

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**
PAUL ROBINSON
TOM SMISEK
ANTHONY K. YOUNG

** EX OFFICIO BOARD MEMBERS

PRESIDENT/CEO
THELLA F. BOWENS

BOARD

AGENDA

Thursday, January 6, 2011
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:

REPORT FROM CITIZEN COMMITTEE:

- **AUTHORITY ADVISORY COMMITTEE:**
Bella Heule, Chair, Authority Advisory Committee

PRESENTATIONS:

- PRESENTATION ON THE SECURITY PARTNERSHIP PROGRAM (SPP) – AN ALTERNATIVE OPTION FOR AIRPORT SECURITY PASSENGER SCREENING AND PROPERTY INSPECTION (EDUCATIONAL ITEM):**
Presented by George Condon, Director, Aviation Operations & Public Safety and Bob Nowland, TSA
- COUNTYWIDE SURVEY OF COMMUNITY INTEREST ON CLIMATE CHANGE:**
Presented by Scott Peters, Chair, San Diego Foundation Climate Initiative Advisory Committee

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

STANDING BOARD COMMITTEES

- **AUDIT COMMITTEE:**
Committee Members: Finnila, Gleason, Smisek (Chair), Young, Buck, Tartre, Van Sambeek
- **EXECUTIVE PERSONNEL AND COMPENSATION COMMITTEE:**
Committee Members: Boland, Cox, Desmond (Chair), Smisek
- **FINANCE COMMITTEE:**
Committee Members: Cox (Chair), Finnila, Panknin, Robinson, Young
- **TERMINAL DEVELOPMENT PROGRAM COMMITTEE:**
Committee Members: Boland (Chair), Finnila, Panknin, Robinson
- **REGIONAL AVIATION STRATEGIC PLAN COMMITTEE:**
Committee Members: Boland, Desmond, Finnila (Chair), Panknin

ADVISORY COMMITTEES

- **AUTHORITY ADVISORY COMMITTEE:**
Liaison: Panknin
- **PUBLIC ART ADVISORY COMMITTEE:**
Committee Member: Gleason

LIAISONS

- **CALTRANS:**
Liaison: Berman
- **INTER-GOVERNMENTAL AFFAIRS:**
Liaison: Cox
- **MILITARY AFFAIRS:**
Liaisons: Boland (Primary), Panknin
- **PORT:**
Liaisons: Boland, Gleason (Primary), Smisek
- **AIRPORT LAND USE COMPATIBILITY PLAN FOR SAN DIEGO INTERNATIONAL AIRPORT:**
Liaison: Robinson

BOARD REPRESENTATIVES (EXTERNAL)

- **SANDAG TRANSPORTATION COMMITTEE:**
Representatives: Panknin, Smisek (Primary)
- **WORLD TRADE CENTER:**
Representatives: Panknin (Primary), Young

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 1-12):

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 2, 2010 regular meeting.

2. ACCEPTANCE OF BOARD AND COMMITTEE MEMBERS' WRITTEN REPORTS ON 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 Services: Tony Russell, Director/Authority Clerk)

3. JANUARY 2011 LEGISLATIVE REPORT:

The Board is requested to approve the report.

RECOMMENDATION: Adopt Resolution No. 2011-0001, approving the January 2011 Legislative Report.

(Inter-Governmental Relations: Michael Kulis, Director)

4. AMEND AUTHORITY CODE 7.14 – FILMING AND PHOTOGRAPHY:

The Board is requested to amend the code.

RECOMMENDATION: Adopt Resolution No. 2011-0002, amending Authority Code 7.14 in order to better articulate its regulation of filming and photography on the Airport.

(Legal: Breton Lobner, General Counsel)

5. AMEND AUTHORITY CODE 9.33 TO ATTACH STATE-MANDATED SURCHARGES TO PARKING VIOLATION PENALTIES AND TO CLARIFY AUTHORITY-IMPOSED PENALTIES FOR AIRPORT PARKING VIOLATIONS:

The Board is requested to amend the Code.

RECOMMENDATION: Adopt Resolution No. 2011-0003, amending Authority Code 9.33 to clarify enforcement of Authority parking regulations and to authorize the President/CEO to adopt procedures for the collection of state-mandated surcharges in accordance with current California statutes.

(Legal: Breton Lobner, General Counsel)

CLAIMS

6. AUTHORIZE THE REJECTION OF THE CLAIM OF JOSEPH HO PARK:

The Board is requested to reject the claim.

RECOMMENDATION: Adopt Resolution No. 2011-0005, authorizing the rejection of the claim of Joseph Ho Park.

(Legal: Breton Lobner, General Counsel)

7. AUTHORIZE THE REJECTION OF THE CLAIM OF MUKHTAR AHMAD:

The Board is requested to reject the claim.

RECOMMENDATION: Adopt Resolution No. 2011-0006, authorizing the rejection of the claim of Mukhtar Ahmad and all persons similarly situated.

(Legal: Breton Lobner, General Counsel)

8. APPROVE AND AUTHORIZE THE PRESIDENT/CEO TO EXECUTE AN AGREEMENT WITH ADVANTAGE PERFORMANCE GROUP, INC. (APG) FOR STRATEGIC BUSINESS PLANNING SERVICES:

The Board is requested to approve the agreement.

RECOMMENDATION: Adopt Resolution No. 2011-0007, approving and authorizing the President/CEO to execute a two-year agreement with Advantage Performance Group, Inc. in the amount of \$492,000.00, for strategic business planning services.

(Executive Office: Matt Harris, Senior Director)

COMMITTEE RECOMMENDATIONS

CONTRACTS AND AGREEMENTS

9. AWARDED CONTRACTS, APPROVED CHANGE ORDERS FROM NOVEMBER 8, 2010 THROUGH DECEMBER 12, 2010 AND REAL PROPERTY AGREEMENTS GRANTED AND ACCEPTED FROM NOVEMBER 8, 2010 THROUGH DECEMBER 12, 2010:

The Board is requested to receive the report.

RECOMMENDATION: Receive the report.

(Procurement: Jana Vargas, Director)

10. APPROVE AND AUTHORIZE THE PRESIDENT/CEO TO EXECUTE AN AGREEMENT WITH MANATT, PHELPS & PHILLIPS, LLP FOR STATE LEGISLATIVE CONSULTANT SERVICES:

The Board is requested to approve the contract.

RECOMMENDATION: Adopt Resolution No. 2011-0008, approving and authorizing the President/CEO to execute an agreement with Manatt, Phelps & Phillips, LLP, for State Legislative Consultant Services in an amount not-to-exceed \$621,600 for four years, including one two-year term, and one additional two-year extension at the exclusive option of the President/CEO.

(Inter-Governmental Relations: Mike Kulis, Director)

11. APPROVE AND AUTHORIZE THE PRESIDENT/CEO TO EXECUTE AN AGREEMENT WITH MCBEE STRATEGIC CONSULTING, LLC FOR FEDERAL LEGISLATIVE CONSULTANT SERVICES:

The Board is requested to approve the contract.

RECOMMENDATION: Adopt Resolution No. 2011-0009, approving and authorizing the President/CEO to execute an agreement with McBee Strategic Consulting, LLC for Federal Legislative Consultant Services in an amount not-to-exceed \$664,000 for four years, including one two-year term and one additional two-year extension at the exclusive option of the President/CEO.

(Inter-Governmental Relations: Mike Kulis, Director)

12. APPROVE AND AUTHORIZE THE PRESIDENT/CEO TO EXECUTE A SECOND AMENDMENT TO THE AGREEMENT WITH MORRISON & FOERSTER LLP:

The Board is requested to approve a Second Amendment to the agreement.

RECOMMENDATION: Adopt Resolution No. 2011-0010, approving and authorizing the President/CEO to execute a second amendment to the agreement with Morrison & Foerster LLP for professional legal services, increasing the not-to-exceed compensation amount by three hundred thousand dollars (\$300,000) for a total not-to-exceed amount of six hundred thousand dollars (\$600,000).

(Legal: Breton Lobner, General Counsel)

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

PUBLIC HEARINGS:

OLD BUSINESS:

NEW BUSINESS:

13. ADOPT AUTHORITY POLICY 5.14 ESTABLISHING A SMALL BUSINESS, LOCAL BUSINESS, SERVICE-DISABLED VETERAN-OWNED SMALL BUSINESS PREFERENCE PROGRAM AND AMEND POLICIES 5.10 – COMPLIANCE WITH EQUAL EMPLOYMENT OPPORTUNITY AND NONDISCRIMINATION POLICY, 5.11 – EQUAL OPPORTUNITY CONTRACTING POLICY, 5.12 – PREFERENCE TO SMALL BUSINESS, AND 5.13 – LOCAL BUSINESS OPPORTUNITIES:

The Board is requested to adopt the policy.

RECOMMENDATION: Adopt Resolution No. 2011-0011, adopting Authority Policy 5.14, establishing a Small Business, Local Business and Service Disabled Veteran Owned Small Business Goal and Preference Program; and Amending Policies 5.10 - Compliance with Equal Employment Opportunity and Nondiscrimination Policy; 5.11 - Equal Opportunity Contracting Policy; 5.12 - Preference to Small Businesses; and 5.13 - Local Business Opportunities.

(Small Business Development: Bob Silvas, Director)

14. DISCUSSION OF THE TERMINAL CONCESSIONS DEVELOPMENT PROGRAM PACKAGE SIZES AND EVALUATION MATRIX:

The Board is requested to receive the report.

RECOMMENDATION: Receive the report.

(Finance: Vernon Evans, Vice President/Treasurer)

15. AMENDMENT TO AUTHORITY POLICY 9.12 – GROUND TRANSPORTATION PERMITS AUTHORIZING ADDITIONAL DAILY TAXICAB SERVICE AT SAN DIEGO INTERNATIONAL AIRPORT:

The Board is requested to amend the policy.

RECOMMENDATION: Adopt Resolution No. 2011-0012, amending Authority Policy 9.12, Ground Transportation Permits, authorizing additional daily taxicab service at the San Diego International Airport.

(Finance: Vernon Evan, Vice President/Treasurer)

16. PROGRESS REPORT AND INFORMATIONAL PRESENTATION ON THE SAN DIEGO INTERNATIONAL AIRPORT TRANSIT PLAN:

The Board is requested to accept the progress report.

RECOMMENDATION: Accept the progress report and informational presentation on the San Diego International Airport Transit Plan.

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

CLOSED SESSION:

17. CONFERENCE WITH LEGAL COUNSEL: ANTICIPATED LITIGATION:

Initiation of litigation pursuant to subdivision (c) of Section 54956.9: (1 case)

18. 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).

19. 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.

20. 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

21. CONFERENCE WITH REAL PROPERTY NEGOTIATORS:

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

Property: 3.76 acre easement across MCRD and San Diego Unified Port District 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 Ann Leech, Director, Real Estate Management.

Under Negotiation: Consideration of MCRD's request for exclusive use of portion of the easement; possible realignment of access and rights; acquisition of easement or right of way from the San Diego Unified Port District.

- 22. 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
- 23. CONFERENCE WITH LABOR NEGOTIATOR:**
Labor negotiations pursuant to Cal. Gov. Code §54957.6.
Authority Designated Negotiators: Thella F. Bowens, President/CEO; and Jeffrey Woodson, Vice President, Administration
Employee Organization: Teamsters 911
- 24. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION:**
Significant exposure to litigation pursuant to subdivision (b) of Section 54956.9:
1 case

REPORT ON CLOSED SESSION:

NON-AGENDA PUBLIC COMMENT:

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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.

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>
February 10	Thursday	9:00 a.m.	Special	Board Room
March 3	Thursday	9:00 a.m.	Regular	Board Room
April 7	Thursday	9:00 a.m.	Regular	Board Room