are not regularly scheduled. However, the port district cannot unilaterally place noise or access restrictions on old stage 2 aircraft that have been retrofitted with hushkits to minimally meet the FAA’s noise-level criteria for stage 3 certification.

Significant noise differences exist among the aircraft that comply with stage 3 noise levels. New stage 3 aircraft, such as Boeing 757s, are much quieter than older Boeing 727s with hushkits, which reduce aircraft engine fan and compression noise through engine modification, acoustic treatment, and noise suppression technology. These hushkitted Boeing 727s meet FAA’s stage 3 noise-level criteria but are only slightly quieter than the Boeing 727s without hushkits that are certified as stage 2. The FAA’s position is that hushkit modification is an appropriate method to comply with stage 3 aircraft noise standards. It also expects the noise impacts on the surrounding communities to decrease as hushkitted and older stage 3 compliant aircraft reach the end of their service lives and are replaced by newer planes.

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*Although they meet FAA’s noise-level criteria, hushkit equipped stage 3 certified aircraft are only slightly quieter than stage 2 aircraft, which have been prohibited since January 1999.*

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### **Criteria for Proposals for Noise and Access Restrictions**

- Be reasonable, nonarbitrary, and nondiscriminatory.
- Not create an undue burden on interstate or foreign commerce and the national aviation system.
- Maintain safe and efficient use of navigable airspace.
- Not conflict with existing federal laws or regulations.
- Demonstrate that the airport has provided adequate opportunity for public comment.

The port district is not able to restrict the access of hushkitted aircraft from Lindbergh Field. Federal law and various court cases support the FAA's preeminence on this issue. For example, the Airport Noise Capacity Act of 1990 (act), along with federal regulations, make many traditional aircraft operation regulations by local airport owners infeasible without FAA approval. Airport owners risk losing federal funds if they request noise or access restrictions from the FAA without meeting certain criteria. However, the act does allow the port district to seek the air carriers' concurrence to implement voluntary restrictions. In response to a request from the committee, the port district plans to send a letter to aircraft operators urging them to voluntarily substitute noisier hushkit stage 3 planes with quieter stage 3 planes.

In 1989, prior to the act, the port district did impose curfews on the use of Lindbergh Field. No departures or engine run-ups can occur between 11:30 p.m. and 6:30 a.m. Departures of aircraft not certified as stage 3 are prohibited between 10 p.m. and 7 a.m. However, these restrictions do not apply to emergency and mercy flights, as well as engine run-ups associated with these flights.

The port district fines airlines \$1,000 for the first curfew violation, \$3,000 for the second, and \$5,000 for the third violation during any calendar quarter. The port district also cites airlines that do not fly the agreed-upon operations mix, imposing similar fines as it does for the curfew violations but on a per-flight basis. Although the port district does not impose the highest monetary fines on airlines that violate its airport use regulations, it is working with the FAA to ensure that its proposal for doubling the amount of its fines will be consistent with federal law and policy.

### **PROJECTED INCREASES IN AIRCRAFT OPERATIONS COULD MAKE FUTURE NOISE LEVELS EVEN HIGHER**

Currently, more than 25 passenger and cargo airlines operate an average of 630 flights in and out of Lindbergh Field daily. According to the port district, aircraft operations at the airport totaled 217,130 arrivals and departures in 1970. This number declined through the 1970s, reaching a low of almost 133,700 in 1982 before increasing each year thereafter to about 220,000 in 1996. Moreover, a dramatic shift occurred in the distribution

of Lindbergh Field's operations. In 1970, general aviation aircraft accounted for almost 60 percent of aircraft operations, but by 1996 it was only 10 percent, with commercial carriers accounting for the remaining 90 percent. Total aircraft operations at Lindbergh Field are projected to grow at an average annual rate of 2 percent through 2020. At this rate, Lindbergh Field will reach its maximum aircraft operating capacity of 275,000 by 2011.

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*There have been about 30 different studies concerning the relocation of Lindbergh Field, but no conclusions regarding its expansion or relocation have been reached.*

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The SANDAG, in its role as the regional transportation planning agency, is primarily responsible for siting San Diego's commercial airport. The SANDAG, community groups, and private individuals have conducted about 30 studies concerning the relocation of Lindbergh Field but have not reached any conclusion. In its 2020 regional transportation plan, the SANDAG states that if the U.S. Marine Corps no longer requires Miramar as a national defense facility, Miramar should be aggressively pursued as a replacement for Lindbergh Field. Nevertheless, given the anticipated growth, a decision must be made on whether to expand or relocate Lindbergh Field.

## RECOMMENDATIONS

To further its efforts to reduce the impact of aircraft noise and to respond effectively to community complaints, the port district should encourage more community involvement, such as using working groups that include local citizen representation. In addition, the port district should proactively participate in finding ways to reduce or minimize the use of stage 3 certified hushkit aircraft at Lindbergh Field.

To provide independent verification of the port district's noise information, the county of San Diego should reactivate the Noise Control Hearing Board.

To more effectively address the anticipated growth in Lindbergh Field's aircraft operations, the SANDAG, local agencies, and citizen's groups should decide whether to relocate the airport.

We conducted this review under the authority vested in the California State Auditor by Section 8543 et seq. of the California Government Code and according to generally accepted government auditing standards. We limited our review to those areas specified in the audit scope section of this report.

Respectfully submitted,

A handwritten signature in black ink that reads "Elaine M. Howle". The signature is written in a cursive, flowing style.

ELAINE M. HOWLE  
State Auditor

Date: October 31, 2000

Staff: Joanne Quarles, CPA, Audit Principal  
Art Monroe, CPA  
Faye Borton  
Leah Northrop

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*Agency's comments provided as text only.*

Port of San Diego and Lindbergh Field Air Terminal  
Thella F. Bowens  
Senior Director, Aviation  
P.O. Box 120488  
San Diego, California 92112-0488

October 26, 2000

Elaine M. Howle\*  
California State Auditor  
555 Capitol Mall, Suite 300  
Sacramento, California 95814

Re: *San Diego Unified Port District, San Diego International Airport - State Audit*

Dear Ms. Howle:

This letter contains the comments of the San Diego Unified Port District ("the District") in its capacity as the certified proprietor of San Diego International Airport ("SDIA" or "the Airport") with respect to the draft audit report that the Bureau of State Audits ("BSA") released for internal District review and comment on October 20, 2000. The District appreciates the BSA's efforts in connection with the recent audit of the District and is in general agreement with the draft report.

### **General Comments**

The District wishes to provide the following comments regarding the draft audit report:

1. The second paragraph on page 16 and the third paragraph of page 18 references a "Military Sound Attenuation Program". Although the seventh variance process included discussion regarding the possible implementation of a military sound attenuation program, the program was never adopted as part of the seventh variance because, as the draft report accurately indicates, the United States Marine Corps is ineligible for FAA funding. Although negotiations are continuing with the Marine Corps for a land exchange that allows the Airport to extend its North Taxiway, any noise mitigation provided as a result of this transaction has no relation to the formerly proposed "Military Sound Attenuation Program" and therefore should be referenced in the report as "Future Noise Mitigation at the Marine Corps Recruit Depot".
2. The second paragraph on page 28 discusses the Airport Noise Advisory Committee (ANAC) meeting that was held on September 14, 2000. It is important to emphasize that the ANAC meeting attended by the state auditors was *not* reflective of the general nature of these meetings in the past. Rather, it appears that the attendance by the auditors as well as a

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\*California State Auditor's comments appear on page 35.

representative from Caltrans, coupled with the pending variance application and the presence of local press and television cameras necessarily stimulated some of the unusual level of “outbursts”. Although the District is certainly willing to consider any recommendations the State believes is appropriate regarding the District’s community outreach efforts, the District continues to believe that having a public input opportunity during ANAC meetings is important. The report should also recognize that during the seventh variance process, Caltrans approved the composition and role of ANAC as negotiated with the community. In addition, the FAA through the Part 150 amendment process sanctioned the structure of this Committee.

- ②
- 3. The second paragraph on page 30 discusses the District’s phase-out of Stage 2 aircraft. The report should be revised to accurately indicate that the District’s Stage 2 phase-out was accomplished one year ahead of the federal mandate under the Airport Noise and Capacity Act of 1990.
- 4. The second complete paragraph on page 33 references the issue of expanding or relocating Lindbergh Field. The report should recognize that the District’s long term solution on this matter is to work with regional agencies, local governments and interested stakeholders to develop a specific program for a Regional Strategy for Air Transportation. This program is designed to determine how best the region can use existing air and ground transportation facilities to meet the region’s air transportation needs.

**Port District Recommendations from Draft Report**

With respect to the four specific recommendations of the audit directed to the Port District, our response to each recommendation is as follows:

- 1. **Continue negotiations with the United States Marine Corps to resolve noise-related issues at the United States Marine Corps Recruit Depot (MCRD).**

As previously referenced, negotiations are continuing with the United States Marine Corps for a land exchange that allows the Airport to extend its North Taxiway. As part of these negotiations, the District is addressing noise impacts to the MCRD. The District expects that a public statement regarding the results of these negotiations and the agreements reached between the District and the Marine Corps in the near future.

**2. Continue to report on operations by airline and aircraft type, as the [current Caltrans] variance requires.**

The District has already advised Caltrans that it will include this information in future quarterly reports to the County of San Diego and Caltrans, and that the information will continue to be made available to the public. The District has separately provided Caltrans and the public with this information for the period from January 1, 1999 through March 31, 2000.

**3. The Port District should improve its public relations efforts by encouraging more community involvement, such as using working groups that include local citizen representation.**

As previously mentioned, the specific structure of the ANAC was negotiated with community representatives as part of the seventh variance. In addition, the ANAC structure has been included in the District's FAA approved Part 150 program. ②

The District continues to believe that the ANAC, with its broad base of membership by local community representatives is still the best forum to at least begin public discussions of issues related to noise from SDIA operations. However, the Board of Port Commissioners, the ANAC's policy body, will be advised of this recommendation. District staff will also suggest that in the future the ANAC may wish to address some issues by forming issue specific working groups, and that District staff would, where appropriate, support a smaller "working group" approach if both the Board of Port Commissioners and the ANAC believe this is consistent with encouraging opportunities for public dialogue.

Further evidence of the District's public relations efforts and our desire to increase community involvement in Airport matters can be demonstrated through the Airport Master Plan process. At the outset of the process, a Public Working Committee and Technical (i.e., FAA, airlines, etc.) Working Committee were created, which in the consideration of future alternatives for the Airport, considered noise impacts, among other factors. In order to engage the general public in this effort, approximately two hundred thirty (230) community meetings both inside and outside the noise impacted areas have occurred. At these meetings, information on current and future noise impacts was always available and frequently discussed in a public setting. In addition, these meetings provided a forum for individuals to discuss noise impacts one on one with District staff and technical consultants. As the District moves into the State and Federal environmental review stage of the Airport Master Plan process, current and future noise impacts from SDIA will continue to be discussed in public settings.

**4. The Port District should proactively participate in finding ways to reduce or minimize the use of Stage 3 certified hushkitted aircraft at Lindbergh Field.**

The District intends to pursue this issue by dealing directly with commercial air carriers using “hushkitted” Stage 3 aircraft in their SDIA operations. The District will explore with them the possibility of voluntary actions reducing the use of “hushkitted” aircraft at SDIA, and District staff will continue to advise the ANAC of the results of those efforts.

Although the District is committed to proactively participating in finding ways to reduce or minimize the use of Stage 3 certified hushkitted aircraft at the Airport, it is important to recognize that the District has already demonstrated through its enforcement of the Airport Use Regulations, which embody the time of day restrictions (curfew) and the phaseout of Stage 2 aircraft in 1999, that the District is committed to continuing to address noise concerns in an aggressive and comprehensive manner. These Airport Use Regulations, which were adopted by the District with knowledge of the critical importance of adequately addressing noise issues in a manner which is comprehensive in nature, are notably some of the most stringent regulations in the entire country. Aggressive enforcement of these regulations will continue to play an important role in the District’s continuing operation of the Airport.

**Conclusion**

The District appreciates the opportunity to comment on the draft audit report. If you have any questions regarding our comments or need additional information regarding any of the issues discussed, please do not hesitate to contact us.

Sincerely,

*(Signed by: Thella F. Bowens)*

Thella F. Bowens  
Senior Director, Aviation

# COMMENTS

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## ***California State Auditor's Comments on the Response From the San Diego Unified Port District***

To provide clarity and perspective, we are commenting on the San Diego Unified Port District's (port district) response to our audit report. The numbers correspond with the numbers we have placed in the port district's response.

- ① Page 17 of our report states that the potential exchange of property between the port district and the U.S. Marine Corps was unrelated to the variance process. However, to provide further clarity to the report, we modified our text on page 17.
- ② As stated in our report, we too believe that the public should have an opportunity during Airport Noise Advisory Committee (committee) meetings to voice their concerns. We have simply recommended that the port district also explore additional techniques for developing solutions to airport noise, including smaller working groups that include community members. Further, page 23 of our report does recognize the composition of the committee as a requirement of the existing variance and the Federal Aviation Administration's approval. This change was previously discussed and agreed upon with port district staff during our exit conference on October 24, 2000.
- ③ The port district implies that our report is inaccurate and that it should be revised. We disagree. Our report clearly and accurately states on page 26 that the port district prohibited noisy stage 2 aircraft as of January 1, 1999. This is consistent with the port district's Amended Airport Use Regulations (March 7, 1989) and its August 16, 2000, request for variance to the California Department of Transportation. While the port district correctly indicates that its stage 2 phase-out was accomplished one year ahead of the federal mandate, it is not relevant to our discussion.

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*Agency's comments provided as text only.*

County of San Diego  
Department of Planning and Land Use  
5201 Ruffin Road, Suite B  
San Diego, California 92123-1666

October 26, 2000

Elaine M. Howle  
State Auditor  
555 Capital Mall, Suite 300  
Sacramento, CA 95814

Dear Ms. Howle:

We have reviewed our portion of your draft version of Report No. 2000-126 about San Diego International Airport at Lindbergh Field and have only a few comments.

In general, we would like to indicate that the audit team has done a good job with their objective approach in collecting information.

We agree with the overall perspective of this audit. There is a need for the County of San Diego to insure that the Noise Control Hearing Board meets on a regular basis to review quarterly reports and to make recommendations to the Department of Transportation (Caltrans), Aeronautics Program about the Port District's performance in fulfilling the conditions of Lindbergh Field's existing variance.

County staff has reviewed the Administrative Code (SEC. 607) that created the Noise Control Hearing Board and wishes to note that the most current version was last amended on 7/2/87. The Noise Control Hearing Board is composed of eight members that are appointed by the Board of Supervisors. They serve on a voluntary basis and the County has provided staff support and meeting rooms to conduct their business. The loss of County staffing created a vacancy in April, 1999 that has contributed to the Board inactivity that has occurred. County staff has made an effort to contact all Board members to determine their availability for a meeting in November to perform their duties.

Again, we thank your staff for their diligence and look forward to supporting these recommendations to insure that the Noise Control Hearing Board will perform its duties in the future.

Sincerely,

*(Signed by: Pam Elias)*

Pam Elias, Chief  
Code Enforcement Division  
Department of Planning and Land Use  
County of San Diego

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*Agency's comments provided as text only.*

The City of San Diego  
Tina P. Christiansen, AIA  
Planning and Development Review Director  
202 C Street, MS 9B  
San Diego, CA 92101-3869

October 26, 2000

Elaine M. Howle\*  
State Auditor  
Bureau of State Audits  
555 Capitol Mall, Suite 3000  
Sacramento, California 95814

Dear Ms. Howle:

Subject: Audit 2000-126 - San Diego International Airport at Lindbergh Field: Local Government, Including the San Diego Unified Port District, Can Improve Their Efforts to Reduce the Noise Impact Area and Address Public Dissatisfaction

The City of San Diego has read the portion of the Bureau of State Audit's report pertaining to the City of San Diego's responsibilities and recommendations related to Lindbergh Field Comprehensive Land Use Plan implementation. We agree with the recommendations regarding the City's role in preventing future incompatible land uses and assuring consistency among our policy documents and implementing ordinances, including the Comprehensive Land Use Plan and the recently adopted Airport Environs Overlay Zone.

The application of the Airport Environs Overlay Zone [AEOZ] to Lindbergh Field [Attachment 1] is the culmination of a three-year process that involved City staff, Port District staff, and San Diego Association of Governments [SANDAG] staff. There were many meetings among the staffs, including one with State CALTRANS officials, to look at the appropriate provisions that would protect Lindbergh Field. The meetings took a significant amount of time to conclude due to the legitimately divergent policy goals and responsibilities of the City and of the Port District. Two key differences were the level at which aviation easements for noise should be required, and the type of development that triggers the need for the easement.

The AEOZ, recently adopted by the City Council and subject to pending Coastal Commission approval, addresses these two issues that are key to protection of Lindbergh Field. The noise level at which aviation easements may be triggered is the 65 dB CNEL level. The San Diego City Attorney's office, in an April 16, 1998, memo [Attachment 2] determined that this noise level was the appropriate level at which the City had a responsibility to acquire an easement, under certain circumstances, while recognizing inconsistencies within the adopted CLUP. The AEOZ also requires aviation easements as a condition for any development which increases the number of dwelling units within the AEOZ. This provision is more encompassing than the CLUP because the CLUP addresses easements only for discretionary projects.

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\*California State Auditor's comments appear on page 43.

While the AEOZ was not put into place concurrently with the adoption of the CLUP, the City has had procedures to deal with the issues on an interim basis. An August 12, 1992, memorandum [Attachment 3] directs staff to review projects within the Airport Influence Area [AIA] for Lindbergh Field. Informal interviews with City staff reveal that applicants for all types of building permits within the Lindbergh Field AIA were sent to the Port District after the CLUP's adoption to offer easements to the Port District. In addition, the current discretionary review process includes CEQA review for noise impacts from Lindbergh Field, and an opportunity to include conditions in discretionary permits requiring avigation easements prior to obtaining building permits. The Uniform Building Code, for new residential structures, requires noise studies and attenuation to reduce interior noise levels to 45 dB CNEL, regardless whether the structure is processed through a ministerial or discretionary permit.

①② The example given [a project in September 2000] where the Port District did not receive an easement is actually an example of how the discretionary process is meant to identify easement situations. As with all discretionary projects like this one, conditions will be included in the permit for this project to require an avigation easement to be given to the Port District. The reason the Port has not received the easement is that the project has not been set for a public hearing yet, and thus the permit conditions have not been drafted. The Port District appropriately responded to the draft environmental document early in the discretionary process, as an additional check that a noise impact needed to be addressed.

② The application by the City of the Airport Environs Overlay Zone to the Lindbergh Field Airport Influence Area will help increase the certainty that avigation easements will be acquired in the circumstances dictated by the ordinance provisions. The City of San Diego looks forward to establishing a formal, permanent process that facilitates the acquisition of these avigation easements. It should be noted that neither the City of San Diego nor SANDAG has prevented the Port District from acquiring avigation easements through its own initiative since the adoption of the Comprehensive Land Use Plan. City staff, during discussions with CALTRANS staff, became aware that, in certain jurisdictions, the airport operator purchases easements from property owners.

③ We note, finally, that the title of your audit includes "address[ing] public dissatisfaction" related to noise impacts. Acquisition of avigation easements by the Port District does not actually reduce the boundaries of a noise impact area from the airport, nor does it reduce the actual noise. Easements **legally** reduce the number of incompatible structures. In the City of San Diego's experience dealing with public dissatisfaction related to airport noise, dissatisfaction has not been reduced by promoting the acquisition of avigation easements unless the granting of that easement is warranted by the type of development proposed.

Page 3  
Ms. Elaine M. Howle  
October 26, 2000

Staff is available to answer any questions you may have regarding the City's comments. This response has been prepared within the five working day time period given to us. I realize that these are complex matters, and we welcome any additional opportunity to discuss your concerns or questions. Please feel free to call me at 619-236-6120, or Betsy McCullough at 619-236-6139.

Sincerely,

*(Signed by: Tina P. Christiansen, AIA)*

Tina P. Christiansen, AIA  
Planning and Development Review Director

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# COMMENTS

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## **California State Auditor's Comments on the Response From the City of San Diego**

To provide clarity and perspective, we are commenting on the city of San Diego's (city) response to our audit report. The numbers correspond with the numbers we have placed in the city's response.

- ① While the city correctly states that the project has not been set for a public hearing yet, where an avigation easement could be obtained, the city should have identified the need for an avigation easement earlier. As shown on page 19, as recently as September 2000 the city missed an opportunity to include conditions in a discretionary permit to require an avigation easement for a new eight-unit apartment complex located in the noise impact area. Specifically, in preparing the environmental report required as a condition of the California Environmental Quality Act (CEQA), city staff incorrectly stated that the proposed development was a compatible land use and did not recognize the need for an avigation easement. Identifying the need for an avigation easement during the initial stages of the permit process, such as the CEQA review, would further ensure that the city obtains avigation easements when required.
- ② The city is attempting to minimize its responsibility for ensuring that it obtains avigation easements. The comprehensive land use plan specifically outlines this as a function of the city. Therefore, it is not the responsibility of the port district to seek avigation easements for new developments during the permit process.
- ③ The city is responding to a portion of our report and does not have the benefit of the full context of our discussion on avigation easements. Our report does not state that the promotion of avigation easements reduces public dissatisfaction relating to airport noise. Rather, on pages 2, 16, and 19, our discussion focuses on the legal ability of avigation easements to convert land uses from incompatible to compatible.

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*Agency's comments provided as text only.*

San Diego Association of Governments  
Kenneth E. Sulzer  
Executive Director  
401 B Street, Suite 800  
San Diego, CA 92101-4231

October 26, 2000

Ms. Elaine Howle\*  
California State Auditor  
Bureau of State Audits  
555 Capitol Mall, Suite 300  
Sacramento, CA 95814

Dear Ms. Howle:

The staff of the San Diego Association of Governments (SANDAG) have reviewed the redacted copy of the report entitled, *San Diego International Airport at Lindbergh Field: Local Government, Including the San Diego Unified Port District, Can Improve Their Efforts to Reduce the Noise Impact Area and Address Public Dissatisfaction*. The comments contained in this letter are staff comments and they have not been reviewed or approved by the SANDAG Board of Directors.

The redacted portion of the report that we have reviewed contains two recommendations that are directed towards SANDAG. This letter provides comments directed to each recommendation.

**Recommendation #1**

*Finally, SANDAG should comply with the plan requirements for ensuring that the City's general plan and ordinances agree with the comprehensive land use plan.*

**Comments**

1. SANDAG takes its responsibility as the region's Airport Land Use Commission seriously and makes every effort to insure that the airports that have comprehensive land use plans are protected from incompatible development. Because SANDAG does not have local land use authority, it is necessary for SANDAG to rely on the city(ies) to protect the airports. SANDAG was satisfied that the Council through the approval of Resolution 278103, its participation on the Board of Directors, and the active participation of the local Councilman as chair of the advisory committee that produced the plan, would protect the airport. Since then, the City of San Diego, as the local land use agency, has developed policies and procedures to protect Lindbergh Field from new incompatible development. Exhibit #1 is a copy of the City's Resolution. ①
2. The supporting text for this recommendation, in our judgement, is incorrect. The City of San Diego presented the Airport Environs Overlay Ordinance to the SANDAG Board on April 27, 1990. Lindbergh Field is not mentioned in the report because the Lindbergh Field CLUP was not adopted until February 1992. The purpose of the ordinance is to implement all adopted CLUPs. The City's adoption of the ordinance is a clear policy statement of the Council to protect the airports within its jurisdiction from incompatible development by applying the ordinance. See exhibit #2. ②
3. The logic of your comment that SANDAG's "failure to ensure the city's regulations were consistent with the plan prior to 1997 contributed to the city's delays in seeking the necessary

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\*California State Auditor's comments begin on page 47.

①

avigation easements to reduce incompatible land development” is incorrect. The City or the Port, independent of SANDAG, has the authority to implement noise mitigation or abatement measures. CLUPs are prepared as a result of a cooperative intergovernmental process and the implementation of the plan requires the similar cooperation.

- 4. Lindbergh Field is located in an urban setting. The local neighborhoods adjacent to the airport are well established. The residential development that was constructed during the period of time the airport wasn't specifically cited in the ordinance was noise attenuated as required by the City's building code. Exhibit #3 is a letter from City staff to Port staff describing the city's requirements. While some easements may not have been granted, the airport was always protected from the construction of new incompatible noise sensitive land uses.

③

**Recommendation 2**

*To more effectively address the anticipated growth in Lindbergh Field's aircraft operations, SANDAG, local agencies, and citizens groups should make a decision on whether to expand or relocate the airport.*

**Comment**

- 1. Policy steps have been taken to address the short- and long-term issues associated with commercial aviation service. SANDAG's Regional Transportation Plan (RTP) has several short- and long-term aviation policies. The policies reflect the existing situation in that Lindbergh Field will continue as the region's commercial airport. In that regard, the SANDAG Board at its September 1999 meeting supported the Port's two track master plan. Exhibit 3 is a copy of SANDAG's September 1999 minutes that describe the Board's action.
- 2. The RTP also identifies MCAS Miramar as a commercial airport site if it is no longer needed as a military facility and it is closed as a result of Congressional action. Exhibit #4 is a copy of those policies.
- 3. It is our opinion that this recommendation is unnecessary because there are public policies in place that address the recommendation.

④

⑤

Finally, the process by which this audit was conducted could be greatly improved. A site visit at the outset of the audit with a request for documents and an overview of the schedule and scope of the audit would, in our judgement, provide a more comprehensive report.

⑥

We stand ready to help you in this process in any useful way.

*(Signed by: Kenneth E. Sulzer)*

KENNETH E. SULZER  
Executive Director



# COMMENTS

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## ***California State Auditor's Comments on the Response From the San Diego Association of Governments***

To provide clarity and perspective, we are commenting on the San Diego Association of Governments' (SANDAG) response to our audit report. The numbers correspond with the numbers we have placed in the SANDAG's response.

- ① While the SANDAG states that the city of San Diego (city) has developed policies and procedures to protect Lindbergh Field, as we state on pages 19 and 20 of our report, the amendment to include Lindbergh Field into the Airport Environs Overlay Zone did not occur until October 2, 2000. Also, the comprehensive land use plan requires the SANDAG to monitor the city's general and community plans, zoning ordinances, and building regulations. If the SANDAG had adequately monitored the city's compliance with the land use plan before 1997, it would have recognized the omission of Lindbergh Field from the city's ordinance. It was the San Diego Unified Port District's (port district) discovery of new incompatible developments in 1997 that led the city to amend the ordinance.
- ② The SANDAG is missing our point concerning the necessity of amending the 1990 ordinance once the comprehensive land use plan for Lindbergh Field was adopted in February 1992. As we state on page 19, the city did not amend its ordinance to include Lindbergh Field until October 2, 2000.
- ③ The SANDAG incorrectly states that the airport was always protected from the construction of new incompatible land uses even though some easements may not have been granted. As shown on page 19, the port district identified a number of new homes within the noise impact area for which it had not received aviation easements. Further, according to California noise standards, noise attenuation by itself is not sufficient to classify a new development as a compatible land use without an aviation easement.

- ④ We refer to this policy regarding MCAS Miramar on page 28 of our report.
- ⑤ While the SANDAG states that public policies are in place, there has been no final decision regarding Lindbergh Field's expansion or relocation. Moreover, as we state on page 28, the SANDAG, in its role as the regional transportation planning agency is primarily responsible for siting San Diego's commercial airport. In its 2020 regional transportation plan, the SANDAG identifies MCAS Miramar as a commercial airport site, but does not include specific timelines for progressing toward this selection.
- ⑥ The SANDAG was not the focus of our audit. However, the SANDAG has certain responsibilities that affect the port district's activities. The port district was able to provide us with sufficient documentation concerning the SANDAG's activities. Therefore, we did not feel that a site visit to SANDAG was necessary. On September 19, 2000, we conducted an initial interview with SANDAG staff. Once we became aware of the need to discuss SANDAG in our report, we sent a letter to the chairperson of the SANDAG Board of Directors on October 2, 2000, describing the audit scope as it related to SANDAG. We also had several conversations between October 12, 2000, and October 26, 2000, with the SANDAG to afford it an opportunity to present its viewpoint on issues concerning the SANDAG.

cc: Members of the Legislature  
Office of the Lieutenant Governor  
Milton Marks Commission on California State  
Government Organization and Economy  
Department of Finance  
Attorney General  
State Controller  
State Treasurer  
Legislative Analyst  
Senate Office of Research  
California Research Bureau  
Capitol Press

RESOLUTION NO. 2016-0034

A RESOLUTION OF THE BOARD OF THE  
SAN DIEGO COUNTY REGIONAL AIRPORT  
AUTHORITY REGARDING COMMUNITY NOISE  
ISSUES

WHEREAS, as a result of the draft SoCal Metroplex and other current aircraft operations, there has been a recent increase in airport noise concerns in the Pt. Loma Peninsula community; and

WHEREAS, Staff has prepared a comprehensive presentation overview of past and current airport noise mitigation and presented it to the Board, including reporting on the role of Airport Noise Mitigation Office in accomplishing its responsibilities, recent analyses on current noise issues, and additional efforts taken as a result of the increased community concerns over aircraft noise; and

WHEREAS, the control and regulation of aircraft noise, flight operations and airspace use in the United States is largely preempted by the federal government based on the Supremacy Clause in the U.S. Constitution [Article VI, Clause 2], wherein Congress by federal laws and regulations has evidenced an intention to exercise broad federal control; and

WHEREAS, The Airport Noise Mitigation Office (Noise), has the responsibility to meet the standards set forth in the California Airport Noise Standards, California Code of Regulations, Title 21, § 5000 *et seq.* ("Title 21"), which provides noise standards governing the operating of an airport within California; and

WHEREAS, Title 21 defines the basis for the acceptable level of aircraft noise for persons living in the vicinity of airports is a Community Noise Equivalent Level of 65 decibels (dB) and states that no proprietor of a "noise problem" airport shall operate an airport with a Noise Impact Area (N.I.A.) of 65 dB CNEL unless the operator has applied for and received a Variance from the California Department of Transportation (CALTRANS), Division of Aeronautics (Title 21 § 5012); and

WHEREAS, in accordance with Board Policy 9.20, the Airport Noise Advisory Committee (ANAC) provides a forum for resident and community input and involvement on aircraft noise issues and is comprised of community members representing City of San Diego Community Planning Groups (CPGs) within the noise impacted areas, including the Downtown Community Planning Council, the Greater Golden Hill Planning Committee, Midway/Pacific Highway Community Planning Group, Ocean Beach Planning Group and the Peninsula Community Planning Board; and

WHEREAS, CPG Chairpeople designate their ANAC representative and the voting panel includes one general community member who must reside within the 65 dB CNEL, staff members from the City of San Diego and the County of San Diego, an airline pilot, and the United States Military; and

WHEREAS, the FAA has indicated it is still reviewing the public comments on the draft SoCal Metroplex and hopes to have this review completed by June/July of 2016; and

WHEREAS, no procedures in the draft SoCal Metroplex have been implemented to date; and

WHEREAS, in December of 2015, the Board took action to support the Authority's public comment letter on the draft SoCal Metroplex, which included maintaining the LOWMA waypoint.

NOW, THEREFORE, BE IT RESOLVED that the Board hereby accepts the Status Update on community noise issues as presented by Staff; and

BE IT FURTHER RESOLVED the Board directs the following:

- (1) Request the FAA to abandon its Noise Dot 3 at a 258 degree heading and begin using the more restrictive 265 degree dot to measure "non-compliance," consistent with Airport Authority practices; and
- (2) Implement a Fly Quiet Program, a bi-monthly reporting program on how air carriers are adhering to noise procedures such as early turns and the curfew; and

BE IT FURTHER RESOLVED that the Board finds this action is not a "project" that would have a significant effect on the environment as defined by the California Environmental Quality Act ("CEQA"), as amended, 14 Cal. Code Regs. §15378; is not a "project" subject to CEQA Cal. Pub. Res. Code (Cal. Pub. Resources Code § 21065); and is not a "development" as defined by the California Coastal Act (Cal. Pub. Res. Code § 30106).

PASSED, ADOPTED, AND APPROVED by the Board of the San Diego County Regional Airport Authority at a regular meeting this 21<sup>st</sup> day of April, 2016, by the following vote:

AYES: Board Members:

NOES: Board Members:

ABSENT: Board Members:

ATTEST:

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TONY R. RUSSELL  
DIRECTOR, CORPORATE &  
INFORMATION GOVERNANCE /  
AUTHORITY CLERK

APPROVED AS TO FORM:

---

BRETON K. LOBNER  
GENERAL COUNSEL



# Update - Noise Issues

Breton Lobner,  
General Counsel

Sjohnna Knack,  
Program Manager, Airport  
Noise Mitigation

April 21, 2016

# Outline for Presentation

1. Legal Aspects of Noise
2. Airport Noise Mitigation – What We Do
3. Timeline: Aircraft Noise Concerns
4. Aircraft Noise and Operations Monitoring System
5. Airport Noise Advisory Committee
6. Noise Dot Clarification
7. Shrinking Contours
8. Total Operations – 2005 thru 2015
9. Pt. Loma Peninsula Analysis
10. Ground Noise Modeling
11. Pt. Loma Peninsula Monitoring
12. Definitions: Early Turn and Missed Approach
13. Statistics: Early Turn and Missed Approach
14. Metroplex Update
15. Additional Efforts



# Legal aspects of noise

## LEGAL ASPECTS OF THE CONTROL OF AIRCRAFT NOISE

**“Federal preemption”** is a concept based on the Supremacy Clause in the U.S. Constitution [Article VI, Clause 2].

It is applicable when Congress evidences an intention to exercise broad federal control in a particular area.

Federal laws preempt the Authority from regulating (a) the price, route and service of air carriers, (b) the use of airspace and airspace management, and (c) aircraft noise.

Airports are preempted from the control aircraft in flight, mandating departure headings or altitude, restricting aircraft types, adopting new curfews, and much more.

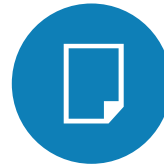
Exception: SDCRAA’s curfew is grandfathered from the preemptive federal laws (e.g., “ANCA”).

# Airport Noise Mitigation - What We Do

## Noise Office Responsibility:

### Reporting

State of CA Title 21 Annual and Quarterly CNEL  
Noise Complaints  
Early Turns & Missed Approaches  
Aircraft fleet mix and Air carrier operations  
As-needed noise analysis



### Airport Noise and Operations Monitoring System (ANOMS)

The ANOMS system collects aircraft noise, radar flight data, and noise complaints.

### Community Coordination

Coordination with communities surrounding  
SAN that are concerned about aircraft noise  
from San Diego Intl. Airport.



### Airport Noise Advisory Committee (ANAC)

Community and industry members. Other meetings as requested.

# Airport Noise Mitigation - What We Do

## Administration of Curfew

Since 1976, SAN has had a departure curfew. Current restrictions are from 11:30 p.m. until 6:30 a.m.



## Curfew Violation Review Panel

The Curfew Violation Review Panel meets every other month and provides written reports on each violation for the panel to determine if a financial penalty should be assessed.

## Collaboration with Industry

Work with airlines, FAA, and general aviation towards efforts to reduce aircraft noise impacts.



## Regular Meetings with Industry

Regular communication, meetings and involvement in ANAC.

## Noise Mitigation of Impacted Homes

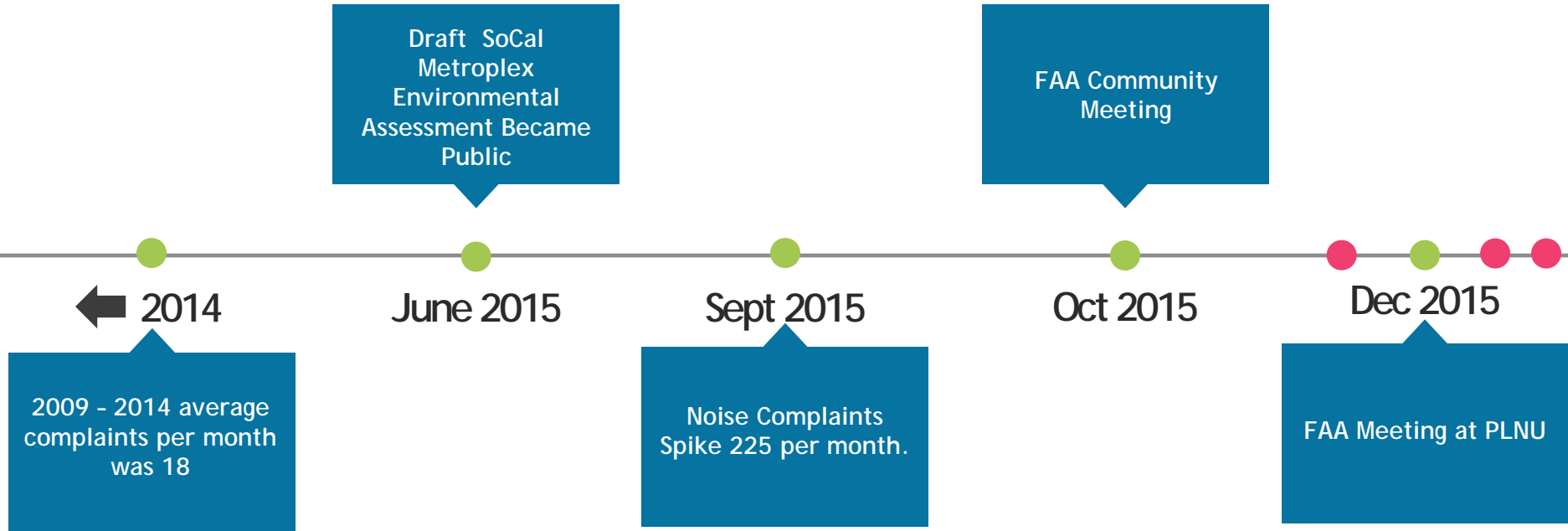
Provide residential sound attenuation treatments to reduce noise impacts inside homes most impacted by aircraft noise.



## Quieter Home Program

Over the past 14 years, SDCRAA has spent over \$185 million (Airport Authority & AIP funds) on treating over 3,300 homes.

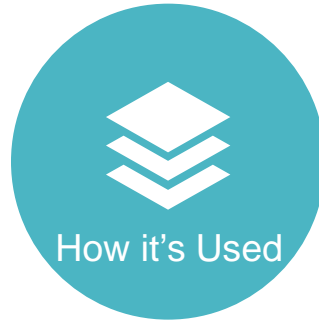
# Timeline: Aircraft Noise Concerns



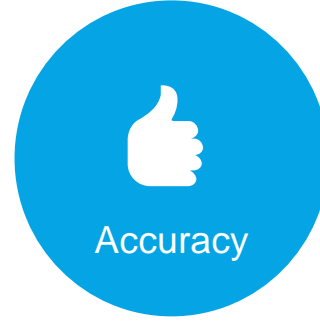
# Airport Noise and Operations Monitoring System (ANOMS)



Collection and analysis of flight data from FAA and Passive Radar. Noise data from 23 sites.



Used for complaint response, statistical, and geospatial analysis for reporting.



CA State Audit: October 2000  
SDCRAA Audits: 2009 & 2015  
Locations of RMTs are required by Title 21 to support the CNEL.



Community engagement flight tracking tool with 30 minute delay for flight operations, 24 hours per day for noise data.

# Airport Noise Advisory Committee



“To establish a community noise advisory committee for the San Diego County Regional Airport Authority for resident and community input and involvement relating to aircraft noise issues at San Diego International Airport.” Board Policy 9.20

## Information Presented

Reports on QHP, complaints, early turns, missed approaches and curfew violations as well as any current noise issues.

## Frequency

Meetings will be increased from quarterly meetings to every other month.

## New Member

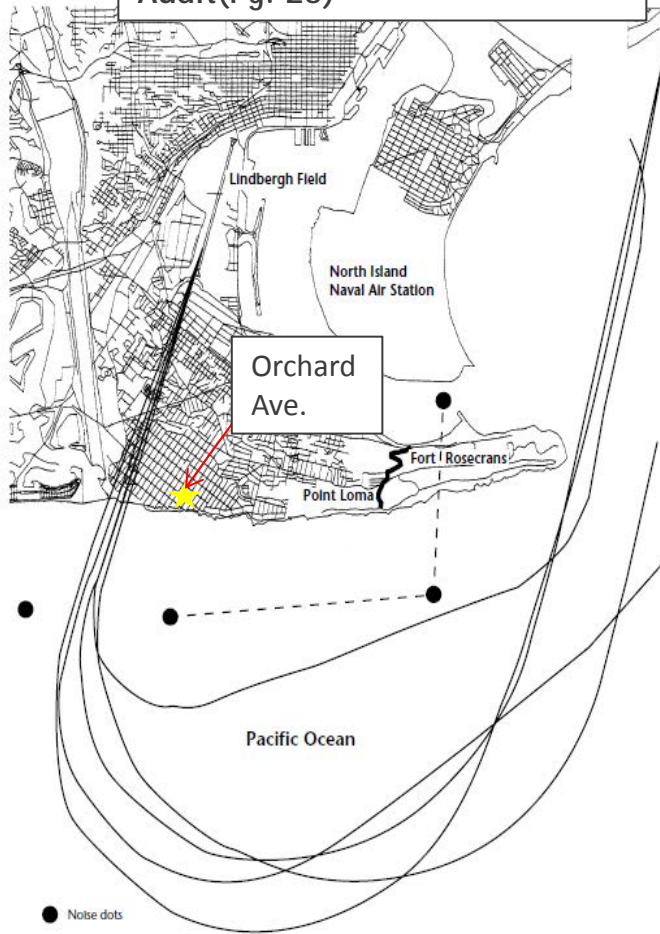
An additional, ex-officio member will be added to include a resident within the 60-65 dB CNEL.

## Ad-Hoc Subcommittee

Because of the complexity of the current noise issues regarding Metroplex, early turns, and missed approaches, staff is proposing an ad-hoc subcommittee to ANAC.

ANAC Members Name	Represented Affiliation	Ex-Officio Members Name	Represented Affiliation
Jack Bewley	Airline Pilot (retired)	Ms. Lee Steuer for Rep. Susan Davis	Congress 53 <sup>rd</sup> District
Victoria White	City of San Diego	Conrad Wear for Lorie Zapf	San Diego City Council District 2
Kirk Hanson	Community Member	Victor Avina for Sup. Greg Cox	S.D. County Board of Supervisors District 1
John Bennett	County of San Diego	Hugo Carmona for Rep. Scott Peters	Congress 52 <sup>nd</sup> District
Susan Ranft	Downtown Community Planning Council	Deborah Watkins	Mission Beach Precise Planning Board
David Swarens	Greater Golden Hill Planning Committee	Rob Cook	FAA Representative
Vacant	Midway/Pacific Highway Community Planning Group	Grady Boyce	Commercial Airline Representative
Tom Gawronski	Ocean Beach Planning Board	Justin Cook	Acoustician
Paul Webb	Peninsula Community Planning Board	<h2 style="text-align: center;">ANAC Membership - April 2016</h2>	
Chris Cole	Uptown Planners		
Carl "Rick" Huenefeld	US Marine Corps (MCRD)	<div style="display: inline-block; width: 20px; height: 20px; background-color: #f4a460; border: 1px solid black;"></div> = Voting members Representing Pt. Loma Peninsula	

Figure 4 - 2000 CA State Audit (Pg. 25)



2000 CA State Audit (Pg. 24):  
“..the FAA implemented new procedures and installed new radar maps with a series of “noise dots” that define regular departure paths. These improvements have helped to redirect air traffic away from residential areas in Point Loma.”

2000 CA State Audit (Pg. 26):  
“As a result, an aircraft can fly from the departure end of runway 27 to the southern end of the departure gate and cross the shoreline as far south as Orchard Avenue.”

# NOISE DOT CLARIFICATION

## “Red Dot” Agreement

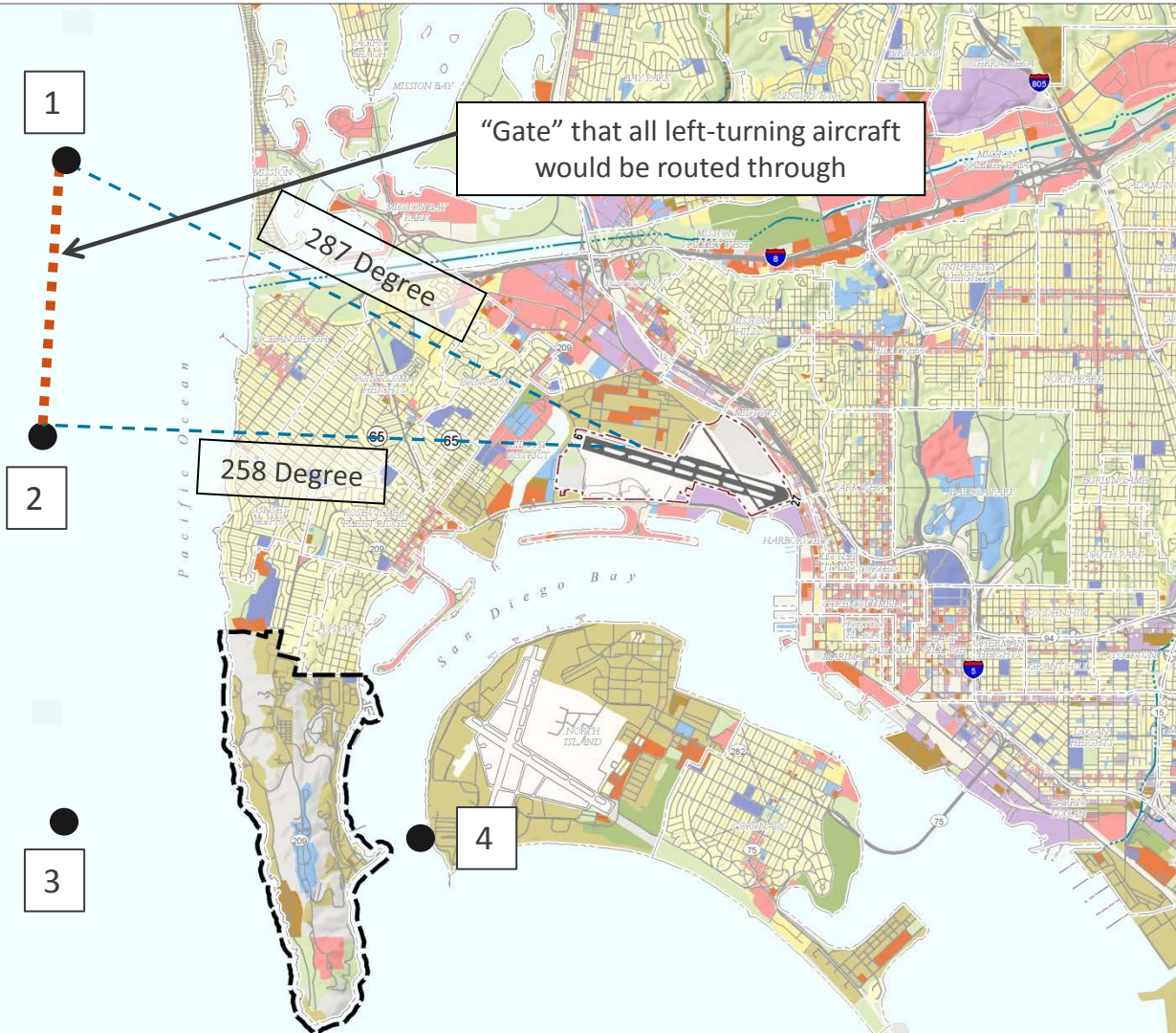
Four dots established by efforts with Community, FAA and then Congressman Bilbray.

2000 CA State Audit (Pg. 26):  
“Departing aircraft do not fly to a specific point on the 275-degree departure heading. Instead, air traffic control directs aircraft to fly through a departure gate about two miles wide and 1.5 nautical miles west of the shoreline.”



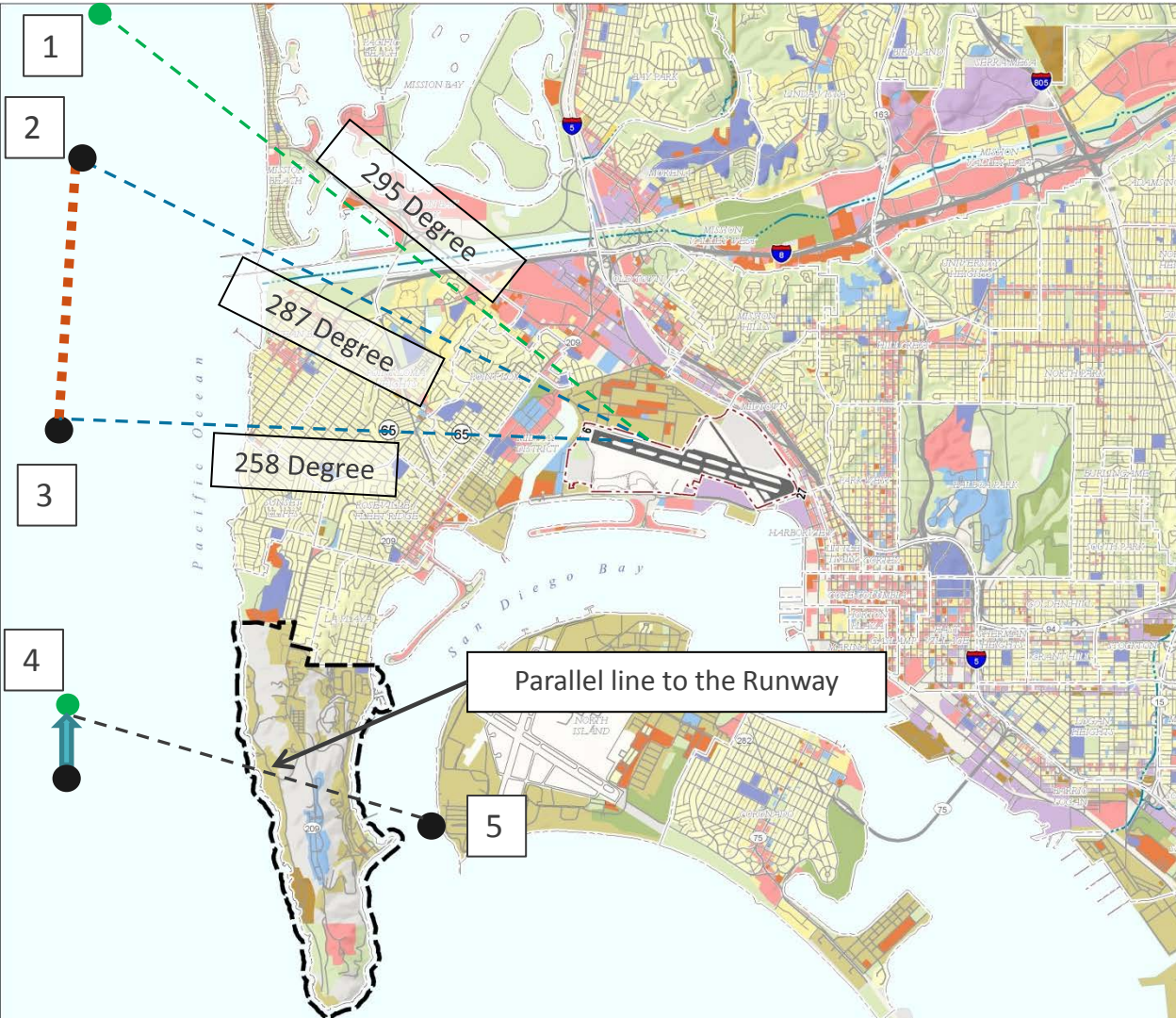
# NOISE DOT CLARIFICATION

● = Original Noise Dots

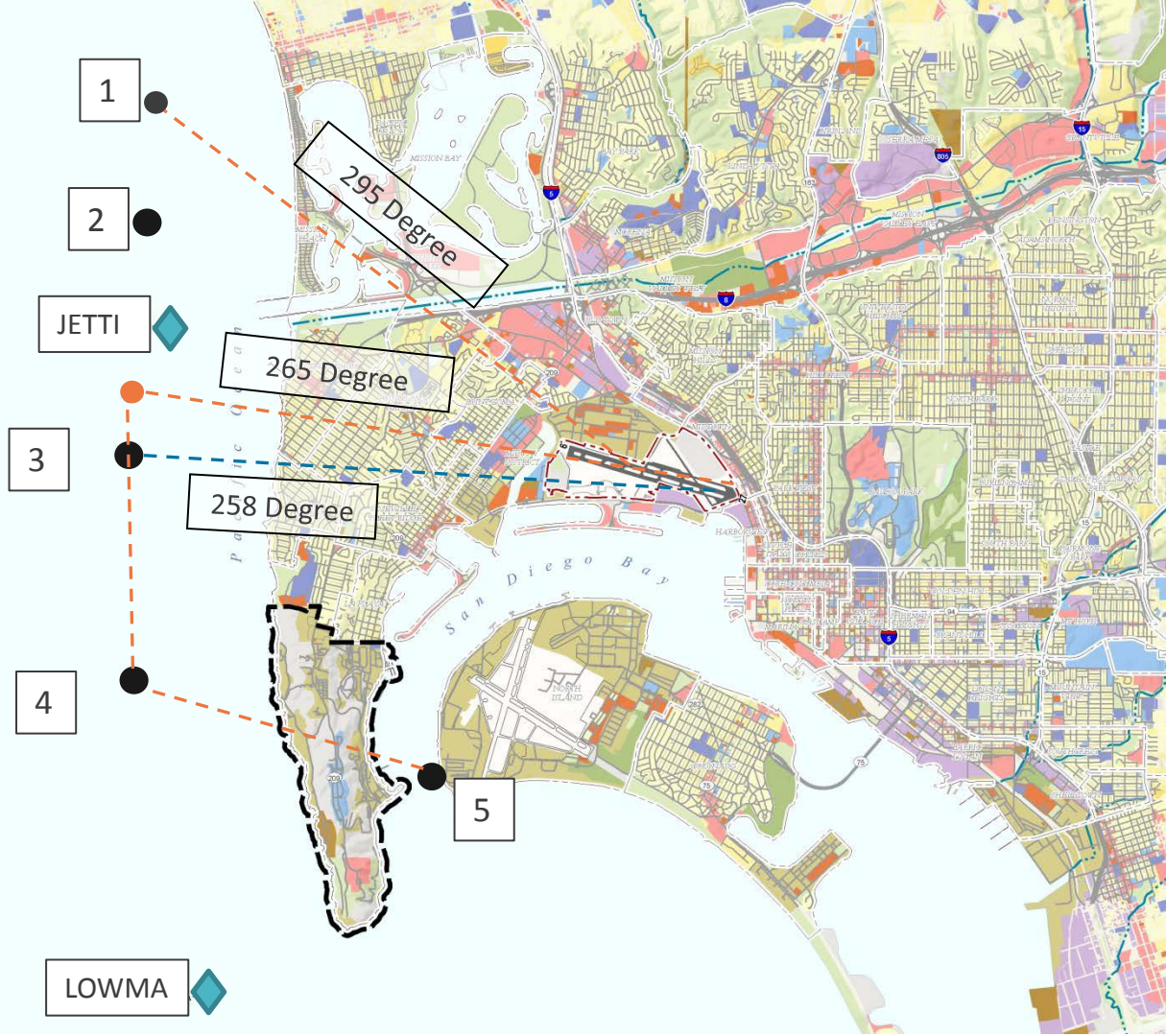


# NOISE DOT CLARIFICATION

- = Original Noise Dots
- = Added/ Relocated Noise Dot in mid-2000s



# Early Turns



● = Current FAA Noise Dots

● = Authority Request for FAA to move Noise Dot 3 to match Early Turns

--- = Early Turn boundary

◆ = Navigational Waypoints

# Early Turns

● = Current FAA Noise Dots

● = Authority Request for FAA to move Noise Dot 3 to match Early Turns

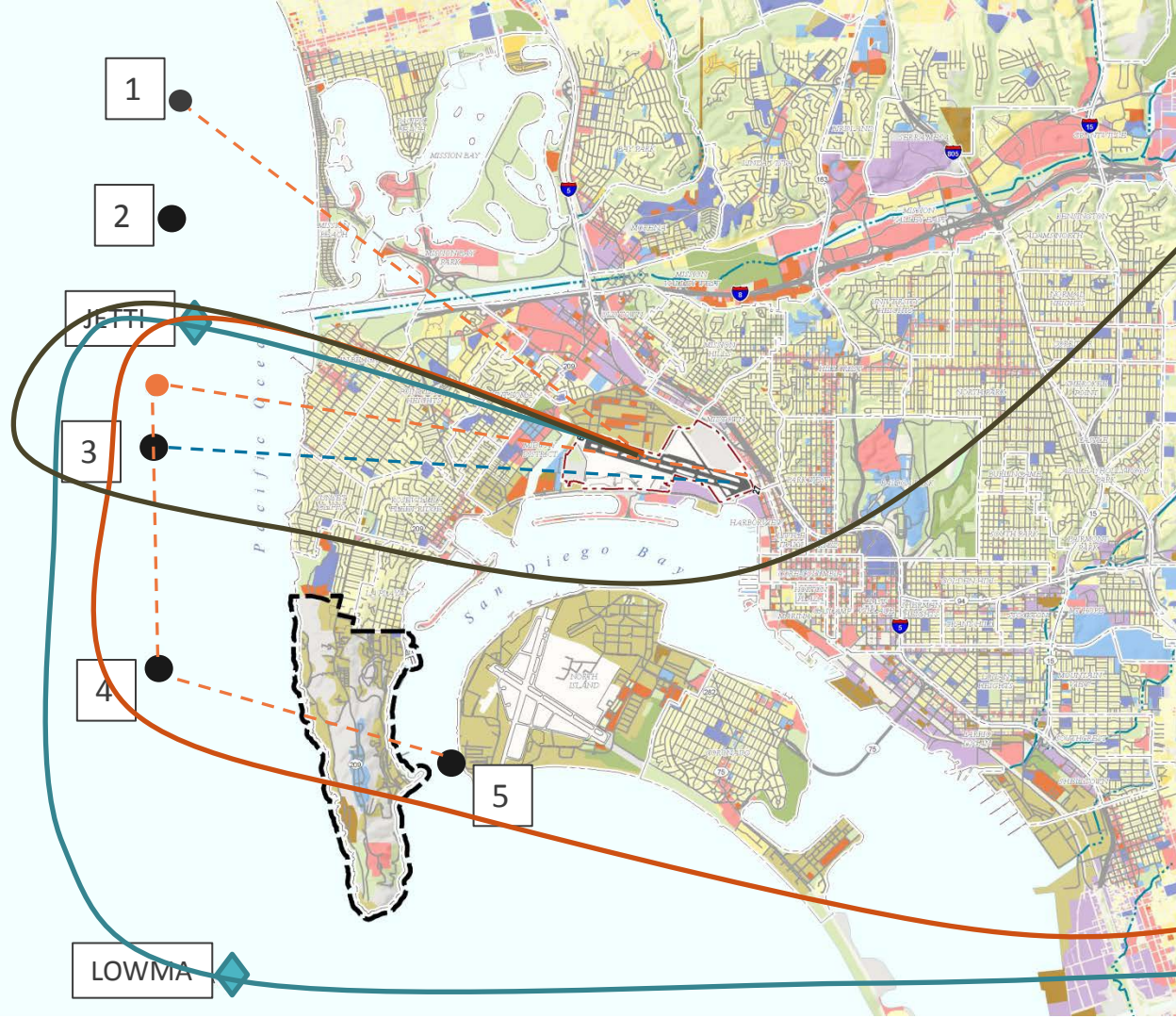
--- = Early Turn boundary

◆ = Navigational Waypoints

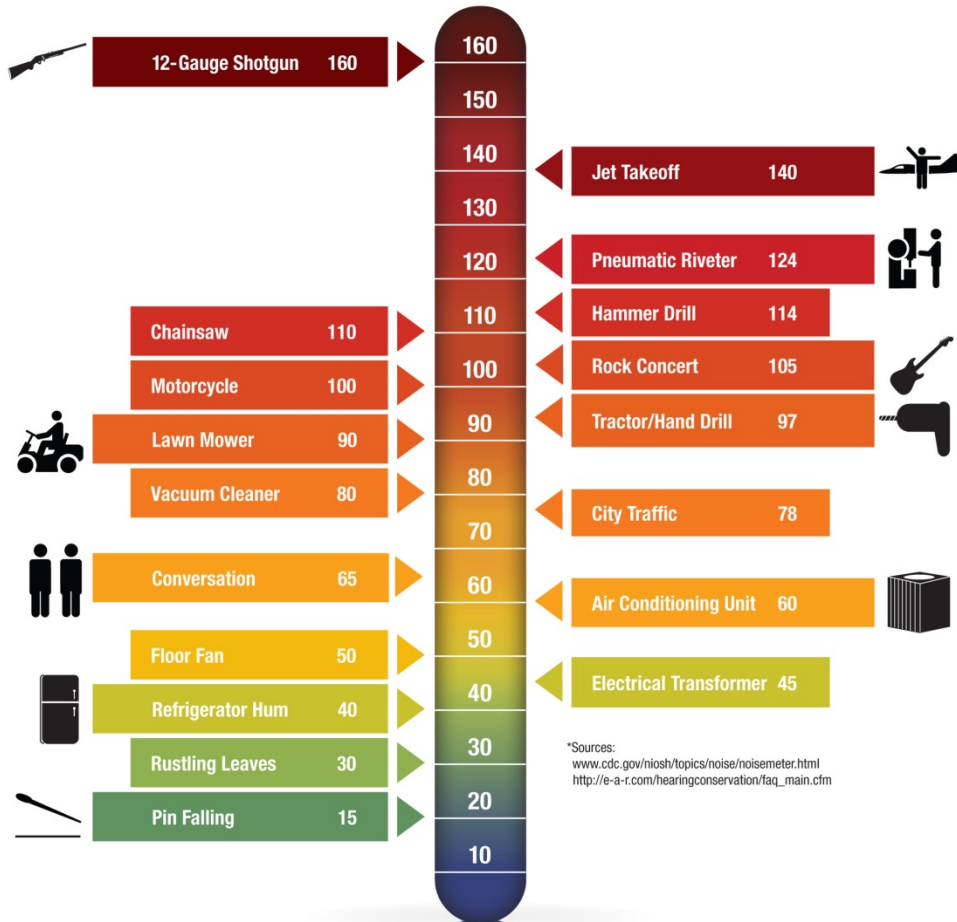
— = Flight using LOWMA

— = Compliant with Noise Dot

— = Noncompliant with Noise Dot



## Decibel Scale (dBA)\*



\*Sources:  
[www.cdc.gov/niosh/topics/noise/noisemeter.html](http://www.cdc.gov/niosh/topics/noise/noisemeter.html)  
[http://e-a-r.com/hearingconservation/faq\\_main.cfm](http://e-a-r.com/hearingconservation/faq_main.cfm)

# Common Noise Sources

Aircraft are Getting Quieter

Comparison of 2015 Draft CNEL Contour, 2009 NEM CNEL Contour and 1986 CNEL Contour

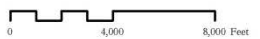
- ▬ 2015 Draft CNEL Contour (65 dB)
- ▬ 2009 NEM CNEL Contour (65 dB)
- 1986 CNEL Contour (65 dB)

- Airport Property
- Roads
- Single Family Residential
- Multi-Family Residential
- Mobile Home Parks
- Hotel/Motel, Group Quarters
- Commercial
- Industrial
- Agriculture
- Parks
- SAN Airport Runways
- ~ River / Stream
- Golf Courses
- Public Service
- Schools
- Military Use
- Transportation/Communication/Utilities
- Land Under Construction
- Vacant and Undeveloped Land
- Water

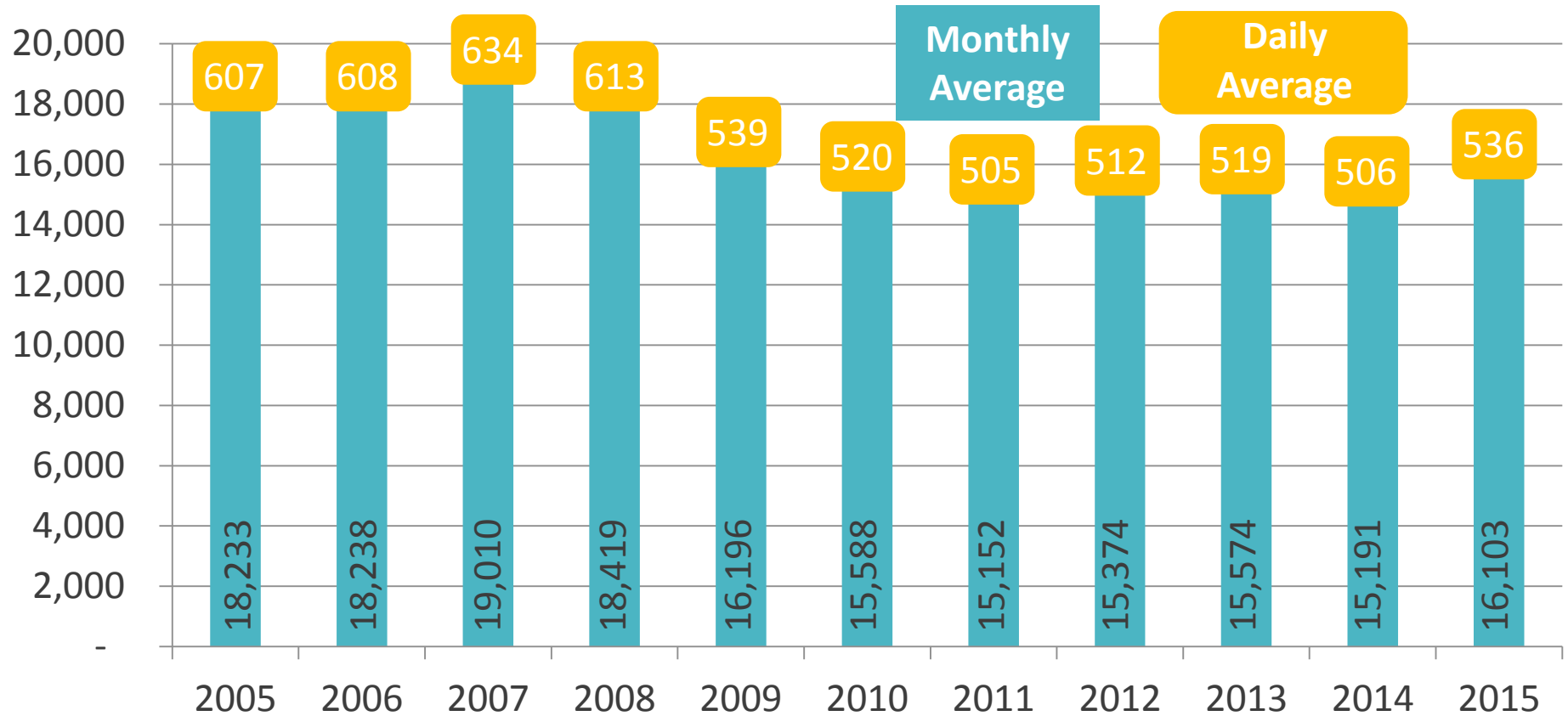
--- Non Residential Area

# Shrinking Contours

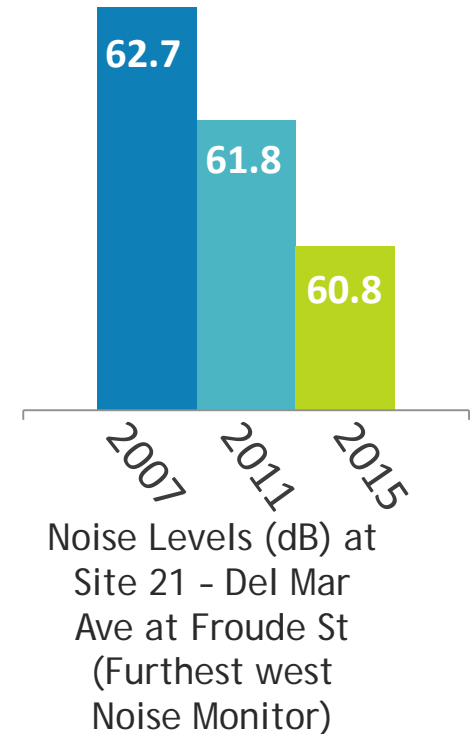
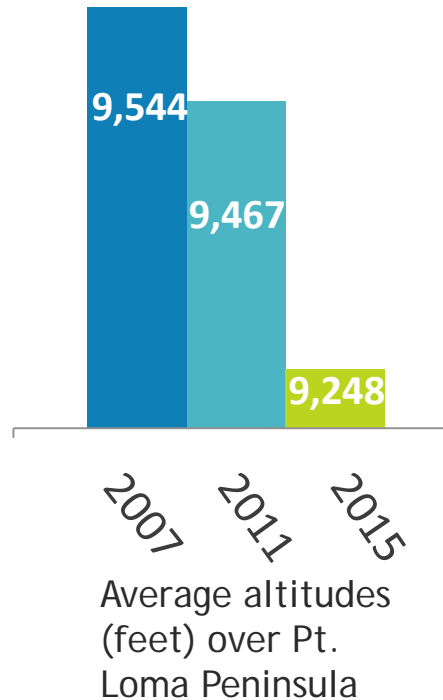
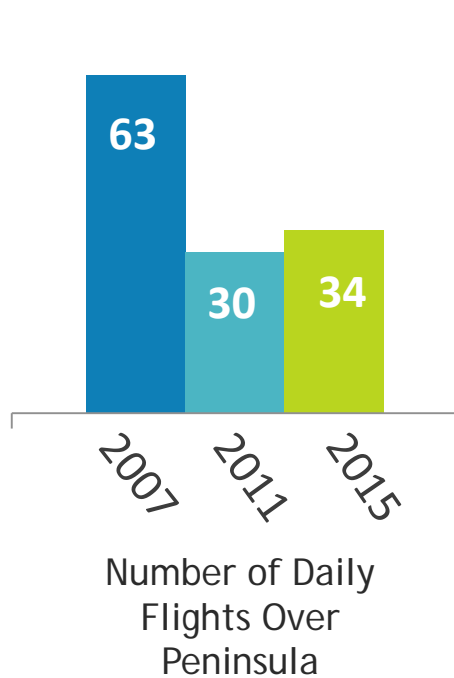
Data Sources: San Diego International Airport; San Diego Association of Governments (SANDAG); City of San Diego and County of San Diego (SanGIS); Environmental Systems Research Institute, Inc. (ESRI).



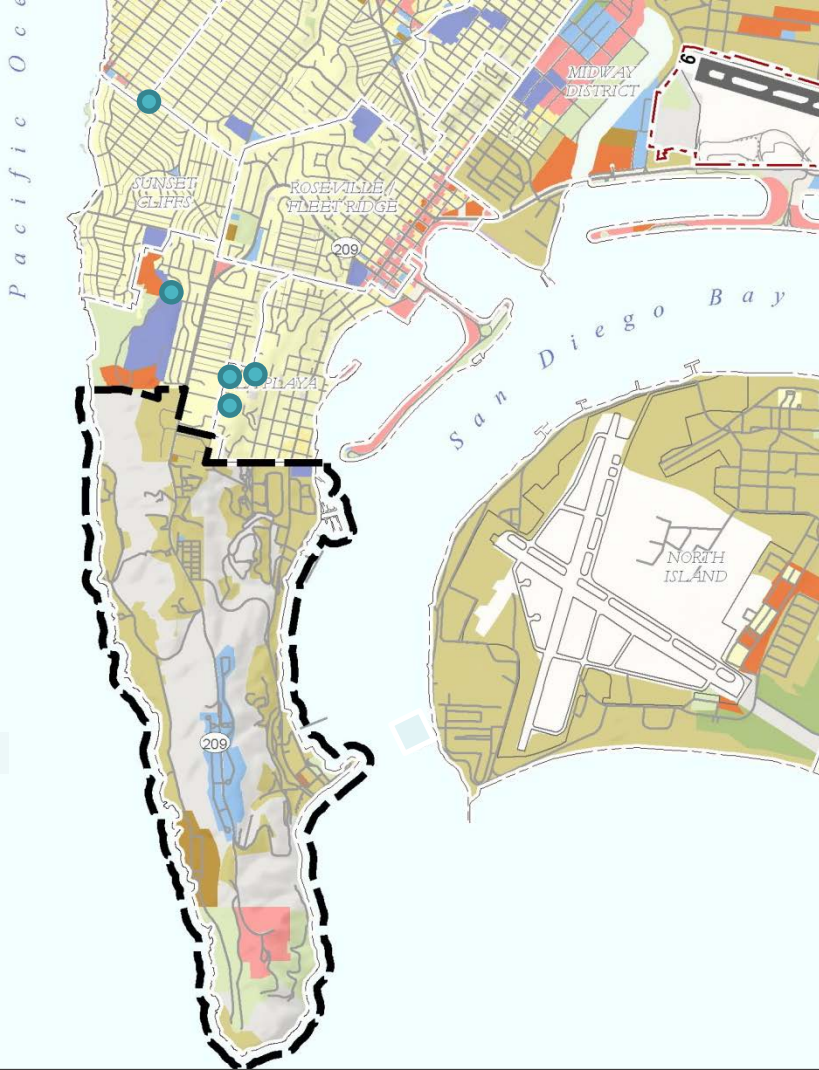
# Total Operations - 2005 thru 2015



# Pt. Loma Peninsula Analysis







# Five Noise Studies

- Pt. Loma Nazarene University (PLNU)
- Adair St. between Santa Barbara and Guizot St.
- Silvergate Place
- Gage Drive
- Via Flores

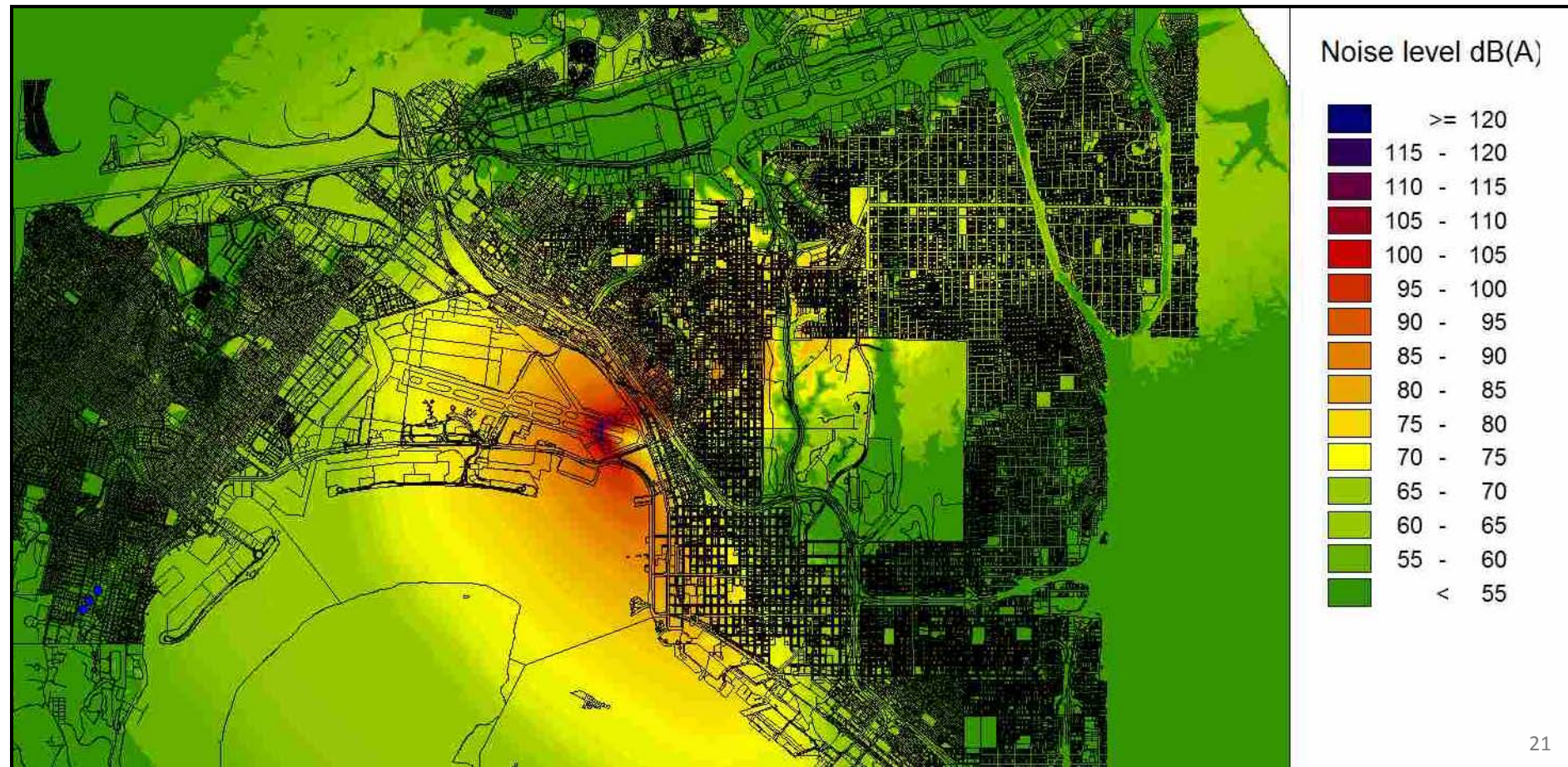
● = Noise Study Locations

# Ground Noise Modeling Summary

Scenario	Average Noise Level (dBA)		
	Silvergate Place	Via Flores	Gage Drive
Without Teledyne-Ryan or Rental Car Center	53.7	53.9	54.2
With Teledyne-Ryan Buildings	53.7	53.9	54.2
With Rental Car Center	53.7	53.9	54.2

The modeling shows that neither the removal of the Teledyne-Ryan buildings nor addition of the new Rental Car Center changes the average noise level for the La Playa Area of Point Loma.

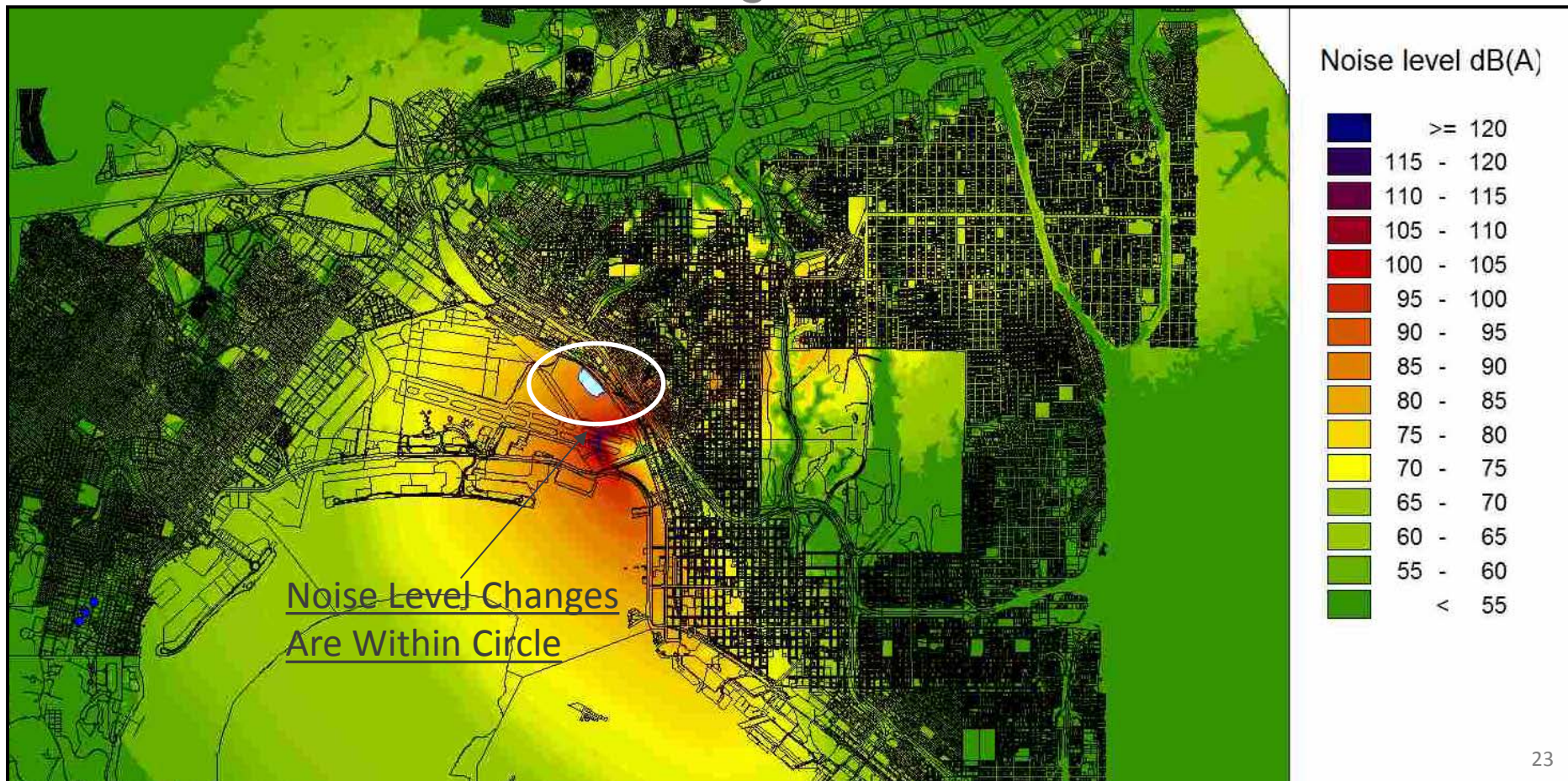
# Ground Noise Modeling - Without Buildings



# Ground Noise Modeling - With Teledyne-Ryan



# Ground Noise Modeling - With Rental Car Center



# Pt. Loma Noise Study Results

## PLNU and Sunset Cliffs Noise Monitoring

Monitoring in these two locations was done for a two week duration which allowed for specific event correlation.

- Noise events were matched with either San Diego International (SAN) Operations or other ambient noise sources.
- Noise events from SAN did not increase the overall noise levels at PLNU. At Sunset Cliffs, SAN operations increased the overall noise levels by 1dB.

## Average noise levels of SAN Operations

<b>PLNU</b>	<b>47-51 dBA CNEL</b>
Sunset Cliffs	48-53 dBA CNEL

## La Playa Noise Monitoring

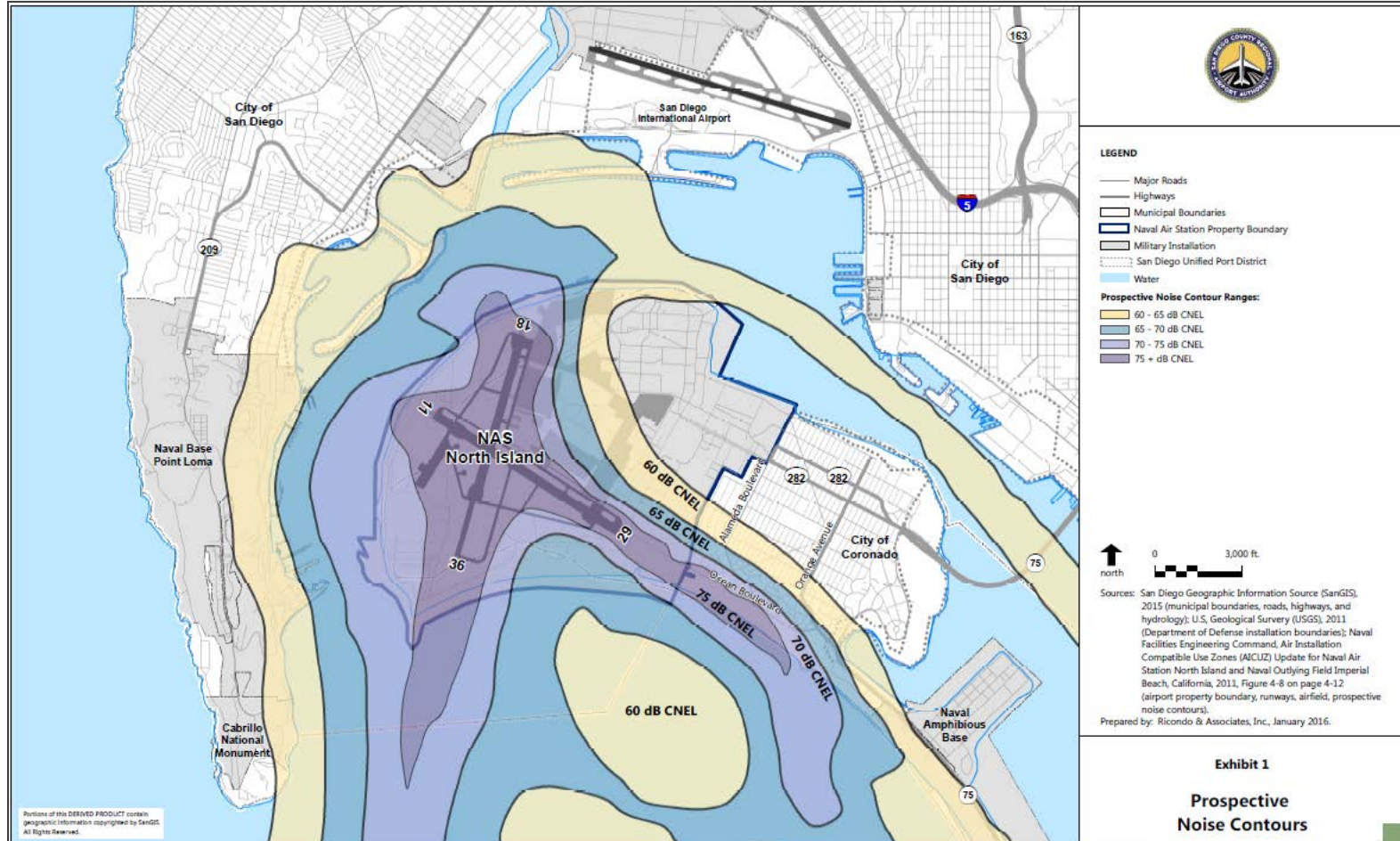
Monitoring was done for one day 6:00 a.m. until Midnight at three locations.

- Monitoring was conducted to determine the primary noise sources on an hourly basis.
- At each of the three locations, SAN operations were not the primary events and in most cases they were not audible over the ambient noise sources.

## Primary Noise Sources

Silver Gate Pl.	Military Helicopters & Gardeners
Via Flores	Military Helicopters & Wind
Gage Drive	Gardeners

# Noise Contours from Naval Base North Island



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# Missed Approaches and Early Turns



Commonly referred to as a “Go-Around,” a missed approach occurs when an aircraft cannot complete its landing and is required to make another attempt. It can be caused by:

- Inclement weather conditions
- Debris on the runway
- ATC separation of aircraft, slower aircraft unable to exit airspace or runway, forcing larger aircraft to go around

Missed approaches are safety operations that the Authority cannot influence.

The Authority has defined early turns to the right as those aircraft that turn prior to FAA Noise Dot #1 at the 295-degree heading to the right.

Left early turns are defined as those aircraft that turn prior to the 265-degree heading to the left.

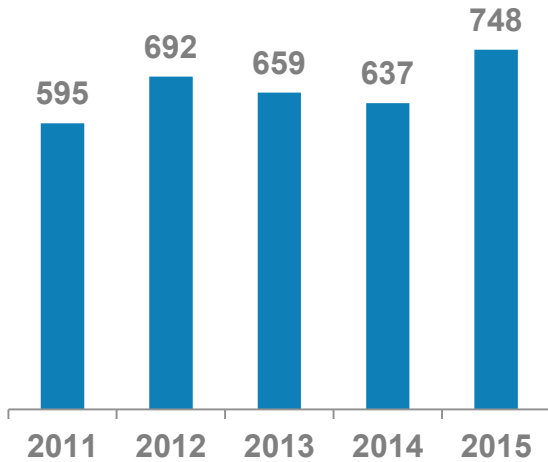
Note: Requested FAA to move Noise Dot #3 to the 265-degree heading.

Causes for early turns can be similar to missed approaches and are often due to weather or separation.

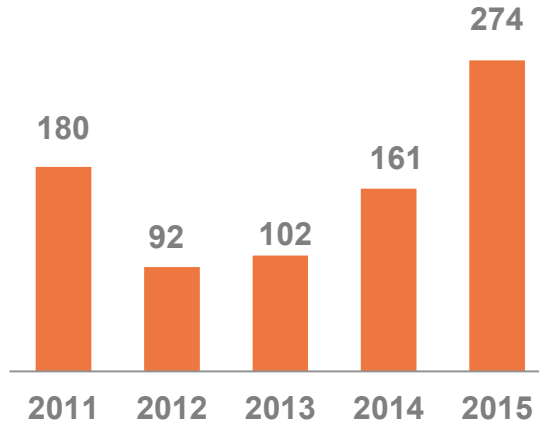


# Annual Noise Statistics

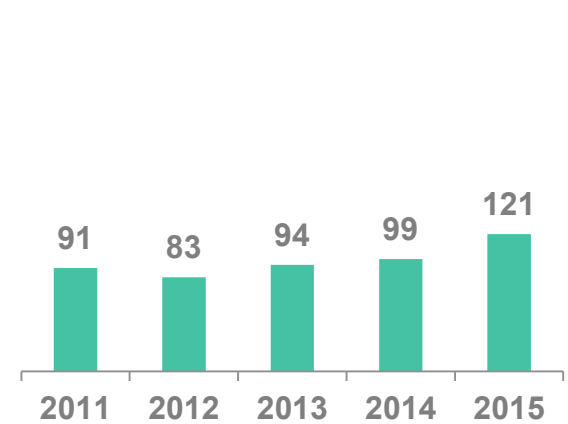
## Missed Approaches

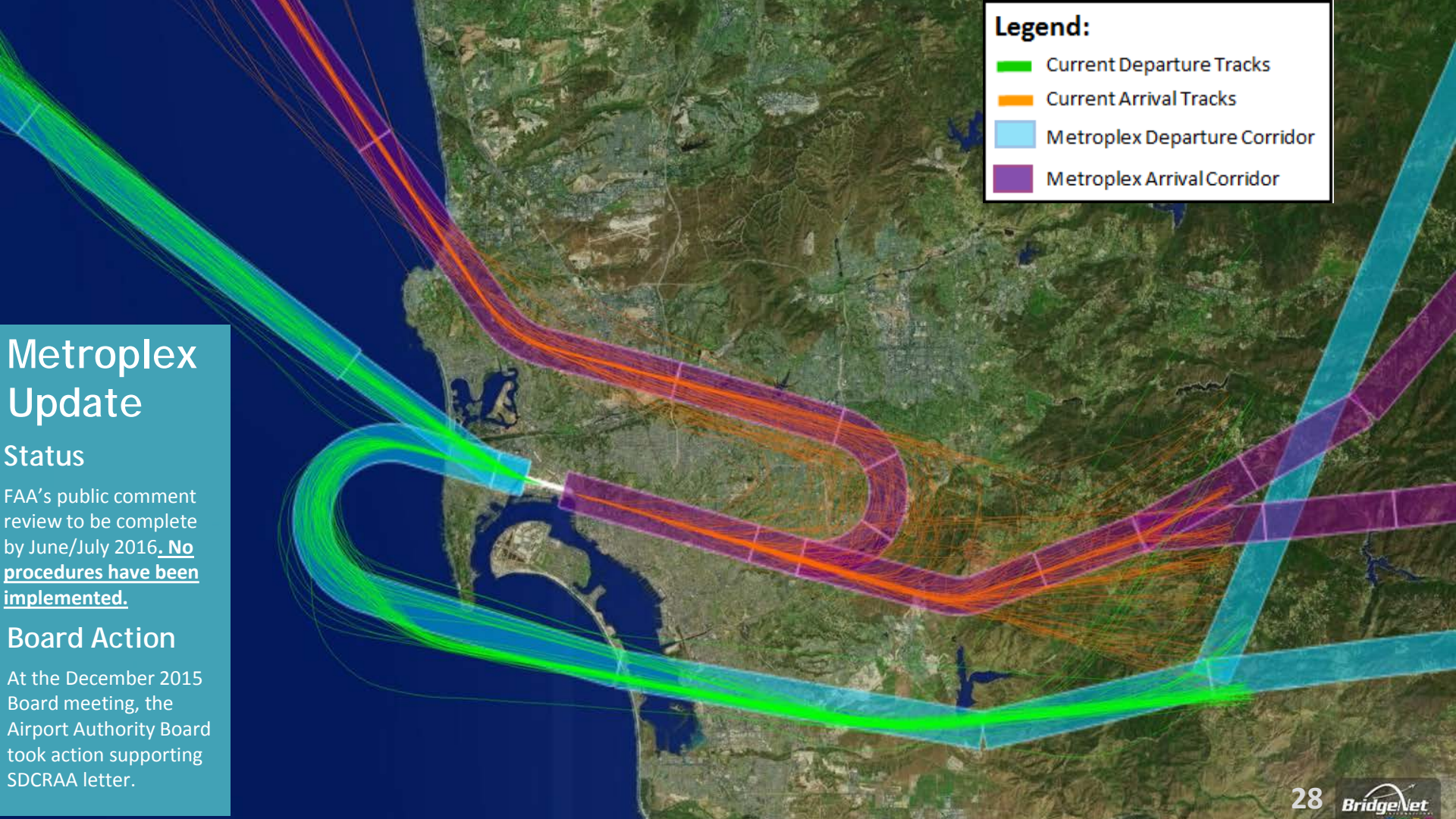


## Right Early Turns over Mission Beach



## Left Early Turns over Pt. Loma





**Legend:**

- Current Departure Tracks
- Current Arrival Tracks
- Metroplex Departure Corridor
- Metroplex Arrival Corridor

# Metroplex Update

## Status

FAA's public comment review to be complete by June/July 2016. **No procedures have been implemented.**

## Board Action

At the December 2015 Board meeting, the Airport Authority Board took action supporting SDCRAA letter.

# Additional Efforts



## Airport Noise Webpage

New webpage to provide easily accessible information and the ability to communicate with the community in a faster and more readable format.



## Airlines

Meetings with airline corporate headquarters to discuss early turns, curfews and other noise concerns.



## FAA

Regularly scheduled monthly meetings with the FAA (ATC and TRACON).



## Reporting

After meetings with the airlines, we will implement the Fly Quiet Program which will provide bi-monthly reports on how well the air carriers are adhering to noise procedures.

# Board Recommendations

It is recommended the Board support the following initiatives Noise staff are currently working on:



Request the FAA to abandon its Noise Dot 3 (at 258 degrees) and begin using the more restrictive 265 degree dot to measure “non-compliance,” consistent with Airport Authority practices.



Implement the Fly Quiet Program, a bi-monthly reporting program on how well operators are adhering to noise procedures such as early turns and the curfew.



**SAN DIEGO COUNTY  
REGIONAL AIRPORT AUTHORITY  
STAFF REPORT**

**Item No.  
13**

Meeting Date: **APRIL 21, 2016**

**Subject:**

**Authorize and Adopt the Creation of a Seasonal International Air Service Incentive Program (SIASIP)**

**Recommendation:**

Adopt Resolution 2016-0026, authorizing the creation of a Seasonal International Air Service Incentive Program (SIASIP).

**Background/Justification:**

Current International Air Service Program Deficiencies

At its October 4, 2007 meeting, the Board authorized the establishment of the Authority's International Air Service Incentive Program ("IASIP") to encourage airlines to develop nonstop and/or triangular air service between San Diego and airports in Europe, Central America, South America, Asia, Oceania (i.e., Australia, New Zealand, and principal islands of the central and south pacific), and Africa. To qualify for the program, an airline must institute new air service to a destination airport not currently served by such service with a minimum of two scheduled roundtrips per week on a year round basis. (Note: destinations in Canada, Mexico, and the Caribbean are covered by the Authority's Domestic Air Service Incentive Program and are not eligible for the IASIP.) On March 3, 2011 the program was further refined to establish target markets for increased air service.

Under the IASIP, the Authority may provide three financial incentives to an airline instituting a qualifying service: (1) Reduced landing fees (100% for the first twelve months of service and 50% for the second twelve months); (2) Reduced terminal rent (100% for the first twelve months of service and 50% for the second twelve months); and (3) Marketing assistance (up to \$500,000 for the first twelve months and up to \$250,000 for the second twelve months). The IASIP, however does not permit incentives to air carriers offering only seasonal service.

Given the success of the IASIP in attracting British Airways and Japan Airlines' decisions to institute nonstop, air service from London Heathrow Airport and Tokyo Narita Airport, there is an opportunity to tap into the growing market for seasonal international service.

An airline instituting seasonal international air service bears significant start-up costs akin to year-round service. Seasonal air carriers are reluctant to introduce new air service unless they have confidence that they will be able to share risks in developing a new market. Based on the growing presence of seasonal international air carriers at

other US airports, staff has determined the lack of seasonal incentives is preventing the addition of new seasonal flights at San Diego.

*The Lack of a Seasonal International Air Service Incentive Program (SIASIP) Inhibits Institution of Service to New International Destinations with a Large Seasonal Demand.*

The current IASIP program only permits incentives for year-round service. This provision excludes a large set of air carriers only willing to initially operate seasonal flights to San Diego. The lack of seasonal incentives discourages airlines from initiating international service to new destinations and makes San Diego uncompetitive vis-à-vis other US airports.

Proposed Addition of a Seasonal International Air Service Incentive Program (SIASIP).

The proposed program broadens the applicability of incentives to seasonal operations. This would make San Diego more competitive with other US airports that offer seasonal international incentives and makes the international incentive programs consistent with the Domestic Air Service Incentive Program that already permits seasonal incentives.

The seasonal program will not change the incentives for new year-round flights. The seasonal program contains the requirements for qualification and description of incentives available for new seasonal international flights. Given the greater value of year-round service, the incentives for year-round flights are more robust than those available for seasonal operators.

Seasonal Incentives for international flights will be limited to marketing investment and landing fee rebates. Unlike year-round incentives, seasonal incentives will not involve rental space credits. The incentives for international seasonal operations will be predicated on a letter of intent filed by the airline.

Airlines that only commit to one season of service will receive a modest marketing budget and no landing fee credits. Airlines that commit to two or more seasons will receive both a landing fee credit and marketing funds.

Attached as "Exhibit A" is the proposed SIASIP.

**Fiscal Impact:**

Adequate funds for Air Service Incentives are included within the adopted FY2016 and conceptually approved FY2017 operating expense budgets within the advertising line item. Air Service Incentives for budget years not adopted will be included in future year budget requests. Following the period in which SIASIP benefits and waivers are extended, the SIASIP will increase the Authority's revenues as a result of the institution of each new international air service. The amount of the increase will be a function of the specific air service.

**Authority Strategies:**

This item supports one or more of the Authority Strategies, as follows:

- Community Strategy     Customer Strategy     Employee Strategy     Financial Strategy     Operations Strategy

**Environmental Review:**

A. CEQA: This Board action is not a project that would have a significant effect on the environment as defined by the California Environmental Quality Act ("CEQA"), as amended. 14 Cal. Code Regs. §15378. This Board action is not a "project" subject to CEQA. Cal. Pub. Res. Code §21065.

B. California Coastal Act Review: This Board action is not a "development" as defined by the California Coastal Act. Cal. Pub. Res. Code §30106.

**Application of Inclusionary Policies:**

Not applicable

**Prepared by:**

HAMPTON BROWN  
DIRECTOR, AIR SERVICE DEVELOPMENT

RESOLUTION NO. 2016-0026

A RESOLUTION OF THE BOARD OF THE  
SAN DIEGO COUNTY REGIONAL AIRPORT  
AUTHORITY, AUTHORIZING THE CREATION OF A  
SEASONAL INTERNATIONAL AIR SERVICE  
INCENTIVE PROGRAM (SIASIP)

WHEREAS, the Authority instituted its International Air Service Incentive Program ("IASIP") in October 2007 to attract year-round air service between San Diego International Airport ("Airport") and unserved international destinations; and

WHEREAS, the IASIP has proven effective in attracting new year-round international air service to San Diego; and

WHEREAS, recent growth of seasonal international airlines in the United States has introduced new opportunities for San Diego to attract air service to large seasonal destinations; and

WHEREAS, the current IASIP does not permit seasonal incentives to international destinations, the Board finds that creation of a Seasonal International Air Service Incentive Program will help meet the evolving market needs of the international air service industry and increase the effectiveness in attracting new international air service to the Airport and is in the best interests of the Authority.

NOW, THEREFORE, BE IT RESOLVED that the Board hereby approves and authorizes the creation of the SIASIP, a copy of which is attached hereto as "Exhibit A"; and

BE IT FURTHER RESOLVED the Board finds this Board action is not a "project" as defined by the California Environmental Quality Act ("CEQA") (Cal. Pub. Res. Code §21065); and is not a "development" as defined by the California Coastal Act (Cal. Pub. Res. Code §30106).



PASSED, ADOPTED, AND APPROVED by the Board of the San Diego County Regional Airport Authority at a regular meeting this 21<sup>st</sup> day of April, 2016, by the following vote:

AYES: Board Members:

NOES: Board Members:

ABSENT: Board Members:

ATTEST:

---

TONY R. RUSSELL  
DIRECTOR, CORPORATE &  
INFORMATION GOVERNANCE /  
AUTHORITY CLERK

APPROVED AS TO FORM:

---

BRETON K. LOBNER  
GENERAL COUNSEL

## EXHIBIT A

### **SAN DIEGO SEASONAL INTERNATIONAL AIR SERVICE INCENTIVE PROGRAM (SIASIP)**

#### STRATEGIC OBJECTIVES

The International Air Service Incentive Program is consistent with the mission of the SDCRAA to:

- Provide air transportation services to the region: In the end, the incentive program's intent is to help San Diego travelers reach their destination in a more direct and efficient way.
- Promote the region's prosperity: New international routes will only add to San Diego's prosperity by making the region more competitive in international business, conventions and tourism. New international routes to and from San Diego will result in a profound annual economic impact. The San Diego region would see direct and indirect impacts from economic stimulus of new visitors.

#### SCOPE OF PROGRAM

- 1. Program Requirements:** In order to qualify for participation in the SIASIP, the following conditions apply:

- The proposed international airport of destination in Europe, Central / South America, Asia, Oceania or Africa is un-served from SDIA.
- Service to Europe, Central or South America must be nonstop or triangular (e.g., Dublin – San Diego – San Francisco – Dublin). Triangular operations are permitted so long as one directional sector to/from San Diego and target continent is operated nonstop.
- Service to Asia, Africa or Oceania must be nonstop, triangular or single-same plane direct (one-stop). Triangular operations (e.g. , Seoul – San Diego – Las Vegas – Seoul) are permitted so long as one directional sector to/from San Diego and target continent is operated nonstop. In the case of one-stop (direct) operations to Asia, Africa, or Oceania, aircraft registration number and flight number must remain the same on all sectors and first stop must be outside the USA (e.g., Vancouver, Papeete etc.).
- The service is operated with a minimum of forty (40) scheduled roundtrips per season.
- Service is operational for a minimum of one season year.
- The airline, its subcontract, partner or alliance airline, has not served the same route or destination city within the past five (5) years.
- No more than five (5) new services can qualify for the Incentive Program in each year. The first five applicants in each calendar year will qualify for incentives.

**2. Program Qualifications:** The SIASIP is available to all airlines currently at the airport or those wishing to start service at the airport. The program contains two parts, a marketing promotion component and an operational incentive. The value of incentives are calculated based on a combination of the number of roundtrip frequencies per season and the number of years the airline commits to serving San Diego International Airport. Before the airline commences service, the network planning executive of the airline must file a signed letter of intent with the Air Service Development Department fully describing the air service commitment in writing.

- Marketing Promotion – Seasonal international air service will qualify for marketing funds according to the number of roundtrip frequencies per season and the duration of commitment promised by the airline. Incentives will be calculated according to the matrices below:

**3 YEAR COMMITMENT  
OR MORE**

<b>RT OPERATIONS / SEASON</b>	<b>40-50</b>	<b>51-75</b>	<b>76-100</b>	<b>&gt;100</b>
Marketing Funds Year 1	\$85,000	\$112,500	\$150,000	\$200,000
Marketing Funds Year 2	\$42,500	\$56,250	\$75,000	\$100,000
Marketing Funds Year 3	\$0	\$0	\$0	\$0

**2 YEAR COMMITMENT**

<b>RT OPERATIONS / SEASON</b>	<b>40-50</b>	<b>51-75</b>	<b>76-100</b>	<b>&gt;100</b>
Marketing Funds Year 1	\$63,281	\$84,375	\$112,500	\$150,000
Marketing Funds Year 2	\$31,641	\$42,188	\$56,250	\$75,000

**1 YEAR COMMITMENT**

<b>RT OPERATIONS / SEASON</b>	<b>40-50</b>	<b>51-75</b>	<b>76-100</b>	<b>&gt;100</b>
Marketing Funds Year 1	\$47,461	\$63,281	\$84,375	\$112,500

Marketing assistance will be subject to editorial oversight by the SDCRAA and all funds utilized for this purpose will be pre-approved by the SDCRAA with advertising specific to San Diego. Should service be suspended prematurely, airline shall be responsible for reimbursement of all marketing funds spent.

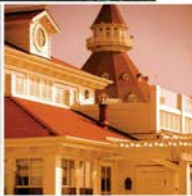
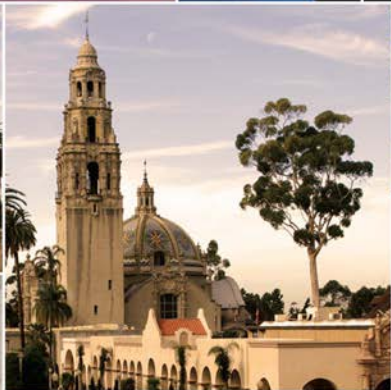
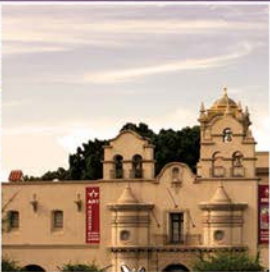
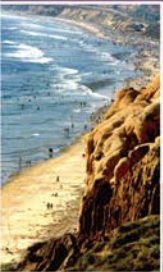
- Operational Incentive: The operational incentive will be offered to qualifying airlines in the form of a discount to landing fees paid. Landing fee discounts will be available according to the matrices below:

<b>3 Year Commitment</b>	<b>% Landing Fee Discount</b>
Year 1	50%
Year 2	25%
Year 3	None

<b>2 Year Commitment</b>	<b>% Landing Fee Discount</b>
Year 1	25%
Year 2	None

<b>1 Year Commitment</b>	<b>% Landing Fee Discount</b>
Year 1	None

Airlines qualifying for this incentive shall be responsible for filing a monthly landing fee report (at current rates) with fees based on the Maximum Landed Weight (MLW) of the aircraft utilized. The landing fees remitted to the Authority will be refunded to the airline semi-annually upon the airline meeting all SIASIP requirements.



**SAN DIEGO**  
INTERNATIONAL AIRPORT

LET'S GO.

**SEASONAL INTERNATIONAL INCENTIVES**  
**April 21, 2016**

## CURRENT SAN DIEGO AIR SERVICE INCENTIVE PROGRAMS

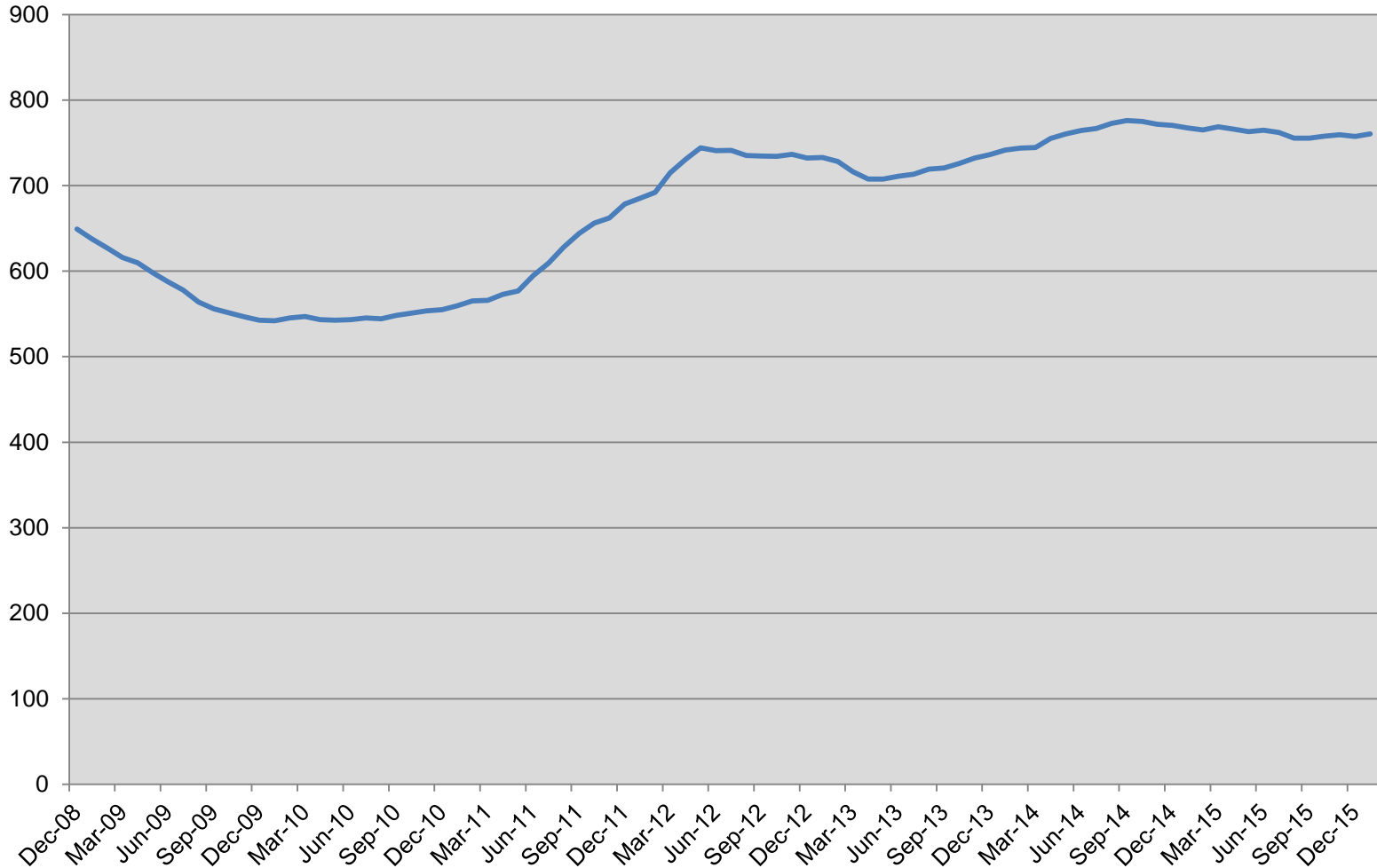
NORTH AMERICAN PROGRAM	
Geography:	USA, Canada, México & Caribbean
Incentives:	Marketing \$65,000 - \$25,000 depending on destination
	Operational: Landing Fee Credits 100% in year 1 for US, CA, MX 50% in year 2 for Canada and México
Requirements:	Year-round or <b>seasonal service</b> New destination or competitive service Service for at least 1 year Application Pre approved marketing plans and invoices

INTERNATIONAL PROGRAM	
Geography:	Central America, South America, Africa, Europe, Asia and Oceania
Incentives:	Marketing Up to \$500,000 in year 1 Up to \$250,000 in year 2
	Operational: Landing Fee Credits 100% in year 1 50% in year 2
	Operational: Rental Space Credits 100% in year 1 50% in year 2
Requirements:	Year-round service New destination Service for at least 1 year Application for incentives Pre-approved marketing plans and invoices

**SEASONALITY OF SAN DIEGO AIR SERVICE  
EXAMPLE OF TRANS ATLANTIC DEMAND**

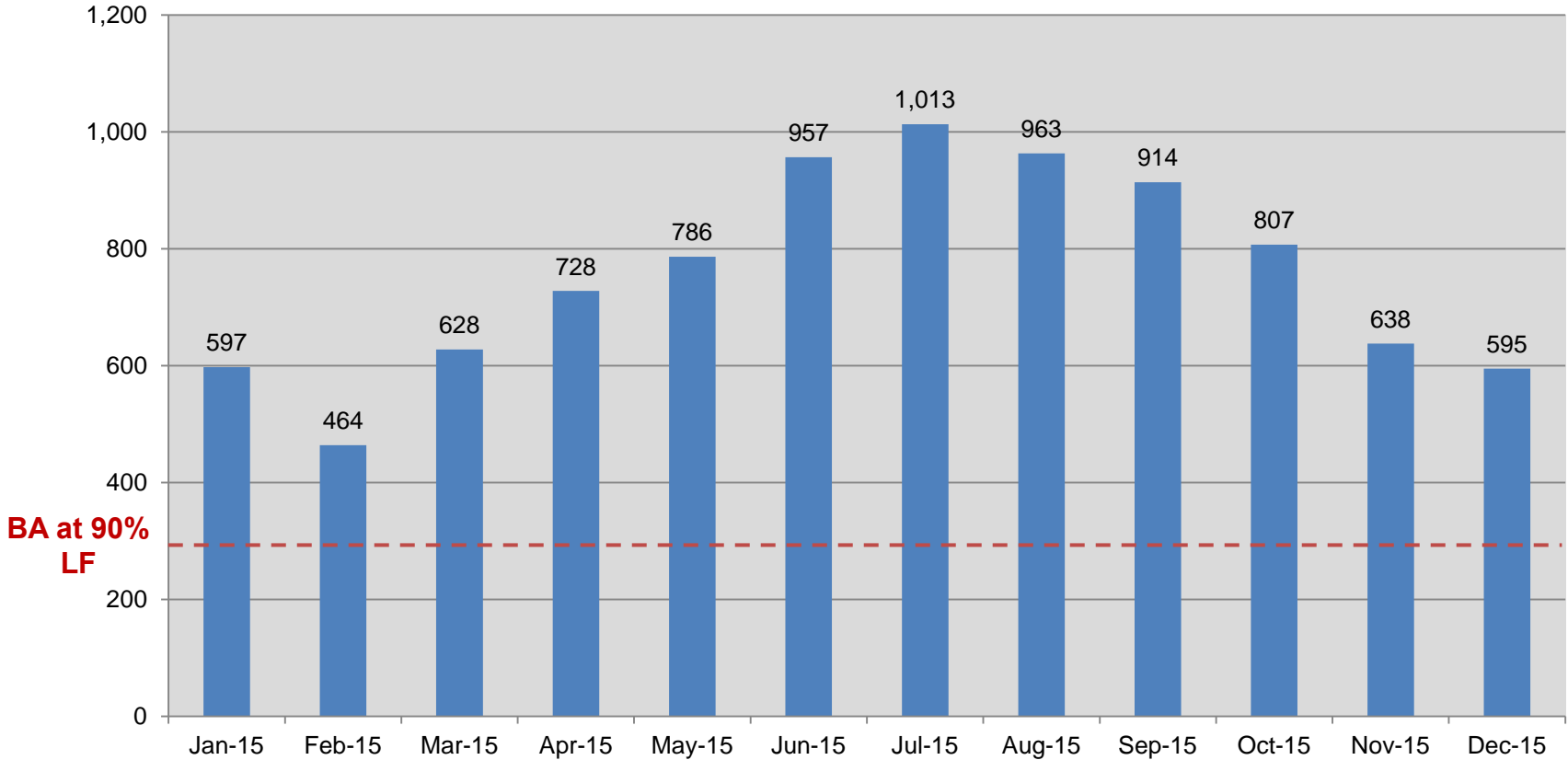
# AS EXISTING CAPACITY HAS FILLED SAN DIEGO – TRANS-ATLANTIC PASSENGERS HAVE STOPPED GROWING

AVERAGE SAN DIEGO – TRANSATLANTIC  
PASSENGERS PER DAY EACH WAY  
YEAR END RELEVANT MONTH



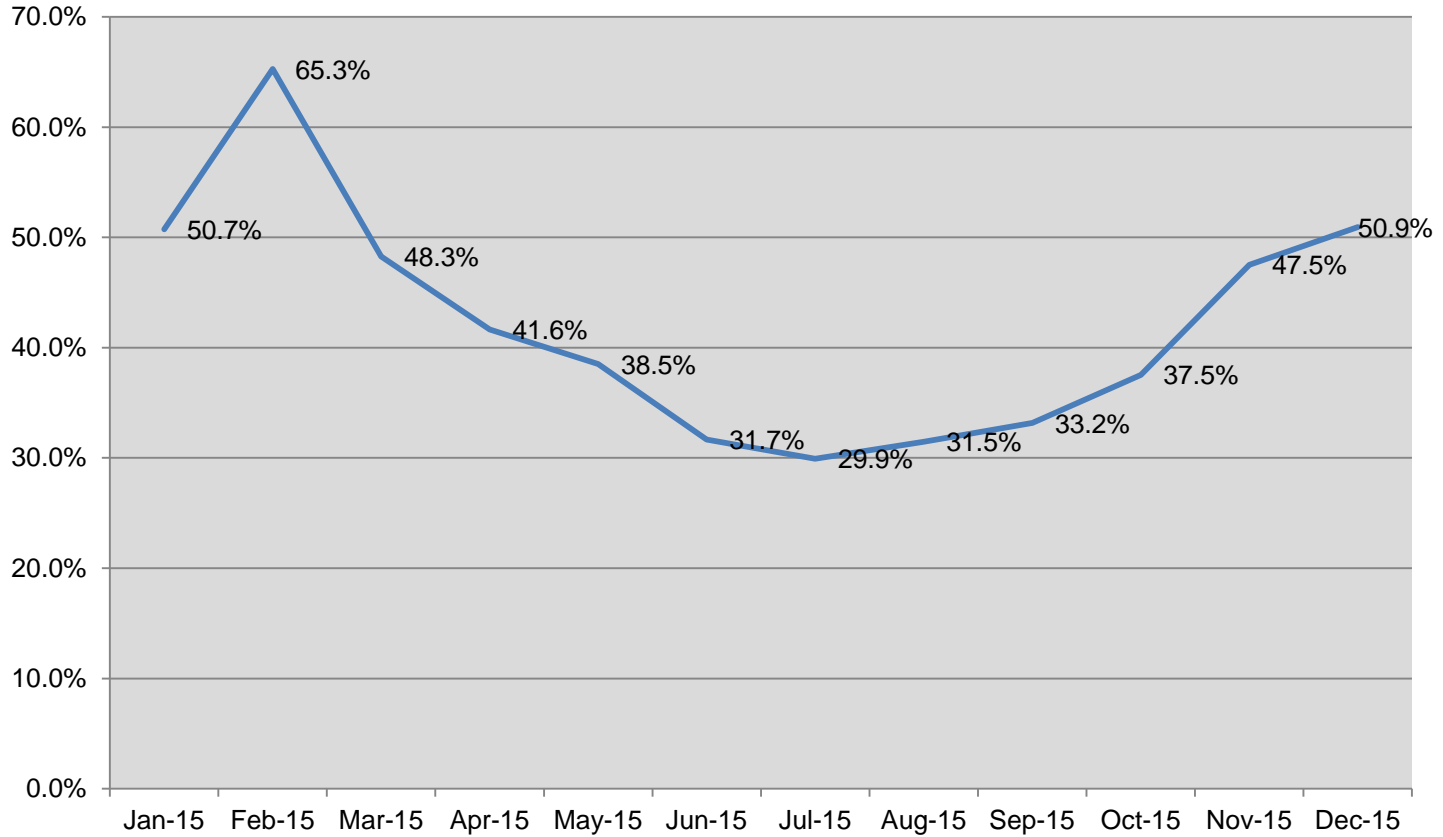


## SAN DIEGO PASSENGER DEMAND TO TRANS-ATLANTIC DESTINATIONS HAS A SEASONAL PEAK



# BRITISH AIRWAYS (BA) HAS TO ACHIEVE A HIGHER MARKET SHARE IN WINTER MONTHS TO FILL A 747 / 777 AIRCRAFT SUMMER MONTHS COULD USE ADDITIONAL CAPACITY

## BA Market Share to Achieve 90% LF



**SUMMER SEASONAL SERVICE CAN HELP GROW OVERALL  
INTERNATIONAL TRAFFIC WITHOUT  
ENDANGERING WINTER PERFORMANCE OF CURRENT SERVICE**

## MOST INTERNATIONAL GATEWAY AIRPORTS EXTEND INCENTIVES TO INTERNATIONAL SEASONAL OPERATORS

Code	City	Seasonal Intl Incentives ?
AUS	Austin	YES
BOS	Boston	NO
BWI	Baltimore	YES
CMH	Columbus	YES
DEN	Denver	YES
DTW	Detroit	YES
FLL	Ft Lauderdale	YES
HOU / IAH	Houston	YES
JAX	Jacksonville	YES
LAS	Las Vegas	YES*
MIA	Miami	NO
BNA	Nashville	YES
OAK	Oakland	YES
MCO	Orlando	YES
PDX	Portland OR	YES
PHX	Phoenix	YES
PIT	Pittsburgh	YES
PVD	Providence	YES
RSW	Fort Myers	YES
SAT	San Antonio	YES
SEA	Seattle	NO
SJC	San Jose	YES
SRQ	Sarasota	YES
SMF	Sacramento	YES
STL	St Louis	YES
TPA	Tampa	YES
IAD	Washington (Dulles)	YES

\* - DFW, MCI, MSP, RDU, SFO & SLC did not respond to survey

## EXAMPLES OF SEASONAL INTERNATIONAL AIRLINES



## RECENT SEASONAL INTERNATIONAL FLIGHT ADDITIONS

City Pair	Airline
Anchorage - Reykjavik	Icelandair
Austin - Frankfurt	Condor
Baltimore - Frankfurt	Condor
Boston - Düsseldorf	Air Berlin
Denver - Munich	Lufthansa
Las Vegas - Glasgow	Thomas Cook
Las Vegas - Manchester	Thomas Cook
Las Vegas - Stansted	Thomas Cook
Los Angeles - Paris	XL Airways
Minneapolis - Reykjavik	Delta
Minneapolis - Rome	Delta
Portland - Frankfurt	Condor
Portland - Reykjavik	Icelandair
Providence - Frankfurt	Condor
Raleigh - Paris	Delta
Salt Lake City - Amsterdam	Delta / KLM
Tampa - Zürich	Edelweiss/Swiss

## SUMMARY OF PROPOSED PROGRAM MARKETING COMPONENT

<b>3 YEAR COMMITMENT</b>				
<b>ROUNDRIP OPERATIONS / SEASON</b>	<b>40-50</b>	<b>51-75</b>	<b>76-100</b>	<b>&gt;100</b>
Marketing Funds Year 1	\$ 85,000	\$ 112,500	\$ 150,000	\$ 200,000
Marketing Funds Year 2	\$ 42,500	\$ 56,250	\$ 75,000	\$ 100,000
Marketing Funds Year 3	0	0	0	0
<b>2 YEAR COMMITMENT</b>				
<b>RT OPERATIONS / SEASON</b>	<b>40-50</b>	<b>51-75</b>	<b>76-100</b>	<b>&gt;100</b>
Marketing Funds Year 1	\$ 63,281	\$ 84,375	\$ 112,500	\$ 150,000
Marketing Funds Year 2	\$ 31,641	\$ 42,188	\$ 56,250	\$ 75,000
<b>1 YEAR COMMITMENT</b>				
<b>RT OPERATIONS / SEASON</b>	<b>40-50</b>	<b>51-75</b>	<b>76-100</b>	<b>&gt;100</b>
Marketing Funds Year 1	\$ 47,461	\$ 63,281	\$ 84,375	\$ 112,500

## SUMMARY OF PROPOSED PROGRAM OPERATIONAL COMPONENT REBATE OF LANDING FEES

<b>3 Year Commitment</b>	<b>% Landing Fee Discount</b>
Year 1	50%
Year 2	25%
Year 3	None
<b>2 Year Commitment</b>	<b>% Landing Fee Discount</b>
Year 1	25%
Year 2	None
<b>1 Year Commitment</b>	<b>% Landing Fee Discount</b>
Year 1	None



# Questions?



**SAN DIEGO COUNTY  
REGIONAL AIRPORT AUTHORITY**

Meeting Date: **APRIL 21, 2016**

**Subject:**

**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**

**Recommendation:**

For information only.

**Background/Justification:**

Authority Policy 3.30 (2)(b) and (4)(b) require that business expenses reimbursements of Board Members, the President/CEO, the Chief Auditor and the General Counsel be approved by the Executive Committee and presented to the Board for its information at its next regularly scheduled meeting. Authority Policy 3.40 (2)(b) and (3)(b) require that travel expense reimbursements of Board Members, the President/CEO, the Chief Auditor and the General Counsel be approved by the Executive Committee and presented to the Board for its information at its next regularly scheduled meeting.

The attached reports are being presented to comply with the requirements of policies 3.30 and 3.40

**Fiscal Impact:**

Funds for Business and Travel Expenses are included in the FY 2015-2016 Budget.

**Authority Strategies:**

This item supports one or more of the Authority Strategies, as follows:

- Community Strategy     Customer Strategy     Employee Strategy     Financial Strategy     Operations Strategy

**Environmental Review:**

- A. This Board action is not a project that would have a significant effect on the environment as defined by the California Environmental Quality Act (CEQA), as amended. 14 Cal. Code Regs. §15378. This Board action is not a "project" subject to CEQA. Cal. Pub. Res. Code §21065.
  
- B. California Coastal Act Review: This Board action is not a "development" as defined by the California Coastal Act. Cal. Pub. Res. Code §30106.

**Application of Inclusionary Policies:**

Not applicable.

**Prepared by:**

TONY RUSSELL  
DIRECTOR, CORPORATE & INFORMATION GOVERNANCE/AUTHORITY CLERK

# **TRAVEL REQUEST**

**THELLA F. BOWENS**

**SAN DIEGO COUNTY REGIONAL AIRPORT AUTHORITY**  
**OUT-OF-TOWN TRAVEL REQUEST**

**GENERAL INSTRUCTIONS:**

- A. All travel requests must conform to applicable provisions of Policies 3.30 and 3.40.
- B. Personnel traveling at Authority expense shall, consistent with the provisions of Policies 3.30 and 3.40, use the most economical means available to affect the travel.

**1. TRAVELER:**

Travelers Name: Thella F. Bowers Dept: 6

Position:  Board Member  President/CEO  Gen. Counsel  Chief Auditor

All other Authority employees (does not require executive committee administrator approval)

2. DATE OF REQUEST: 3/22/16 PLANNED DATE OF DEPARTURE/RETURN: 6/13/16 / 6/16/16

**3. DESTINATIONS/PURPOSE (Provide detailed explanation as to the purpose of the trip— continue on extra sheets of paper as necessary):**

Destination: Vancouver, BC Purpose: SMART Airports & Regions Conference  
Explanation:

I am speaking on a panel entitled "SMART, Green & Sustainable Airports"

**4. PROJECTED OUT-OF-TOWN TRAVEL EXPENSES**

**A. TRANSPORTATION COSTS:**

- AIRFARE \$ 700.00
- OTHER TRANSPORTATION (Taxi, Train, Car Rental) \$ 100.00

B. LODGING \$ 550.00

C. MEALS \$ 200.00

D. SEMINAR AND CONFERENCE FEES \$ COMP

E. ENTERTAINMENT (If applicable) \$

F. OTHER INCIDENTAL EXPENSES \$ 50.00

**TOTAL PROJECTED TRAVEL EXPENSE \$ 1600.00**

**CERTIFICATION BY TRAVELER** By my signature below, I certify that the above listed out-of-town travel and associated expenses conform to the Authority's Policies 3.30 and 3.40 and are reasonable and directly related to the Authority's business.

Travelers Signature: *Thella F. Bowers* Date: 29 Mar 2016

**CERTIFICATION BY ADMINISTRATOR** (Where Administrator is the Executive Committee, the Authority Clerk's signature is required).

By my signature below, I certify the following:

1. I have conscientiously reviewed the above out-of-town travel request and the details provided on the reverse.
2. The concerned out-of-town travel and all identified expenses are necessary for the advancement of the Authority's business and reasonable in comparison to the anticipated benefit to the Authority.
3. The concerned out-of-town travel and all identified expenses conform to the requirements and intent of Authority's Policies 3.30 and 3.40.

Administrator's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**AUTHORITY CLERK CERTIFICATION ON BEHALF OF EXECUTIVE COMMITTEE**

*Tony R Russell, Authority Clerk*, hereby certify that this document was approved  
(Please leave blank. Whoever clerk's the meeting will insert their name and title.)

by the Executive Committee at its 4/4/16 meeting.  
(Leave blank and we will insert the meeting date.)

**SAN DIEGO COUNTY REGIONAL AIRPORT AUTHORITY  
OUT-OF-TOWN TRAVEL REQUEST**

**GENERAL INSTRUCTIONS:**

- A. All travel requests must conform to applicable provisions of Policies 3.30 and 3.40.
- B. Personnel traveling at Authority expense shall, consistent with the provisions of Policies 3.30 and 3.40, use the most economical means available to affect the travel.

**1. TRAVELER:**

Travelers Name: Thella F. Bowens Dept: 6

Position:  Board Member  President/CEO  Gen. Counsel  Chief Auditor  
 All other Authority employees (does not require executive committee administrator approval)

2. DATE OF REQUEST: 3/14/16 PLANNED DATE OF DEPARTURE/RETURN: 5/9/16 / 5/18/16

**3. DESTINATIONS/PURPOSE (Provide detailed explanation as to the purpose of the trip— continue on extra sheets of paper as necessary):**

Destination: Houston, TX Purpose: Attend AAE Annual Conference, and Policy Review/Board Meetings

Explanation: \_\_\_\_\_

**4. PROJECTED OUT-OF-TOWN TRAVEL EXPENSES**

**A. TRANSPORTATION COSTS:**

• AIRFARE	\$ 600.00
• OTHER TRANSPORTATION (Taxi, Train, Car Rental)	\$ 100.00
B. LODGING	\$ 1,000.00
C. MEALS	\$ 300.00
D. SEMINAR AND CONFERENCE FEES	\$ 795.00
E. ENTERTAINMENT (If applicable)	\$
F. OTHER INCIDENTAL EXPENSES	\$ 50.00
<b>TOTAL PROJECTED TRAVEL EXPENSE</b>	<b>\$ 2845.00</b>

**CERTIFICATION BY TRAVELER** By my signature below, I certify that the above listed out-of-town travel and associated expenses conform to the Authority's Policies 3.30 and 3.40 and are reasonable and directly related to the Authority's business.

Travelers Signature: *Thella F. Bowens* Date: 14 March 2016

**CERTIFICATION BY ADMINISTRATOR** (Where Administrator is the Executive Committee, the Authority Clerk's signature is required).

By my signature below, I certify the following:

1. I have conscientiously reviewed the above out-of-town travel request and the details provided on the reverse.
2. The concerned out-of-town travel and all identified expenses are necessary for the advancement of the Authority's business and reasonable in comparison to the anticipated benefit to the Authority.
3. The concerned out-of-town travel and all identified expenses conform to the requirements and intent of Authority's Policies 3.30 and 3.40.

Administrator's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**AUTHORITY CLERK CERTIFICATION ON BEHALF OF EXECUTIVE COMMITTEE**

*Tony L. Russell, Authority Clerk*, hereby certify that this document was approved  
(Please leave blank. Whoever clerk's the meeting will insert their name and title.)  
 by the Executive Committee at its 4/4/16 meeting.  
(Leave blank and we will insert the meeting date.)

**PAUL ROBINSON**



**SAN DIEGO COUNTY REGIONAL AIRPORT AUTHORITY  
OUT-OF-TOWN TRAVEL REQUEST**

**GENERAL INSTRUCTIONS:**

- A. All travel requests must conform to applicable provisions of Policies 3.30 and 3.40.
- B. Personnel travelling at Authority expense shall, consistent with the provisions of Policies 3.30 and 3.40; use the most economical means available to affect the travel.

**1. TRAVELER:**

Travelers Name: Paul Robinson Dept: 2

Position:  Board Member  President/CEO  Gen. Counsel  Chief Auditor

All other Authority employees (does not require executive committee administrator approval)

2. DATE OF REQUEST: 03/17/2016 PLANNED DATE OF DEPARTURE/RETURN: 5/24/2016 / 5/25/2016

3. DESTINATIONS/PURPOSE (Provide detailed explanation as to the purpose of the trip— continue on extra sheets of paper as necessary):

Destination: Sacramento, CA Purpose: Attend Conference  
Explanation: San Diego Regional Chamber of Commerce "Chamber Leadership Delegation to Sacramento"

**4. PROJECTED OUT-OF-TOWN TRAVEL EXPENSES**

**A. TRANSPORTATION COSTS:**

• AIRFARE \$ 300.00  
• OTHER TRANSPORTATION (Taxi, Train, Car Rental) \$ 100.00

B. LODGING \$ 260.00

C. MEALS \$ 150.00

D. SEMINAR AND CONFERENCE FEES \$ 225.00

E. ENTERTAINMENT (If applicable) \$           

F. OTHER INCIDENTAL EXPENSES \$           

**TOTAL PROJECTED TRAVEL EXPENSE** \$ 1,035.00

**CERTIFICATION BY TRAVELER** By my signature below, I certify that the above listed out-of-town travel and associated expenses conform to the Authority's Policies 3.30 and 3.40 and are reasonable and directly related to the Authority's business.

Travelers Signature:  Date: 4/5/16

**CERTIFICATION BY ADMINISTRATOR** (Where Administrator is the Executive Committee, the Authority Clerk's signature is required).

By my signature below, I certify the following:

1. I have conscientiously reviewed the above out-of-town travel request and the details provided on the reverse.
2. The concerned out-of-town travel and all identified expenses are necessary for the advancement of the Authority's business and reasonable in comparison to the anticipated benefit to the Authority.
3. The concerned out-of-town travel and all identified expenses conform to the requirements and Intent of Authority's Policies 3.30 and 3.40.

Administrator's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**AUTHORITY CLERK CERTIFICATION ON BEHALF OF EXECUTIVE COMMITTEE**

Tony R. Russell, Authority Clerk, hereby certify that this document was approved  
(Please leave blank. Whoever clerk's the meeting will insert their name and title.)

by the Executive Committee at its 4/4/16 meeting.  
(Leave blank and we will insert the meeting date.)

# **TRAVEL EXPENSE**

**THELLA F. BOWENS**

**SAN DIEGO COUNTY REGIONAL AIRPORT AUTHORITY**

**TRAVEL EXPENSE REPORT**

*(To be completed within 30 days from travel return date)*

TRAVELER: Thella F. Bowens DEPT. NAME & NO. Executive Office/BU 6  
 DEPARTURE DATE: 3/5/2016 RETURN DATE: 3/9/2016 REPORT DUE: 4/8/16  
 DESTINATION: Dallas, TX

*Please refer to the Authority Travel and Lodging Expense Reimbursement Policy, Article 3, Part 3.4, Section 3.40, outlining appropriate reimbursable expenses and approvals. Please attach all required supporting documentation. All receipts must be detailed, (credit card receipts do not provide sufficient detail). Any special items should be explained in the space provided below.*

	Authority Expenses (Prepaid by Authority)	Employee Expenses							TOTALS
		SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	
		3/8/16	3/7/16	3/8/16	3/9/16				
Air Fare, Railroad, Bus (attach copy of itinerary w/charges)	\$554.20								0.00
Conference Fees (provide copy of flyer/registration expenses)	\$400.00								0.00
Rental Car*		37.38	37.38	37.38					112.14
Gas and Oil*									0.00
Garage/Parking*		28.15	28.15	28.15					84.45
Mileage - attach mileage form*									0.00
Taxi and/or Shuttle Fare (Include tips pd.)*									0.00
Hotel*		176.34	176.34	176.34					529.02
Telephone, internet and Fax*									0.00
Laundry*									0.00
Tips - separately paid (maids, bellhop, other hotel srvs.)									0.00
Meals (include tips pd.)	Breakfast*								0.00
	Lunch*								0.00
	Dinner*								0.00
	Other Meals*				9.03				9.03
<i>Alcohol is a non-reimbursable expense</i>									
Hospitality <sup>1*</sup>									0.00
Miscellaneous:									0.00
									0.00
									0.00
*Provide detailed receipts									0.00
<b>Total Expenses prepaid by Authority</b>	<b>954.20</b>	<b>241.87</b>	<b>241.87</b>	<b>250.90</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>734.64</b>

Explanation:	Total Expenses Prepaid by Authority	954.20
	Total Expenses Incurred by Employee (including cash advances)	734.64
	<b>Grand Total</b>	<b>1,688.84</b>
	Less Cash Advance (attach copy of Authority ck)	
	Less Expenses Prepaid by Authority	954.20
	Due Traveler (positive amount) <sup>2</sup>	
	Due Authority (negative amount) <sup>3</sup>	734.64
<i>Note: Send this report to Accounting even if the amount is \$0.</i>		

<sup>1</sup> Give names and business affiliations of any persons whose meals were paid by traveler.  
<sup>2</sup> Prepare Check Request  
<sup>3</sup> Attach personal check payable to SDCRAA

I as traveler or administrator acknowledge that I have read, understand and agree to Authority policies 3.40 - Travel and Lodging Expense Reimbursement Policy<sup>4</sup> and 3.30 - Business Expense Reimbursement Policy<sup>5</sup> and that any purchases/claims that are not allowed will be my responsibility. I further certify that this report of travel expenses were incurred in connection with official Authority business and is true and correct.  
<sup>4</sup> Travel and Lodging Expense Reimbursement Policy 3.40      <sup>5</sup> Business Expense Reimbursement Policy 3.30

Prepared By: Kim Ayers Ext.: 2447  
 Traveler Signature: Thella F. Bowens Date: 3/30/2016  
 Approved By: \_\_\_\_\_ Date: \_\_\_\_\_

**AUTHORITY CLERK CERTIFICATION ON BEHALF OF EXECUTIVE COMMITTEE** (To be certified if used by President/CEO, Gen. Counsel, or Chief Auditor)  
 I, Tony R. Russell, Authority Clerk hereby certify that this document was approved by the Executive Committee at its 4/4/16 meeting.  
 (Please leave blank. Whoever clerk's the meeting will insert their name and title.)  
 (Leave blank and we will insert the meeting date.)

Failure to attach required documentation will result in the delay of processing reimbursement. If you have any questions, please see your department Administrative Assistant or call Accounting at ext. 2806.

**SAN DIEGO COUNTY REGIONAL AIRPORT AUTHORITY  
OUT-OF-TOWN TRAVEL REQUEST**

**GENERAL INSTRUCTIONS:**

- A. All travel requests must conform to applicable provisions of Policies 3.30 and 3.40.
- B. Personnel travelling at Authority expense shall, consistent with the provisions of Policies 3.30 and 3.40, use the most economical means available to affect the travel.

**1. TRAVELER:**

Travelers Name: Thella Bowens Dept: 6

Position:  Board Member  President/CEO  Gen. Counsel  Chief Auditor

All other Authority employees (does not require executive committee administrator approval)

2. DATE OF REQUEST: 11/16/15 PLANNED DATE OF DEPARTURE/RETURN: 3/5/16 / 3/9/16

**3. DESTINATIONS/PURPOSE (Provide detailed explanation as to the purpose of the trip— continue on extra sheets of paper as necessary):**

Destination: Dallas, TX

Purpose: Attend 2016 Airport Revenue News Conference

Explanation: \_\_\_\_\_

**4. PROJECTED OUT-OF-TOWN TRAVEL EXPENSES**

**A. TRANSPORTATION COSTS:**

- AIRFARE \$ 500.00
- OTHER TRANSPORTATION (Taxi, Train, Car Rental) \$ 100.00

B. LODGING \$ 876.00

C. MEALS \$ 300.00

D. SEMINAR AND CONFERENCE FEES \$ 400.00

E. ENTERTAINMENT (If applicable) \$ \_\_\_\_\_

F. OTHER INCIDENTAL EXPENSES \$ 50.00

**TOTAL PROJECTED TRAVEL EXPENSE** \$ 2226.00

**CERTIFICATION BY TRAVELER** By my signature below, I certify that the above listed out-of-town travel and associated expenses conform to the Authority's Policies 3.30 and 3.40 and are reasonable and directly related to the Authority's business.

Travelers Signature: *Thella Bowens* Date: 25 Nov 2015

**CERTIFICATION BY ADMINISTRATOR** (Where Administrator is the Executive Committee, the Authority Clerk's signature is required).

By my signature below, I certify the following:

1. I have conscientiously reviewed the above out-of-town travel request and the details provided on the reverse.
2. The concerned out-of-town travel and all identified expenses are necessary for the advancement of the Authority's business and reasonable in comparison to the anticipated benefit to the Authority.
3. The concerned out-of-town travel and all identified expenses conform to the requirements and intent of Authority's Policies 3.30 and 3.40.

Administrator's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**AUTHORITY CLERK CERTIFICATION ON BEHALF OF EXECUTIVE COMMITTEE**

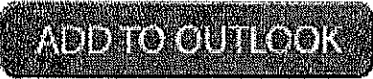
Lorraine Bennett, Asst. Authority Clerk II, hereby certify that this document was approved  
(Please leave blank. Whoever clerk's the meeting will insert their name and title.)

by the Executive Committee at its 12-7-15 meeting.

(Leave blank and we will insert the meeting date.)



Traveltrust Corporation  
 374 North Coast Hwy 101, Suite F  
 Encinitas, CA 92024  
 Phone: (760) 635-1700



Friday, 22JAN 2016 07:12 PM EST

**Passengers: THELLA BOWENS (06)**

Agency Reference Number: HYNVSC

Click here to view your current Itinerary or ETicket receipt on-line: [tripcase.com](http://tripcase.com)

American Airlines Confirmation HYNVSC

Please review your Itinerary and report any discrepancies to Traveltrust within 24hrs of receipt  
 Be sure to visit [www.traveltrust.com](http://www.traveltrust.com) for additional travel information

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 for a free quote or more information. [Click Here](#) (Currently Available For U.S. Departures Only)

<b>AIR</b>	<b>Friday, 4MAR 2016</b>	
<b>American Airlines</b>	<b>Flight Number: 1445</b>	<b>Class: W-Coach/Economy</b>
<b>From: San Diego CA, USA</b>	<b>Depart: 02:30 PM</b>	
<b>To: Dallas/Ft Worth TX, USA</b>	<b>Arrive: 07:28 PM</b>	
<b>Stops: Nonstop</b>	<b>Duration: 2 hour(s) 58 minute(s)</b>	
<b>Seats: 14D</b>	<b>Status: CONFIRMED</b>	<b>Miles: 1175 / 1880 KM</b>
<b>Equipment: 32B/AIR</b>	<b>MEAL: FOOD FOR PURCHASE</b>	
<b>DEPARTS SAN TERMINAL 2</b>		
<b>Frequent Flyer Number: [REDACTED]</b>		
<b>AISLE SEAT CONFIRMED</b>		
<b>American Airlines Confirmation number is HYNVSC</b>		

<b>AIR</b>	<b>Saturday, 12MAR 2016</b>	
<b>American Airlines</b>	<b>Flight Number: 1194</b>	<b>Class: L-Coach/Economy</b>
<b>From: Dallas/Ft Worth TX, USA</b>	<b>Depart: 03:45 PM</b>	
<b>To: San Diego CA, USA</b>	<b>Arrive: 04:54 PM</b>	
<b>Stops: Nonstop</b>	<b>Duration: 3 hour(s) 9 minute(s)</b>	
<b>Seats: 15D</b>	<b>Status: CONFIRMED</b>	<b>Miles: 1175 / 1880 KM</b>
<b>Equipment: Boeing 737-800 Jet</b>	<b>MEAL: FOOD FOR PURCHASE</b>	
<b>ARRIVES SAN TERMINAL 2</b>		
<b>Frequent Flyer Number: [REDACTED]</b>		
<b>EXIT ROW AISLE SEAT CONFIRMED</b>		
<b>American Airlines Confirmation number is HYNVSC</b>		

THIS TICKET IS NON-REFUNDABLE AND MUST BE USED FOR THE FLIGHTS BOOKED. IF THE RESERVATION IS NOT USED OR CANCELLED BEFORE THE DEPARTURE OF YOUR FLIGHTS IT MAY HAVE NO VALUE. CONTACT TRAVELTRUST BEFORE YOUR OUTBOUND FLIGHT IF CHANGE IS NECESSARY.  
 AMERICAN AIRLINES CONFIRMATION NUMBER - HYNVSC  
 FOR EMERGENCY SERVICE FROM UNITED STATES - 888-221-6043

**Ticket/Invoice Information**

Ticket for: THELLA BOWENS  
Date issued: 1/22/2016 Invoice Nbr: 5369284  
Ticket Nbr: AA7746035333 Electronic Tkt: Yes Amount: 524.20  
Base: 461.39 US Tax: 34.61 USD XT Tax: 28.20 USD  
Charged to: \*\*\*\*\*

Service fee: THELLA BOWENS  
Date issued: 1/22/2016  
Document Nbr: XD0671393246 Amount: 30.00  
Charged to: \*\*\*\*\*

Total Tickets: 524.20  
Total Fees: 30.00  
Total Amount: 554.20

**Click here 24 hours in advance to obtain boarding passes:**  
[American](#)

**Click here to review Baggage policies and guidelines:**  
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Saturday from 9am-1pm Pacific.  
For EMERGENCY AFTERHOURS assistance in the US, please call 888-221-6043 and use VIP Code SJE72.  
You can also use the Direct Dial Number 882-233-1914 or the collect number 682-647-0081.  
Each call is billable at a minimum \$25.00.



# SAN DIEGO COUNTY REGIONAL AIRPORT AUTHORITY

ORIGINAL (LILAC) - FINANCE  
COPY - DEPARTMENT FILE


## SDCRAA CHECK REQUEST

CR # 16-36

ISSUE CHECK TO THE ORDER OF <b>Airport Revenue News, A Division of Urban Expositions, LLC</b> 3200 N. Military Trail, Suite 110 Boca Raton, FL 33431	DATE ISSUED 1/19/2016	
	ORIGINATING DEPARTMENT/BUSINESS UNIT Executive Office BU8	
	PREPARED BY/EXT. K. Ayers/2445	REVIEWED BY: ACCTG

FOR PAYMENT OF THE FOLLOWING			
INVOICE #	INVOICE DATE	DESCRIPTION	AMOUNT
2016188	1/18/2016	Registration Fee for ARN Conference For Thella Bowers March 6-9, 2016	400.00
<b>CHECK REQUEST TOTAL</b>			<b>400.00</b>

SPECIAL INSTRUCTIONS:

Reason not processed as a Contract (2) - Required field - please check reason		CERTIFY THE CLAIM IS TRUE AND CORRECT INCLUDING ANY APPLICABLE TERMS AND CONDITIONS HAVE BEEN FULFILLED   Authorized Department Signature
<input type="checkbox"/> Infrequent/Unforeseen (1)	<input type="checkbox"/> Insurance/Benefits (7)	
<input type="checkbox"/> De Minimis amount (Less than \$5K) (2)	<input type="checkbox"/> Contract In Process (8)	
<input type="checkbox"/> Required quick timeframe (3)	<input type="checkbox"/> Outside Scope of Contract (9)	
<input type="checkbox"/> Dues/Subscription/Membership (4)	<input type="checkbox"/> Common Practice (10)	
<input checked="" type="checkbox"/> Meetings/Conferences/Seminars/Sponsorships (6)	<input type="checkbox"/> Approved Exception (11)	
<input type="checkbox"/> Employee Reimbursement (5)	<input type="checkbox"/> OTHER: (12)	

DISTRIBUTION OF CHARGES - TO BE COMPLETED BY ORIGINATING DEPARTMENT/BUSINESS UNIT				
DEPARTMENT/ BUSINESS UNIT	GL ACCOUNT/SUBSIDIARY	WORK ORDER/ TRACKING ORDER	LOCATION/ ASSET NUMBER	AMOUNT
6	66280.110			400.00
<b>Total amount distributed - must equal Check Request Total above</b>				<b>400.00</b>

ACCOUNTING DEPARTMENT USE ONLY	
VENDOR NO. _____	APPROVED FOR PROCESSING
INVOICE NO. _____	
INVOICE DATE _____	ACCOUNTING DEPARTMENT
PYMT DATE _____	
RT TO BU _____ SEP OK _____	



**Airport Revenue News a Division  
of Urban Expositions LLC**  
3200 N Military Trail, Suite 110  
Boca Raton FL 33431

**ARN 2016 Revenue Conference &  
Exhibition**  
Hosted by Airport Revenue News

**Hyatt Regency  
Dallas, TX  
March 6-9, 2016**

1/8/2016

Bill To
San Diego International Airport Thelia Bowers P. O. Box 82776 San Diego, CA 92138-2776

Description	Invoice #	Terms	Due Date
	2016188	Net 10	1/18/2016
	Qty	Rate	Amount
Director's Registration Fee	1	400.00	400.00
Awards Dinner	1	0.00	0.00
<p>Pay via wire: Contact Beth Hanlon at <a href="mailto:beth@airportrevenueews.com">beth@airportrevenueews.com</a></p> <p>Amex, Visa, Mastercard Acct. # _____ Exp. Date _____ Code _____</p> <p>Or make check payable in U.S. Dollars to: Urban Expositions, LLC 3200 N Military Trail Suite 110 Boca Raton, FL 33431</p> <p>For Billing questions, please call Beth Hanlon at 561-257-1025 email: <a href="mailto:beth@airportrevenueews.com">beth@airportrevenueews.com</a></p>			
<b>Total</b>			\$400.00
<b>Payments/Credits</b>			\$0.00
<b>Balance Due</b>			\$400.00



We are proud to feature a 100% smoke-free fleet!

RENTAL AGREEMENT NUMBER: 638890711

RECEIPT

Your Information

Customer Name: THELLA BOWENS  
Method of Payment:

Your Vehicle Information

Vehicle Number: 44284504  
Vehicle Group Rented: Full-Size  
Vehicle Group Charged: Standard  
Vehicle Description: FORD FUSION  
License Plate Number: TXFXG1093  
Odometer Out: 18263  
Odometer In: 18438  
Total Driven: 175  
Fuel Gauge Reading: Full

Your Rental

Pickup Date/Time: MAR 05, 2010 @ 1:23PM  
Pickup Location: 808 SOUTH CENTRAL EXPRESSWAY  
RICHARDSON, TX, 75080, US  
972-231-3395

Return Date/Time: MAR 11, 2010 @ 4:51PM  
Return Location: 808 SOUTH CENTRAL EXPRESSWAY  
RICHARDSON, TX, 75080, US  
972-231-3395

Additional fees may apply if changes are made to your return date, time and/or location.

Your Vehicle Charges (MIN 99 HRS / MAX 28 DAY)

Rate Chart:	Free Miles:	Time and Mileage:
Miles: UNLIMITED		Your Discount:
Daily: \$22.00		1 WK @ 220.00 =
Weekly: \$154.00		
Monthly: \$660.00		Time and Mileage:
		220.00

Your Optional Products/Services

Optional Services Total: 0.00

Your Taxable Fees

VEH LICENSE RECOUP 1.95/DY	13.65
ENERGY RECOVERY FEE 0.60/DY	4.20
Sub-total-Charges:	237.85
TAX 10.000%	23.79

CAR FOR CONFERENCE

3/6 - 3/8 = 3 DAYS

\$261.64 ÷ 7 = \$37.38/Day

3 DAYS = \$112.14

Your Non-Taxable Products/Services

Your Total Charges paid: 261.64  
Prepayment: 0.00

Net Charges:	USD 261.64
Your Total Due:	0.00

Thank you for renting with Budget.  
For all other inquiries, please contact us at 1-800-527-0700, or www.budget.com.

Your vehicle was rented to you by NIESHEELIA. Your vehicle was checked in by NIESHEELIA.



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INVOICE

Payee Ms Thella Bowens  
 Po Box 82776  
 San Diego CA 92138  
 United States

Room No. 0912  
 Arrival 03-06-16  
 Departure 03-09-16  
 Page No. 1 of 1  
 Folio Window 1  
 Folio No. 1078048

Confirmation No. 1297173301  
 Group Name ARN 2016 Revenue Conference  
 Booking No. 32CT7M4M

Date	Description		Charges	Credits
03-06-16	Group Room	PARKING	153.00	ROOM
03-06-16	Tourism PID Reimbursement Fee		3.06	
03-06-16	City Occupancy Tax 7%	\$28.15	10.92	\$176.34
03-06-16	State Occupancy Tax 6%		9.36	
03-06-16	Parking Valet		{ 26.00	
03-06-16	Parking Sales Tax 8.25%		{ 2.15	
03-07-16	Group Room		153.00	
03-07-16	Tourism PID Reimbursement Fee		3.06	
03-07-16	City Occupancy Tax 7%	\$28.15	10.92	\$176.34
03-07-16	State Occupancy Tax 6%		9.36	
03-07-16	Parking Valet		{ 26.00	
03-07-16	Parking Sales Tax 8.25%		{ 2.15	
03-08-16	- In Room Dining Dinner Food	CHECK# 9435	9.03	RECEIPT ATT.
03-08-16	Group Room		153.00	
03-08-16	Tourism PID Reimbursement Fee		3.06	
03-08-16	City Occupancy Tax 7%	\$28.15	10.92	\$176.34
03-08-16	State Occupancy Tax 6%		9.36	
03-08-16	Parking Valet		{ 26.00	
03-08-16	Parking Sales Tax 8.25%		{ 2.15	
03-09-16	American Express	XXXXXXXXXXXX		622.50

**Total** 622.50 622.50

Guest Signature

**Balance**

0.00

I agree that my liability for this bill is not waived and I agree to be held personally liable in the event that the indicated person, company or association fails to pay for any part or the full amount of these charges.

HOTEL - \$529.02  
 PARKING - 84.45  
 FOOD - 9.03  
**TOTAL \$622.50**

**Hyatt Gold Passport Summary**

Membership: [REDACTED]  
 Bonus Codes:  
 Qualifying Nights: 3  
 Eligible Spend: 466.50  
 Redemption Eligible: 93.48

Thank you for choosing Hyatt Regency Dallas as your hotel of choice. We sincerely hope you enjoyed your stay with us. Your feedback is very important to us. If we did not meet or exceed your expectations on any aspect of your stay, please feel free to contact our Manager on Duty via e-mail at [QualityDEWRD@Hyatt.com](mailto:QualityDEWRD@Hyatt.com) or by phone at 972-975-0901.

For inquiries concerning your bill please call 888-587-4589.

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Summary Invoice, please see front desk for eligibility details.

Please remit payment to: PO BOX 201789 Dallas, TX 75320

**RECEIPTS FOR ARN CONFERENCE - DALLAS, TX  
FEBRUARY 5-9, 2016 - THELLA F. BOWENS**



**HYATT  
REGENCY**

Room Service  
Hyatt Regency Dallas  
300 Reunion Blvd  
Dallas TX 75207  
+1 214.651.1234

1323620 Celeste

-----  
CHK 9435 GST 1  
912 BOWENS  
3/8/2016 10:46 PM  
-----

1 Delivery Charge	3.50
1 Jump Start Box	4.00
*#Food	\$4.00
*#Delivery Charge	\$3.50
21% RM SVC Grat	\$0.84
*Tax	\$0.69
<b>Payment Due</b>	<b>\$9.03</b>

Tip: \_\_\_\_\_

Total: \_\_\_\_\_

Room: \_\_\_\_\_

Name: \_\_\_\_\_

Signature: \_\_\_\_\_

Earn or Redeem Points for Dining

Gold Passport#:

Last Name:

Offer code(s):

Redemption Eligible: 0.69

\*Not point earning eligible.

#Not point redemption eligible.

# 2016 ARN AGENDA

*Illustrative Agenda - Not Final - Subject To Change*

## Day One, Sunday, March 6, 2016

11:30 a.m. - 2:00 p.m. Registration Desks Open

📍 Landmark Circle

Registration Desk And Lanyards/Badge Holders Sponsored by: Delaware North  
Attendee Book Sponsored by: NewsLink Group  
Registration Bags And Digital Signage Sponsored by: Hudson Group  
Key Cards And Pocket Agenda Sponsored by: Paradis Lagardère

1:00 p.m. - 5:00 p.m. Dallas/Fort Worth International Airport Tour

📍 Trinity Crossing

Tour North America's fourth-busiest airport and hear the stories behind the new and upcoming concepts that comprise the latest iteration of its concessions program.

**Buses depart from Trinity Crossing promptly at 1:00 p.m. Please arrive at 12:45 p.m.**

## Day Two, Monday, March 7, 2016

7:30 a.m. - 3:30 p.m. Registration Desks Open

📍 Landmark Circle

Registration Desk And Lanyards/Badge Holders Sponsored by: Delaware North  
Attendee Book Sponsored by: NewsLink Group  
Registration Bags And Digital Signage Sponsored by: Hudson Group  
Key Cards And Pocket Agenda Sponsored by: Paradis Lagardère

7:30 a.m. - 8:30 a.m. Registration Breakfast

📍 Landmark Circle

8:30 a.m. - 9:00 a.m. The Recipe For Mixing Dining And Technology

🎧 Session 1

📍 Landmark B/C

Technological advances have been part of restaurants for quite some time, albeit limited to the back-of-house operations. From iPads to smartphones and apps, consumer-facing technology is on the rise. Hear how airports and operators can benefit from leveraging such advances to elevate the dining experience.

*Speaker: Rick Blatstein, CEO, OTG Management*

9:00 a.m. - 9:30 a.m. Getting Social, Getting Connected

🎧 Session 2

📍 Landmark B/C

A Twitter feed, Instagram account and Facebook page are staples to any basic approach to social media. Learn about the benefits for airports and operators in elevating the connection from a simple outflow of information to actual meaningful engagement that will drive user loyalty and create satisfaction.

*Speaker: Atousa Ghoreichi, vp of restaurant marketing, promotions and programs, HMSHost Corp.; Afsaneh Sheibani, Creative Marketing Director, HMSHost Corp.*

9:30 a.m. - 10:30 a.m. ABCs Of Airport Concessions (The Academy Of Concessions)

🎧 Session 3A

(Concurrent Session)

📍 Landmark D

Learn about the challenges of an airport, how to prepare your concept, build relevance, find the right partners and more from the perspectives of those involved: the airport, the prime and the developer. Gain an understanding of what it takes to enter and thrive in this dynamic, lucrative industry with an education on the basics.

*Moderator: David Kellerman, senior manager of concessions, Cincinnati-Northern Kentucky International Airport*

*Speakers: Oscar Hernandez, vice president of operations, Areas USA; Rebecca Ramsey, assistant director of properties, Nashville International; Mario Trevino, president, Innovative Strategies*

9:30 a.m. - 10:30 a.m. Focus On Financing (The Academy Of Concessions)

📍 Session 3B  
(Concurrent Session)  
📍 Landmark B/C

The perennial problem for new and small concessionaires is accessing adequate financing to tackle the high cost of operating in North American airports. Against the backdrop of concessions industry consolidation that is making the large players even more financially formidable, we'll examine the newest and most reliable financing alternatives. We'll also hear from long-term Airport Concessions Disadvantaged Business Enterprises about the strategies for financial survival and growth.

*Moderator: Bob Silvas, president, Silvy Group*

*Speakers: Samir Mashni, vice president and general counsel, Midfield Concessions; Joyce Sloss, managing partner, SCA Strategic Partnerships; William Swift, president, Business Traveler Services Inc.*

10:30 a.m. - 11:00 a.m. Refreshment and Networking Break

📍 Landmark Circle

11:00 a.m. - 12:00 p.m. Preparing Winning RFPs (The Academy Of Concessions)

📍 Session 4A  
(Concurrent Session)  
📍 Landmark D

Getting into the airport concessions business isn't as simple as snapping your fingers. Responding to requests for proposals is a time-consuming, expensive process. Industry experts will share their insights on how to study the markets in which you want to bid, ensure you fill out the documents completely and accurately, and help put the best face on your company.

*Moderator: Kimberly Stewart, business manager for food, beverage and retail, Raleigh-Durham International*

*Speakers: Jaimini M. Erskine, president and CEO, JME Services, LLC; Eric Johnson, director of commercial management at airline affairs at Minneapolis-St. Paul International Airport; Michael Levine, CEO, Tastes on the Fly*

11:00 a.m. - 12:00 p.m. The New Concessionaire Landscape (The Academy Of Concessions)

📍 Session 4B  
(Concurrent Session)  
📍 Landmark B/C

The concessions industry in North America has undergone significant consolidation in recent years, changing the roster of major players. At the same time, some formerly mid-sized companies are broadening their reach. Find out how the shifting field of companies - and changing demands from airports - will impact small businesses and ACDBEs.

*Moderator: Zenola Campbell, vice president of concessions, Dallas/Fort Worth International Airport*

*Speakers: Paul Brown, president, Paul Brown Consulting; Stuart Holcombe, managing partner, Travel Retail Partners; Andrew Weddig, senior vice president, Unison Consulting*

12:00 p.m. - 2:00 p.m. Property Managers' Luncheon (Airports Only)

📍 Cumberland K/L

This closed-door meeting allows airport colleagues the opportunity to candidly discuss issues that face the concession industry. No concessionaires or press admitted.

Sponsored by: Pacific Gateway Concessions

2:00 p.m. - 5:00 p.m. Dallas Love Field Airport Tour

📍 Trinity Crossing

Take a tour of the recently renovated airport's gleaming concessions program and hear about its rapid growth as it strives to evolve the airport experience.

**Buses depart from Trinity Crossing promptly at 2:00 p.m. Please arrive at 1:45 p.m.**

2:00 p.m. - 3:30 p.m. Airport Opportunities

📍 Session 5  
📍 Landmark B/C

Listen to airport executives discuss upcoming opportunities at their airports. Learn about new opportunities in terminals, parking garages, concessions space and other major facilities on airport property.

*Participants: Dallas/Fort Worth International Airport; Louis Armstrong New Orleans International Airport; Minneapolis St. Paul International Airport; Raleigh-Durham International; San Francisco International Airport*

3:30 p.m. - 4:00 p.m. Refreshment And Networking Break

📍 Landmark Circle

4:30 p.m. - 5:30 p.m. Business Pitch Showcase

📍 Session 6  
📍 Landmark B/C

Witness a hand-picked group of participants present their concept before a panel of industry professionals for an assessment of their company's viability in the airport environment.

Sponsored by: Mission Yogurt

*Moderator: Ramon Lo, publisher, Airport Revenue News*

*Panelists: Jaimini M. Erskine, president and CEO, JME Services, LLC; Martha Hernandez, assistant VP of concessions, Dallas/Fort Worth International; Stuart Holcombe, managing partner, Travel Retail Partners; Cindy Martin, concepts director, Delaware North; Rod Tafoya, president Mission Yogurt*

6:00 p.m. - 8:00 p.m.	<b>Registration Desks Open</b>
📍 Landmark Circle	Registration Desk And Lanyards/Badge Holders Sponsored by: Delaware North Attendee Book Sponsored by: NewsLink Group Registration Bags And Digital Signage Sponsored by: Hudson Group Key Cards And Pocket Agenda Sponsored by: Paradis Lagardère
6:30 p.m. - 9:30 p.m.	<b>Opening Night Reception In Exhibit Hall</b>
📍 Marsalis Hall	6:30 p.m. - Networking in Foyer 7:00 p.m. - Exhibit Hall Opening Ceremony  Sponsored by: HMSHost Corp. Exhibit Hall Sponsored by: Westfield
<b>Day Three, Tuesday, March 8, 2016</b>	
7:30 a.m. - 3:30 p.m.	<b>Registration Desks Open</b>
📍 Landmark Circle	Registration Desk And Lanyards/Badge Holders Sponsored by: Delaware North Attendee Book Sponsored by: NewsLink Group Registration Bags And Digital Signage Sponsored by: Hudson Group Key Cards And Pocket Agenda Sponsored by: Paradis Lagardère
7:30 a.m. - 8:30 a.m.	<b>Breakfast And Networking In The Exhibit Hall</b>
📍 Marsalis Hall	Sponsored By: JProject Solutions Exhibit Hall Sponsored by: Westfield
8:45 a.m. - 9:00 a.m.	<b>Opening Remarks</b>
📍 Landmark B/C	<i>Speakers: Ramon Lo, Publisher ARN; Ken Buchanan, Dallas/Ft. Worth int.</i>
9:00 a.m. - 10:00 a.m.	<b>Marketing To Millennials</b>
📍 Session 7 📍 Landmark B/C	Millennial consumers are slowly transforming the travel marketplace. With a penchant for adventure travel, increasing disposable incomes and different purchasing priorities than their generational predecessors, millennials are shaping a new shopping and dining paradigm. Jeff Fromm will advise on the best ways to win the coveted audience and inspire companies to adapt to emerging consumer demands.  <i>Speaker: Jeff Fromm, president of FutureCast, a marketing consultancy focused on millennial trends, and co-author of two books: "Marketing to Millennials: Reach the Largest &amp; Most Influential Generation of Consumers Ever" and "Marketing to Millennials as New Parents."</i>
10:00 a.m. - 11:00 a.m.	<b>Refreshment And Networking Break In The Exhibit Hall</b>
📍 Marsalis Hall	Sponsored by: Sugar Foods Corp.
11:00 a.m. - 12:00 p.m.	<b>Food Trends</b>
📍 Session 8 📍 Landmark B/C	Food and beverage concessionaires have jumped on the locavore trend; they've adapted menus for vegan, gluten-free, kosher, halal and other dietary needs; and they've embraced cupcakes and bacon and numerous other food trends in recent years. So what's next? From dining styles to specific ingredients, some of the food industry's top consultants will weigh in on what the public wants now, and they'll predict the biggest demands in the coming year.  <i>Moderator: Suzanne Merrell, senior manager, food and beverage programs, Greater Toronto Airports Authority</i>  <i>Panelists: Annika Stensson, director, research communications, National Restaurant Association; Chris Tripoli, president, la Carte Foodservice Consulting; Michael Whiteman, president, Baum + Whiteman Restaurant Consulting</i>
12:00 p.m. - 1:30 p.m.	<b>Lunch In The Exhibit Hall</b>

📍 Marsalis Hall

Sponsored by: Crews  
Exhibit Hall Sponsored by: Westfield

1:30 p.m. - 2:30 p.m.

### Maximizing Revenue Potential

🎤 Session 9  
📍 Landmark B/C

This session features three speakers who will address key ways airports and concessionaires can assess and expand their revenue growth opportunities. The first presentation will focus on quantifying everything from hard sales data to more intangible knowledge such as customer satisfaction and propensity to purchase. The second presentation will highlight key success factors of a digital transformation of airports, which experts say is crucial if airports want to be at the forefront of meeting the needs of a new generation of travelers. Finally, a third presentation examines the use of technology to transform the airport experience.

*Moderator: James DeCock, manager, terminal concessions, terminals and tenants, San Diego International Airport*

*Speakers: Mark Gallagher, vice president of business management, Americas, SITA; James Ingram, director, DKMA; Antor Ritch, COO, Westfield Labs*

2:30 p.m. - 3:30 p.m.

### Refreshment And Networking Break In The Exhibit Hall

📍 Marsalis Hall

Sponsored by: PepsiCo

3:30 p.m. - 4:30 p.m.

### The Evolution of Airport Retail

🎤 Session 10  
📍 Landmark B/C

From digital interactions to shopper-tainment, the retail world on the "street" is rapidly changing. At the same time, the airport duty-free sector is evolving in North America with expanded influence from global operators. This session will examine how both duty free and specialty retail can embrace the latest trends to better meet the expectations of the traveling public.

*Moderator: Carol Ward, editorial director, Airport Revenue News*

*Speakers: Alex Avery, director, airports, travel and commercial spaces division, Pragma Consulting; Melvin Broekaart, managing director, AirCommerce; John Nevin, principal and travel strategy consultant, L.E.K. Consulting*

4:30 p.m. - 6:00 p.m.

### Exhibit Hall Happy Hour

📍 Marsalis Hall

Sponsored by: AREAS USA  
Exhibit Hall Sponsored by: Westfield

7:00 p.m.

### Speakers' Dinner (Invitation Only)

📍 Private Event

Unlike any other event on the agenda, the exclusive invitation-only ARN Speakers' Dinner serves as one of the premier gatherings of airport industry leaders in an intimate, enjoyable environment.

Sponsored by: SSP America

## Day Four, Wednesday, March 9, 2016

7:30 a.m. - 12:00 p.m.

### Registration Desks Open

📍 Landmark Circle

Registration Desk And Lanyards/Badge Holders Sponsored by: Delaware North  
Attendee Book Sponsored by: NewsLink Group  
Registration Bags And Digital Signage Sponsored by: Hudson Group  
Key Cards And Pocket Agenda Sponsored by: Paradis Lagardère

8:00 a.m. - 9:00 a.m.

### Breakfast And Networking In The Exhibit Hall

📍 Marsalis Hall

Breakfast Sponsored by: Premier Interior Development  
Exhibit Hall Sponsored by: Westfield

9:00 a.m. - 10:00 a.m.

### Airport Directors Panel

🎤 Session 11  
📍 Landmark B/C

From the reauthorization battle on Capitol Hill to the fight to attract and retain service, airport directors have myriad concerns keeping them busy every day. Several of the industry's most respected leaders will again join ARN to discuss the challenges they face and strategies for addressing those issues.

*Moderator: Todd Hauptli, president and CEO, American Association of Airport Executives*



*Speakers: Mark Diebner, director of aviation, Dallas Love Field; Marily Mora, president and CEO, Reno-Tahoe Airport Authority; Jeff Mulder, director of airports, Tulsa International Airport; Ricky Smith, CEO, Baltimore/Washington International Thurgood Marshall Airport; Miguel Southwell, aviation general manager, Hartsfield-Jackson Atlanta International Airport*

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10:00 a.m. - 11:00 a.m.	<b>Refreshment And Networking Break In The Exhibit Hall</b>
📍 Marsalls Hall	Sponsored by: Sugar Foods Corp.

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11:00 a.m. - 12:00 p.m.	<b>Design Trends</b>
🎧 Session 12 📍 Landmark B/C	With future service levels uncertain, airports are moving toward flex designs in new constructions. From easy-to-expand terminals to new approaches to consolidated rental car facilities, the latest designs demand flexibility. This session will explore how designers and engineers are becoming more creative in how they build airports to fit the needs of today.
	<i>Moderator: Andrew Telljohn, senior reporter, Airport Revenue News</i>
	<i>Speakers: Susan Baer, global airport planning leader, ARUP; Ty Osbaugh, principal and aviation and transportation practice area leader, Gensler; Thomas Rossbach, aviation architecture market leader, HNTB</i>

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12:00 p.m. - 1:00 p.m.	<b>Refreshment And Networking Break In The Exhibit Hall</b>
📍 Marsalls Hall	Sponsored by: PepsiCo

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1:00 p.m. - 2:00 p.m.	<b>Lunch In The Exhibit Hall</b>
📍 Marsalls Hall	Sponsored by: Concessions International Exhibit Hall Sponsored by: Westfield

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2:00 p.m.	<b>Exhibit Hall Closing</b>
📍 Marsalls Hall	

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2:30 p.m. - 3:15 p.m.	<b>Schmooze Time For Airports And Concessionaires: Session 1</b>
🎧 Session 13A 📍 Landmark A	Airports and concessionaires meet at scheduled times for special one-on-one discussions. Sponsored by: GrabMobile

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3:15 p.m. - 3:30 p.m.	<b>Refreshment And Networking Break</b>
📍 TBD	

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3:30 p.m. - 4:30 p.m.	<b>Schmooze Time For Airports And Concessionaires: Session 2</b>
🎧 Session 13B 📍 Landmark A	Airports and concessionaires meet at scheduled times for special one-on-one discussions. Sponsored by: GrabMobile

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6:00 p.m. - 9:30 p.m.	<b>ARN Awards Gala</b>
📍 Landmark Foyer	The closing event to the ARN 2016 Revenue Conference & Exhibition is a formal dinner and awards presentation celebrating excellence in the airport concession industry.  Cocktail Reception: 6:00 p.m. - 7:00 p.m. Sponsored by: OTG Plated dinner service: 7:15 p.m. Awards Show Programming begins at 8:00 p.m.

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# **BUSINESS EXPENSE**

**LLOYD HUBBS**

**SAN DIEGO COUNTY REGIONAL AIRPORT AUTHORITY**

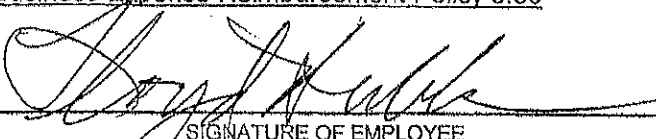
**2016**

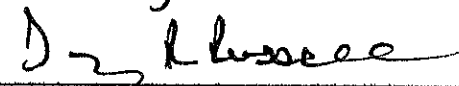
**MONTHLY MILEAGE and PARKING FEE REIMBURSEMENT REPORT**

EMPLOYEE NAME <i>LLOYD HUBBS</i>			PERIOD COVERED <i>March 2016</i>	
DEPARTMENT/DIVISION <i>BOARD</i>				
Date	Miles driven	Destination and purpose of trip	Parking fees & other transportation costs paid	\$\$\$
<i>3/17/16</i>	<i>60</i>	<i>BOARD MEETING</i>		
SUBTOTAL			SUBTOTAL	

**Computation of Reimbursement**

REIMBURSEMENT RATE: (see below) *	Rate as of January 2016	<i>60-</i> X 0.540
TOTAL MILEAGE REIMBURSEMENT		-
PARKING FEES/TOLL CHARGES (ATTACH RECEIPTS)		-
TOTAL REIMBURSEMENT REQUESTED		<i>\$32.40</i>

I acknowledge that I have read, understand and agree to \*Authority Policy 3.30 - Business Expense Reimbursement Policy and that any purchases/claims that are not allowed will be my responsibility. I further certify that this report of business expenses were incurred in connection with official Authority business and is true and correct.  
Business Expense Reimbursement Policy 3.30  
  
 SIGNATURE OF EMPLOYEE

*Approved by the Executive Committee at its April, 4 2016 meeting.*  
  
 DEPT./DIV. HEAD APPROVAL  
*Authority Clerk*