

SAN DIEGO COUNTY REGIONAL AIRPORT AUTHORITY



BOARD MEMBERS

LAURIE BERMAN*
BRUCE R. BOLAND
GREG COX
JIM DESMOND
ROBERT H. GLEASON
LLOYD B. HUBBS
JIM PANKNIN
PEDRO REYES*
COL. FRANK A. RICHIE*
PAUL ROBINSON
TOM SMISEK
ANTHONY K. YOUNG

* EX OFFICIO BOARD MEMBERS

PRESIDENT/CEO
THELLA F. BOWENS

Revised 04/22/11

DRAFT

BOARD

AGENDA

Thursday, May 5, 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:

PRESENTATIONS:

- A. PRESENTATION ON THE DIFFERENCES BETWEEN AN AIR INSTALLATIONS COMPATIBLE USE ZONE AND AN AIRPORT LAND USE COMPATIBILITY PLAN:**
Presented by Angela Jamison, Manager, Airport Planning
- B. QUARTERLY FINANCIAL UPDATE FOR THE NINE MONTHS ENDED MARCH 31, 2011:**
Presented by Vernon Evans, Vice President, Finance/Treasurer

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

STANDING BOARD COMMITTEES

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

ADVISORY COMMITTEES

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

LIAISONS

- **AIRPORT LAND USE COMPATIBILITY PLAN FOR SAN DIEGO INTERNATIONAL AIRPORT:**

Liaison: Robinson

- **CALTRANS:**

Liaison: Berman

- **INTER-GOVERNMENTAL AFFAIRS:**

Liaison: Cox

- **MILITARY AFFAIRS:**

Liaisons: Boland (Primary), Panknin

- **PORT:**

Liaisons: Boland, Gleason (Primary), Smisek

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:

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 1-14):

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 minutes of the March 11, March 12, and April 2 Special meetings, and the April 7, 2011 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:

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. AWARDED CONTRACTS, APPROVED CHANGE ORDERS FROM MARCH 14, 2011 THROUGH APRIL 10, 2011 AND REAL PROPERTY AGREEMENTS GRANTED AND ACCEPTED FROM MARCH 14, 2011 THROUGH APRIL 10, 2011:

The Board is requested to receive the report.

RECOMMENDATION: Receive the report.

(Procurement: Jana Vargas, Director)

4. APPOINTMENTS TO BOARD COMMITTEES, AND REPRESENTATIVES AND ALTERNATES TO THE SAN DIEGO ASSOCIATION OF GOVERNMENTS (SANDAG) TRANSPORTATION COMMITTEE AND THE SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS (SCAG) AVIATION TASK FORCE:

The Board is requested to make appointments.

RECOMMENDATION: Adopt Resolution No. 2011-0051, making appointments to Board Committees, and representatives and alternates to the SANDAG Transportation Committee and the SCAG Aviation Task Force.

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

5. AMEND AUTHORITY POLICY 1.50 (5)(c)(vi) – GOVERNANCE AND COMMITTEES:

The Board is requested to amend the Policy.

RECOMMENDATION: Adopt Resolution No. 2011-0052, amending Authority Policy 1.50 (5)(c)(vi) – Governance and Committees, disbanding the Regional Aviation Strategic Plan Committee.

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

6. MAY 2011 LEGISLATIVE REPORT:

The Board is requested to approve the report.

RECOMMENDATION: Adopt Resolution No. 2011-0053, approving the May 2011 Legislative report.

(Inter-Governmental Relations: Michael Kulis, Director)

7. AMEND PREVIOUS BOARD ACTIONS REGARDING EMPLOYEES' PURCHASE OF SERVICE CREDIT FROM THE SAN DIEGO CITY EMPLOYEES' RETIREMENT SYSTEM:

The Board is requested to amend previous Board actions.

RECOMMENDATION: Adopt Resolution No. 2011-0059, amending and modifying Resolution No. 2011-0024 to change direction to staff from employ a consultant to reimburse affected employees a maximum of \$375.00 for the services of a qualified consultant; and approving the amendment to Resolution No. 2011-0025 to change direction to staff to allow the two affected DROP employees to amend or rescind their DROP contracts.

(Human Resources: Jeff Lindeman, Director)

CLAIMS

8. AUTHORIZE THE REJECTION OF THE CLAIM OF JOY OBIDIKE:

The Board is requested to reject the claim.

RECOMMENDATION: Adopt Resolution No. 2011-0054, authorizing the rejection of the claim of Joy Obidike.

(Legal: Breton Lobner, General Counsel)

COMMITTEE RECOMMENDATIONS

9. RECEIVE THE UNAUDITED FINANCIAL STATEMENTS FOR THE NINE MONTHS ENDED MARCH 31, 2011:

The Board is requested to receive the report.

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

(Finance: Vernon Evans, Vice President/Treasurer)

10. RECEIVE THE AUTHORITY'S INVESTMENT REPORT AS OF MARCH 31, 2011:

The Board is requested to receive the report.

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

(Finance: Vernon Evans, Vice President/Treasurer)

CONTRACTS AND AGREEMENTS

11. AWARD A CONTRACT TO WIER CONSTRUCTION CORP., TO CONSTRUCT A REPLACEMENT 30" STORM DRAIN AND SEWER LIFT STATION ON THE TELEDYNE RYAN SITE AT SAN DIEGO INTERNATIONAL AIRPORT:

The Board is requested to award a contract.

RECOMMENDATION: Adopt Resolution No. 2011-0055, awarding a contract to Wier Construction Corp., in the amount of \$706,933.60, for Project No. 104066, Teledyne Site Demolition - 30" Storm Drain and Sewer Lift Station, at San Diego International Airport.

(Facilities Development: Iraj Ghaemi, Director)

12. APPROVE AND AUTHORIZE THE PRESIDENT/CEO TO EXECUTE AN AGREEMENT FOR BOND COUNSEL LEGAL SERVICES WITH _____:

The Board is requested to approve an Agreement.

RECOMMENDATION: Adopt Resolution No. 2011-0057, approving and authorizing the President/CEO to execute an agreement with _____ for Bond Counsel legal services with a term of three (3) years, with two (2) additional one-year options to extend, with a maximum amount payable not to exceed amount of three hundred thousand dollars (\$300,000).

(Legal: Breton Lobner, General Counsel)

13. AUTHORIZE PRESIDENT/CEO TO APPROVE NON-MONETARY MEMORANDUMS OF AGREEMENT/MEMORANDUMS OF UNDERSTANDING AND LETTERS OF AGREEMENT WITH OTHER AGENCIES:

The Board is requested to approve the agreements.

RECOMMENDATION: Adopt Resolution No. 2011-0058

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

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

14. APPROVE AND AUTHORIZE THE PRESIDENT/CEO TO EXECUTE AN AGREEMENT WITH PORTER NOVELLI FOR PUBLIC OUTREACH SERVICES IN SUPPORT OF THE GREEN BUILD TERMINAL DEVELOPMENT PROGRAM, AIRPORT DEVELOPMENT PLAN, REGIONAL AVIATION STRATEGIC PLAN AND OTHER AIRPORT AUTHORITY INITIATIVES:

The Board is requested to approve an Agreement.

Recommendation: Adopt Resolution No. 2011-0056, authorizing the President/CEO to execute an agreement with Porter Novelli, for public outreach services for a one-year term with two one-year options exercisable at the sole discretion of the President/CEO in an amount not to exceed \$775,000 for the first year and \$775,000 for each option year, for a total not-to-exceed amount of \$2,325,000 should both option years be exercised.

(Public, Community & Customer Relations: Diana Lucero, Director)

PUBLIC HEARINGS:

OLD BUSINESS:

NEW BUSINESS:

CLOSED SESSION:

15. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION:

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

16. 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).

17. CONFERENCE WITH REAL PROPERTY NEGOTIATORS:

Real property negotiations pursuant to Cal. Gov. Code Sections 54954.5(b) and 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.

18. CONFERENCE WITH REAL PROPERTY NEGOTIATORS:

Real property negotiations pursuant to Cal Gov. Code Sections 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.

19. 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

20. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION:

(Cal.Gov. Code Section 54956.9(a)):

West Tech, Inc. v. San Diego County Regional Airport Authority, et al.,
L.A.S.C 37-2010-00106565-CU-BC-CTL

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) 233-3004 or 511.

UPCOMING MEETING SCHEDULE				
<i>Date</i>	<i>Day</i>	<i>Time</i>	<i>Meeting Type</i>	<i>Location</i>
June 2	Thursday	9:00 a.m.	Regular	Board Room
July 7	Thursday	9:00 a.m.	Regular	Board Room
August 4	Thursday	9:00 a.m.	Regular	Board Room