

**SAN DIEGO COUNTY REGIONAL AIRPORT AUTHORITY BOARD  
MINUTES  
THURSDAY, OCTOBER 4, 2018  
SAN DIEGO INTERNATIONAL AIRPORT  
BOARD ROOM**

**CALL TO ORDER:** Chairman Boling called the regular meeting of the San Diego County Regional Airport Authority Board to order at 9:04 a.m. on Thursday, October 4, 2018, in the Board Room at the San Diego International Airport, Administration Building, 3225 North Harbor Drive, San Diego, CA 92101.

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

**ROLL CALL:**

PRESENT: Board Members: Binns (Ex Officio), Boling, Cox, Desmond, Dockery (Ex Officio), Kersey, Lloyd, Robinson, Schumacher, West

ABSENT: Board Members: Schiavoni and Wong-Hernandez (Ex Officio)

ALSO PRESENT: Kimberly J. Becker, President/CEO; Amy Gonzalez, General Counsel; Linda Gehlken, Assistant Authority Clerk I; Martha Morales, Assistant Authority Clerk I

**PRESENTATIONS:** None.

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

- **AUDIT COMMITTEE:** None.
- **CAPITAL IMPROVEMENT PROGRAM OVERSIGHT COMMITTEE:** None.
- **EXECUTIVE PERSONNEL AND COMPENSATION COMMITTEE:** None.
- **FINANCE COMMITTEE:** Chairman Boling reported that the committee reviewed the financials and investment report at its last meeting.

**ADVISORY COMMITTEES**

- **AUTHORITY ADVISORY COMMITTEE:** None.
- **ART ADVISORY COMMITTEE:** Chris Chalupsky, Senior Manager, Art and Community Partnership, reported that applications are being accepted for the 2019 temporary exhibition, *Forces of Nature*, with an informational session being held on October 11 for interested applicants. He reported that submissions for the Airport's 2019 Performing Arts Residency Program are being evaluated and that finalists will be interviewed on October 25. He reported that Oktoberfest-

themed musical performances will be presented in the terminals all month; and that the weekly concert series continues in Sunset Cove on Fridays, with a special third Thursday concert. He reported that the artist who created the Parking Plaza artwork, Mark Reigelman, and the artist who created the meter-greeter suspended artwork for the FIS, Aaron Stephan, were nominated for Orchid Awards. He reported that the draft Arts Master Plan was shared with stakeholders and the community on August 2 and that staff is in the process of compiling feedback from the 30-day public review period that closed on September 2. He reported that the final Art Master Plan will be presented to the Airport Art Advisory Committee on October 26.

### **LIAISONS**

- **CALTRANS:** Board Member Binns reported that on November 30 Caltrans' Transportation Planning Grant Program will be starting a call-for-project along with the release of the grant guide; and that SANDAG will be submitting an application for an airport access study.
- **MILITARY AFFAIRS:** Board Member Dockery thanked all who attended the Miramar airshow.
- **PORT:** None.
- **WORLD TRADE CENTER:** None.

### **BOARD REPRESENTATIVES (EXTERNAL)**

- **SANDAG TRANSPORTATION COMMITTEE:** Chairman Boling reported that on September 21 Caltrans and SANDAG staff reported on the 2019-2050 Regional Transportation Plan in which Caltrans provided an overview on the regional highway systems priorities and SANDAG staff provided an overview of transportation modeling tools and an overview of program services and technologies.

**CHAIR'S REPORT:** Chairman Boling reported that on September 14 the SANDAG's Executive Committee approved adding an Airport Authority representative to the SANDAG Board as an advisory board member and that the full SANDAG Board will consider the item on October 26. She reported that the Airport achieved 'level 3' Airport Carbon Accreditation which recognizes the Authority's continuing efforts to reduce its carbon footprint.

**PRESIDENT/CEO'S REPORT:** Kimberly Becker, President/CEO, reported that staff is working on analyzing the comments received from the public regarding the ADP Draft Environmental Impact Report and preparing official responses, which will be included in the final EIR document. She reported that as part of a 'Sustainable September' campaign, the airport's Planning & Environmental Affairs Department sponsored a number of events last month to promote sustainable best practices. She reported that

September 15 marked the end of this year's official nesting season for the California Least Tern in the region. She reported that the Duty Free store opened the weekend of September 15 in Terminal 2 West. She reported that last month, she participated in the San Diego Regional Economic Development Corporation's Leadership Trip to Indianapolis where attendees heard about the region's approach to inclusive economic development, workforce development, start-up support, and strategies for retaining and attracting workforce talent. She reported that the seven-week Turner School of Construction Management fall program kicked off on September 18 with 40 participants who will be taught how to improve their managerial, technical and administrative skills using topics like how to develop a business/financial plan and understand project estimation, construction law, bonding and insurance, safety and others. She reported that on October 17, the Airport Authority will host its Meet the Primes event in which attendees will learn about doing business with the Airport Authority. She also welcomed Domenico D'Ambrosio, the new Vice President of Revenue Management & Innovation to the Authority.

#### ***LIAISONS (CONTINUED)***

- **INTER-GOVERNMENTAL AFFAIRS:** Board Member Cox reported that staff briefed several officials and agencies on the Airport Development Plan. He reported that on September 14, Authority representatives attended the South County Economic Development Council's 28th Annual Economic Summit, where he and Board Member West participated on a panel. He reported that on December 3 the California State Legislature will convene its 2019-2020 legislative session for organizational purposes. He reported that on September 28, President Trump signed into law a spending package that includes a continuing resolution to ensure that funding for federal agencies will continue through December 7, 2018. He reported that both the House and Senate approved a five-year FAA reauthorization bill that streamlines the Passenger Facility Charges (PFC) application process, but does not increase the cap on PFCs.

Board Member Robinson reported that at the Mission to Washington D.C. Conference he attended earlier this month, he discovered that Customs and Border Protection had made great progress in filling most of the 275 positions Congress approved this year. He also reported that Congress has budgeted an additional 325 positions for next year.

**NON-AGENDA PUBLIC COMMENT:** None.

#### **CONSENT AGENDA (Items 1-19):**

**ACTION:** Moved by Board Member Desmond and seconded by Board Member West to approve the Consent Agenda. Motion carried by the following votes: YES – Boling, Cox, Desmond, Kersey, Lloyd, Robinson, Schumacher, West; NO – None; ABSENT – Schiavoni; (Weighted Vote Points: YES – 87; NO – 0; ABSENT – 13).

1. **APPROVAL OF MINUTES:**  
RECOMMENDATION: Approve the minutes of the August 27, 2018 and September 13, 2018 special meetings.
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 AUGUST 13, 2018 THROUGH SEPTEMBER 9, 2018 AND REAL PROPERTY AGREEMENTS GRANTED AND ACCEPTED FROM AUGUST 13, 2018 THROUGH SEPTEMBER 9, 2018:**  
RECOMMENDATION: Receive the report.
4. **OCTOBER 2018 LEGISLATIVE REPORT:**  
RECOMMENDATION: Adopt Resolution No. 2018-0104, approving the October 2018 Legislative Report.
5. **APPOINTMENT OF AUTHORITY ADVISORY COMMITTEE MEMBERS:**  
RECOMMENDATION: Adopt Resolution No. 2018-0105, approving appointments to the Authority Advisory Committee.
6. **APPROVE AMENDMENTS TO AUTHORITY CODES AND POLICIES:**  
RECOMMENDATION: Adopt Resolution No. 2018-0106, amending Authority Codes and Policies.
7. **DISPOSITION OF SURPLUS PROPERTY:**  
RECOMMENDATION: Adopt Resolution No. 2018-0107, authorizing the disposition of surplus property (materials and/or equipment) by: (1) donating electronic surplus to San Diego Futures Foundation [SDFF]; (2) sale to the highest bidder; and (3) recycling and disposing of unwanted items as scrap.

#### **CLAIMS**

8. **REJECT THE CLAIM OF PEGGY GRONEMAN:**  
RECOMMENDATION: Adopt Resolution No. 2018-0108, rejecting the claim of Peggy Groneman.
9. **REJECT THE CLAIM OF ANDREW GRONEMAN:**  
RECOMMENDATION: Adopt Resolution No. 2018-0109, rejecting the claim of Andrew Groneman.

- 10. REJECT THE CLAIM OF FRANCINE CHEMNICK:**  
RECOMMENDATION: Adopt Resolution No. 2018-0110, rejecting the claim of Francine Chemnick.

***COMMITTEE RECOMMENDATIONS***

- 11. FISCAL YEAR 2018 ANNUAL REPORT FROM THE AUDIT COMMITTEE:**  
RECOMMENDATION: The Audit Committee recommends that the Board accept the report.
- 12. FISCAL YEAR 2018 ANNUAL ACTIVITIES REPORT FROM THE OFFICE OF THE CHIEF AUDITOR:**  
RECOMMENDATION: The Audit Committee recommends that the Board accept the report.
- 13. REVISION TO THE FISCAL YEAR 2019 AUDIT PLAN OF THE OFFICE OF THE CHIEF AUDITOR:**  
RECOMMENDATION: The Audit Committee recommends that the Board adopt Resolution No. 2018-0115, approving the revision to the Fiscal Year 2019 Audit Plan of the Office of the Chief Auditor.
- 14. REVISION TO THE CHARTER OF THE AUDIT COMMITTEE:**  
RECOMMENDATION: The Audit Committee recommends that the Board adopt Resolution No. 2018-0116, approving the revision to the Charter of the Audit Committee.
- 15. REVISION TO THE CHARTER FOR THE OFFICE OF THE CHIEF AUDITOR:**  
RECOMMENDATION: The Audit Committee recommends that the Board adopt Resolution No. 2018-0117, approving the revision to the Charter of the Office of the Chief Auditor.

***CONTRACTS AND AGREEMENTS***

- 16. APPROVE AND AUTHORIZE THE PRESIDENT/CEO TO EXECUTE AN AGREEMENT WITH SAN DIEGO AIRLINES CONSORTIUM, LLC (SANCO):**  
RECOMMENDATION: Adopt Resolution No. 2018-0111, approving and authorizing the President/CEO to execute an agreement with SANCO to reimburse SANCO for its use of Vantage Airport Group's services to provide collaboration between the airlines and the Authority in all phases of Terminal 1 Replacement Project and other aspects of ADP implementation and delivery, for an initial term of five (5) years, with an option to extend the term for two (2) years at the Authority's sole discretion, for an initial not-to-exceed amount of \$379,500, which the President/CEO may increase to \$2,124,403, should the Environmental Impact Report for the ADP be certified and the Board approve moving forward with ADP.

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

- 17. AWARD A CONTRACT TO S & L SPECIALTY CONSTRUCTION, INC. FOR QUIETER HOME PROGRAM PHASE 9, GROUP 8, PROJECT NO. 380908 ONE HUNDRED THIRTY EIGHT (138) NON-HISTORIC SINGLE-FAMILY UNITS ON FIFTY-FIVE (55) RESIDENTIAL PROPERTIES LOCATED EAST AND WEST OF THE AIRPORT:**

RECOMMENDATION: Adopt Resolution No. 2018-0112, awarding a contract to S & L Specialty Construction, Inc. in the amount of \$2,772,000 for Phase 9, Group 8, Project No. 380908, of the San Diego County Regional Airport Authority's ("Authority's") Quieter Home Program.

- 18. APPROVE AND AUTHORIZE THE PRESIDENT/CEO TO EXECUTE AN ELEVATOR AND ESCALATOR MAINTENANCE AND REPAIR SERVICE AGREEMENT WITH KONE INC.:**

RECOMMENDATION: Adopt Resolution No. 2018-0113, approving and authorizing the President/CEO to execute an Elevator and Escalator Maintenance and Repair Service Agreement with KONE Inc., 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 \$11,578,970.

- 19. APPROVE AND AUTHORIZE THE PRESIDENT/CEO TO EXECUTE AN APRON AND RAMP CLEANING SERVICE AGREEMENT WITH ABHE & SVOBODA, INC.:**

RECOMMENDATION: Adopt Resolution No. 2018-0114, approving and authorizing the President/CEO to execute an Apron and Ramp Cleaning Service Agreement with Abhe & Svoboda, Inc., 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 \$1,732,500.

**PUBLIC HEARINGS:**

**OLD BUSINESS:**

**NEW BUSINESS:**

- 20. AUTHORIZE THE CREATION OF A GROUND TRANSPORTATION AD HOC COMMITTEE TO INCLUDE BOARD MEMBERS AND SELECTED STAKEHOLDERS FOR A TERM NOT TO EXCEED EIGHT (8) MONTHS:**

Marc Nichols, Director, Ground Transportation, provided a presentation on the Creation of a Ground Transportation Ad Hoc Committee that included the Purpose, Proposed Members, Deliverable, and Timeline.

CARELYN REYNOLDS, TRANSPORTATION ALLIANCE GROUP, spoke regarding the need to have charter industry representation on the Ad Hoc Committee.

ADRIAN KWIATKOWSKI, SAN DIEGO, TRANSPORTATION ALLIANCE GROUP, spoke in support of the Ad Hoc Committee and requested that TAG, off-airport parking, and charter be included as stakeholder groups.

JOHN B. BARRIAGE, IMPERIAL BEACH, introduced himself as the new representative for the MOA Associations, San Diego Taxi Association, and the Independent Cab Owners Association.

RICHARD ABDALA, SAN DIEGO, representing Aladdin Airport Parking and TAG, requested that off-airport parking be added to the committee and that regular meetings be held.

MIKAIL HUSSEIN, SAN DIEGO, spoke regarding the fair distribution of memberships on the committee.

YONAS MEHARI, spoke regarding the fair distribution of memberships on the committee.

NAJI BARKZAI, SAN DIEGO, spoke in opposition to opening the airport to all taxis.

CETIN OZCETIN, SAN DIEGO, spoke regarding opening the airport to all taxis.

KIDANE WELDEMICHAEL, SAN DIEGO, spoke regarding opening the airport to all taxis.

MEJAY ABEBE, SAN DIEGO, did not speak but registered his support of the Ad Hoc Committee.

DAGNE TEJERA, SAN DIEGO, spoke in support of the Ad Hoc Committee.

ABLE SGIFU, SAN DIEGO, requested to be added to the Committee and questioned how the Ad Hoc Committee's actions would be communicated to all taxis.

SHAWN TOOKHI, SAN DIEGO, spoke in opposition to opening the airport to all taxis.

SAFAA SALEH, SAN DIEGO, questioned why the Ad Hoc Committee was not discussed at their last MOA meeting.

TONY HUESO, SAN DIEGO, spoke regarding the future of the taxi industry.

ALEM ZEBIB, SAN DIEGO, spoke in support of opening the airport to all taxis and recommended that Mr. Hamidi be part of the Ad Hoc Committee.

KAMRAN HAMIDI, SAN DIEGO, provided a presentation and handout, requested to be part of the Ad Hoc Committee and spoke regarding a speedy and fair outcome from the Ad Hoc Committee.

MEAZA WELDEMARIAM, CHULA VISTA, spoke against opening the airport to all taxis.

NASSER TEHRANI, POWAY, representing San Diego Taxi Association, spoke regarding a fair distribution of memberships on the Ad Hoc Committee.

ALAN BEKER, LA MESA, spoke in opposition of opening the airport to all taxis.

Board Member Desmond expressed his support of finding a fair and equitable outcome.

Board Member West stated that a process needs to be developed that is fair and equitable to all while providing the best customer service to our passengers. He stated that, to develop that process, all players should be involved, including charters and parking garages. He thanked Board Members Lloyd and Schiavoni for agreeing to be on the Committee.

Moved by Board Member West and seconded by Board Member Lloyd to approve staff's recommendation.

Chairman Boling clarified that the motion included that Board Members Lloyd, Schiavoni, and West (chair) serve as the Boards representatives on the Ad Hoc Committee as stated by Board Member West.

In response to Chairman Boling's inquiry on whether the motion was to keep the membership as it stands, Board Member West clarified that his motion is for the total stakeholder count to stay at 22 and for TAG, charters, and parking garages be considered for representation under the 8 slots designated for other groups.

Mr. Nichols clarified that the three courtesy modes that are not currently represented are off-airport, hotel/motel, and charter. He stated that TAG is a separate organization and not a mode of transportation.

Board Member West agreed to allow the Ad Hoc committee to consider including off-airport parking, hotel/motel, charter, and TAG as member's of the 8 representatives allotted for other groups and residents of San Diego County.

In response to Board Member Kersey's inquiry regarding how the Ad Hoc Committee will be governed, Amy Gonzalez, General Counsel, stated that there are three voting Board Members and any recommendations that the committee makes would be memorialized in a report to be presented to the full Board.

Angela Shafer-Payne, Vice President, Operations, stated that the Resolution should be amended to remove the requirement that the three representative leased-vehicle drivers from MTS, come from their taxicab Advisory Committee. She stated that by removing this requirement it would allow for non-airport taxi cabs to be represented on the committee.

**RECOMMENDATION:** Adopt Resolution No. 2018-0118, authorizing the creation of a Ground Transportation Ad Hoc Committee to include three (3) Board Members and twenty-two (22) stakeholders for a limited duration not to exceed eight (8) months.

**ACTION:** Moved by Board Member West and seconded by Board Member Lloyd to approve staff's recommendation as amended, by deleting the requirement for the leased-vehicle drivers from the non-airport MTS permitted stakeholder pool who currently sit on the MTS Technical Advisory Committee; and that the Ad Hoc committee consider off-airport parking, hotel/motel, charter, and TAG as members of the 8 representatives allotted for other groups and residents of San Diego County. Motion carried by the following votes: YES – Boling, Cox, Desmond, Kersey, Lloyd, Robinson, Schumacher, West; NO – None; ABSENT – Schiavoni; (Weighted Vote Points: YES – 87; NO – 0; ABSENT – 13).

*The Board recessed at 10:32 a.m. and reconvened at 11:10 a.m.*

**CLOSED SESSION:** The Board recessed into Closed Session at 11:11 a.m. to discuss Items 26, 27 and 30.

- 21. 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
- 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-EXISTING LITIGATION:**  
(Paragraph (1) of subdivision (d) of Cal. Gov. Code §54956.9)  
Name of Case: Future DB International, Inc. v. San Diego County Regional Airport Authority, et al.  
San Diego Superior Court Case No. 37-2018-00001531-CU-CR-CTL
- 24. CONFERENCE WITH LEGAL COUNSEL EXISTING LITIGATION**  
(Paragraph (1) of subdivision (d) of Cal. Gov. Code 54956.9)  
Name of Case: Robert Bobbett and Donna Kashani v. San Diego Unified Port District, et al.  
San Diego Superior Court Case No. 37-2018-00014667-CU-PO-CTL

- 25. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION:**  
(Paragraph (1) of subdivision (d) of Cal. Gov. Code §54956.9)  
Name of Case: Enterprise Rent-a-Car Co. Of Los Angeles LLC v. San Diego Unified Port District, San Diego Superior Court Case No. 37-2018-00028276-CU-MC-CTL
- 26. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION:**  
(Paragraph (1) of subdivision (d) of Cal. Gov. Code §54956.9)  
Name of Case: Park Assist LLC v. San Diego County Regional Airport Authority, et al.  
United States District Court Case No. 18 CV2068 LAB MDD
- 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: 2
- 28. 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
- 29. 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
- 30. 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
- 31. CONFERENCE WITH REAL PROPERTY NEGOTIATORS:**  
Property: Airline Operating and Lease Agreement - San Diego International Airport  
Agency Negotiator: Kim Becker, Scott Brickner, John Dillon, Kathy Kiefer, Amy Gonzalez  
Negotiating Parties: Alaska Airlines, Allegiant Airlines, American Airlines, British Airways, Delta Airlines, FedEx, JetBlue Airlines, Southwest Airlines, United Airlines  
Under Negotiation: price and terms of payment
- 32. CONFERENCE WITH REAL PROPERTY NEGOTIATORS:**  
Property: Non-Exclusive Concession Lease - San Diego International Airport  
Agency Negotiator: Eric Podnieks, Susan Diekman  
Negotiating Parties: Lucas Yezik, In-Ter-Space dba Clear Channel

**REPORT ON CLOSED SESSION:** The Board adjourned out of Closed Session at 12:42 p.m. There was no reportable action.

**GENERAL COUNSEL REPORT:** None.

**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:** None.

**ADJOURNMENT:** The meeting adjourned at 12:42 p.m.

APPROVED BY A MOTION OF THE SAN DIEGO COUNTY REGIONAL AIRPORT AUTHORITY BOARD THIS 1<sup>st</sup> DAY OF NOVEMBER, 2018.

ATTEST:

  
\_\_\_\_\_  
TONY B. RUSSELL  
DIRECTOR, BOARD SERVICES /  
AUTHORITY CLERK

APPROVED AS TO FORM:

  
\_\_\_\_\_  
AMY GONZALEZ  
GENERAL COUNSEL