

# SAN DIEGO COUNTY REGIONAL AIRPORT AUTHORITY



## Revised 5/5/09 SPECIAL BOARD MEETING AGENDA

Friday, May 8, 2009  
9:00 A.M.

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

### BOARD MEMBERS

BRUCE R. BOLAND  
JIM DESMOND  
RAMONA FINNILA\*  
JIM PANKNIN  
TOM SMISEK  
ROBERT J. WATKINS\*  
ANTHONY K. YOUNG  
CHARLENE ZETTEL  
\* EXECUTIVE COMMITTEE

### EX OFFICIO BOARD MEMBERS

PEDRO ORSO-DELGADO  
THOMAS L. SHEEHY

PRESIDENT/CEO  
THELLA F. BOWENS

***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).***

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:**

**REPORT FROM CITIZEN COMMITTEE:**

- **AIRPORT ADVISORY COMMITTEE:**  
John Hawkins, First Vice-Chair, Advisory Committee

**PRESENTATION:**

- A. **2009 EMPLOYEE OPINION SURVEY BRIEFING:**  
Presented by Diann Wilson, Director, Training & Organizational Development
- 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 February 27, 2009 Special Board meeting, the February 28, 2009 Special Board meeting, the March 23, 2009 Special Board Meeting, and the April 2, 2009 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 not covered by the current resolution.

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

**3. APPOINTMENTS TO THE AIRPORT ADVISORY COMMITTEE:**

The Board is requested to approve the appointments.

RECOMMENDATION: Adopt Resolution No. 2009-0059, appointing Joe Terzi, Barry Bardack, Bob Scurlock, William Clevenger, and Amy Weaver as members of the Airport Advisory Committee.

**(Noise: Dan Frazee, Director)**

**4. DISPOSITION OF SURPLUS PROPERTY:**

The Board is requested to authorize the disposal of surplus property.

RECOMMENDATION: Adopt Resolution No. 2009-0060, authorizing the Procurement Department to sell surplus and obsolete equipment and materials (property) to the highest bidders, and to dispose of unwanted items as scrap.

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

**5. APPOINTMENT OF PUBLIC MEMBER TO THE AUDIT COMMITTEE:**

The Board is requested to make an appointment.

RECOMMENDATION: Adopt Resolution No. 2009-0061, appointing Jack Van Sambeek as a public member to the Audit Committee.

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

**CLAIMS**

**COMMITTEE RECOMMENDATIONS**

**6. SELECTION OF THE EXTERNAL AUDITOR:**

The Board is requested to select the external auditor.

RECOMMENDATION: The Audit Committee recommends that the Board adopt Resolution No. 2009-0071, approving the Committee's recommendation to award a contract between the Authority and McGladrey & Pullen, LLP, to perform the external audits of the Authority's financial statements for an initial term of three Fiscal Years 2009, 2010, 2011, with a contract award not to exceed \$450,000, and with an option for two (2) one-year extensions, which may be exercised, subject to Board approval, at the sole discretion of the Authority's President/CEO.

**(Audit: Mark Burchyett, Chief Auditor)**

**7. REVIEW OF THE UNAUDITED FINANCIAL STATEMENTS FOR THE NINE MONTHS ENDED MARCH 31, 2009:**

The Board is requested to receive the information.

RECOMMENDATION: The Finance Committee recommends that the Board receive the information.

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

**8. REVIEW OF THE AUTHORITY'S INVESTMENT REPORT AS OF MARCH 31, 2009:**

The Board is requested to accept the report.

RECOMMENDATION: The Finance Committee recommends that the Board accept the report.

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

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

**9. AWARDED CONTRACTS, APPROVED CHANGE ORDERS FROM MARCH 2, 2009 THROUGH APRIL 5, 2009 AND REAL PROPERTY AGREEMENTS GRANTED AND ACCEPTED FROM MARCH 2, 2009 THROUGH APRIL 5, 2009:**

The Board is requested to receive the report.

RECOMMENDATION: Receive the report.

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

**10. AUTHORIZE THE PRESIDENT/CEO TO ISSUE SECOND AMENDMENT TO AGREEMENT WITH JACOBS ENGINEERING GROUP, INC.:**

The Board is requested to authorize the President/CEO to amend an agreement.

RECOMMENDATION: Adopt Resolution No. 2009-0064, authorizing the President/CEO to issue a Second Amendment to the agreement with Jacobs Engineering Group, Inc., extending the term of the agreement by 213 days to provide professional engineering services for Project No. 103044 Naval Training Center Landfill Remediation, at San Diego International Airport.

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

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

**11. AUTHORIZE THE PRESIDENT/CEO TO AWARD A CONTRACT TO FLATIRON WEST, INC., TO REHABILITATE TAXIWAY "C" AT SAN DIEGO INTERNATIONAL AIRPORT:**

The Board is requested to award a contract.

RECOMMENDATION: Adopt Resolution No. 2009-0065, authorizing the President/CEO to award a Contract to Flatiron West, Inc., in the amount of \$22,487,624.90, for Project No. 104026, Rehabilitate Taxiway "C" at San Diego International Airport.

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

**12. AWARD A CONTRACT TO ENSLEY ELECTRIC, INC. TO REPLACE AIRFIELD INFORMATION SIGNS, INSTALL RUNWAY GUARD LIGHTS AND REPLACE/UPGRADE TAXIWAY LIGHTS AT SAN DIEGO INTERNATIONAL AIRPORT:**

The Board is requested to award a contract.

RECOMMENDATION: Adopt Resolution No. 2009-0066, awarding a contract to Ensley Electric, Inc., in the amount of \$3,420,000.00, for Project Nos. 104059/104061, Replace Airfield Information Signs, Install Runway Guard Lights, and Replace/Upgrade Taxiway Lights at San Diego International Airport.  
**(Facilities Development: Iraj Ghaemi, Director)**

**13. AUTHORIZE THE PRESIDENT/CEO TO EXECUTE MEMORANDUM OF UNDERSTANDING AND AWARD A CONTRACT TO CHARLES KING COMPANY TO CONSTRUCT 96 INCH SEWER PIPE LINER AT SAN DIEGO INTERNATIONAL AIRPORT:**

The Board is requested to authorize the President/CEO to execute a Memorandum of Understanding and award a contract.

RECOMMENDATION: Adopt Resolution No. 2009-0067, authorizing the President/CEO: (1) to execute a Memorandum of Understanding between the San Diego County Regional Airport Authority and the City of San Diego regarding the roles and responsibilities of the City and the Authority with respect to the 96 inch sewer pipe and carbon fiber liner; and (2) after execution of the MOU between the City and Authority, the President/CEO to award a Contract to Charles King Company in the amount of \$3,793,894.00 for Project No. 103044, 96 Inch Sewer Pipe Liner at San Diego International Airport.  
**(Facilities Development: Iraj Ghaemi, Director)**

**14. AUTHORIZE THE PRESIDENT / CEO TO AWARD TWO ON-CALL TERMINAL AND BUILDING ARCHITECT AND ENGINEERING CONSULTANT SERVICE AGREEMENTS:**

The Board is requested to authorize the President/CEO to award two agreements.

RECOMMENDATION: Adopt Resolution No. 2009-0068, authorizing the President/CEO to award two On-Call Terminal and Building Architect and Engineering Consultant Service Agreements, one with William Nicholas Bodouva + Associates, and one with HOK, Inc., each for a three-year term, and a not-to-exceed value of \$5,000,000.00, in support of the Capital Improvement and Major Maintenance Programs at San Diego International Airport.  
**(Facilities Development: Iraj Ghaemi, Director)**

**PUBLIC HEARINGS:**

**NEW BUSINESS:**

**15. MAY 2009 LEGISLATIVE REPORT:**

The Board is requested to approve the report.

RECOMMENDATION: Adopt Resolution No. 2009-0069, approving the May 2009 Legislative report.

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

**16. UPDATE ON CARGO AND GENERAL AVIATION PLANNING:**

The Board is requested to receive an update.

RECOMMENDATION: Receive the update.

**(Airport Planning: Keith Wilschetz, Director)**

**17. ADOPTION OF A SECOND GENERATION RETIREE HEALTHCARE PLAN:**

The Board is requested to adopt the plan.

RECOMMENDATION: Adopt Resolution No. 2009-0070, adopting the second generation retiree healthcare plan.

**(Administration: Jeffrey Woodson, Vice President)**

**18. AUTHORIZATION OF A CALPERS ADMINISTERED TRUST TO PREFUND CONTRIBUTIONS FOR THE FIRST GENERATION RETIREE HEALTHCARE PLAN:**

The Board is requested to adopt the plan.

RECOMMENDATION: The Finance Committee recommends that the Board:

Adopt Resolution No. 2009-0062, accepting the Actuarial Valuation Report dated July 1, 2007, prepared by AON Consulting, and authorizing its submission to the California Public Employees Retirement System;

Adopt Resolution No. 2009-0072, authorizing the agreement titled "Agreement and Election of San Diego County Regional Airport Authority to Prefund Other Post Employment Benefits through CalPERS", and authorizing the President/CEO to execute the agreement on behalf of the San Diego County Regional Airport Authority;

Adopt Resolution No. 2009-0073, designating the Vice President of Finance/CFO, or the Director of Accounting, or the Director of Finance, as having legal authority to request on behalf of the Authority, disbursements from the Other Post Employment Benefits Plan, and certifying how the funds are to be used;

Adopt Resolution No. 2009-0074, authorizing that the Annual Required Contributions of Other Post Employment Benefits for Fiscal Years 2008 and 2009 in the amount of \$2,758,000 be transferred to the California Employers' Retiree Benefit Trust for the Authority's Other Post Employment Benefits obligation; and adopting a funding policy that states that the Authority will consistently contribute an amount at least equal to 100% of the Annual Required Contribution.

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

**19. DISCUSSION AND POSSIBLE ACTION ON ELECTION OF AN ADDITIONAL BOARD OFFICER:**

The Board is requested to discuss possibly electing an additional Board officer.

RECOMMENDATION: Provide direction to staff.

(Executive Office: Thella F. Bowens, President/CEO)

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

***STANDING BOARD COMMITTEES***

- **AUDIT COMMITTEE:**  
Committee Members: Smisek (Vice Chair), Watkins, Young, Zettel (Chair), Tartre, Buck, Van Sambeek
- **EXECUTIVE PERSONNEL AND COMPENSATION COMMITTEE:**  
Committee Members: Boland, Desmond, Watkins (Chair), Zettel
- **FINANCE COMMITTEE:**  
Committee Members: Panknin, Sheehy (Ex-Officio), Watkins, Young
- **TERMINAL DEVELOPMENT PROGRAM COMMITTEE:**  
Committee Members: Boland (Chair), Finnilla, Orso Delgado (Ex Officio), Panknin (Vice Chair), Miller (Public Member), Sheehy (Ex-Officio)

***AD HOC COMMITTEE***

- **RASP/AMAP AD HOC COMMITTEE:**  
Committee Members: Desmond, Finnilla (Chair), Boland (Vice Chair), Panknin, Orso Delgado (Ex-Officio)

***LIAISONS***

- **MILITARY AFFAIRS LIAISONS:**  
Liaisons: Boland (Primary), Panknin
- **AVIATION TECHNOLOGICAL ADVANCES:**  
Liaisons: Desmond (Primary), Smisek
- **CALTRANS:**  
Representative: Orso-Delgado (Ex-Officio)

***BOARD REPRESENTATIVES***

- **SANDAG TRANSPORTATION COMMITTEE REPRESENTATIVE:**  
Committee Representatives: Zettel (Primary), Smisek (First Alternate)

- **SCAG AVIATION TASK FORCE:**  
Task Force Representatives: Zettel (Primary), Smisek (Alternate)
- **WORLD TRADE CENTER:**  
Representatives: Watkins (Primary), Finnilla (Alternate)

**PRESIDENT/CEO REPORT:**

- About the Airport
- Terminal Development Program
- Regional Aviation Strategic Plan
- Public Outreach and Communication
- International Air Service
- Comprehensive Ground Transportation Plan

**CLOSED SESSION:**

20. **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION  
(Government Code Section 54956.9(a)):**  
Britt v. San Diego County Regional Airport Authority, et al., San Diego Superior Court Case No. 37-2007-00072794-CU-MC-CTL
21. **CONFERENCE WITH LEGAL COUNSEL-ANTICIPATED LITIGATION:**  
Pursuant to 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.
22. **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
23. **CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION:**  
Initiation of litigation pursuant to Cal. Gov. Code §54956.9(c).  
Number of potential cases: 1 (Nazbest-Pacific).
24. **CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION:**  
Initiation of litigation pursuant to Cal. Gov. Code §54956.9(c).  
Number of potential cases: 1 (Galaxy).



**25. 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)

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

Pursuant to Government Code Section 54956.9(a).

*Majors v. Transportation Security Administration et al.*, U.S.D.C. So. Dist., Case No. 08 CV 2032 IEG POR.

**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>Date</b>	<b>Day</b>	<b>Time</b>	<b>Meeting Type</b>	<b>Location</b>
June 4	Thursday	9:00 a.m.	Regular	Board Room
July 9	Thursday	9:00 a.m.	Special	Board Room
September 3	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 4:15 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: 5/5/09

SIGNATURE: Sara Real