

# SAN DIEGO COUNTY REGIONAL AIRPORT AUTHORITY



**Revised 01/05/09**

## **SPECIAL BOARD MEETING**

### **AGENDA**

Friday, January 9, 2009  
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](http://www.san.org/airport_authority/boardmeetings.asp).***

#### **BOARD MEMBERS**

ALAN D. BERSIN\*  
BRUCE R. BOLAND  
JIM DESMOND  
RAMONA FINNILA\*  
JACK MILLER  
JIM PANKNIN  
ROBERT J. WATKINS\*  
ANTHONY K. YOUNG  
CHARLENE ZETTEL

\* EXECUTIVE COMMITTEE

#### **EX OFFICIO BOARD MEMBERS**

COL. CHRISTOPHER E. O'CONNOR  
PEDRO ORSO-DELGADO  
THOMAS L. SHEEHY

PRESIDENT/CEO  
HELLA F. BOWENS

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.*

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**CALL TO ORDER:**

**PLEDGE OF ALLEGIANCE:**

**ROLL CALL:**

**PRESENTATION:**

- A. **RECOGNITION OF BOARD MEMBER JACK MILLER FOR HIS SERVICE ON THE BOARD OF THE SAN DIEGO COUNTY REGIONAL AIRPORT AUTHORITY:**
- B. **REPORT ON THE AUTHORITY'S FINANCIAL CONDITION:**  
Presented by Vernon Evans, Vice President, Finance/Treasurer.

**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 4, 2008 meeting.

**CLAIMS**

2. **RESOLUTION AUTHORIZING THE REJECTION OF THE CLAIM OF SUSAN HERAVER:**  
The Board is requested to reject the claim.  
RECOMMENDATION: Adopt Resolution No. 2009-0001, authorizing the rejection of the claim of Susan Heraver.  
**(Legal: Breton Lobner, General Counsel)**

### **COMMITTEE RECOMMENDATIONS**

**3. INCREASE IN THE FISCAL YEAR 2009 OPERATING BUDGET FOR THE QUIETER HOME PROGRAM:**

The Board is requested to approve an amendment to the FY 2009 Operating Budget for the Quieter Home Program.

RECOMMENDATION: The Finance Committee recommends that the Board Adopt Resolution No. 2009-0002, approving an amendment to the Authority's Fiscal Year 2009 Annual Operating Budget in the amount of \$16,082,327.00 to allow an acceleration of residential sound attenuation under the Quieter Home Program.

**(Finance/Treasurer: Vernon Evans, Vice President)**

### **CONTRACTS AND AGREEMENTS AND AMENDMENTS TO CONTRACTS AND AGREEMENTS**

**4. AWARDED CONTRACTS, APPROVED CHANGE ORDERS FROM NOVEMBER 3, 2008 THROUGH DECEMBER 7, 2008 AND REAL PROPERTY AGREEMENTS GRANTED AND ACCEPTED FROM NOVEMBER 3, 2008 THROUGH DECEMBER 7, 2008:**

The Board is requested to receive the report.

RECOMMENDATION: Receive the report.

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

**5. AWARD A CONSTRUCTION CONTRACT TO KOCH CORPORATION FOR QUIETER HOME PROGRAM PHASE 4, GROUP 7, PROJECT NO. 380407:**

The Board is requested to award the contract.

RECOMMENDATION: Adopt Resolution No. 2009-0003, awarding a construction contract to Koch Corporation, in the amount of \$942,503.00, for Phase 4, Group 7, Project No. 380407, of the San Diego County Regional Airport Authority's Quieter Home Program.

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

**6. AWARD A CONSTRUCTION CONTRACT TO FOLTON ENTERPRISES FOR REPLACE & PROTECT ESCALATORS AT TERMINAL 1 AND AIRPORT-WIDE ELEVATOR & ESCALATOR MONITORING SYSTEM – CANOPY CONSTRUCTION – PROJECT NO. 104054:**

The Board is requested to award the contract.

RECOMMENDATION: Adopt Resolution No. 2009-0004, awarding a construction contract to Folton Enterprises, in the amount of \$824,057.00, for Project No. 104054, Replace & Protect Escalators at Terminal 1 and Airport-wide Elevator & Escalator Monitoring System – Canopy Construction, at San Diego International Airport.

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

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

**7. AWARD A CONSTRUCTION CONTRACT TO HELIX ELECTRIC, INC. FOR UPGRADING EXISTING 480V ELECTRICAL POWER TO 12KV SERVICE FOR TERMINALS AND CENTRAL UTILITY PLANT:**

The Board is requested to award the contract.

RECOMMENDATION: Adopt Resolution No. 2009-0005, awarding a construction contract to Helix Electric, Inc., in the amount of \$9,600,532.00, for Project No. 201622, 12kV Service Upgrade, at San Diego International Airport.  
**(Development: Bryan Enarson, Vice President)**

**PUBLIC HEARINGS:**

**NEW BUSINESS:**

**8. JANUARY 2009 LEGISLATIVE REPORT:**

The Board is requested to approve the report.

RECOMMENDATION: Adopt Resolution No. 2009-0006, approving the January 2009 Legislative report.

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

**9. DISCUSSION AND POSSIBLE ACTION CONCERNING THE LEGISLATIVE ADVOCACY PROGRAM POLICY:**

The Board is requested to provide direction to staff.

RECOMMENDATION: Provide direction to staff.

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

**10. ACCEPTANCE OF BOARD MEMBERS WRITTEN REPORTS ON THEIR ATTENDANCE AT APPROVED MEETINGS:**

The Board is requested to accept the reports.

RECOMMENDATION: Accept the reports.

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

**11. APPROVAL OF BOARD MEMBER PARTICIPATION AND REPRESENTATION OF THE AUTHORITY AT MEETINGS AND EVENTS:**

The Board is requested to approve Board Member participation and representation of the Authority at meetings and events.

RECOMMENDATION: Adopt Resolution No. 2009-0007, approving Board Member Participation and Representation of the Authority at meetings and events.

**(Legal: Amy Gonzalez, Senior Assistant General Counsel)**

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

***STANDING BOARD COMMITTEES***

- **AUDIT COMMITTEE:**  
Committee Members: Boland, Buck, Finnila (Chair), Panknin, Tartre, Van Sambeek, Zettel
- **EXECUTIVE PERSONNEL AND COMPENSATION COMMITTEE:**  
Committee Members: Finnila, Miller, Watkins (Chair)
- **FINANCE COMMITTEE:**  
Committee Members: Bersin (Chair), Watkins, Young

***LIAISONS***

- **AIRPORT MULTI-MODAL ACCESSIBILITY PLAN:**  
Liaison: Orso-Delgado
- **MILITARY AFFAIRS LIAISONS:**  
Liaisons: Boland (Primary), O'Connor, Panknin
- **RASP LIAISONS:**  
Liaisons: Miller (Primary), Panknin
- **TERMINAL DEVELOPMENT PROGRAM:**  
Liaisons: Boland, Miller, Panknin (Primary)
- **AVIATION TECHNOLOGICAL ADVANCES:**  
Liaisons: Desmond (Primary), Watkins

***BOARD REPRESENTATIVES***

- **AD HOC AIRPORT REGIONAL POLICY COMMITTEE:**  
Liaisons: Bersin, Boland (Alternate), Desmond, Zettel (Alternate)
- **SANDAG TRANSPORTATION COMMITTEE REPRESENTATIVE:**  
Committee Representatives: Zettel (Primary), Desmond (First Alternate), Finnila (Second Alternate)
- **SCAG AVIATION TASK FORCE:**  
Task Force Representatives: Boland (Primary), Zettel (First Alternate), Finnila (Second Alternate)
- **CALTRANS:**  
Representative: Orso-Delgado

**PRESIDENT/CEO REPORT:**

- About the Airport
- Destination Lindbergh: The Ultimate Build Out
- Terminal Development Program
- Regional Aviation Strategic Plan
- Public Outreach and Communication
- International Air Service
- City/SANDAG/Port Collaboration

**CLOSED SESSION:**

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

Government Code Section 54956.9(b)

Number of cases: 1

Facts and circumstances exist causing significant exposure to litigation in accordance with Section 54956.9(b)(3)(B). These facts are known by potential plaintiff Gameday Media Properties, Inc. ("Gameday") and are as follows: a disagreement exists between the Authority and Gameday regarding the close out audit of the concession agreement.

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

Pursuant to Government Code Section 54956.9(a):

*Kenneth Quilantang v. San Diego County Regional Airport Authority, et al.*, San Diego Superior Court Case No. 37-2008-00092986-CU-PO-CTL

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

Significant exposure to litigation pursuant to 54956.9(b)(A),(B) and (E):

Memorandum of Agreement with SANDAG and the City of San Diego

Number of potential cases: 1

**15. 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.

**16. PUBLIC EMPLOYEE PERFORMANCE EVALUATION:**

(Government Code Section 54957):

Title: General Counsel

**17. PUBLIC EMPLOYEE PERFORMANCE EVALUATION:**

(Government Code Section 54957):

Title: Chief Auditor

18. **PUBLIC EMPLOYEE PERFORMANCE EVALUATION:**  
(Government Code Section 54957):  
Title: President/CEO
  
19. **CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION:**  
Initiation of litigation pursuant to Cal. Gov. Code §54956.9(c).  
Number of potential cases: 1 (Nazbest-Pacific).
  
20. **CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION:**  
Initiation of litigation pursuant to Cal. Gov. Code §54956.9(c).  
Number of potential cases: 1 (Galaxy).

**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.***

**GENERAL COUNSEL REPORT:**

**BOARD MEMBER REPORTS ON MEETINGS ATTENDED 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 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 two 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 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.**



<b>UPCOMING MEETING SCHEDULE</b>				
<b><i>Date</i></b>	<b><i>Day</i></b>	<b><i>Time</i></b>	<b><i>Meeting Type</i></b>	<b><i>Location</i></b>
February 5	Thursday	9:00 a.m.	Regular	Board Room
March 5	Thursday	9:00 a.m.	Regular	Board Room
April 2	Thursday	9:00 a.m.	Regular	Board Room