

SAN DIEGO COUNTY REGIONAL AIRPORT AUTHORITY



BOARD MEMBERS

LAURIE BERMAN**
BRUCE R. BOLAND
GREG COX
JIM DESMOND
RAMONA FINNILA
ROBERT H. GLEASON
JIM PANKNIN
COL. FRANK A. RICHIE**
TOM SMISEK
ANTHONY K. YOUNG

** EX OFFICIO BOARD MEMBERS

PRESIDENT/CEO
THELLA F. BOWENS

BOARD

AGENDA

Thursday, May 6, 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:

PRESENTATION(S):

- A. DISPARITY STUDY BRIEFING:**
Presented by Dave Keen, BBC Research & Consulting
- B. COMMON USE TECHNOLOGY SYSTEMS (Educational Item):**
Presented by Howard Kourik, Director, Information Technology
- C. REPORT ON THE AUTHORITY'S FINANCIAL CONDITION:**
Presented by Vernon Evans, Vice President, Finance/Treasurer

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

STANDING BOARD COMMITTEES

- **AUDIT COMMITTEE:**
Committee Members: Finnila (Vice Chair), Gleason, Smisek (Chair), Young, Tartre, Buck, Van Sambeek
- **EXECUTIVE PERSONNEL AND COMPENSATION COMMITTEE:**
Committee Members: Boland (Vice Chair), Cox, Desmond (Chair), Smisek
- **FINANCE COMMITTEE:**
Committee Members: Cox (Chair), Finnila, Panknin, Young (Vice Chair)
- **TERMINAL DEVELOPMENT PROGRAM COMMITTEE:**
Committee Members: Boland (Chair), Finnila, Panknin (Vice Chair), Miller (Public Member)
- **RASP COMMITTEE:**
Committee Members: Boland (Vice Chair), Desmond, Finnila (Chair), Panknin

LIAISONS

- **CALTRANS:**
Representative: Berman
- **MILITARY AFFAIRS:**
Liaisons: Boland (Primary), Panknin (Alternate)
- **PORT DISTRICT:**
Representatives: Boland, Gleason (Primary), Smisek

BOARD REPRESENTATIVES

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

BOARD CHAIR REPORT:

PRESIDENT/CEO REPORT:

NON-AGENDA 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 April 1, 2010 regular meeting.

2. ACCEPTANCE OF BOARD 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 attendance at other meetings, trainings and events not covered by the current resolution.

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

3. APPOINTMENT OF PUBLIC MEMBER TO THE AUDIT COMMITTEE:

The Board is requested to make an appointment.

RECOMMENDATION: Adopt Resolution No. 2010-0042, appointing Kenneth Buck as a public member to the Audit Committee.

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

4. APPOINTMENTS TO THE ART ADVISORY COMMITTEE:

The Board is requested to approve the appointments.

RECOMMENDATION: Adopt Resolution No. 2010-0043, appointing members to the Art Advisory Committee.

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

5. MAY 2010 LEGISLATIVE REPORT:

The Board is requested to approve the report.

RECOMMENDATION: Adopt Resolution No. 2010-0044, approving the May, 2010 Legislative Report.

(Inter-Governmental Relations: Michael Kulis, Director)

CLAIMS

6. AUTHORIZE THE REJECTION OF THE CLAIM OF DONNA CLEGG:

The Board is requested to reject the claim.

RECOMMENDATION: Adopt Resolution No. 2010-0045, authorizing the rejection of the claim of Donna Clegg.

(Legal: Breton Lobner, General Counsel)

COMMITTEE RECOMMENDATIONS

- 7. ADOPTION OF AUTHORITY POLICY 4.40 DEBT ISSUANCE AND MANAGEMENT POLICY:**
The Board is requested to adopt the policy.
RECOMMENDATION: The Finance Committee recommends that the Board adopt Resolution No. 2010-0046, adopting Authority Policy 4.40 – “Debt Issuance and Management Policy.”
(Finance: Vernon Evans, Vice President, Finance/Treasurer)
- 8. SELECTION OF DEBT UNDERWRITERS FOR THE CAPITAL IMPROVEMENT PROGRAM/TERMINAL DEVELOPMENT PROGRAM:**
The Board is requested to approve the selection.
RECOMMENDATION: The Finance Committee recommends that the Board adopt Resolution No. 2010-0047, approving the selection of debt underwriters for the Capital Improvement Program/Terminal Development Program.
(Finance: Vernon Evans, Vice President, Finance/Treasurer)
- 9. REVIEW OF THE AUTHORITY’S QUARTERLY INVESTMENT REPORT AS OF MARCH 31, 2010:**
The Board is requested to receive the report.
RECOMMENDATION: The Finance Committee recommends that the Board receive the report.
(Finance: Vernon Evans, Vice President, Finance/Treasurer)
- 10. REVIEW OF UNAUDITED FINANCIAL STATEMENTS FOR THE NINE MONTHS ENDED MARCH 31, 2010:**
The Board is requested to receive the information.
RECOMMENDATION: The Finance Committee recommends that the Board receive the information.
(Finance: Vernon Evans, Vice President, Finance/Treasurer)
- 11. AUTHORIZE A CONTRACT WITH R.W. BLOCK CONSULTING INC. TO PERFORM CONSTRUCTION AUDIT SERVICES FOR THE GREEN BUILD – TERMINAL DEVELOPMENT PROGRAM:**
The Board is requested to authorize a contract.
RECOMMENDATION: Adopt Resolution No. 2010-0048, to award a contract between the Authority and R.W. Block Consulting Inc. to perform construction audit services in an amount not to exceed \$800,000, over a term of three years, with the option for one (1) one year extension.
(Audit: Scott Thein, Senior Auditor, Construction)

12. AIRPORT AUTHORITY PENSION FUNDING LEVEL:

The Board is requested to approve the pension plan funding level.

RECOMMENDATION: The Executive Personnel & Compensation Committee recommends that the Board adopt Resolution No. 2010-0049, amending the 95% pension funding requirement under Board Resolution 2006-0152 to include a minimum 90% pension funded level with a strategy to achieve a 95% funded level target.

(Human Resources: Jeff Lindeman, Director)

CONTRACTS AND AGREEMENTS

13. AWARDED CONTRACTS, APPROVED CHANGE ORDERS FROM MARCH 8, 2010 THROUGH APRIL 11, 2010 AND REAL PROPERTY AGREEMENTS GRANTED AND ACCEPTED FROM MARCH 8, 2010 THROUGH APRIL 11, 2010:

The Board is requested to receive the report.

RECOMMENDATION: Receive the report.

(Procurement: Jana Vargas, Director)

14. AUTHORIZE A CONTRACT WITH ARTIST MIKI IWASAKI, DBA MI-WORKSHOP, TO DESIGN PUBLIC ARTWORK FOR TERMINAL ONE BAGGAGE CLAIM AREA:

The Board is requested to authorize the contract.

RECOMMENDATION: Adopt Resolution No. 2010-0050, approving the Art Advisory Committee recommendation to award Miki Iwasaki, DBA mi workshop, the commission for the Terminal One Baggage Claim Public Art Opportunity in the amount not to exceed \$175,000.

(Marketing & Communications: Brent Buma, Vice President)

15. AUTHORIZE AN INCREASE IN THE PRESIDENT/CEO'S CHANGE ORDER AUTHORITY FROM \$14,850 TO \$19,850 FOR TSA-OTA CCTV - CONSTRUCT SECURITY SERVER ROOM AND TERMINAL CHECKPOINT CAMERAS:

The Board is requested to authorize an increase in the President/CEO's change order authority.

RECOMMENDATION: Adopt Resolution No. 2010-0051, authorizing an increase in the President/CEO's current Change Order authority of \$14,850 to a revised Change Order authority of \$19,850 for TSA-OTA CCTV - Construct Security Server Room and Terminal Checkpoint Cameras, Project No. 104073-2.

(Facilities Development: Iraj Ghaemi, Director)

16. AUTHORIZE PRESIDENT/CEO TO INCREASE THE CONTRACT TIME FROM 120 DAYS TO 270 DAYS FOR NTC ACCESS IMPROVEMENTS:

The Board is requested to increase the contract timeline.

RECOMMENDATION: Adopt Resolution No. 2010-0052, authorizing the President/CEO to increase the contract time from 120 days to 270 days for Project 103066, NTC Access Improvements at San Diego International Airport.
(Facilities Development: Iraj Ghaemi, Director)

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

17. AUTHORIZE THE PRESIDENT/CEO TO AWARD A CONTRACT TO ACCURATE ENGINEERING ICS, INC., FOR QUIETER HOME PROGRAM PHASE 5, GROUP 6 (42 EAST SIDE SINGLE FAMILY UNITS AND 7 APARTMENT UNITS AND 36 WEST SIDE SINGLE FAMILY UNITS, OF WHICH 9 SINGLE FAMILY UNITS ARE HISTORIC):

The Board is requested to authorize the award of the contract.

RECOMMENDATION: Adopt Resolution No. 2010-0053, authorizing the President/CEO to award a contract to Accurate Engineering ICS, Inc., in the amount of \$1,774,908.69, for Phase 5, Group 6, Project No. 380506, of the San Diego County Regional Airport Authority's Quieter Home Program.
(Facilities Development: Iraj Ghaemi, Director)

PUBLIC HEARINGS:

OLD BUSINESS:

NEW BUSINESS:

18. STATUS UPDATE OF SDIA NORTH SIDE PLANNING:

The Board is requested to receive the report.

RECOMMENDATION: Accept the report.

(Airport Planning: Keith Wilschetz, Director)

19. AUTHORIZE THE CONTINUED COLLECTION OF A TEN DOLLAR PER TRANSACTION CUSTOMER FACILITY CHARGE FROM AIRPORT RENTAL CAR COMPANIES FOR PURPOSES OF DESIGNING, FINANCING, AND CONSTRUCTING A CONSOLIDATED RENTAL CAR FACILITY AND COMMON USE TRANSPORTATION SYSTEM AT SAN DIEGO INTERNATIONAL AIRPORT:

The Board is requested to authorize the extension of the collection period.

RECOMMENDATION: Adopt Resolution No. 2010-0054, authorizing the continued collection of a Ten Dollar (\$10.00) per transaction Customer Facility Charge from airport rental car companies for purposes of designing, financing, and constructing a Consolidated Rental Car Facility and Common Use Transportation System at San Diego International Airport and authorize expenditures necessary for development of conceptual design for the program and project level EIR.

(Finance: Vernon D. Evans, Vice President/Treasurer)

20. ESTABLISHMENT OF AUTHORITY-OPERATED LOST AND FOUND FACILITY AND NECESSARY IMPLEMENTATION ACTIONS AT THE AIRPORT:

The Board is requested to authorize establishment of a Lost and Found Facility.

RECOMMENDATION: Adopt Resolution No. 2010-0055, (1) Authorizing the Authority to take responsibility for providing lost and found services at the Airport; (2) Authorizing the President/CEO to negotiate and execute an amendment to the Police Services Agreement between the San Diego Unified Port District and the Authority; (3) adopting Authority Policy 8.24 providing policies and procedures for the receipt, custody, and disposition of lost personal property at Authority-operated airports and facilities; (4) amending Authority Code 7.13 to more clearly regulate the obligations of individuals finding lost property at Authority-operated facilities and airports; and (5) authorizing the President/CEO to take other actions necessary to provide for the effective management of the receipt, custody, and disposition of lost articles found at the Airport.

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

21. BOARD POLICY DISCUSSION AND POSSIBLE DIRECTION REGARDING POLICIES RELATING TO CONTRACTOR WORKER RETENTION AND WAGES/BENEFITS:

The Board is requested to provide direction to staff.

RECOMMENDATION: To seek direction from the Board on policies relating to contractor worker retention and wages/benefits.

(Procurement: Jana Vargas, Director)

22. CONSIDERATION AND POSSIBLE ACTION REGARDING A CONFLICT OF INTEREST WAIVER TO ALLOW LUCE FORWARD HAMILTON & SCRIPPS LLP TO REPRESENT USA WASTE OF CALIFORNIA BEFORE THE AIRPORT LAND USE COMMISSION:

The Board is requested to provide direction to staff.

RECOMMENDATION: Approve the Conflict of Interest Waiver to allow Luce Forward Hamilton & Scripps LLP to represent USA Waste of California before the Airport Land Use Commission.

(Legal: Breton Lobner, General Counsel)

CLOSED SESSION:

**23. 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).

24. 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.

25. 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.

26. 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

27. 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

28. 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.

29. CONFERENCE WITH LEGAL COUNSEL--EXISTING LITIGATION:

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

City of San Diego, Historical Resources Board: In re: Western Salt Company Salt Works, Report No. HRB-08-005

REPORT ON CLOSED SESSION:

NON-AGENDA 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:

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> |
| June 3 | Thursday | 9:00 a.m. | Regular | Board Room |
| July 1 | Thursday | 9:00 a.m. | Regular | Board Room |
| September 2 | 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 2:15 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: 4/30/10

SIGNATURE: 