

# SAN DIEGO COUNTY REGIONAL AIRPORT AUTHORITY



## BOARD MEMBERS

BRUCE R. BOLAND  
JIM DESMOND  
RAMONA FINNILA\*  
ROBERT H. GLEASON  
JIM PANKNIN  
THOMAS L. SHEEHY<sup>1</sup>  
TOM SMISEK  
ROBERT J. WATKINS\*  
ANTHONY K. YOUNG  
CHARLENE ZETTEL  
\* EXECUTIVE COMMITTEE  
<sup>1</sup> EX OFFICIO BOARD MEMBER  
  
PRESIDENT/CEO  
THELLA F. BOWENS

## BOARD

## AGENDA

Thursday, September 3, 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).***

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 BOARD MEMBERS:**
- **ELECTION OF THE VICE CHAIR OF THE BOARD AND APPOINTMENT OF AN EXECUTIVE COMMITTEE MEMBER:**

**REPORT FROM CITIZEN COMMITTEE:**

- **AIRPORT ADVISORY COMMITTEE:**  
Rick Beach, First Vice Chair, Advisory Committee

**PRESENTATION(S):**

- A. 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 special July 9, 2009 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. ESTABLISHMENT OF AN AD HOC COMMITTEE REGARDING RELATIONS WITH THE SAN DIEGO UNIFIED PORT DISTRICT:**

The Board is requested to approve the establishment of an Ad Hoc Committee.

RECOMMENDATION: Adopt Resolution No. 2009-0105, establishing an Ad Hoc Committee regarding relations with the San Diego Unified Port District.

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

**4. SEPTEMBER 2009 LEGISLATIVE REPORT:**

The Board is requested to approve the report.

RECOMMENDATION: Adopt Resolution No. 2009-0106, approving the September 2009 Legislative Report.

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

***CLAIMS***

**5. AUTHORIZE THE REJECTION OF THE CLAIM OF MARYANN BISKUP:**

The Board is requested to reject the claim.

RECOMMENDATION: Adopt Resolution 2009-0107, authorizing the rejection of the claim of Maryann Biskup.

**(Legal: Bret Lobner, General Counsel)**

**6. AUTHORIZE THE REJECTION OF THE CLAIM OF JOHN INCROCCI:**

The Board is requested to reject the claim.

RECOMMENDATION: Adopt Resolution 2009-0108, authorizing the rejection of the claim of John Incrocci.

**(Legal: Bret Lobner, General Counsel)**

**7. AUTHORIZE THE REJECTION OF THE CLAIM OF ROGER STERN:**

The Board is requested to reject the claim.

RECOMMENDATION: Adopt Resolution 2009-0109, authorizing the rejection of the claim of Roger Stern.

**(Legal: Bret Lobner, General Counsel)**

- 8. AUTHORIZE THE REJECTION OF THE CLAIM OF VICKI KELLEY:**  
The Board is requested to reject the claim.  
RECOMMENDATION: Adopt Resolution 2009-0110, authorizing the rejection of the claim of Vicki Kelley.  
**(Legal: Bret Lobner, General Counsel)**
- 9. AUTHORIZE THE REJECTION OF THE CLAIM OF PAULINA ARZOLA:**  
The Board is requested to reject the claim.  
RECOMMENDATION: Adopt Resolution 2009-0111, authorizing the rejection of the claim of Paulina Arzola.  
**(Legal: Bret Lobner, General Counsel)**
- 10. REVIEW OF THE UNAUDITED FINANCIAL STATEMENTS FOR THE YEAR ENDED JUNE 30, 2009:**  
The Board is requested to receive the information.  
RECOMMENDATION: Receive the information.  
**(Finance: Vernon Evans, Vice President, Finance/Treasurer)**
- 11. REVIEW OF THE AUTHORITY'S INVESTMENT REPORT AS OF JUNE 30, 2009:**  
The Board is requested to receive the information.  
RECOMMENDATION: Receive the information.  
**(Finance: Vernon Evans, Vice President, Finance/Treasurer)**

***COMMITTEE RECOMMENDATIONS***

***CONTRACTS AND AGREEMENTS***

- 12. AWARDED CONTRACTS, APPROVED CHANGE ORDERS FROM JUNE 8, 2009 THROUGH AUGUST 9, 2009 AND REAL PROPERTY AGREEMENTS GRANTED AND ACCEPTED FROM JUNE 8, 2009 THROUGH AUGUST 9, 2009:**  
The Board is requested to receive the report.  
RECOMMENDATION: Receive the report.  
**(Procurement: Jana Vargas, Director)**

**13. AWARD A CONTRACT TO ALPHA MECHANICAL TO UPGRADE THE COMMUTER TERMINAL ROOFTOP MECHANICAL SYSTEM AS PART OF THE ENERGY REDUCTION INITIATIVE, AT SAN DIEGO INTERNATIONAL AIRPORT:**

The Board is requested to award the contract.

RECOMMENDATION: Adopt Resolution No. 2009-0112, awarding a contract to Alpha Mechanical, in the amount of \$415,980, for Project 104063, to upgrade the Commuter Terminal Rooftop Mechanical System as part of the Energy Reduction Initiative, at San Diego International Airport.

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

**14. AUTHORIZE THE THIRD AMENDMENT TO THE AGREEMENT BETWEEN THE AUTHORITY AND PAUL PLEVIN SULLIVAN & CONNAUGHTON:**

The Board is requested to authorize the amendment.

RECOMMENDATION: Adopt Resolution No. 2009-0113, authorizing the Third Amendment to the Agreement between the Authority and Paul Plevin Sullivan & Connaughton extending the term of the Agreement for one (1) year to expire no later than September 7, 2010 to provide professional legal services in connection with labor and employment issues.

**(Legal: Bret Lobner, General Counsel)**

**15. AWARD A CONTRACT TO ATLAS DEVELOPMENT CORPORATION, FOR QUIETER HOME PROGRAM PHASE 5, GROUP 3 (54 NON-HISTORIC WEST SIDE APARTMENT UNITS):**

The Board is requested to award the contract.

RECOMMENDATION: Adopt Resolution No. 2009-0114, awarding a contract to Atlas Development Corporation, in the amount of \$795,877, for Phase 5, Group 3, Project No. 380503, of the San Diego County Regional Airport Authority's ("Authority's") Quieter Home Program ("Program").

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

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

**16. AUTHORIZE THE SEVENTH AMENDMENT TO THE AGREEMENT BETWEEN THE AUTHORITY AND GATZKE DILLON & BALLANCE:**

The Board is requested to authorize the amendment.

RECOMMENDATION: Adopt Resolution No. 2009-0115, authorizing the Seventh Amendment to the Agreement between the Authority and Gatzke Dillon & Ballance, LLP, extending the term of the Agreement for one (1) year to expire no later than August 31, 2010, and increasing the amount of the contract by \$150,000 for a total contract amount not to exceed \$1,950,000 to provide professional legal services in connection with the creation and adoption of the Airport Land Use Plans for the 5 urban airports and San Diego International Airport and accompanying environmental documentation.

**(Legal: Bret Lobner, General Counsel)**

**PUBLIC HEARINGS:**

**OLD BUSINESS:**

**NEW BUSINESS:**

**17. APPROVE THE MODIFIED CONCEPTS FOR CONTRACT 2: TERMINAL 2 ELEVATED DEPARTURE CURB / TRANSIT PLAZA AND LANDSIDE MODIFICATIONS FOR THE TERMINAL DEVELOPMENT PROGRAM (THE GREEN BUILD) AND ASSOCIATED PROGRAM BUDGET ADJUSTMENTS:**

The Board is requested to approve modifications to the concepts.

RECOMMENDATION: Adopt Resolution No. 2009-0116, authorizing the President/CEO to proceed with full design and construction using the modified Design Option 4 for the Transit Plaza and Departure Roadway and the addition of a Spruance Road entry bridge for Contract 2 - Terminal 2 Elevated Departure Curb / Transit Plaza and Landside Modifications at San Diego International Airport.

**(Terminal Development Program: Steve Cornell, Director)**

**18. AUTHORIZE THE PRESIDENT/CEO TO NEGOTIATE AND AWARD A CONTRACT TO WTS, INC. TO PROVIDE MANAGED HOSTING SERVICES FOR THE ORACLE JD EDWARDS ENTERPRISEONE AND ASSOCIATED SOFTWARE APPLICATIONS FOR SAN DIEGO COUNTY REGIONAL AIRPORT AUTHORITY:**

The Board is requested to authorize the President/CEO to award a contract.

RECOMMENDATION: Adopt Resolution No. 2009-0117, awarding a Managed Hosting Service Contract to WTS, Inc., for a term of five years for a not-to-exceed amount of \$2,500,000 to host and manage Oracle JD Edwards EnterpriseOne software and associated applications for San Diego County Regional Airport Authority.

**(Information Technology: Howard Kourik, Director)**

**19. AUTHORIZE THE CREATION OF A NORTH AMERICAN AIR SERVICE INCENTIVE PROGRAM:**

The Board is requested to approve the creation of a program.

RECOMMENDATION: Adopt Resolution No. 2009-0118, authorizing the creation of a North American Air Service Incentive Program.

**(Marketing and Route Service Development: Hampton Brown, Manager)**

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

***STANDING BOARD COMMITTEES***

- **AUDIT COMMITTEE:**  
Committee Members: Smisek, 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, Finnila (Alternate), Sheehy (Ex-Officio), Watkins, Young
- **TERMINAL DEVELOPMENT PROGRAM COMMITTEE:**  
Committee Members: Boland (Chair), Finnila, Panknin (Vice Chair), Sheehy (Ex-Officio)

***AD HOC COMMITTEE***

- **RASP/AMAP AD HOC COMMITTEE:**  
Representatives: Desmond, Finnila (Chair), Boland (Vice Chair), Panknin

***LIAISONS***

- **MILITARY AFFAIRS LIAISONS:**  
Liaisons: Boland (Primary), Panknin
- **CALTRANS:**  
Representative:

***BOARD REPRESENTATIVES***

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

**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:**  
Initiation of litigation pursuant to Cal. Gov. Code §54956.9(c).  
Number of potential cases: 1 (Nazbest-Pacific).
- 22. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION:**  
Initiation of litigation pursuant to Cal. Gov. Code §54956.9(c).  
Number of potential cases: 1 (Galaxy).
- 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 13<sup>th</sup> 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

**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.

**PRESIDENT/CEO REPORT:**

**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 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](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>
October 1	Thursday	9:00 a.m.	Regular	Board Room
November 5	Thursday	9:00 a.m.	Regular	Board Room
December 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 2:45 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: 8/28/09

SIGNATURE: Sara B. Real