

SAN DIEGO COUNTY REGIONAL AIRPORT AUTHORITY

Board Members

C. April Boling
Chairman

Greg Cox
Jim Desmond
Robert H. Gleason
Jim Janney
Mark Kersey
Paul Robinson
Michael Schumacher
Mary Sessom

Ex-Officio Board Members

Cory Binns
Eraina Ortega
Col. Jason Woodworth

President / CEO

Kimberly J. Becker

DRAFT ACTION MINUTES **BOARD** **AGENDA**

Thursday, December 7, 2017
9:00 A.M.

San Diego International Airport
SDCRAA Administration Building – Third Floor
Board Room
3225 N. Harbor Drive
San Diego, California 92101

*Live webcasts of Authority Board meetings can be accessed at
<http://www.san.org/Airport-Authority/Meetings-Agendas/Authority-Board>*

CALL TO ORDER: Chairman Boling called the meeting to order at 9:06 a.m.

PLEDGE OF ALLEGIANCE: Board Member Schumacher led the Pledge of Allegiance.

ROLL CALL: Board Members Binns (Ex Officio), Cox and Gleason were ABSENT.

NEW BUSINESS:

15. ACTION PLAN FOR ADDRESSING THE AIRPORT NOISE ADVISORY COMMITTEE (ANAC) RECOMMENDATIONS:

RECOMMENDATION: Adopt Resolution No. 2017-0109, accepting the action plan for the Airport Noise Advisory Committee (ANAC) recommendations.

[ACTION: 7-0-2 to approve staff's recommendation noting Board Members Cox and Gleason as ABSENT.]

CLOSED SESSION: The Board recessed into Closed Session at 10:02 a.m. to discuss Item 22.

19. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION:

(Paragraph (1) of subdivision (d) of Cal. Gov. Code §54956.9)

Name of Case: GGTW LLC v San Diego County Regional Airport Authority, et al., San Diego Superior Court Case No. 37-2016-00032646-CU-BC-CTL

20. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION:

(Paragraph (1) of subdivision (d) of Cal. Gov. Code §54956.9)

Name of Case: San Diego County Regional Airport Authority v. American Car Rental, Inc., San Diego Superior Court Case No. 37-2016-00024056-CL-BC-CTL

- 21. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION:**
(Paragraph (1) of subdivision (d) of Cal. Gov. Code §54956.9)
Dryden Oaks, LLC v. San Diego County Regional Airport Authority, et al., San Diego Superior Court, North County, Case No. 37-2014-00004077-CU-EI-NC
- 22. CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION:**
(Paragraph (1) of subdivision (d) of Cal. Gov. Code §54956.9)
Name of Case: K.S.A.N. L.L.C v. San Diego County Regional Airport Authority, et al. San Diego Superior Court Case No. 37-2017-00024982-CU-NP-CTL
- 23. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION:**
(Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Cal. Gov. Code §54956.9)
Investigative Order No. R9-2012-0009 by the California Regional Water Quality Control Board pertaining to an investigation of bay sediments at the Downtown Anchorage Area in San Diego.
Number of potential cases: 1
- 24. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION:**
(Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Cal. Gov. Code §54956.9)
Navy Boat Channel Environmental Remediation
Number of potential cases: 1
- 25. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION:**
(Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Cal. Gov. Code §54956.9)
Number of potential cases: 2
- 26. CONFERENCE WITH LEGAL COUNSEL –ANTICIPATED LITIGATION:**
(Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Cal. Gov. Code §54956.9)
In re Seaport Airlines, Inc., U.S. Bankruptcy Court Case No. 16-30406-rld7
Number of potential cases: 1
- 27. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION:**
(Initiation of litigation pursuant to paragraph (4) of subdivision (d) of Cal. Gov. Code §54956.9)
Number of cases: 1

REPORT ON CLOSED SESSION: The Board reconvened into Open Session at 10:29 a.m. There was no report on the Closed Session.

NEW BUSINESS CONTINUED:

16. TRANSPORTATION NETWORK COMPANY (TNC) PERMIT APPLICATION UPDATE AND APPROVED CONTINUATION OF THE TNC PERMIT PROGRAM:

RECOMMENDATION: Adopt Resolution No. 2017-0110 approving the continuation of the Transportation Network Company operations at San Diego International Airport and authorizing the President/CEO to negotiate and execute a TNC permit and authorizing Greenhouse reduction fees.

[ACTION: 6-1-2 to approve staff's recommendation, noting Board Member Sessom's NO vote and Board Members Cox and Gleason as ABSENT.]

17. EXTENSION OF TAXI AND VEHICLE-FOR-HIRE MEMORANDUMS OF AGREEMENT:

RECOMMENDATION: Adopt Resolution No. 2017-0113, authorizing the President/CEO to execute amendments to extend the Taxi and Vehicle-for-Hire Memorandums of Agreement (MOA) for a period of six (6) months, to expire on June 30, 2018.

[SUBSTITUTE MOTION: 5-1-3 to approve staff's recommendation and direct staff to provide an analysis of the pros and cons of opening the Airport to all taxis, noting Board Member Robinson's NO vote and Board Members Cox, Gleason and Schumacher as ABSENT.]

The Board recessed at 12:40 and reconvened at 1:11 p.m.

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

STANDING BOARD COMMITTEES

- **AUDIT COMMITTEE:**
Committee Members: Gleason, Hollingworth, Robinson (Chair), Schumacher, Sessom, Tartre, Van Sambeek
- **CAPITAL IMPROVEMENT PROGRAM OVERSIGHT COMMITTEE:**
Committee Members: Gleason, Janney(Chair), Kersey, Robinson
- **EXECUTIVE PERSONNEL AND COMPENSATION COMMITTEE:**
Committee Members: Boling, Cox, Desmond (Chair), Kersey, Schumacher
- **FINANCE COMMITTEE:**
Committee Members: Boling (Chair), Cox, Janney, Sessom

ADVISORY COMMITTEES

- **AUTHORITY ADVISORY COMMITTEE:**
Liaison: Robinson (Primary), Boling
- **ART ADVISORY COMMITTEE:**
Committee Member: Gleason

LIAISONS

- **AIRPORT LAND USE COMPATIBILITY PLAN:**
Liaison: Janney
- **CALTRANS:**
Liaison: Binns
- **INTER-GOVERNMENTAL AFFAIRS:**
Liaison: Cox
- **MILITARY AFFAIRS:**
Liaison: Woodworth
- **PORT:**
Liaisons: Boling, Cox, Gleason (Primary), Robinson
- **WORLD TRADE CENTER:**
Representatives: Gleason (Primary)

BOARD REPRESENTATIVES (EXTERNAL)

- **SANDAG TRANSPORTATION COMMITTEE:**
Representatives: Boling (Alternate), Janney (Primary)

CHAIR'S REPORT:

PRESIDENT/CEO'S REPORT:

NON-AGENDA PUBLIC COMMENT: There were no public speakers.

CONSENT AGENDA (Items 1- 14):

[ACTION: 5-0-4 to approve the Consent Agenda, noting Board Members Cox, Gleason, Robinson and Schumacher as ABSENT.]

1. **APPROVAL OF MINUTES:**
RECOMMENDATION: Approve the minutes of the November 2, 2017, regular meeting.

- 2. ACCEPTANCE OF BOARD AND COMMITTEE MEMBERS WRITTEN REPORTS ON THEIR ATTENDANCE AT APPROVED MEETINGS AND PRE-APPROVAL OF ATTENDANCE AT OTHER MEETINGS NOT COVERED BY THE CURRENT RESOLUTION:**
RECOMMENDATION: Accept the reports and pre-approve Board member attendance at other meetings, trainings and events not covered by the current resolution.
- 3. AWARDED CONTRACTS, APPROVED CHANGE ORDERS FROM OCTOBER 9, 2017 THROUGH NOVEMBER 12, 2017 AND REAL PROPERTY AGREEMENTS GRANTED AND ACCEPTED FROM OCTOBER 9, 2017 THROUGH NOVEMBER 12, 2017:**
RECOMMENDATION: Receive the report.
- 4. DECEMBER 2017 LEGISLATIVE REPORT:**
RECOMMENDATION: Adopt Resolution No. 2017-0103, approving the December 2017 Legislative Report.
- 5. APPROVE ESTABLISHING THE DATE AND TIME OF BOARD AND ALUC MEETINGS FOR 2018, AS INDICATED IN THE PROPOSED 2018 MASTER CALENDAR OF BOARD AND COMMITTEE MEETINGS:**
RECOMMENDATION: Adopt Resolution No. 2017-0104, establishing the date and time of Board and ALUC meetings for 2018 as indicated on the proposed 2018 Master Calendar of Board and Committee Meetings.
- 6. DISPOSITION OF SURPLUS PROPERTY:**
RECOMMENDATION: Adopt Resolution No. 2017-0105, authorizing the disposition of surplus property (materials and/or equipment) by: (1) donating electronics surplus to San Diego Futures Foundation [SDFF]; (2) sale to the highest bidder; and (3) recycling and disposing of unwanted items as scrap.

CLAIMS

COMMITTEE RECOMMENDATIONS

- 7. EXTERNAL AUDITOR'S FISCAL YEAR ENDED JUNE 30, 2017, REPORTS: A) AUDITED FINANCIAL STATEMENTS, B) SINGLE AUDIT REPORTS, C) PASSENGER FACILITY CHARGE COMPLIANCE REPORT, D) CUSTOMER FACILITY CHARGE COMPLIANCE REPORT, AND E) LETTER TO THE BOARD:**
RECOMMENDATION: The Audit Committee recommends that the Board accept the reports.
- 8. REVIEW OF THE COMPREHENSIVE ANNUAL FINANCIAL REPORT (CAFR) FOR THE FISCAL YEAR ENDED JUNE 30, 2017:**
RECOMMENDATION: The Audit Committee recommends that the Board accept the report.
- 9. FISCAL YEAR 2018 FIRST QUARTER ACTIVITIES REPORT AND AUDIT RECOMMENDATIONS ISSUED BY THE OFFICE OF THE CHIEF AUDITOR:**
RECOMMENDATION: The Audit Committee recommends that the Board accept the report.
- 10. REVISION TO THE FISCAL YEAR 2018 AUDIT PLAN OF THE OFFICE OF THE CHIEF AUDITOR:**
RECOMMENDATION: The Audit Committee recommends that the Board adopt Resolution No. 2017-0112, approving a revision to the Fiscal Year 2018 Audit plan of the Office of the Chief Auditor.

CONTRACTS AND AGREEMENTS

- 11. AUTHORIZE A REDUCTION IN THE AMOUNT OF RETENTION WITHHELD ON PROGRESS PAYMENTS TO SWINERTON BUILDERS, INC. FOR WORK PERFORMED ON THE TERMINAL 2 PARKING PLAZA:**
RECOMMENDATION: Adopt Resolution No. 2017-0106, authorizing a reduction in the amount of retention withheld on progress payments to Swinerton Builders, Inc. for work performed on the Terminal 2 Parking Plaza.

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

- 12. AWARD A CONTRACT TO S&L SPECIALTY CONSTRUCTION, INC., FOR QUIETER HOME PROGRAM PHASE 8, GROUP 11, PROJECT NO. 380811 (THIRTY-NINE (39) NON-HISTORIC SINGLE AND MULTI-FAMILY UNITS ON THIRTY-FIVE (35) RESIDENTIAL PROPERTIES LOCATED EAST AND WEST OF THE AIRPORT):**
RECOMMENDATION: Adopt Resolution No. 2017-0107, awarding a contract to S&L Specialty Construction, Inc., in the amount of \$1,293,000, for Phase 8, Group 11, Project No. 380811, of the San Diego County Regional Airport Authority's Quieter Home Program.

13. APPROVE AND AUTHORIZE THE PRESIDENT/CEO TO EXECUTE ON-CALL AIRPORT PAVEMENT REPAIR SERVICES AGREEMENT WITH HAZARD CONSTRUCTION COMPANY:

RECOMMENDATION: Adopt Resolution No. 2017-0108, approving and authorizing the President/CEO to execute On-Call Airport Pavement Repair Services Agreement with Hazard Construction Company, for a term of three years, with the option for two one-year extensions exercisable at the discretion of the President/CEO, for a total not-to-exceed amount of \$11,743,665, in support of the existing pavement surfaces, at San Diego International Airport ("SDIA").

14. APPROVE AND AUTHORIZE THE PRESIDENT/CEO TO EXECUTE AN OTHER TRANSACTIONAL AGREEMENT (OTA) WITH THE U.S. DEPARTMENT OF HOMELAND SECURITY - TRANSPORTATION SECURITY ADMINISTRATION (TSA):

RECOMMENDATION: Adopt Resolution No. 2017-0114, approving and authorizing the President/CEO to execute an Other Transactional Agreement (OTA No. 70T04018T9CAP1007) with the U.S. Department of Homeland Security - Transportation Security Administration (TSA) and the San Diego County Regional Airport Authority, to reimburse costs not-to-exceed \$1,140,834, for replacement of the existing three (3) Explosions Detection Devices located in Terminal 2 East Checked Baggage Inspections System area at San Diego International Airport.

CHAIR'S REPORT:

PRESIDENT/CEO'S REPORT:

NEW BUSINESS CONTINUED:

18. AMEND AUTHORITY POLICY 8.30 – AIRPORT LAND USE COMMISSION:

RECOMMENDATION: Adopt Resolution No. 2017-0111, amending Authority Policy 8.30 to authorize Airport Land Use Commission staff to issue "conditionally consistent" determinations.

[ACTION: 5-0-4 to approve staff's recommendation, noting Board Members Cox, Gleason, Robinson and Schumacher as ABSENT.]

PRESENTATIONS:

A. AIRPORT DEVELOPMENT PLAN:

Presented By: Kimberly J. Becker, President/CEO, Bob Bolton, Director, Airport Design & Construction, and Ted Anasis, Manager, Regional Planning

[ACTION: 5-0-4 to move the presentation to the January 2018 Board agenda, noting Board Members Cox, Gleason, Robinson and Schumacher as ABSENT.]

PUBLIC HEARINGS:

OLD BUSINESS:

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: The meeting adjourned at 1:26 p.m.