

SAN DIEGO COUNTY REGIONAL AIRPORT AUTHORITY



BOARD MEMBERS

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

* EXECUTIVE COMMITTEE

EX OFFICIO
BOARD MEMBERS

LAURIE BERMAN
COL. FRANK A. RICHIE

PRESIDENT/CEO
THELLA F. BOWENS

BOARD AGENDA

Thursday, February 4, 2010
9:00 A.M.

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

***Live web casts of Authority Board meetings can be accessed at
http://www.san.org/airport_authority/boardmeetings.asp.***

This Agenda contains a brief general description of each item to be considered. The indication of a recommended action does not indicate what action (if any) may be taken. If comments are made to the Board without prior notice or are not listed on the Agenda, no specific answers or responses should be expected at this meeting pursuant to State law.

Staff Reports and documentation relating to each item of business on the Agenda are on file in Corporate Services and are available for public inspection.

NOTE: Pursuant to Authority Code Section 2.15, all Lobbyists shall register as an Authority Lobbyist with the Authority Clerk within ten (10) days of qualifying as a lobbyist. A qualifying lobbyist is any individual who receives \$100 or more in any calendar month to lobby any Board Member or employee of the Authority for the purpose of influencing any action of the Authority. To obtain Lobbyist Registration Statement Forms, contact the Corporate Services/Authority Clerk Department.

PLEASE COMPLETE A "REQUEST TO SPEAK" FORM PRIOR TO THE COMMENCEMENT OF THE MEETING AND SUBMIT IT TO THE AUTHORITY CLERK.

PLEASE REVIEW THE POLICY FOR PUBLIC PARTICIPATION IN BOARD AND BOARD COMMITTEE MEETINGS (PUBLIC COMMENT) LOCATED AT THE END OF THE AGENDA.

The Authority has identified a local company to provide oral interpreter and translation services for public meetings. If you require oral interpreter or translation services, please telephone the Corporate Services/Authority Clerk Department with your request at (619) 400-2400 at least three (3) working days prior to the meeting.

CALL TO ORDER:

PLEDGE OF ALLEGIANCE:

ROLL CALL:

BOARD BUSINESS:

- **ADMINISTER OATH OR AFFIRMATION AND INSTALLATION OF A BOARD MEMBER:**
- **ELECTION OF THE VICE CHAIR OF THE BOARD AND APPOINTMENT OF AN EXECUTIVE COMMITTEE MEMBER:**

REPORT FROM CITIZEN COMMITTEE:

- **AIRPORT ADVISORY COMMITTEE:**
Bella Heule, Chair, Airport Advisory Committee

PRESENTATIONS:

- A. REPORT ON THE AUTHORITY'S FINANCIAL CONDITION:**
Presented by Vernon Evans, Vice President, Finance/Treasurer
- B. STATUS REPORT ON THE FIRST SIX MONTHS OF THE LIFE CYCLE MANAGEMENT PROGRAM:**
Presented by Wayne Harvey, Director, Facilities Management

PUBLIC COMMENT (18 MINUTES):

Public Comment is reserved for members of the public wishing to address the Board on matters for which another opportunity to speak **is not provided on the Agenda**, and which is within the jurisdiction of the Board. Please submit a completed speaker slip to the Authority Clerk. ***Each individual speaker is limited to three (3) minutes. Applicants, groups and jurisdictions referring items to the Board for action are limited to five (5) minutes.***

Note: Persons wishing to speak on specific items should reserve their comments until the specific item is taken up by the Board.

CONSENT AGENDA:

The consent agenda contains items that are routine in nature and non-controversial. Some items may be referred by a standing Board Committee or approved as part of the budget process. The matters listed under 'Consent Agenda' may be approved by one motion. Any Board Member may remove an item for separate consideration. Items so removed will be heard before the scheduled New Business Items, unless otherwise directed by the Chair.

1. APPROVAL OF MINUTES:

The Board is requested to approve minutes of prior Board meetings.

RECOMMENDATION: Approve the minutes of the December 22, 2009 Special meeting, and the January 7, 2010 regular Board meeting.

2. ACCEPTANCE OF BOARD MEMBER'S WRITTEN REPORTS ON THEIR ATTENDANCE AT APPROVED MEETINGS AND PRE-APPROVAL OF ATTENDANCE AT OTHER MEETINGS NOT COVERED BY THE CURRENT RESOLUTION:

The Board is requested to accept the reports.

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

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

3. FEBRUARY 2010 LEGISLATIVE REPORT:

The Board is requested to approve the report.

RECOMMENDATION: Adopt Resolution No. 2010-0007, approving the February 2010 Legislative Report.

(Inter-Governmental Relations: Michael Kulis, Director)

4. AMENDMENT TO AUTHORITY POLICY 1.50 (5) – GOVERNANCE AND COMMITTEES ESTABLISHING A BOARD COMMITTEE:

The Board is requested to amend the policy.

RECOMMENDATION: Adopt Resolution No. 2010-0008, amending Authority Policy 1.50(5), Governance and Committees to establish the Regional Aviation Strategic Plan (RASP) Committee.

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

CLAIMS

COMMITTEE RECOMMENDATIONS

5. ACCOUNTING AND USE OF CUSTOMER FACILITY CHARGES FOR CONSOLIDATED RENTAL CAR FACILITY:

The Board is requested to provide clarification.

RECOMMENDATION: The Finance Committee recommends that the Board adopt Resolution No. 2010-0019, clarifying the use of Customer Facility Charges related to the Consolidated Rental Car Facility.

(Finance: Vernon Evans, Vice President/Treasurer)

CONTRACTS AND AGREEMENTS

- 6. AWARDED CONTRACTS, APPROVED CHANGE ORDERS FROM DECEMBER 8, 2009 THROUGH JANUARY 10, 2010 AND REAL PROPERTY AGREEMENTS GRANTED AND ACCEPTED FROM DECEMBER 8, 2009 THROUGH JANUARY 10, 2010:**
The Board is requested to receive the report.
RECOMMENDATION: Receive the report.
(Procurement: Jana Vargas, Director)
- 7. THIRD AMENDMENT TO THE INSURANCE BROKER SERVICES CONSULTING AGREEMENT WITH ALLIANT INSURANCE SERVICES, INC.:**
The Board is requested to approve the amendment.
RECOMMENDATION: Adopt Resolution No 2010-0009, approving the third amendment to the agreement with Alliant Insurance Services, Inc., 201007OS, increasing the maximum amount payable by \$38,000 for a not-to-exceed amount of \$190,000 over the entire term of the Agreement.
(Administration: Jeffrey Woodson, Vice President)
- 8. SECOND AMENDMENT TO THE INSURANCE BROKER SERVICES CONSULTING AGREEMENT WITH AON RISK SERVICES, INC.:**
The Board is requested to approve the amendment.
RECOMMENDATION: Adopt Resolution No 2010-0010, approving the second amendment to the agreement with Aon Risk Services, Inc., 201004OS, increasing the maximum amount payable by \$62,000 for a new maximum amount payable of \$310,000 over the entire term of the Agreement.
(Administration: Jeffrey Woodson, Vice President)

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

PUBLIC HEARINGS: None

OLD BUSINESS:

NEW BUSINESS:

9. AUTHORIZE CONTRACTS WITH RECOMMENDED ARTISTS TO DESIGN INTEGRATED ARTWORK FOR TERMINAL DEVELOPMENT PROGRAM:

The Board is requested to authorize the contracts.

RECOMMENDATION: The Art Advisory Committee recommends that the Board:

Adopt Resolution No. 2010-0012, awarding Camille Utterback the commission for the Terminal Development Program's Chill Zone Public Art Opportunity in an amount not to exceed \$300,000.

Adopt Resolution No. 2010-0013, awarding Norie Sato, principle artist of Sato Service LLC, the commission for the Terminal Development Program's Reflection Room Public Art Opportunity in an amount not to exceed \$216,000.

Adopt Resolution No. 2010-0014, awarding Mags Harries & Lajos Héder Collaborative the commission for the Terminal Development Program's Performance Venue Public Art Opportunity in an amount not to exceed \$306,000.

Adopt Resolution No. 2010-0015, awarding Roy McMakin the commission for the Terminal Development Program's Terminal 2 Pedestrian Bridges Public Art Opportunity in an amount not to exceed \$596,000.

Adopt Resolution No. 2010-0016, awarding Franka Diehnelt and Claudia Reisenberger, principle artists of Merge Conceptual Design, the commission for the Terminal Development Program's Departures/Arrivals Curbside Plazas Public Art Opportunity in an amount not to exceed \$510,000.

Adopt Resolution No. 2010-0017, awarding Mathew and Maria Salenger, principle artists of COLAB Studio LLC, the commission for the Terminal Development Program's United Service Organization Park and Gateway Public Art Opportunity in an amount not to exceed \$420,000.

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

10. PROVIDE DIRECTION TO STAFF ON IMPLEMENTATION OF VEHICLE CONVERSION INCENTIVE-BASED PROGRAM PURSUANT TO MEMORANDUM OF UNDERSTANDING WITH THE CALIFORNIA ATTORNEY GENERAL:

The Board is requested to receive the presentation and provide direction.

RECOMMENDATION: Provide direction to staff.

(Finance/Treasurer: Vernon Evans, Vice President)

11. PRESENTATION ON THE REGIONAL AVIATION STRATEGIC PLAN – PROGRESS TO DATE:

The Board is requested to receive the presentation.

RECOMMENDATION: Receive a presentation on the Regional Aviation Strategic Plan, describing progress to date.

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

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

STANDING BOARD COMMITTEES

• **AUDIT COMMITTEE:**

Committee Members: Finnila, Smisek (Chair) Young, Tartre, Buck, Van Sambeek

• **EXECUTIVE PERSONNEL AND COMPENSATION COMMITTEE:**

Committee Members: Boland, Desmond

• **FINANCE COMMITTEE:**

Committee Members: Finnila (Alternate), Gleason (Chair), Panknin, Young

• **TERMINAL DEVELOPMENT PROGRAM COMMITTEE:**

Committee Members: Boland (Chair), Finnila, Panknin

AD HOC COMMITTEE

• **PORT DISTRICT AD HOC COMMITTEE:**

Representatives: Boland, Smisek

LIAISONS

• **MILITARY AFFAIRS LIAISONS:**

Liaisons: Boland (Primary), Panknin

• **CALTRANS:**

Representative: Berman

BOARD REPRESENTATIVES

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

CLOSED SESSION:

**12. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
(Government Code Section 54956.9 (a)):**

San Diego Unified Port District v. TDY Industries, Inc., et al., and related cross-actions. U.S. District Court, Southern District Case No. 03 CV 1146-B (POR).

13. CONFERENCE WITH REAL PROPERTY NEGOTIATORS:

Real Property Negotiations pursuant to Cal. Gov. Code sections 54954.5(b) and section 54956.8.

Property: 1.15 acre parcel located at the northern terminus of 13th Street in Imperial Beach

Agency Negotiators: Vernon D. Evans, Vice President, Finance/Treasurer
under Negotiation: Sale – Terms of Payment and Conditions

14. CONFERENCE WITH REAL PROPERTY NEGOTIATORS:

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

Property: Salt Plant – 17 acre parcel located at 1470 Bay Boulevard, San Diego

Agency Negotiators: Vernon D. Evans, Vice President, Finance/Treasurer

Negotiating Parties: United States Fish and Wildlife Service, GGTW, LLC (current tenant) and/or other interested parties

Under Negotiation: Sale – terms and conditions

15. CONFERENCE WITH LABOR NEGOTIATORS:

Labor negotiations pursuant to Cal. Gov. Code §54957.6.

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

Employee Organization: Teamsters 911

16. CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION

Pursuant to Government Code section 54956.9(a):

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

17. CONFERENCE WITH LEGAL COUNSEL--EXISTING LITIGATION

(Cal. Gov. Code Section 54956.9(a)):

San Diego Unified Port District v. Argonaut Insurance Company, et al,
L.A.S.C. GIC 874394

18. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION:

Exposure to litigation pursuant to Cal. Gov. Code §54956.9(b).

Number of potential cases: 1

19. CONFERENCE WITH REAL PROPERTY NEGOTIATORS:

Real Property Negotiations pursuant to Cal Gov. Code §§ 54954.5(b)
54956.8

Property: 3.76 acre easement across MCRD property located on the Washington Street extension south of Pacific Highway, in the City of San Diego, CA .

Agency negotiators: Vernon Evans, Vice President, Finance/Treasurer and Troy Leech, Director, Real Estate Management.

Under Negotiation: Consideration of MCRD's request for exclusive use of portion of the easement.

20. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION:

Significant Exposure to litigation pursuant to Government Code section 54956.9(b): 1 potential case

Contract No. 300307(Group 3.7) - U.S. Window and Door

21. CONFERENCE WITH LEGAL COUNSEL- EXISTING LITIGATION:

Government Code section 54956.9(a)

Southern California Air Conditioning Supply Co., Inc. v. Raymond Basso, et al., San Diego Superior Court Case No. 37-2009-00100890-CL-CO-CTL

22. CONFERENCE WITH LEGAL COUNSEL- EXISTING LITIGATION:

Government Code section 54956.9(a)

San Diego County Regional Airport Authority v. Galaxy Rent-A-Car, Inc. et al., San Diego Superior Court Case No. 37-2009-00081661-CU-BC-CTL

REPORT ON CLOSED SESSION:

PUBLIC COMMENT:

Public Comment is reserved for members of the public wishing to address the Board on matters for which another opportunity to speak **is not provided on the Agenda**, and which is within the jurisdiction of the Board. Please submit a completed speaker slip to the Authority Clerk. ***Each individual speaker is limited to three (3) minutes. Applicants, groups and jurisdictions referring items to the Board for action are limited to five (5) minutes.***

Note: Persons wishing to speak on specific items should reserve their comments until the specific item is taken up by the Board.

GENERAL COUNSEL REPORT:

PRESIDENT/CEO 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 and Board Committee Meetings (Public Comment)

- 1) Persons wishing to address the Board shall complete a "Request to Speak" form prior to the initiation of the portion of the agenda containing the item to be addressed (e.g., Public Comment and General Items). Failure to complete a form shall not preclude testimony, if permission to address the Board is granted by the Chair.
- 2) The Public Comment Section at the beginning of the agenda is limited to eighteen (18) minutes and is reserved for persons wishing to address the Board on any matter for which another opportunity to speak is not provided on the Agenda, and on matters that are within the jurisdiction of the Board. A second Public Comment period is reserved for general public comment later in the meeting for those who could not be heard during the first Public Comment period.
- 3) Persons wishing to speak on specific items listed on the agenda will be afforded an opportunity to speak during the presentation of individual items. Persons wishing to speak on specific items should reserve their comments until the specific item is taken up by the Board. Public comment on specific items is limited to twenty (20) minutes – ten (10) minutes for those in favor and ten (10) minutes for those in opposition of an item. Each individual speaker will be allowed three (3) minutes, and applicants and groups will be allowed five (5) minutes.
- 4) If many persons have indicated a desire to address the Board on the same issue, then the Chair may suggest that these persons consolidate their respective testimonies. Testimony by members of the public on any item shall be limited to **three (3) minutes per individual speaker and five (5) minutes for applicants, groups and referring jurisdictions.**
- 5) Pursuant to Authority Policy 1.33 (8), recognized groups must register with the Authority Clerk the day prior to the meeting.
- 6) After a public hearing or the public comment portion of the meeting has been closed, no person shall address the Board without first obtaining permission to do so.

Additional Meeting Information

NOTE: This information is available in alternative formats upon request. To request an Agenda in an alternative format, or to request a sign language or oral interpreter, or an Assistive Listening Device (ALD) for the meeting, please telephone the Authority Clerk's Office at (619) 400-2400 at least three (3) working days prior to the meeting to ensure availability.

For your convenience, the agenda is also available to you on our website at www.san.org.

For those planning to attend the Board meeting, parking is available in the public parking lot located directly in front of the Commuter Terminal. Bring your ticket to the third floor receptionist for validation.

You may also reach the Commuter Terminal by using public transit via the San Diego MTS system, Route 992. For route and fare information please call the San Diego MTS at (619) 427-6438.

UPCOMING MEETING SCHEDULE				
<i>Date</i>	<i>Day</i>	<i>Time</i>	<i>Meeting Type</i>	<i>Location</i>
March 4	Thursday	9:00 a.m.	Regular	Board Room
April 1	Thursday	9:00 a.m.	Regular	Board Room
May 6	Thursday	9:00 a.m.	Regular	Board Room

STATE OF CALIFORNIA)
COUNTY OF SAN DIEGO)
SAN DIEGO COUNTY REGIONAL AIRPORT AUTHORITY)

I, Sara Real, Assistant Authority Clerk I, San Diego County Regional Airport Authority, hereby certify that at the hour of 2:00 p.m. I caused the posting of this notice on the bulletin board located on the first floor of the San Diego International Airport, Commuter Terminal.

DATE: 1/29/10

SIGNATURE: Sara B. Real