

SAN DIEGO COUNTY REGIONAL AIRPORT AUTHORITY

Board Members

Johanna S. Schiavoni
Chairman

Catherine Blakespear
Gil Cabrera
Robert T. Lloyd
Paul McNamara
Paul Robinson
Mark B. West

BOARD MEETING **AGENDA**

Thursday, January 7, 2021
9:00 A.M.

San Diego International Airport
SDCRAA Administration Building
3225 N. Harbor Drive
San Diego, California 92101

Ex-Officio Board Members

Gustavo Dallarda
Col. Charles B. Dockery
Gayle Miller

President / CEO

Kimberly J. Becker

This meeting of the Board of the San Diego County Regional Airport Authority Board will be conducted pursuant to the provisions of California Executive Order N-29-20 which suspends certain requirements of the Ralph M. Brown Act. During the current State of Emergency and in the interest of public health, all Board members will be participating in the meeting electronically. In accordance with the Executive Order, there will be no members of the public in attendance at the Board Meeting. We are providing alternatives to in-person attendance for viewing and participating in the meeting. In lieu of in-person attendance, members of the public may submit their comments in the following manner.

Comment on Non-Agenda Items

Public comments on non-agenda items must be submitted to the Authority Clerk at clerk@san.org, no later than 4:00 p.m. the day prior to the posted meeting in order to be eligible to be read into the record. The Authority Clerk will read the first 30 comments received by 4:00 p.m. the day prior to the meeting into the record. The maximum number of comments to be read into the record on a single issue will be 16. All other comments submitted, including those received after 4:00 p.m. the day prior and before 8:00 a.m. the day of the meeting, will be provided to the Authority Board and submitted into the written record for the meeting.

Comment on Agenda Items

Public comments on agenda items received no later than 8:00 a.m. on the day of the meeting will be distributed to the Board and included in the record.

If you'd like to speak to the Board live during the meeting, please follow these steps to request to speak:

- **Step 1:** Fill out the online [Request to Speak Form](#) to speak during the meeting via teleconference. The form must be submitted by 4 p.m. the day before the meeting or by 4:00 p.m. the Friday before a Monday meeting. After completing the form, you'll get instructions on how to call in to the meeting.
- **Step 2:** Watch the meeting via the Webcast located at the following link, <https://www.san.org/Airport-Authority/Meetings-Agendas/Archive?EntryId=13940>

- **Step 3:** When the Board begins to discuss the agenda item you want to comment on, call in to the conference line, you will be placed in a waiting area. ***Please do not call until the item you want to comment on is being discussed.***
- **Step 4:** When it is time for public comments on the item you want to comment on, Authority Clerk staff will invite you into the meeting and unmute your phone. Please mute the webcast to avoid any feedback. Staff will then ask you to state your name and begin your comments.

You may also view the meeting online at the following link: <https://www.san.org/Airport-Authority/Meetings-Agendas/Archive?EntryId=13940>

REQUESTS FOR ACCESSIBILITY MODIFICATIONS OR ACCOMMODATIONS

As required by the Americans with Disabilities Act (ADA), requests for agenda information to be made available in alternative formats, and any requests for disability-related modifications or accommodations required to facilitate meeting participation, including requests for alternatives to observing meetings and offering public comment as noted above, may be made by contacting the Authority Clerk at (619) 400-2550 or <mailto:clerk@san.org>. The Authority is committed to resolving accessibility requests swiftly in order to maximize accessibility

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. ***Please note that agenda items may be taken out of order.*** 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 Board 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 Board Services/Authority Clerk Department.

CALL TO ORDER:

ROLL CALL:

PRESENTATIONS:

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

- **AUDIT COMMITTEE:**
Committee Members: Blakespear, McNamara (Vice Chair), Nickerson, Vann, Van Sambeek, West
- **CAPITAL IMPROVEMENT PROGRAM OVERSIGHT COMMITTEE:**
Committee Members: Lloyd, Robinson, West (Chair)
- **EXECUTIVE PERSONNEL AND COMPENSATION COMMITTEE:**
Committee Members: Robinson, Schiavoni (Chair)
- **FINANCE COMMITTEE:**
Committee Members: Blakespear, McNamara, Schiavoni (Vice Chair)

ADVISORY COMMITTEES

- **AUTHORITY ADVISORY COMMITTEE:**
Liaison: Robinson (Primary), Schiavoni
- **ARTS ADVISORY COMMITTEE:**
Committee Member: Robert H. Gleason

LIAISONS

- **CALTRANS:**
Liaison: Dallarda
- **INTER-GOVERNMENTAL AFFAIRS:**
Liaison:
- **MILITARY AFFAIRS:**
Liaison: Dockery
- **PORT:**
Liaisons: Robinson
- **WORLD TRADE CENTER:**
Representatives: Robert H. Gleason

BOARD REPRESENTATIVES (EXTERNAL)

- **SANDAG BOARD OF DIRECTORS:**
Representative: Robinson
- **SANDAG TRANSPORTATION COMMITTEE:**
Representatives: Schiavoni (Primary), West

CHAIR'S REPORT:

PRESIDENT/CEO'S REPORT:

NON-AGENDA PUBLIC COMMENT:

Non-Agenda 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 -10):

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:

RECOMMENDATION: Approve the minutes of the December 3, 2020 regular Board 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.

(Board Services: Tony R. Russell, Director/Authority Clerk)

- 3. AWARDED CONTRACTS, APPROVED CHANGE ORDERS FROM NOVEMBER 9, 2020 THROUGH DECEMBER 6, 2020 AND REAL PROPERTY AGREEMENTS GRANTED AND ACCEPTED FROM NOVEMBER 9, 2020 THROUGH DECEMBER 6, 2020:**
RECOMMENDATION: Receive the report.
(Procurement: Jana Vargas, Director)
- 4. JANUARY 2021 LEGISLATIVE REPORT:**
RECOMMENDATION: Adopt Resolution No. 2021-0001, approving the January 2021 Legislative Report.
(Government Relations: Matt Harris, Director)
- 5. APPROVE AND AUTHORIZE THE PRESIDENT/CEO TO EXTEND THE RENT FORBEARANCE AND ABATEMENT PROGRAM TO PROVIDE RENT ABATEMENT TO QUALIFYING NON-AIRLINE TENANTS FOR AN ADDITIONAL TEMPORARY PERIOD NOT TO EXCEED THREE (3) MONTHS, AS A RESULT OF THE CONTINUED IMPACT OF THE COVID-19 PANDEMIC:**
RECOMMENDATION: Adopt Resolution No. 2021-0002, approving and authorizing the President/CEO to execute the required agreements to extend the Authority's temporary rent forbearance and abatement program to temporarily reduce rental obligations of qualifying non-airline tenants at the Airport, by providing abatement of monthly minimum annual guarantee (MAG), certain fixed-rent, and a portion of cost recovery payments for a period not to exceed three (3) months beginning January 1, 2021 and ending March 31, 2021, in response to the continued impact of the COVID-19 pandemic crisis.
(Revenue Generation & Partnership Development: Jim DeCock, Acting Director)
- 6. APPROVE AND AUTHORIZE THE PRESIDENT/CEO TO EXECUTE THE ELEVENTH AMENDMENT TO THE AGREEMENT WITH LEIGH FISHER TO COMPLETE ENVIRONMENTAL REVIEW FOR THE AIRPORT DEVELOPMENT PLAN:**
RECOMMENDATION: Adopt Resolution No. 2021-0003, approving and authorizing the President/CEO to execute the Eleventh Amendment to the agreement with Leigh Fisher extending the term by 12 months to complete the Airport Development Plan's environmental review.
(Planning & Environmental Affairs: Brendan Reed, Director)
- 7. APPOINTMENTS TO BOARD COMMITTEES, LIAISON POSITIONS, OTHER REPRESENTATIVE AND ALTERNATE POSITIONS:**
RECOMMENDATION: Adopt Resolution No. 2021-0007, appointing Gil Cabrera as a Member of the Capital Improvement Program Oversight Committee and Finance Committee.
(Board Services: Tony R. Russell, Director/Authority Clerk)

CLAIMS

- 8. REJECT THE CLAIM OF MARILYN JENKS:**
RECOMMENDATION: Adopt Resolution No. 2021-0004, rejecting the claim of Marilyn Jenks.
(Legal: Amy Gonzalez, General Counsel)
- 9. REJECT THE CLAIM OF ROBERT JENKS:**
RECOMMENDATION: Adopt Resolution No. 2021-0005, rejecting the claim of Robert Jenks.
(Legal: Amy Gonzalez, General Counsel)
- 10. REJECT THE CLAIM OF CHERYL FINKBEINER:**
RECOMMENDATION: Adopt Resolution No. 2021-0006, rejecting the claim of Cheryl Finkbeiner.
(Legal: Amy Gonzalez, General Counsel)

COMMITTEE RECOMMENDATIONS

CONTRACTS AND AGREEMENTS

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

PUBLIC HEARINGS:

OLD BUSINESS:

NEW BUSINESS:

CLOSED SESSION:

- 11. 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
- 12. 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

- 13. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION:**
(Paragraph (1) of subdivision (d) of Cal. Gov. Code §54956.9)
Name of Case: Quiet Skies San Diego v. San Diego County Regional Airport Authority
San Diego Superior Court Case No. 37-2020-00007998-CU-TT-CTL
- 14. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION:**
(Paragraph (1) of subdivision (d) of Section 54956.9)
Name of case: In re Hertz Global Holdings, Inc., Case No. 20-11219-MFW
- 15. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION:**
(Paragraph (1) of subdivision (d) of Section 54956.9)
Name of case: Elizabeth Stillwagon v. San Diego County Regional Airport Authority
San Diego Superior Court Case No. 37-2020-00015509-CU-OE-CTL
- 16. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION:**
(Paragraph (1) of subdivision (d) of Cal. Gov. Code §54956.9)
Name of Case: City of Coronado v. San Diego County Regional Airport Authority, et al.
San Diego Superior Court Case No. 37-2020-00039394-CU-TT-CTL
- 17. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION:**
(Paragraph (1) of subdivision (d) of Cal. Gov. Code §54956.9)
Name of case: In re Advantage Holdco, Inc., et al., Case No. 20-11259-JTD
- 18. 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
- 19. 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
- 20. 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: 1

- 21. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION:**
(Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Cal. Gov. Code §54956.9)
Order No. WQ 2019-0005-DWQ by the State Water Resources Control Board pertaining to PFAS
Number of potential cases: 1
- 22. CONFERENCE WITH REAL PROPERTY NEGOTIATORS:**
(Government Code §54956.8)
Property: 2554-2610 California Street, San Diego CA 92101
Agency negotiator: Hampton Brown, Eric Podnieks
Negotiating parties: Ryan King, Voit Estate Services
Under negotiation: Price and terms of payment
- 23. THREAT TO PUBLIC SERVICES OR FACILITIES:**
Consultation with: General Counsel and President/CEO

REPORT ON CLOSED SESSION:

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 submit an email to the Clerk at clerk@san.org 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 submit an email 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 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.
- 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.
- 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 Administration Building. Bring your ticket to the third floor receptionist for validation.

You may also reach the SDCRAA Building 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.

DRAFT
SAN DIEGO COUNTY REGIONAL AIRPORT AUTHORITY BOARD
MINUTES
THURSDAY, DECEMBER 3, 2020
SAN DIEGO INTERNATIONAL AIRPORT
BOARD ROOM

CALL TO ORDER: Chairman Boling called the meeting of the San Diego County Regional Airport Authority Board to order at 9:02 a.m. on Thursday, December 3, 2020, electronically and via teleconference pursuant to Executive Order N-29-20 at the San Diego International Airport, Administration Building, 3225 North Harbor Drive, San Diego, CA 92101.

ROLL CALL:

PRESENT: Board Members: Blakespear, Boling, Cox, Dallarda (Ex-Officio), Kersey, Lloyd, McNamara, Robinson, Schiavoni, West

ABSENT: Board Members: Dockery (Ex-Officio), Miller (Ex-Officio)

ALSO PRESENT: Kimberly J. Becker, President/CEO; Amy Gonzalez, General Counsel; Tony R. Russell, Director, Board Services/Authority Clerk; Martha Morales, Assistant Authority Clerk I

Chairman Boling announced that the agenda would be taken out of order starting with one item under Closed Session and then return into Open Session for the remaining agenda.

CLOSED SESSION: The Board recessed into Closed Session at 9:03 a.m. to discuss Item 32.

REPORT ON CLOSED SESSION: The Board reconvened into Open Session at 9:26 a.m.

NEW BUSINESS:

16. PUBLIC EMPLOYEE COMPENSATION: DISCUSSION AND POSSIBLE ACTION CONCERNING THE EMPLOYMENT CONTRACT OF THE PRESIDENT/CEO:

Board Member Schiavoni reported that the Executive Personnel and Compensation Committee met in Closed Session on October 5 and November 5 to discuss the employment of the President/CEO, Kim Becker. She reported that the President/CEO's employment contract has a term of three years with two one year options and that we are currently in the first of the two year options. She recommended that, in light of Ms. Becker's excellent work over the past several years and the critical need for continued leadership during the execution of the Airport Development Plan (ADP), the Board enter into a new at-will contract with the President/CEO with the following terms:

- Position: President/CEO
- Term: 3 ½ years beginning January 1, 2021 and ending on June 30, 2024

- Renewal: Option to renew contract for two 1-year periods; automatic renewal on June 30th at the end of each option term without any action by either party unless notice is given 6 months prior to termination date of intent not to renew
- At-Will: The employment of the President/CEO shall be at-will.
- Base Salary: The President/CEO's Base Salary for the first six months of the agreement shall remain at its current rate of \$344,500 which shall be increased to \$352,423.50 on July 1, 2021
- CPI: Base Salary will be adjusted on July 1 of each year starting July 1, 2021, no single increase shall exceed 5% and noting that the President/CEO voluntarily foregoes the CPI increase that would have been effective July 1, 2020 in light of the COVID pandemic
- Bonus: Board may award discretionary bonus up to 25% of base salary in any 12 month period
- Benefits: Senior executive standard benefits, including:
 - Car allowance of \$750 per month
 - Participation in SDCERS retirement plan and 8.5% Authority contribution
 - 401(a) deferred compensation Authority contribution of \$15,000 per year
 - Retiree Health Benefits: If the President/CEO chooses to retire from the Authority, the President/CEO may participate in 1st Generation retiree medical and dental coverage and pay the then current contribution. Should the President/CEO become eligible for medical and dental coverage with a successor employer, eligibility for 1st Generation retiree medical and dental coverage will cease. Coverage offered to the President/CEO will be the same coverage offered to 1st Generation Retirees and any future coverage will be applicable to the President/CEO, including without limitation, elimination of such coverage. Coverage will only be offered to the extent that coverage does not conflict with applicable law. Because of the President/CEO's unique position, I recommend that the Board make an exception to Resolution No. 2006-0061 and 2006-0128.1 which held that as of May 1, 2006 that the Board has not adopted a health care benefits program for retirees and there should not be an expectation of a lifetime benefit.
 - Paid time off, health and life insurance, holidays, and other fringe benefits
- Severance: If termination is not "for cause" or the Executive terminates employment for "good reason", Executive will receive upon execution of a mutually agreeable release, a severance equal to the lesser of (a) 1 year of base salary or (b) the number of months of the then-remaining term but not less than 6 months.

RECOMMENDATION: The Board will be discussing and possibly taking action regarding the employment contract of the President/CEO

ACTION: Moved by Board Member Schiavoni and seconded by Board Member West to award an employment agreement to Kim Becker as President/CEO of the San Diego County Regional Airport Authority; Authorize preparation of a contract substantially in accordance with the stated proposed terms; Authorize the General Counsel to prepare the employment agreement and approve as to legal form; and Authorize the Board Chair to execute the contract on behalf of the Authority. Motion carried by the following votes: YES – Blakespear, Boling, Cox, Kersey, Lloyd, McNamara, Robinson, Schiavoni, West; NO – None; ABSENT – None; (Weighted Vote Points: YES – 100; NO – 0; ABSENT – 0)

PRESENTATIONS:

A. TAXI AND TNC REGULATORY, OPERATIONAL, TECHNOLOGICAL, AND PERMITTING DIFFERENCES FOR THE CA PUC, MTS, AND THE AIRPORT AUTHORITY:

Marc Nichols, Director, Ground Transportation and Leonardo Fewell, Vehicle for Hire Administration Manager, Metropolitan Transit System (MTS) provided a presentation on Taxi and TNC Regulatory, Operational, Technological, and Permitting Differences for the CA PUC, MTS, and the Airport Authority that included Authority Commercial Vehicle Management Considerations, Permitting, Definition – Taxicab, Definition – Transportation Network Company (TNC), Regulatory Agencies, Regulatory Differences, Technology Differences, Operational Differences, Level Playing Field Issues, Recent Changes for Taxis by MTS and Authority for Taxicabs, and Airport Impact & Industry Outlook.

ADRIAN KWIATKOWSKI, TRANSPORTATION ALLIANCE GROUP, SAN DIEGO, spoke regarding an un-level playing field and his disapproval of the abolishment of the taxi MOAs.

TONY HUESO, USA CAB and SAN DIEGO TRANSPORTATION ASSOCIATION, spoke in support of the item.

Chairman Boling requested a status update with how things are going after a few months.

Board Member Schiavoni left the meeting at 9:37 a.m.

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

- **AUDIT COMMITTEE:** Board Member Kersey reported that on November 16 the Committee reviewed reports issued by the Authority's external Auditor related to the audited financial statements for the fiscal year ended 2020. He reported that the Committee also reviewed the activities of the Office of the Chief Auditor, accepted a revision to the Office of the Chief Auditor's Fiscal Year 2021 Audit Plan, and heard a presentation in Closed Session.

- **CAPITAL IMPROVEMENT PROGRAM OVERSIGHT COMMITTEE:** None.
- **EXECUTIVE PERSONNEL AND COMPENSATION COMMITTEE:** None.
- **FINANCE COMMITTEE:** Board Member Kersey reported that on November 24 the Committee reviewed the unaudited financial statements and investment report for the four months ended October 31, 2020.

ADVISORY COMMITTEES

- **AUTHORITY ADVISORY COMMITTEE:** None.
- **ART ADVISORY COMMITTEE:** Chris Chalupsky, Senior Manager, Art & Community Partnership, reported that a Request for Qualifications (RFQ) for six ADP related public art projects was released on November 6 and will close on December 7. He reported that interviews with finalists for the Airport Development Plan Lead Artist opportunity were completed October 16 and artist James Carpenter was selected. He reported that the Airport's Film Program was promoted worldwide during the San Diego International Film Festival that was held virtually October 15 through October 18. He also reported that the arts at SAN were featured in a recent article titled 5 Things We Love About San Diego International Airport by the website, Stuck at the Airport.

LIAISONS

- **CALTRANS:** Board Member Dallarda reported that due to high winds, a red flag warning was issued for San Diego County which led to the closure of Interstate 8 between Alpine and El Centro for high profile vehicles and power shut-offs for over 73,000 customers in East County. He reported that on December 1, the California Highway Patrol started an enforcement campaign and have issued over 2,300 tickets for speeding in the construction zone on Interstate 5 in the North County. He reported that on December 11 and 12, the connector from State Route 54 to Interstate 805 will be closed to replace a bearing pad. He reported that the California Transportation Commission approved over 172 million dollars for San Diego out of the Trade Corridor Enhancement project. He reported that work is nearly complete on State Route 52 in Kearny Mesa to remove dips caused by settlement of the landfill that is underneath the freeway. He also reported that due to positive COVID-19 cases, the maintenance work force has been affected and they will be prioritizing maintenance work that is most critical.
- **INTER-GOVERNMENTAL AFFAIRS:** Board Member Cox reported that Congress is back in Washington for its end-of-year session and that the House Speaker and Senate Majority Leader have both publicly stated their interest in moving another COVID-relief package and finalizing fiscal year 2021 appropriations bills by the end of the year. He reported that funding for the current fiscal year expires on December 11, and a spending deal or continuing

resolution must be passed before then to avoid a government shutdown. He reported that Authority staff is working with federal consultants and partners to advocate for additional resources in the next COVID-relief package and will provide an update on negotiations and any provisions that impact the Airport Authority and our partners between now and the January Board Meeting. He also reported that in California, the State Legislature returns to Sacramento next Monday for the organizational meeting of the 2021-22 legislative session. He reported that some of the legislative and budget issues we expect the Legislature to address this year include impacts from COVID-19, an infrastructure economic stimulus, homelessness, housing, and climate resiliency. He reported that Authority staff is currently working with our state and federal consultants, partners at the California Airports Council and other stakeholders to prepare the 2021 legislative agenda and will present this item at the January Board Meeting. He also reported that Authority staff has begun outreach efforts to newly elected officials at the regional, State, and Federal levels.

- **MILITARY AFFAIRS:** None.
- **PORT:** None.
- **WORLD TRADE CENTER:** Hampton Brown, Interim Vice President, Revenue Generation and Partnership, reported that the Board of the World Trade Center San Diego met on November 17 and heard an update on the 2020 Work Plan and Annual Report as well as an update on the 2020 Global Competitiveness Council. He reported that in regards to the current Work Plan, the WTC has pivoted as a result of the pandemic to supporting small business in the region, while addressing license holder needs. He reported that WTC staff also presented a draft of the 2021 Budget as well as a framework and timeline for the Go Global Strategic Plan. He reported that next year's work plan will continue the work of the Metro Connect program to help local companies expand exports, retain international Air Service, and advance the 2025 Global Strategy that is currently under development.

BOARD REPRESENTATIVES (EXTERNAL)

- **SANDAG BOARD OF DIRECTORS:** Chairman Boling reported that, last month, the SANDAG Board received a report on the short-term funding needs and considerations for the TransNet Major Corridors Program due to projections of the timing of future revenues is not expected to align with planned project expenditures. She reported that the presentation provided options including refinancing bonds and other financing methods, but it was made clear that even after implementing all of the proposed options, there would remain a funding need of 40 to 90 million in the short term, which will likely result in the delay of some projects.
- **SANDAG TRANSPORTATION COMMITTEE:** Matt Harris, Director, Government Relations, reported that last month the Committee received a briefing on the

TransNet Major Corridors Program funding. He reported that CalTrans provided the Committee with updates on North Coast Corridor Program and the Coast, Canyons, and Trails Comprehensive Multimodal Corridor Plan. He reported that the Committee also forwarded to the Board a recommendation to approve a TIFIA loan agreement for the Mid-Coast Corridor Transit Project. He also reported that the Port of San Diego provided an overview of its Revised Draft Port Master Plan Update, its revised Draft Mobility Element, as well as mobility-related planning improvements identified in the planning districts around San Diego Bay.

CHAIR'S REPORT: Chairman Boling thanked Board Members Cox and Kersey for their years of service on the Board.

PRESIDENT/CEO'S REPORT: Kim Becker, President/CEO, reported that on Sunday after Thanksgiving, there were 31,000 passengers at SAN which is the most in a single day since March. She reported that nationwide, for the week ending November 29, passengers set a pandemic monthly record of 6.42 million. She reported that there has been intense interest from the media about holiday travel this year, with more than a dozen stories mentioning the Airport Authority's efforts to ensure the health and safety of the traveling public. She reported that Alaska Airlines began nonstop service to Cancun on November 20 and Fort Lauderdale on November 21 as well as seasonal nonstop service to Jackson Hole, Wyoming on December 17. She reported that COVID-19 testing for passengers has started at the airport with Alaska Airlines offering tests for Hawaii-bound passengers by appointment only. She also reported that the Airport Authority's 2019-2020 Sustainability Report will be released on Tuesday of next week at sustain.san.org.

NON-AGENDA PUBLIC COMMENT: None.

CONSENT AGENDA (Items 1-14):

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

1. APPROVAL OF MINUTES:

RECOMMENDATION: Approve the minutes of the October 16, 2020 special and November 5, 2020 regular Board 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 12, 2020 THROUGH NOVEMBER 8, 2020 AND REAL PROPERTY AGREEMENTS GRANTED AND ACCEPTED FROM OCTOBER 12, 2020 THROUGH NOVEMBER 8, 2020:**
RECOMMENDATION: Receive the report.
- 4. DECEMBER 2020 LEGISLATIVE REPORT:**
RECOMMENDATION: Adopt Resolution No. 2020-0113, approving the December 2020 Legislative Report.
- 5. APPOINTMENT OF AUTHORITY ADVISORY COMMITTEE MEMBERS:**
RECOMMENDATION: Adopt Resolution No. 2020-0114, appointing members to the Authority Advisory Committee.
- 6. APPOINTMENTS TO BOARD COMMITTEES, LIAISON POSITIONS, OTHER REPRESENTATIVE AND ALTERNATE POSITIONS:**
RECOMMENDATION: Adopt Resolution No. 2020-0115, appointing April Boling as the primary advisory member and Paul Robinson as the alternate advisory member to the SANDAG Board of Directors.
- 7. ABATE 10% JOINT USE FEES AND ALL RENT FOR EXCLUSIVE USE SPACES FOR QUALIFYING AIR CARRIERS OPERATING INTERNATIONAL FLIGHTS TO/FROM AREAS AFFECTED BY THE PROHIBITED ENTRY OF FOREIGN NATIONALS DUE TO PRESIDENTIAL PROCLAMATIONS 9993 AND 9996:**
RECOMMENDATION: Adopt Resolution No. 2020-0116, abating 10% joint use fees and all rent for exclusive use space for qualifying air carriers operating international flights to/from areas affected by the prohibited entry of foreign nationals due to Presidential Proclamations 9993 and 9996, beginning March 15, 2020 and March 17, 2020, respectively and ending upon the date of rescission of applicable proclamations.
- 8. WRITE-OFF OF CORONADO TRANSPORTATION SYSTEMS UNCOLLECTABLE ACCOUNT RECEIVABLE BALANCE:**
RECOMMENDATION: Adopt Resolution No. 2020-0117*, approving the write-off of \$165,140.80 relating to the uncollectable accounts receivable balance of Coronado Transportation Systems, Inc.

*Resolution No. corrected

CLAIMS

COMMITTEE RECOMMENDATIONS

- 9. FISCAL YEAR 2021 FIRST QUARTER REPORT FROM THE OFFICE OF THE CHIEF AUDITOR:**
RECOMMENDATION: The Audit Committee recommends that the Board accept the report.
- 10. REVISION TO THE FISCAL YEAR 2021 AUDIT PLAN OF THE OFFICE OF THE CHIEF AUDITOR:**
RECOMMENDATION: The Audit Committee recommends that the Board Adopt Resolution No. 2020-0118, approving the revision to the Fiscal Year 2021 Audit Plan of the Office of the Chief Auditor.
- 11. EXTERNAL AUDITOR'S FISCAL YEAR ENDED JUNE 30, 2020 REPORT: A) AUDITED FINANCIAL STATEMENTS, B) SINGLE AUDIT REPORTS, C) PASSENGER FACILITY CHARGES 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.
- 12. REVIEW OF THE COMPREHENSIVE ANNUAL FINANCIAL REPORT (CAFR) FOR THE YEAR ENDED JUNE 30, 2020:**
RECOMMENDATION: The Audit Committee recommends that the Board accept the report.

CONTRACTS AND AGREEMENTS

- 13. RESCIND RESOLUTION NO. 2020-0106 AWARDING A LABOR AND EMPLOYMENT LEGAL SERVICES AGREEMENT TO BURKE WILLIAMS AND SORENSON LLP:**
RECOMMENDATION: Adopt Resolution No. 2020-0119*, rescinding Resolution No. 2020-0106 awarding a legal services agreement to Burke Williams and Sorenson LLP.

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

- 14. APPROVE AND AUTHORIZE THE AWARD OF CONTRACT TO HAZARD CONSTRUCTION COMPANY FOR REHABILITATE CROSS TAXIWAYS C2, C5, & D AT SAN DIEGO INTERNATIONAL AIRPORT:**
RECOMMENDATION: Adopt Resolution No. 2020-0120, awarding a contract to Hazard Construction Company, in the amount of \$2,330,052 for Project No. 104255A, Rehabilitate Cross Taxiways C2, C5, & D at San Diego International Airport.

*Resolution No. corrected

PUBLIC HEARINGS:

OLD BUSINESS:

NEW BUSINESS:

- 15. AUTHORITY CODE UPDATES FOR GROUND TRANSPORTATION ISSUES:**
Marc Nichols, Director, Ground Transportation, provided a presentation on Authority Code Updates for Ground Transportation Issues that included Industry Changes, Affected Authority Codes, Code 9.12(a)(1) – Vehicle Restrictions, Code 9.12(a)(5) – Vehicle Age, Code 9.19(b)(2)(ii) – Transferability, Code 9.21(c)(4) – Pickup Areas, and Code 9.30(k) – Operations.

ADRIAN KWIATKOWSKI, TRANSPORTATION ALLIANCE GROUP, SAN DIEGO, spoke in support of the item.

PETER ZSCHIESCHE, UNITED TAXI WORKERS, SAN DIEGO, thanked the Board and staff for their work in opening the airport to all taxis.

TONY HUESO, SAN DIEGO TRANSPORTATION ASSOCIATION, spoke in support of the item.

RECOMMENDATION: Adopt Resolution No. 2020-0121, amending Authority Codes 9.12, 9.19, 9.21, and 9.30 to reflect updated operational, regulatory, technology, and permitting requirements in the Ground Transportation operating environment.

ACTION: Moved by Board Member West and seconded by Board Member Robinson to approve the staff's recommendation. Motion carried by the following votes: YES – Blakespear, Boling, Cox, Kersey, Lloyd, McNamara, Robinson, West; NO – None; ABSENT – Schiavoni; (Weighted Vote Points: YES – 87; NO – 0; ABSENT – 13)

The Board recessed at 10:55 a.m. and reconvened at 10:57 a.m.

CLOSED SESSION: The Board recessed into Closed Session at 10:58 a.m. to discuss Item 19, 22, 31.

- 17. 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

- 18. 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
- 19. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION:**
(Paragraph (1) of subdivision (d) of Cal. Gov. Code §54956.9)
Name of Case: Quiet Skies San Diego v. San Diego County Regional Airport Authority
San Diego Superior Court Case No. 37-2020-00007998-CU-TT-CTL
- 20. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION:**
(Paragraph (1) of subdivision (d) of Section 54956.9)
Name of case: In re Hertz Global Holdings, Inc., Case No. 20-11219-MFW
- 21. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION:**
(Paragraph (1) of subdivision (d) of Section 54956.9)
Name of case: Elizabeth Stillwagon v. San Diego County Regional Airport Authority
San Diego Superior Court Case No. 37-2020-00015509-CU-OE-CTL
- 22. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION:**
(Paragraph (1) of subdivision (d) of Cal. Gov. Code §54956.9)
Name of Case: City of Coronado v. San Diego County Regional Airport Authority, et al.
San Diego Superior Court Case No. 37-2020-00039394-CU-TT-CTL
- 23. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION:**
(Paragraph (1) of subdivision (d) of Cal. Gov. Code §54956.9)
Name of case: In re Advantage Holdco, Inc., et al., Case No. 20-11259-JTD
- 24. 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
- 25. 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

- 26. 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: 1
- 27. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION:**
(Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Cal. Gov. Code §54956.9)
Order No. WQ 2019-0005-DWQ by the State Water Resources Control Board pertaining to PFAS
Number of potential cases: 1
- 28. CONFERENCE WITH LABOR NEGOTIATORS:**
(Cal. Gov. Code section 54957.6)
Agency designated representatives: Angela Shafer-Payne, Monty Bell, Lola Barnes, Greg Halsey, Rod Betts
Employee organization: California Teamsters Local 911
- 29. CONFERENCE WITH REAL PROPERTY NEGOTIATORS:**
(Government Code §54956.8)
Property: 2554-2610 California Street, San Diego CA 92101
Agency negotiator: Hampton Brown, Eric Podnieks
Negotiating parties: Ryan King, Voit Estate Services
Under negotiation: Price and terms of payment
- 30. THREAT TO PUBLIC SERVICES OR FACILITIES:**
Consultation with: General Counsel and President/CEO
- 31. THREAT TO PUBLIC SERVICES OR FACILITIES:**
Consultation with: Clint Welch, Director Aviation Security and Public Safety;
Jessica Bishop, Director Information Technology Services; John Thomes, Cyber Security Specialist
- 32. PUBLIC EMPLOYEE PERFORMANCE EVALUATION:**
Cal. Gov. Code §54957
Title: President/Chief Executive Officer

REPORT ON CLOSED SESSION: The Board adjourned out of Closed Session at 11:38 a.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: None.

BOARD COMMENT: None.

ADJOURNMENT: The meeting adjourned at 11:38 a.m.

APPROVED BY A MOTION OF THE SAN DIEGO COUNTY REGIONAL AIRPORT
AUTHORITY BOARD THIS 7TH DAY OF JANUARY, 2021.

ATTEST:

TONY R. RUSSELL
DIRECTOR, BOARD SERVICES /
AUTHORITY CLERK

APPROVED AS TO FORM:

AMY GONZALEZ
GENERAL COUNSEL

SAN DIEGO COUNTY REGIONAL AIRPORT AUTHORITY

Item No.
2

STAFF REPORT

Meeting Date: **JANUARY 7, 2021**

Subject:

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.

Background/Justification:

Authority Policy 1.10 defines a “day of service” for Board Member compensation and outlines the requirements for Board Member attendance at meetings.

Pursuant to Authority Policy 1.10, Board Members are required to deliver to the Board a written report regarding their participation in meetings for which they are compensated. Their report is to be delivered at the next Board meeting following the specific meeting and/or training attended. The reports (Attachment A) were reviewed pursuant to Authority Policy 1.10 Section 5 (g), which defines a “day of service”. The reports were also reviewed pursuant to Board Resolution No. 2019-0074, which granted approval of Board Member representation for attending events and meetings.

The attached reports are being presented to comply with the requirements of Policy 1.10 and the Authority Act.

Fiscal Impact:

Board and Committee Member Compensation is included in the FY 2021 Budget

Authority Strategies/Focus Areas:

This item supports one or more of the following (*select at least one under each area*):

Strategies

- Community Strategy
 Customer Strategy
 Employee Strategy
 Financial Strategy
 Operations Strategy

Focus Areas

- Advance the Airport Development Plan
 Transform the Customer Journey
 Optimize Ongoing Business

Environmental Review:

- A. This Board action is not a project that would have a significant effect on the environment as defined by the California Environmental Quality Act (CEQA), as amended. 14 Cal. Code Regs. Section 15378. This Board action is not a "project" subject to CEQA. Pub. Res. Code Section 21065.
- B. California Coastal Act Review: This Board action is not a "development" as defined by the California Coastal Act, Pub. Res. Code Section 30106.
- C. NEPA: This Board action is not a project that involves additional approvals or actions by the Federal Aviation Administration ("FAA") and, therefore, no formal review under the National Environmental Policy Act ("NEPA") is required.

Application of Inclusionary Policies:

Not applicable.

Prepared by:

TONY R. RUSSELL
DIRECTOR, BOARD SERVICES/AUTHORITY CLERK

BOARD MEMBER EVENT/MEETING/TRAINING REPORT SUMMARY

Directions: This Form permits Board Members to report their attendance at meetings, events, and training that qualifies for “day of service” compensation pursuant to Cal. Pub. Util. Code §170017, Board Policy 1.10 and Board Resolution 2019-0074. Unless attending a meeting held pursuant to the Brown Act, attendance must be pre-approved by the Board prior to attendance and a written report delivered at the next Board meeting. After completing this Form, please forward it to Board Services, Authority Clerk Staff.

Period Covered:	December 2020	
Board Member Name:	Catherine Blakespear	
Date:	12/21/20	
Type of Meeting	Date/Time/Location of Event/Meeting/Training	Summary and Description of the Event/Meeting/Training
<input checked="" type="checkbox"/> Brown Act <input type="checkbox"/> Pre-approved <input type="checkbox"/> Res. 2019-0074	December 3, 2020 9:00 a.m. - 1:00 p.m. Microsoft Teams	Board/ALUC Meeting
<input checked="" type="checkbox"/> Brown Act <input type="checkbox"/> Pre-approved <input type="checkbox"/> Res. 2019-0074	December 21, 2020 9:00 a.m. - 11:00 a.m. Microsoft Teams	Executive-Finance Committee Meeting
<input type="checkbox"/> Brown Act <input type="checkbox"/> Pre-approved <input type="checkbox"/> Res. 2019-0074		
<input type="checkbox"/> Brown Act <input type="checkbox"/> Pre-approved <input type="checkbox"/> Res. 2019-0074		
<input type="checkbox"/> Brown Act <input type="checkbox"/> Pre-approved <input type="checkbox"/> Res. 2019-0074		
<input type="checkbox"/> Brown Act <input type="checkbox"/> Pre-approved <input type="checkbox"/> Res. 2019-0074		
<input type="checkbox"/> Brown Act <input type="checkbox"/> Pre-approved <input type="checkbox"/> Res. 2019-0074		
<input type="checkbox"/> Brown Act <input type="checkbox"/> Pre-approved <input type="checkbox"/> Res. 2019-0074		
<input type="checkbox"/> Brown Act <input type="checkbox"/> Pre-approved <input type="checkbox"/> Res. 2019-0074		

I certify that I was present for at least half of the time set for each meeting, event, and training listed herein.

Signature: Catherine Blakespear Digitally signed by Catherine Blakespear
Date: 2020.12.21 13:53:22 -08'00'



SDCRAA

JAN 04 2021

Board Services

BOARD MEMBER EVENT/MEETING/TRAINING REPORT SUMMARY

Directions: This Form permits Board Members to report their attendance at meetings, events, and training that qualifies for "day of service" compensation pursuant to Cal. Pub. Util. Code §170017, Board Policy 1.10 and Board Resolution 2019-0074 Unless attending a meeting held pursuant to the Brown Act, attendance must be pre-approved by the Board prior to attendance and a written report delivered at the next Board meeting. After completing this Form, please forward it to Board Services, Authority Clerk Staff.

Table with columns: Type of Meeting, Date/Time/Location of Event/Meeting/Training, Summary and Description of the Event/Meeting/Training. Includes entries for Board/ALUC Meeting, SANDAG BOD Meeting, and Executive Finance Comm. Meeting.

I certify that I was present for at least half of the time set for each meeting, event, and training listed herein.

Signature: [Handwritten Signature]

December 21, 2020

SAN DIEGO COUNTY REGIONAL AIRPORT AUTHORITY

Board Member Event/Meeting/Training Report Summary

Board Services

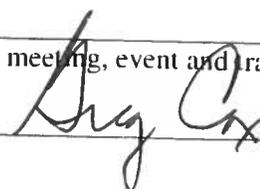
Period Covered: DECEMBER 1-31, 2020

Directions: This Form permits Board Members to report their attendance at meetings, events, and training that qualify for "day of service" compensation pursuant to Cal. Pub. Util. Code §170017, Board Policy 1.10 and Board Resolution 2009-0149R. Unless attending a Board or Board Committee meeting held pursuant to the Brown Act, attendance must be pre-approved prior to attendance and a written report delivered at the next Board meeting. After completing this Form, please forward it to Tony Russell, Authority Chief Clerk.

BOARD MEMBER NAME: (Please print)		DATE OF THIS REPORT:
GREG COX		DECEMBER 21, 2020
TYPE OF MEETING	DATE/TIME/LOCATION OF EVENT/MEETING/TRAINING	SUMMARY AND DESCRIPTION OF THE EVENT/MEETING/TRAINING
<input type="checkbox"/> Brown Act	Date: DEC 3, 2020	SDCRAA BOARD MEETING AIRPORT LAND USE COMMISSION MEETING
<input type="checkbox"/> Pre-approved	Time: 9:00am	
<input type="checkbox"/> Res. 2009-0149R	Location: ZOOM MEETING	
<input type="checkbox"/> Brown Act	Date: DEC. 21, 2020	SDCRAA EXECUTIVE/FINANCE COMMITTEE MEETING SPECIAL BOARD MEETING
<input type="checkbox"/> Pre-approved	Time: 9:00am	
<input type="checkbox"/> Res. 2009-0149R	Location: ZOOM MEETING	
<input type="checkbox"/> Brown Act	Date:	
<input type="checkbox"/> Pre-approved	Time:	
<input type="checkbox"/> Res. 2009-0149R	Location:	
<input type="checkbox"/> Brown Act	Date:	
<input type="checkbox"/> Pre-approved	Time:	
<input type="checkbox"/> Res. 2009-0149R	Location:	
<input type="checkbox"/> Brown Act	Date:	
<input type="checkbox"/> Pre-approved	Time:	
<input type="checkbox"/> Res. 2009-0149R	Location:	
<input type="checkbox"/> Brown Act	Date:	
<input type="checkbox"/> Pre-approved	Time:	
<input type="checkbox"/> Res. 2009-0149R	Location:	
<input type="checkbox"/> Brown Act	Date:	
<input type="checkbox"/> Pre-approved	Time:	
<input type="checkbox"/> Res. 2009-0149R	Location:	

I certify that I was present for at least half of the time set for each meeting, event and training listed herein.

Signature: _____




SAN DIEGO
INTERNATIONAL
AIRPORT

BOARD MEMBER EVENT/MEETING/TRAINING REPORT SUMMARY

Directions: This Form permits Board Members to report their attendance at meetings, events, and training that qualifies for "day of service" compensation pursuant to Cal. Pub. Util. Code §170017, Board Policy 1.10 and Board Resolution 2019-0074 Unless attending a meeting held pursuant to the Brown Act, attendance must be pre-approved by the Board prior to attendance and a written report delivered at the next Board meeting. After completing this Form, please forward it to Board Services, Authority Clerk Staff.

Period Covered:	11/24/2020-12/21/2020	
Board Member Name:	Johanna S. Schiavoni	
Date:	12/21/20	
Type of Meeting	Date/Time/Location of Event/Meeting/Training	Summary and Description of the Event/Meeting/Training
<input type="checkbox"/> Brown Act <input type="checkbox"/> Pre-approved <input checked="" type="checkbox"/> Res. 2019-0074	11/24/2020, 3:00pm	Meeting with SDCRAA General Counsel A. Gonzalez and other SDCRAA staff
<input type="checkbox"/> Brown Act <input type="checkbox"/> Pre-approved <input checked="" type="checkbox"/> Res. 2019-0074	12/15/2020, 11:00am	Teleconference with CEO K. Becker
<input checked="" type="checkbox"/> Brown Act <input type="checkbox"/> Pre-approved <input type="checkbox"/> Res. 2019-0074	12/21/2020, 9:00am	SDCRAA Finance/Executive Committee
<input type="checkbox"/> Brown Act <input type="checkbox"/> Pre-approved <input type="checkbox"/> Res. 2019-0074		
<input type="checkbox"/> Brown Act <input type="checkbox"/> Pre-approved <input type="checkbox"/> Res. 2019-0074		
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SAN DIEGO
INTERNATIONAL AIRPORT

I certify that I was present for at least half of the time set for each meeting, event, and training listed herein.

Signatu



BOARD MEMBER EVENT/MEETING/TRAINING REPORT SUMMARY

Directions: This Form permits Board Members to report their attendance at meetings, events, and training that qualifies for “day of service” compensation pursuant to Cal. Pub. Util. Code §170017, Board Policy 1.10 and Board Resolution 2019-0074 Unless attending a meeting held pursuant to the Brown Act, attendance must be pre-approved by the Board prior to attendance and a written report delivered at the next Board meeting. After completing this Form, please forward it to Board Services, Authority Clerk Staff.

Period Covered:	December 2020	
Board Member Name:	Mark West	
Date:	12/21/20	
Type of Meeting	Date/Time/Location of Event/Meeting/Training	Summary and Description of the Event/Meeting/Training
<input checked="" type="checkbox"/> Brown Act <input type="checkbox"/> Pre-approved <input type="checkbox"/> Res. 2019-0074	Date: Dec. 2020 Time: 8-10 am Location: Microsoft Teams	Ground Transportation Briefing with Board Member West
<input checked="" type="checkbox"/> Brown Act <input type="checkbox"/> Pre-approved <input type="checkbox"/> Res. 2019-0074	Date: Dec 3., 2020 Time: 9-12 am Location: Microsoft Teams	Board/ALUC meeting
<input type="checkbox"/> Brown Act <input type="checkbox"/> Pre-approved <input type="checkbox"/> Res. 2019-0074		
<input type="checkbox"/> Brown Act <input type="checkbox"/> Pre-approved <input type="checkbox"/> Res. 2019-0074		
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<input type="checkbox"/> Brown Act <input type="checkbox"/> Pre-approved <input type="checkbox"/> Res. 2019-0074		
<input type="checkbox"/> Brown Act <input type="checkbox"/> Pre-approved <input type="checkbox"/> Res. 2019-0074		

I certify that I was present for at least half of the time set for each meeting, event, and training listed herein.

Signature: mark west Digitally signed by mark west
Date: 2020.12.21 15:51:45 -08'00'

December 4, 2020



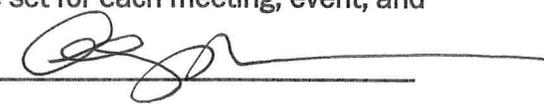
Board Services

BOARD MEMBER EVENT/MEETING/TRAINING REPORT SUMMARY

Directions: This Form permits Board Members to report their attendance at meetings, events, and training that qualifies for "day of service" compensation pursuant to Cal. Pub. Util. Code §170017, Board Policy 1.10 and Board Resolution 2019-0074. Unless attending a meeting held pursuant to the Brown Act, attendance must be pre-approved by the Board prior to attendance and a written report delivered at the next Board meeting. After completing this Form, please forward it to Board Services, Authority Clerk Staff.

Period Covered:		November 2020
Board Member Name:		Agnes Wong Nickerson
Date:		12/2/20
Type of Meeting	Date/Time/Location of Event/Meeting/Training	Summary and Description of the Event/Meeting/Training
<input type="checkbox"/> Brown Act <input type="checkbox"/> Pre-approved <input type="checkbox"/> Res. 2019-0074	11/16/20 Virtual Audit Committee Meeting	
<input type="checkbox"/> Brown Act <input type="checkbox"/> Pre-approved <input type="checkbox"/> Res. 2019-0074		
<input type="checkbox"/> Brown Act <input type="checkbox"/> Pre-approved <input type="checkbox"/> Res. 2019-0074		
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<input type="checkbox"/> Brown Act <input type="checkbox"/> Pre-approved <input type="checkbox"/> Res. 2019-0074		

I certify that I was present for at least half of the time set for each meeting, event, and training listed herein.

Signature: 

STAFF REPORT

Meeting Date: **JANUARY 7, 2021**

Subject:

Awarded Contracts, Approved Change Orders from November 9, 2020 through December 6, 2020 and Real Property Agreements Granted and Accepted from November 9, 2020 through December 6, 2020

Recommendation:

Receive the Report

Background/Justification:

Policy Section Nos. 5.01, Procurement of Services, Consulting, Materials, and Equipment, 5.02, Procurement of Contracts for Public Works, and 6.01, Leasing Policy, require staff to provide a list of contracts, change orders, and real property agreements that were awarded and approved by the President/CEO or her designee. Staff has compiled a list of all contracts, change orders (Attachment A) and real property agreements (Attachment B) that were awarded, granted, accepted, or approved by the President/CEO or her designee since the previous Board meeting.

Fiscal Impact:

The fiscal impact of these contracts and change orders are reflected in the individual program budget for the execution year and on the next fiscal year budget submission. Amount to vary depending upon the following factors:

1. Contracts issued on a multi-year basis; and
2. Contracts issued on a Not-to-Exceed basis.
3. General fiscal impact of lease agreements reflects market conditions.

The fiscal impact of each reported real property agreement is identified for consideration on Attachment B.

Authority Strategies/Focus Areas:

This item supports one or more of the following:

Strategies

- Community Strategy Customer Strategy Employee Strategy Financial Strategy Operations Strategy

Focus Areas

- Advance the Airport Development Plan Transform the Customer Journey Optimize Ongoing Business

Environmental Review:

- A. CEQA: This Board action is not a project that would have a significant effect on the environment as defined by the California Environmental Quality Act ("CEQA"), as amended. 14 Cal. Code Regs. §15378. This Board action is not a "project" subject to CEQA. Cal. Pub. Res. Code §21065.
- B. California Coastal Act Review: This Board action is not a "development" as defined by the California Coastal Act. Cal. Pub. Res. Code §30106.
- C. NEPA: This Board action is not a project that involves additional approvals or actions by the Federal Aviation Administration ("FAA") and, therefore, no formal review under the National Environmental Policy Act ("NEPA") is required.

Application of Inclusionary Policies:

Inclusionary Policy requirements were included during the solicitation process prior to the contract award.

Prepared by:

JANA VARGAS
DIRECTOR, PROCUREMENT

Attachment "A"**AWARDED CONTRACTS AND CHANGE ORDERS SIGNED BETWEEN November 9, 2020 to December 6, 2020****New Contracts**

Date Signed	CIP #	Company	Description	Solicitation Method	Owner	Contract Value	End Date
11/30/2020		SAP Enterprise Support	The Contractor will provide Business Objects Maintenance and Support Services for the San Diego County Regional Airport Authority.	Informal RFP	Information & Technology Services	\$43,966.23	12/13/2021
12/2/2020		Cushman & Wakefield Western	The Contractor will provide Commercial Real Estate Appraisal Services for the San Diego County Regional Airport Authority.	Sole Source	Revenue Generation & Business Development	\$10,000.00	5/31/2021
12/2/2020		Ankura	The Contractor will provide Business Continuity Consulting Services for the San Diego County Regional Airport Authority.	Informal RFP	Aviation Security & Public Safety	\$45,000.00	11/1/2021

Attachment "A"

AWARDED CONTRACTS AND CHANGE ORDERS SIGNED BETWEEN November 9, 2020 to December 6, 2020

New Contracts Approved by the Board

Date Signed	CIP #	Company	Description	Solicitation Method	Owner	Contract Value	End Date
12/1/2020		Paul, Plevin, Sullivan & Connaughton, LLP	The Contract was approved by the Board at the November 5, 2020 Board Meeting. The Contractor will provide Employment and Labor Law Legal Services for the San Diego County Regional Airport Authority.	RFP	General Counsel	\$500,000.00	12/2/2023

Attachment "A"

AWARDED CONTRACTS AND CHANGE ORDERS SIGNED BETWEEN November 9, 2020 to December 6, 2020

Amendments and Change Orders

Date Signed	CIP #	Company	Description of Change	Owner	Previous Contract Amount	Change Order Value (+ / -)	Change Order Value (%) (+ / -)	New Contract Value	New End Date
12/2/2020		Ingram Ober & Marisol Rendon-Ober	This 1st Amendment extends the term by one (1) year. There is no increase in total compensation. The Artist is participating in the "Make Yourself at Home" Exhibition at San Diego International Airport.	Customer Experience Design & Innovation	\$600.00	\$0.00	0%	\$600.00	7/1/2022

Attachment "A"

AWARDED CONTRACTS AND CHANGE ORDERS SIGNED BETWEEN November 9, 2020 to December 6, 2020

Amendments and Change Orders Approved by the Board

Date Signed	CIP #	Company	Description of Change	Owner	Previous Contract Amount	Change Order Value (+ / -)	Change Order Value (%) (+ / -)	New Contract Value	New End Date
			NO AWARDED AMENDMENTS APPROVED BY THE BOARD						

Attachment "B"

REAL PROPERTY AGREEMENTS EXECUTED FROM NOVEMBER 9, 2020 through DECEMBER 6, 2020



Real Property Agreements

Begin/End Dates	Authority Doc. #	Tenant/Company	Agreement Type	Property Location	Use	Property Area (s.f)	Consideration	Comments
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NO REAL PROPERTY AGREEMENTS



Real Property Agreement Amendments and Assignments

Effective Date	Authority Doc. #	Tenant/Company	Agreement Type	Property Location	Use	Property Area (s.f)	Consideration	Comments
10/1/2020	LE-0744	Avis Budget Car Rental, LLC	Temporary Rent Forbearance & Abatement Agreement	Rental Car Center	Non-Exclusive On-Airport Rental Car Concession	N/A	N/A	Special program in response to COVID 19 Pandemic; Executed 11/20/20
10/1/2020	LE-0745	Avis Budget Car Rental, LLC	Temporary Rent Forbearance & Abatement Agreement	Rental Car Center	Rental Car Center Lease Agreement	N/A	N/A	Special program in response to COVID 19 Pandemic; Executed 11/20/20
10/1/2020	LE-0760	Avis Budget Car Rental, LLC	Temporary Rent Forbearance & Abatement Agreement	Rental Car Center	Non-Exclusive On-Airport Rental Car Concession	N/A	N/A	Special program in response to COVID 19 Pandemic; Executed 11/20/20
10/1/2020	LE-0761	Avis Budget Car Rental, LLC	Temporary Rent Forbearance & Abatement Agreement	Rental Car Center	Rental Car Center Lease Agreement	N/A	N/A	Special program in response to COVID 19 Pandemic; Executed 11/20/20
10/1/2020	LE-0880	Certified Folder Display Service, Inc.	Temporary Rent Forbearance & Abatement Agreement	All Terminals	Operation of Brochure Rack Advertising Concession	N/A	N/A	Special program in response to COVID 19 Pandemic; Executed 11/20/20
10/1/2020	LE-0752	Enterprise Rent-a-Car Company of Los Angeles, LLC	Temporary Rent Forbearance & Abatement Agreement	Rental Car Center	Non-Exclusive On-Airport Rental Car Concession	N/A	N/A	Special program in response to COVID 19 Pandemic; Executed 11/20/20
10/1/2020	LE-0753	Enterprise Rent-a-Car Company of Los Angeles, LLC	Temporary Rent Forbearance & Abatement Agreement	Rental Car Center	Rental Car Center Lease Agreement	N/A	N/A	Special program in response to COVID 19 Pandemic; Executed 11/20/20
10/1/2020	LE-0750	Fox Rent-A-Car, Inc.	Temporary Rent Forbearance & Abatement Agreement	Rental Car Center	Non-Exclusive On-Airport Rental Car Concession	N/A	N/A	Special program in response to COVID 19 Pandemic; Executed 11/20/20
10/1/2020	LE-0751	Fox Rent-A-Car, Inc.	Temporary Rent Forbearance & Abatement Agreement	Rental Car Center	Rental Car Center Lease Agreement	N/A	N/A	Special program in response to COVID 19 Pandemic; Executed 11/20/20
10/1/2020	LE-0756	The Hertz Corporation	Temporary Rent Forbearance & Abatement Agreement	Rental Car Center	Non-Exclusive On-Airport Rental Car Concession	N/A	N/A	Special program in response to COVID 19 Pandemic; Executed 11/20/20
10/1/2020	LE-0757	The Hertz Corporation	Temporary Rent Forbearance & Abatement Agreement	Rental Car Center	Rental Car Center Lease Agreement	N/A	N/A	Special program in response to COVID 19 Pandemic; Executed 11/20/20
10/1/2020	LE-0782	Smarte Carte, Inc.	Temporary Rent Forbearance & Abatement Agreement	All Terminals	Operation of a Luggage Cart Concession	N/A	N/A	Special program in response to COVID 19 Pandemic; Executed 11/20/20
10/1/2020	LE-0660	NewZoom, Inc. dba Zoom Systems	Temporary Rent Forbearance & Abatement Agreement	Terminals 1 & 2	Operation of an Automated Retail Concession	N/A	N/A	Special program in response to COVID 19 Pandemic; Executed 11/20/20
10/1/2020	LE-0656	InMotion Entertainment Group, LLC	Temporary Rent Forbearance & Abatement Agreement	Terminals 1 & 2	Operation of a Retail Concession	N/A	N/A	Special program in response to COVID 19 Pandemic; Executed 11/20/20
10/1/2020	LE-0665	PGC-PCI San Diego, LLC	Temporary Rent Forbearance & Abatement Agreement	Terminals 1 & 2	Operation of a Retail Concession	N/A	N/A	Special program in response to COVID 19 Pandemic; Executed 11/20/20
10/1/2020	LE-0726	PGC-PCI San Diego, LLC	Swissport Lounge, Inc	Terminal 2	Operation of a Common Use Lounge	N/A	N/A	Special program in response to COVID 19 Pandemic; Executed 11/12/20

STAFF REPORT

Meeting Date: **JANUARY 7, 2021**

Subject:

January 2021 Legislative Report

Recommendation:

Adopt Resolution No. 2021-0001, approving the January 2021 Legislative Report.

Background/Justification:

The Authority's Legislative Advocacy Program Policy requires that staff present the Board with monthly reports concerning the status of legislation with potential impact to the Authority. The Authority Board provides direction to staff on legislative issues by adoption of a monthly Legislative Report (Attachment A). The January 2021 Legislative Report updates Board members on legislative activities that have taken place since the previous Board meeting. In directing staff, the Authority Board may take a position on pending or proposed legislation that has been determined to have a potential impact on the Authority's operations and functions.

Federal Legislative Action

The Authority's legislative team does not recommend that the Board adopt any new positions on federal legislation at this time.

In December, Congress reached agreement on a year-end package including both the Fiscal Year (FY) 2021 omnibus funding legislation and a COVID-19 relief package. The total package is approximately \$2.3 trillion. The omnibus legislation includes \$1.4 trillion in funding for Federal agencies including the Department of Transportation (DOT), the Federal Aviation Administration (FAA), and Customs and Border Protection (CBP). The COVID-19 relief package totals \$900 billion, which includes \$2 billion for airports. The airport funding includes a \$200 million set-aside for concessionaires.

It is widely expected that negotiations on another COVID relief package between Congress and the new Biden Administration will begin after the presidential inauguration later this month. The Airport Authority's Government Relations staff and Federal legislative consultants continue to be in regular contact with Federal elected officials and their staff, federal agencies, industry associations and other aviation stakeholders to advocate for additional funding for San Diego International Airport in any future relief package(s).

President-elect Joe Biden announced that he will nominate Pete Buttigieg to be the next U.S. Secretary of Transportation. The position requires Senate confirmation. The 117th U.S. Congress convenes on January 3, 2021.

State Legislative Action

On January 4th, the California State Legislature reconvened for year one of the 2021-2022 legislative session. At the December 7, 2020, organizational session, legislators introduced over 200 bills and it is expected that over 2,000 new pieces of legislation will be introduced in 2021. Legislative staff and the Authority's state legislative consultants continued to review the newly introduced legislative proposals to determine those that impact the Airport Authority or San Diego International Airport.

At this time, staff recommends that the Board adopt a WATCH position on each of the following bills: AB 55 (Boerner Horvath); AB 72 (Petrie-Norris); SB 1 (Atkins); SB 37 (Cortese); and SB 46 (Stern).

AB 55 (Boerner Horvath) is a placeholder (spot bill) declaring the intent of the Legislature to enact future legislation to ensure certain rights and benefits for telecommuting employees.

AB 72 (Petrie-Norris) would enact the Coastal Adaptation Permitting Act of 2021 and require the Natural Resources Agency to explore, and authorize it to implement, options within the agency's jurisdiction to establish a more coordinated and efficient regulatory review and permitting process for coastal adaptation projects.

SB 1 (Atkins) would require the California Coastal Commission to adopt, recommendations and guidelines for the identification, assessment, minimization, and mitigation of sea level rise within each local coastal program, and authorize up to \$2,000,000 per year for the purposes of grantmaking, including up to \$500,000 of that amount to address and mitigate the effects of sea level rise in disadvantaged communities impacted by sea level rise.

SB 37 (Cortese) would enact the Dominic Cortese "Cortese List" Act of 2021 and would require the Department of Toxic Substances Control to also list hazardous waste facilities where the department issued an order for corrective action after determining that there is or has been a release of hazardous waste or constituents into the environment from a facility. The bill would require the State Water Resources Control Board, instead of the State Department of Health Care Services, to compile and update a list of all public drinking water wells that contain detectable levels of organic contaminants and that are subject to water analysis by local health officers.

SB 46 (Stern) is a placeholder (spot bill) stating the intent of the Legislature to enact legislation that would require an employer to develop and implement contract tracing and safety policies for its employees, including requiring notice to the employer when an employee receives a positive COVID-19 test.

On January 10, the Governor is expected to release his fiscal year 2021-2022 budget proposal. The Government Relations team expects the Governor's budget proposal to prioritize funding for COVID-19 relief, economic stimulus, housing and homelessness and climate resiliency.

Fiscal Impact:

Not applicable.

Authority Strategies/Focus Areas:

This item supports one or more of the following (*select at least one under each area*):

Strategies

- Community Strategy Customer Strategy Employee Strategy Financial Strategy Operations Strategy

Focus Areas

- Advance the Airport Development Plan Transform the Customer Journey Optimize Ongoing Business

Environmental Review:

- A. CEQA: This Board action is not a project that would have a significant effect on the environment as defined by the California Environmental Quality Act ("CEQA"), as amended. 14 Cal. Code Regs. §15378. This Board action is not a "project" subject to CEQA. Cal. Pub. Res. Code §21065.
- B. California Coastal Act Review: This Board action is not a "development" as defined by the California Coastal Act. Cal. Pub. Res. Code §30106.
- C. NEPA: This Board action is not a project that involves additional approvals or actions by the Federal Aviation Administration ("FAA") and, therefore, no formal review under the National Environmental Policy Act ("NEPA") is required.

Application of Inclusionary Policies:

Not applicable.

Prepared by:

MATT HARRIS
DIRECTOR, GOVERNMENT RELATIONS

RESOLUTION NO. 2021-0001

A RESOLUTION OF THE BOARD OF THE SAN DIEGO
COUNTY REGIONAL AIRPORT AUTHORITY, APPROVING
THE JANUARY 2021 LEGISLATIVE REPORT

WHEREAS, the San Diego County Regional Airport Authority (“Authority”) operates San Diego International Airport and plans for necessary improvements to the regional air transportation system in San Diego County, including serving as the responsible agency for airport land use planning within the County; and

WHEREAS, the Authority has a responsibility to promote public policies consistent with the Authority’s mandates and objectives; and

WHEREAS, Authority staff works locally and coordinates with legislative advocates in Sacramento and Washington, D.C. to identify and pursue legislative opportunities in defense and support of initiatives and programs of interest to the Authority; and

WHEREAS, under the Authority’s Legislative Advocacy Program Policy, the Authority Board provides direction to Authority staff on pending legislation; and

WHEREAS, the Authority Board, in directing staff, may adopt positions on legislation that has been determined to have a potential impact on the Authority’s operations and functions.

NOW, THEREFORE, BE IT RESOLVED that the Board hereby approves the January 2021 Legislative Report (“Attachment A”); and

BE IT FURTHER RESOLVED that the Board finds that this action is not a “project” as defined by the California Environmental Quality Act (“CEQA”) (California Public Resources Code §21065); and

BE IT FURTHER RESOLVED that the Board finds that this action is not a “development” as defined by the California Coastal Act (California Public Resources Code §30106); and

BE IT FURTHER RESOLVED that the Board finds that this action is not a project that involves additional approvals or actions by the Federal Aviation Administration (“FAA”) and, therefore, no formal review under the National Environmental Policy Act (“NEPA”) is required.

PASSED, ADOPTED, AND APPROVED by the Board of the San Diego County Regional Airport Authority at a regular meeting this 7th day of January 2021, by the following vote:

AYES: Board Members:

NOES: Board Members:

ABSENT: Board Members:

ATTEST:

TONY RUSSELL
DIRECTOR, BOARD SERVICES/
AUTHORITY CLERK

APPROVED AS TO FORM:

AMY GONZALEZ
GENERAL COUNSEL

January 2021 Legislative Report

State Legislation

New Assembly Bills

Legislation/Topic

AB 55 (Boerner Horvath) Employment: telecommuting.

Background/Summary

AB 55 is a placeholder (spot bill) This bill would declare the intent of the Legislature to enact future legislation to ensure certain rights and benefits for telecommuting employees.

Anticipated Impact/Discussion

The Authority's legislative team will closely monitor the development of this bill language for any impact on San Diego International Airport (SDIA) and the Airport Authority.

Status: 12/7/20 – Introduced.

Position: Watch (1/7/21)

*Shaded text represents new or updated legislative information

Legislation/Topic

AB 72 (Petrie-Norris) Environmental protection: Natural Resources Agency: coastal adaptation projects: sea level rise: regulator permitting: report.

Background/Summary

Existing law establishes the Natural Resources Agency. Existing law requires the agency, by July 1, 2017, and every 3 years thereafter, to update the state's climate adaptation strategy to identify vulnerabilities to climate change by sectors and priority actions needed to reduce the risks in those sectors. This bill would enact the Coastal Adaptation Permitting Act of 2021 and would require the agency to explore, and authorize it to implement, options within the agency's jurisdiction to establish a more coordinated and efficient regulatory review and permitting process for coastal adaptation projects, as defined. The bill would require the agency to submit, by July 1, 2023, a report to the Legislature with suggestions and recommendations for improving and expediting the regulatory review and permitting process for coastal adaptation projects.

Anticipated Impact/Discussion

If enacted, the Airport Authority's legislative team would work with the California Airports Council to identify any potential opportunities to engage with the agency on actions and recommendations that could impact California airports.

Status: 12/7/20 – Introduced.

Position: Watch (1/7/21)

*Shaded text represents new or updated legislative information

New Senate Bills

Legislation/Topic

SB 1 (Atkins) Coastal resources: sea level rise.

Background/Summary

This bill would also include, as part of the procedures that the California Coastal Commission is required to adopt, recommendations and guidelines for the identification, assessment, minimization, and mitigation of sea level rise within each local coastal program, as provided. The bill would delete the timeframe specified above by which the commission is required to adopt these procedures. The bill would require the commission to take into account the effects of sea level rise in coastal resource planning and management policies and activities, as provided. In addition, the bill would require state and regional agencies to identify, assess, and, to the extent feasible and consistent with their statutory authorities, minimize and mitigate the impacts of sea level rise. To the extent that a regional agency is a local public agency, this bill would impose a state-mandated local program.

This bill would create within state government the California Sea Level Rise State and Regional Support Collaborative and would require the collaborative to provide state and regional information to the public and support to local, regional, and other state agencies for the identification, assessment, and, where feasible, the mitigation of sea level rise. The bill would require, upon appropriation in the annual Budget Act, the collaborative to expend no more than \$100,000,000 annually from appropriate bond funds and other sources for the purpose of making grants to local governments to update local and regional land use plans to take into account sea level rise and for directly related investments to implement those plans, as provided. Existing law authorizes the Secretary for Environmental Protection to expend up to \$1,500,000 per year for the Environmental Justice Small Grant Program. This bill would instead authorize the secretary to expend up to \$2,000,000 per year for purposes of the grant program and would require up to \$500,000 of that money to be expended by the secretary for grants to organizations working to address and mitigate the effects of sea level rise in disadvantaged communities, as defined, impacted by sea level rise.

Anticipated Impact/Discussion

If enacted, bonds and other sources of funding for the purposes of making grants to local governments could be used to help implement the Authority's goals and efforts to implement the Climate Resilience Plan and airport development plan mitigation efforts. The Authority's legislative team will closely monitor the development of this bill language for any impact on San Diego International Airport (SDIA) and the Airport Authority.

Status: 12/7/20 – Introduced.

Position: Watch (1/7/21)

*Shaded text represents new or updated legislative information

Legislation/Topic

SB 37 (Cortese) Contaminated sites: the Dominic Cortese “Cortese List” Act of 2021.

Background/Summary

Existing law requires the Department of Toxic Substances Control to compile a list of specified information, including, but not limited to, hazardous waste facilities where the department took, or contracted for the taking of, corrective action to remedy or prevent, for example, an imminent substantial danger to public health. Existing law requires the State Department of Health Care Services to compile a list of all public drinking water wells that contain detectable levels of organic contaminants and that are subject to water analysis by local health officers.

This bill would enact the Dominic Cortese “Cortese List” Act of 2021 and would recodify the above-described provisions with certain revisions. The bill would require the Department of Toxic Substances Control to also list hazardous waste facilities where the department issued an order for corrective action after determining that there is or has been a release of hazardous waste or constituents into the environment from a facility. The bill would require the State Water Resources Control Board, instead of the State Department of Health Care Services, to compile and update a list of all public drinking water wells that contain detectable levels of organic contaminants and that are subject to water analysis by local health officers. The bill would require the Secretary for Environmental Protection to post the information on the California Environmental Protection Agency’s internet website.

Anticipated Impact/Discussion

SB 37 could have an impact on San Diego International Airport (SDIA) as airports are federally mandated to store certain chemicals, including perfluoroalkyl and polyfluoroalkyl (PFAS) for firefighting purposes. The Airport Authority’s legislative team will work with the California Airports Council (CAC) to determine an industry wide position, if applicable, and will closely monitor the development of this bill language for any impact on San Diego International Airport (SDIA) and the Airport Authority.

Status: 12/7/20 – Introduced.

Position: Watch (1/7/21)

*Shaded text represents new or updated legislative information

Legislation/Topic

SB 46 (Stern) Employment: contact tracing and safety policies: COVID-19.

Background/Summary

This bill would state the intent of the Legislature to enact legislation that would require an employer to develop and implement contact tracing and safety policies for its employees, including requiring notice to the employer when an employee receives a positive COVID-19 test.

Anticipated Impact/Discussion

The Authority's legislative team will closely monitor the development of this bill language for any impact on San Diego International Airport (SDIA) and the Airport Authority.

Status: 12/7/20 – Introduced.

Position: Watch (1/7/21)

*Shaded text represents new or updated legislative information

Federal Legislation

New House Bills

There are no new House Bills to report.

New Senate Bills

There are no new Senate Bills to report.

*Shaded text represents new or updated legislative information

STAFF REPORT

Meeting Date: **JANUARY 7, 2021**

Subject:

Approve and Authorize the President/CEO to Extend the Rent Forbearance and Abatement Program to Provide Rent Abatement to Qualifying Non-Airline Tenants for an Additional Temporary Period Not to Exceed Three (3) Months, as a Result of the Continued Impact of the COVID-19 Pandemic.

Recommendations:

Adopt Resolution No. 2021-0002, approving and authorizing the President/CEO to execute the required agreements to extend the Authority's temporary rent forbearance and abatement program to temporarily reduce rental obligations of qualifying non-airline tenants at the Airport, by providing abatement of monthly minimum annual guarantee (MAG), certain fixed-rent, and a portion of cost recovery payments for a period not to exceed three (3) months beginning January 1, 2021 and ending March 31, 2021, in response to the continued impact of the COVID-19 pandemic crisis.

Background/Justification:

On May 7, 2020, the Board adopted Resolution No. 2020-0057, authorizing staff to execute the required documents to provide abatement of certain rents and fees to qualifying non-airline tenants for a period beginning April 1, 2020 and ending September 30, 2020. Following the Board action, staff drafted a program application form and Temporary Rent Forbearance and Abatement Amendment ("Amendment") which addressed all requirements of the May 7, 2020 Board action. As a result, qualifying tenants who executed the Amendment with the San Diego County Regional Airport Authority ("Authority") and were or became current on payments which remained due to the Authority, benefitted from waiver of applicable rents and fees for the original six-month abatement period.

On October 26, 2020, the Board adopted Resolution No. 2020-0099, authorizing staff to execute the required documents to provide an abatement extension of certain rents and fees to qualifying non-airline tenants for a period beginning October 1, 2020 and ending December 31, 2020. Following the Board action, staff drafted a Temporary Rent Forbearance and Abatement Amendment Extension 1 ("Amendment 1") which addressed all requirements of the October 26, 2020 Board action. As a result, qualifying tenants who have executed the Amendment 1 with the Authority and are current on payments which remain due to the Authority, will benefit from waiver of applicable rents and fees for the first abatement extension period.

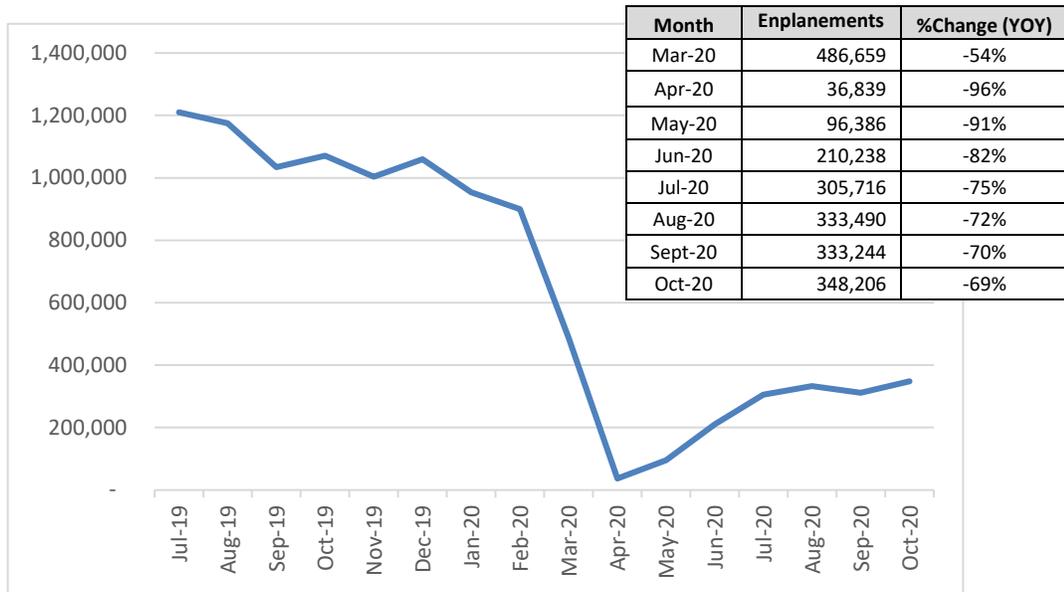
Since the October 26, 2020 Board action, tenants continue to suffer significant financial hardship due to the impacts of the novel coronavirus ("COVID-19"), which has resulted in severe and prolonged disruption to domestic and international air travel, including air travel to and from San Diego International Airport ("Airport"). The State of Emergency

proclaimed by Governor Newsom on March 4, 2020, has persisted, and all individuals in the State of California continue to be under an Executive Order (most recently, EO N-84-20, December 14, 2020), and Public Health Orders by the California Department of Public Health (updated December 6, 2020), and San Diego County (updated December 9, 2020), requiring individuals to stay at home except for permitted work, local shopping, and other authorized activities. Within the State of California's four-stage framework to gradually re-open businesses and spaces, as of December 8, 2020, San Diego County is classified as "Tier 1 – Widespread", which permits, for example, retail business to be open at 20% capacity, and does not allow any indoor seating at restaurants. On December 3, 2020, Governor Newsom divided the state into 5 regions with San Diego County being included in the Southern California region and announced a regional stay-at-home order if the region's ICU capacity falls to 15% and would be in effect for three weeks. Due to ICU capacities in the Southern California region, on December 6, 2020, a regional stay-at-home order went into effect. This stay-at-home order forced closure of many business and prohibited gatherings of people from different households. Increased commercial and social activity with fewer restrictions will be permitted only as the risk of transmission of COVID-19 decreases, however, the indicators of reduced transmission risk and timing of economic recovery are difficult to predict.

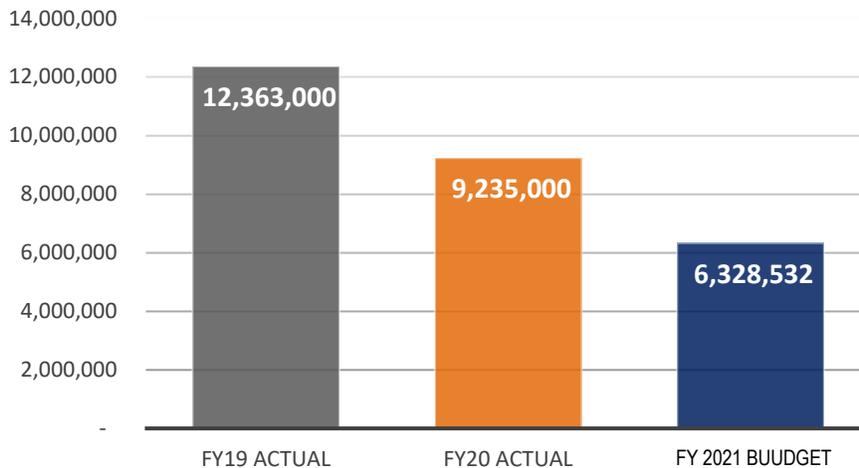
Although the Airport is identified as an Essential Critical Infrastructure under the Transportation System Sector, and the Airport remains open, passenger levels continue to demonstrate significant downward trending year-over-year, and remain at record lows. This unprecedented severe and prolonged decline in passenger traffic has nearly eliminated the ability of non-airline tenants to produce revenues which support and enable payment of rental obligations to the Authority. This severe reduction of revenue is consistent across all non-airline tenants, including retail and food & beverage concessions, passenger service concessions, on-Airport rental car operators, and inflight services (collectively, "Non-Airline Tenants").

Following a sharp decline beginning in March and April 2020, passenger traffic levels have improved each month; however, current enplanement levels (October 2020) remain approximately 70% lower when compared to the same time period in 2019. Looking ahead, enplanements are expected to slowly recover as the U.S. economy reopens, however, not to the levels demonstrated prior to the pandemic. Projected enplanements for the January 2021 through March 2021 timeframe are anticipated to trend well below previous years, and total enplanements for fiscal year 2021 are expected to be well below those of fiscal year 2019.

Enplanements – Actual



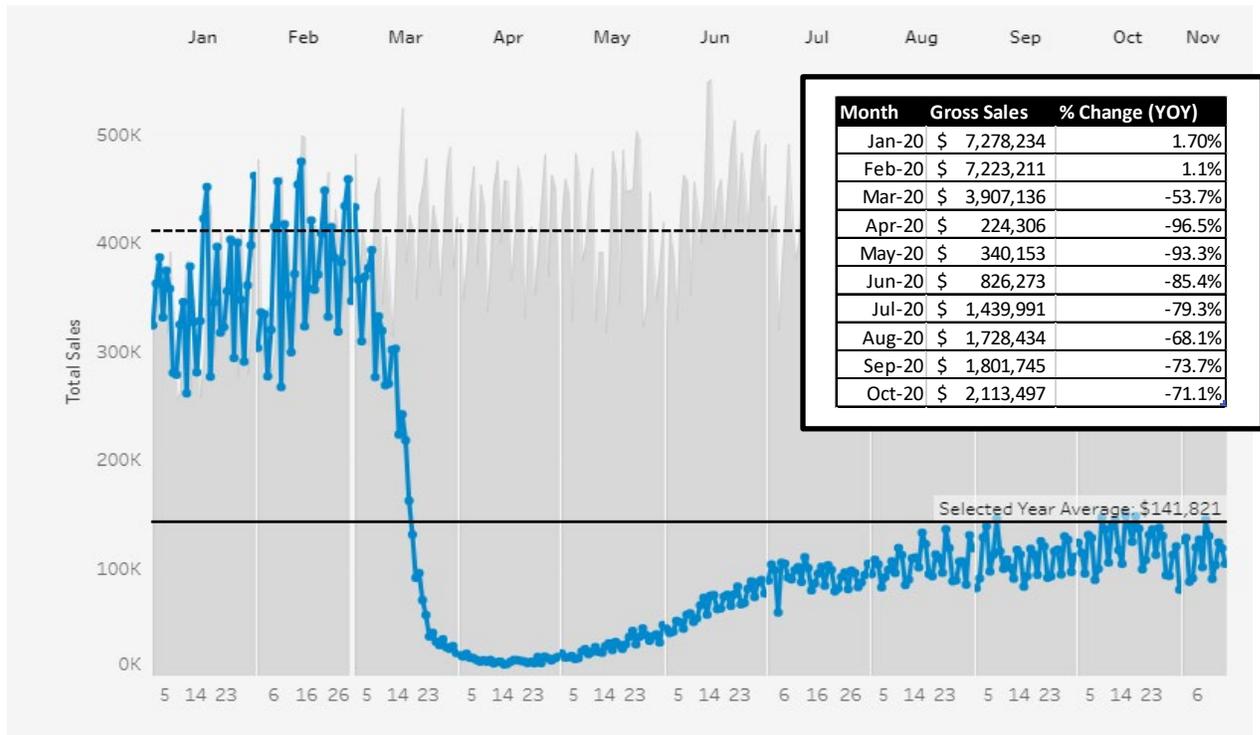
Enplanements – Forecast



Source: TSA and SDCRAA Finance & Risk Management Department

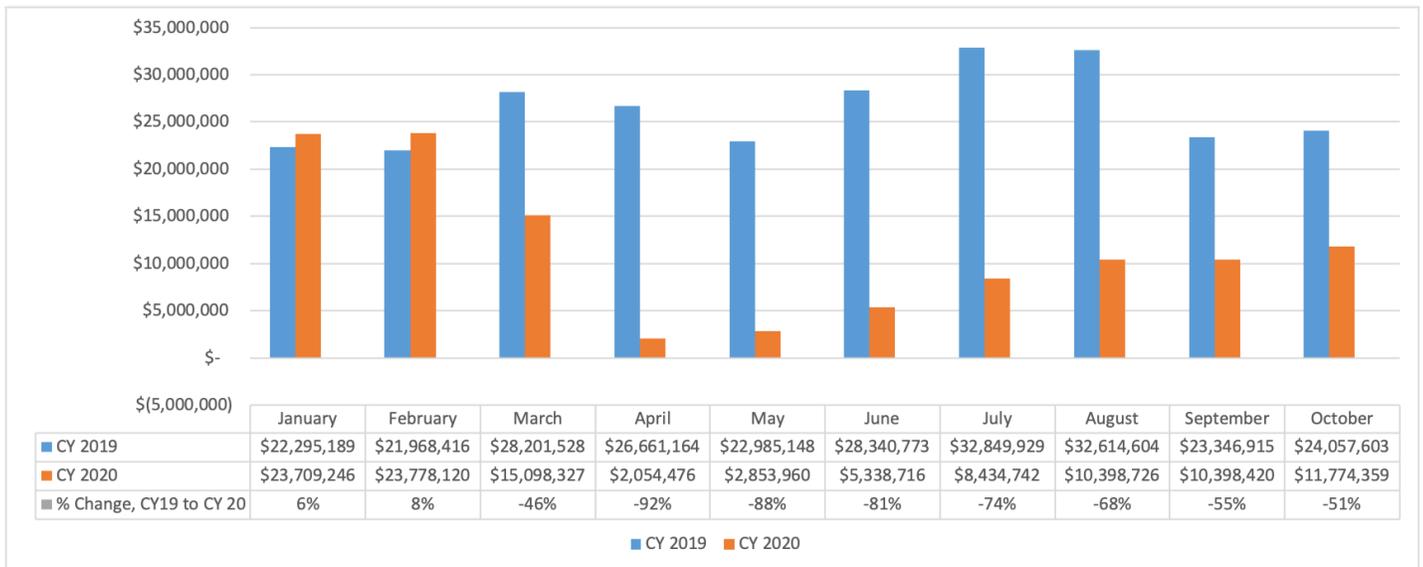
The profound decline in enplanements continues to be met with a commensurate decline in sales for all Non-Airline Tenants. Heading into the first quarter of calendar year 2021, many of the Airport’s Non-Airline Tenants continue to operate under reduced hours of operation; some locations remain temporarily closed (40 of 85 concessions are closed); layoffs and furloughs continue; and many tenants continue to submit requests to the Authority for additional financial relief.

SAN Weekly Concessions Sales: January 3, 2020 to November 19, 2020



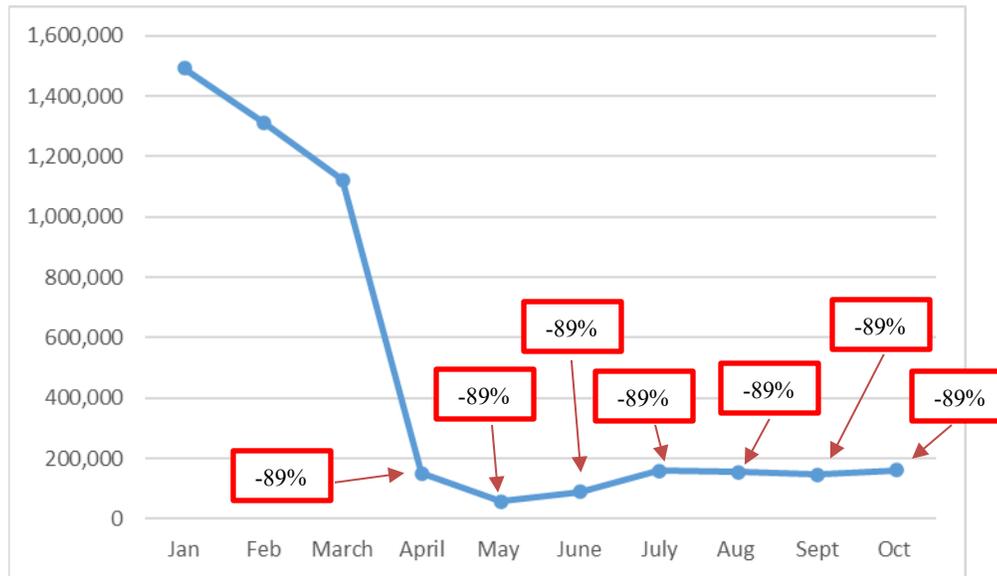
Source: SDCRAA, Finance & Risk Management Department

SAN Rental Car Monthly Gross Revenue: January 2020 to October 2020



Source: SDCRAA, Finance & Risk Management Department
 Note: Includes On-Airport and Off-Airport RACs

SAN Inflight Services Gross Revenue: January 2020 to October 2020



Source: SDCRAA, Finance & Risk Management Department

Proposed Rent Abatement

To address the continued impact of COVID-19, staff is proposing a financial relief offering for a three-month period beginning January 1, 2021 and ending March 31, 2021 (*"Rent Abatement Period – Extension 2"*). Extension of the program (*"Rent Forbearance and Abatement Program Extension 2"*) provides significant relief of rents and fees, while continuing collection of certain cost recovery items for those tenants who are open and operating, and who are using services provided by the Authority. The proposed offering is the same as previously approved for the three-month period of October 1, 2020 and ending December 31, 2020.

For most Non-Airline Tenants, rent is one of the largest operating expenses, along with cost of goods sold, and salaries and benefits. Due to the continued significant reduction in passenger traffic, Non-Airline Tenants with fixed minimum monthly obligations will not have the level of revenues necessary to support sustained payment of these minimum rental payments to the Authority for the foreseeable future, until air travel returns to pre-COVID-19 levels. Without the *Rent Forbearance and Abatement Program Extension 2*, it is unlikely that many Non-Airline Tenants will be able to resume normal operations once passenger traffic levels resume to typical levels prior to the COVID-19 pandemic. Staff believes it is in the best interests of the Authority and the travelling public who rely upon these goods and services to extend a *Rent Forbearance and Abatement Program Extension 2* for the proposed *Rent Abatement Period – Extension 2*, to provide additional yet temporary financial relief to its Non-Airline Tenants so that they may remain financially resilient and stay open where possible. This will best position the Airport to resume normal operations as passenger levels increase, protect the Authority's future revenues, and ensure the needs of the travelling public are met and the passenger experience at SAN does not suffer.

Furthermore, the Authority's proposed *Rent Forbearance and Abatement Program Extension 2* will help ensure that the Authority remains competitive for solicitation of these essential services in the future.

FAA Guidance on COVID-19 Accommodations

Guidance issued by the Federal Aviation Administration ("FAA") on April 4, 2020, provided the context for offering the original Rent Forbearance and Abatement Program to Authority tenants whose business has temporarily declined or have been materially altered due to COVID-19. The Authority's desire to offer the Rent Abatement Program for the initial six-month period approved by the Board on May 7, 2020, the initial additional three-month period and the additional three-month period being contemplated in this staff report, are intended to counteract the unforeseen dramatic enplanement declines brought on by COVID-19, recognizing that sales revenues to support such rents simply cannot be generated in this dire circumstance. In preparation for the May 7, 2020 Board meeting, and in accordance with FAA guidance, Authority Staff reviewed Grant Assurance 22, which pertains to economic nondiscrimination, and Grant Assurance 24, which states that a fee and rental structure must be maintained for airport facilities and services such that the airport will be as self-sustaining as possible. The FAA updated its guidance for airports on May 29, 2020, but did not materially change the provision applicable to the proposed program. Staff believes that the proposed *Rent Forbearance and Abatement Program Extension 2* complies with both grant assurances and that the Authority has otherwise complied with the FAA guidance cited above.

In-Terminal Concessions

Within the Airport terminals, tenants in the retail, food and beverage, passenger service, and in-terminal advertising categories operate under a non-exclusive concession lease ("Concession Lease"). Under the Concession Lease, concessionaires are required to pay the greater of a MAG or a certain percentage of gross receipts. The amount of the MAG is adjusted annually on July 1st to an amount equal to the greater of 90% of revenue paid to the Authority in the prior fiscal year, or 103% of the previous years' MAG. There are also a select few passenger service tenants that pay fixed-fee rents. Most concessionaires also pay for their pro rata share of variable concessionaire charges, for services including but not limited to janitorial services, trash collection, pest control, and fees for use of the Authority's receiving and distribution center ("RDC"). In addition, many concessionaires pay rent for support space.

For in-terminal concessions, Authority Staff recommends the following¹ as part of the *Rent Forbearance and Abatement Program Extension 2*, where applicable to each tenant, for the *Rent Abatement Period – Extension 2*: (1) forbearance and possible waiver of the amount that is the difference between the monthly MAG payment and percentage rent; (2) for tenants without a MAG, forbearance and possible waiver of fixed-rent monthly payments; (3) forbearance and possible waiver of a portion of cost

¹ As with the original abatement amendments, the Authority is proposing to place the specific amounts indicated into conditional forbearance until the end of the Rent Abatement Period – Extension 2. Waiver of the amounts in forbearance would be conditioned upon the tenant's compliance with the terms and conditions of the applicable agreement and all amendments during the entire term of the Rent Abatement Period – Extension 2. Failure to comply with said terms and conditions would result in a full reinstatement of the amounts owed.

recovery payments (RDC, janitorial and CAM charges); and, (4) forbearance and possible waiver of concession marketing fund fees. Tenants will be required to continue to pay percentage rent per their original agreements; full monthly rent for occupied support space; a portion of cost recovery charges (RDC, janitorial and CAM charges); full Shared Tenants Services fees; and full pest control charges. For cost recovery charges (RDC, janitorial and CAM), the Authority will reduce regular fees commensurate with reduced sales activity.

These actions are necessary to maintain the long-term viability of in-terminal concessions, which are vital to operations and financial sustainability of the Airport. Exhibit A provides a list of all entities eligible to be considered under this portion of the *Rent Forbearance and Abatement Program Extension 2*.

On-Airport Rental Car Companies

Operators at the Authority's rental car center ("RCC") have entered into two contracts with the Authority: the "Rental Car Center Lease", and the "Non-Exclusive Rental Car Concession Agreement" (collectively, "RCC Agreements"). Under the RCC Agreements, each rental car concessionaire is required to pay the following fees: 1) the greater of a MAG, or a certain percentage of gross receipts; 2) land rent for use of the RCC facility and property; 3) for those rental car companies defined as "Small Operators" only, small operator improvement rent, a cost recovery rent for use of the Small Operator areas of the RCC; and, 4) pro rata share of cost recovery items, including electricity, 12kV maintenance, and insurance. The amount of the MAG is adjusted annually on July 1st to an amount equal to the greater of 85% of revenue paid to the Authority in the prior fiscal year, or the previous years' MAG. Under the RCC concession agreement, in the event of extraordinary circumstance outside of the operators' control which affects the rental car industry as a whole by reducing gross revenues to a level that inhibits operators' ability to meet the MAG requirement, operators are to be granted an opportunity to meet with the Authority Board to seek an adjustment of the MAG; however any adjustment is at the sole and absolute discretion of the Board. The Land Rent is adjusted annually on July 1st by the change in "Consumer Price Index" over the prior year (although the rental amount does not ever decrease).

For on-Airport rental car companies, Authority Staff recommends the following² as part of the *Rent Forbearance and Abatement Program Extension 2*, for the *Rent Abatement Period – Extension 2*: (1) forbearance and possible waiver of the amount that is the difference between the monthly MAG payment and percentage fees; and (2) forbearance and possible waiver of a portion of cost recovery payments, including small operator improvement rent. Tenants will be required to continue to pay percentage fees and land rent, as well as to collect and remit "Customer Facility Charges" to the Authority, per their original agreements. For cost recovery charges, the Authority will reduce regular fees commensurate with reduced sales activity.

These actions are necessary to maintain the long-term viability of on-Airport rental car companies, which are vital to operations and financial sustainability of the Airport, and a vital service to the San Diego community. Exhibit A provides a list of all entities eligible

² See comment 1 above. The same conditions would apply to the possible waiver of these amounts.

to be considered under this portion of the *Rent Forbearance and Abatement Program Extension 2*.

Inflight Services

An inflight service company, Gate Gourmet, Inc. (“Gate Gourmet”), has entered into a non-exclusive license agreement (“License Agreement”) with the Authority to provide inflight catering beverages and meals to the airlines. Under the License Agreement, Gate Gourmet is required to pay the following monthly fees: 1) the greater of a monthly License Fee³, or eight percent of monthly gross receipts. The amount of the monthly License Fee is adjusted annually on December 31st.

Similar to the Airport’s concession and rental car companies, Gate Gourmet has experienced a dramatic reduction in revenues as a direct result of reduced passenger traffic during the COVID-19 pandemic. As with concessions and rental car companies, Gate Gourmet continues to experience reduced revenues that do not support minimum payments to the Airport, in recent months.

For Gate Gourmet, Authority Staff recommends the following⁴ for the *Rent Abatement Period* and the *Rent Abatement Period – Extension 2*: (1) waive the amount that is the difference between the monthly License Fee payment and percentage fees. Gate Gourmet will be required to continue to pay percentage fees per its original agreement.

These actions are necessary to maintain the long-term viability of inflight services, which are vital to operations and financial sustainability of the Airport. Exhibit A provides a list of all entities eligible to be considered under this portion of the *Rent Forbearance and Abatement Program – Extension 2*.

Terms and Conditions

To be eligible for participation in the *Rent Forbearance and Abatement Program Extension 2*, eligible Non-Airline Tenants will be bound by the same terms and conditions of the executed Amendment which enabled participation in the initial six-month abatement period. If a Non-Airline Tenant was not eligible or chose not to participate in the original Rent Forbearance and Abatement Program, the tenant may submit an application for the *Rent Forbearance and Abatement Program Extension 2*. Furthermore, for continued relief a subsequent amending agreement applicable to the *Rent Abatement Period – Extension 2*, must be executed between all qualifying Non-Airline Tenants and the Authority. Terms and conditions of this forthcoming amendment will include but are not limited to the following conditions:

1. The *Rent Abatement Period – Extension 2*, shall be effective January 1, 2021 to March 31, 2021;
2. All terms and conditions of the original Temporary Rent Forbearance and Abatement Amendment, and Amendment 1, shall remain in full force and effect,

³ The monthly License Fee required under the Gate Gourmet license agreement is the same payment type as a monthly MAG; the License Fee is a fixed minimum payment that is adjusted annually.

⁴ See comment 1 above. The same conditions would apply to the possible waiver of these amounts.

- except where a term or condition is specifically deleted or changed under the subsequent amendment which enables the rent abatement program to be extended;
3. Tenants who previously qualified for the Rent Forbearance and Abatement Program approved by the Board on May 7, 2020, will automatically qualify for the extension of the program, unless the Tenant has been placed into default under the terms and conditions of the original Amendment, or any of its other agreements with the Authority;
 4. All other terms, conditions, and requirements of the tenant's lease agreement(s) with the Authority shall remain in full force and effect;
 5. Status of accounts receivable must be current and remain current for all amounts due that have not been waived;
 6. Letter of Credit must be fully-funded and up to date and must not have an expiration date that is a minimum of three (3) months after the *Rent Abatement Period – Extension 2* ends;
 7. The Authority encourages the tenant to continue to seek grants and relief available at the present time, or in the future, through other programs offered by local, state, and federal governments, as well as business interruption insurance benefits. Should funding become available to the tenant to be administered by the Authority, Tenant will cooperate with Authority to apply for and obtain funding, when requested;
 8. The President/CEO may add any such other requirements and conditions as she deems in the best interests of the Authority; and
 9. The President/CEO may amend the amount of rent abatement provided to the tenant in an amount up to but not greater than the other relief actually received by the tenant; including any amounts provided directly or indirectly to the tenant, either through the Authority or other another entity, to relieve tenants' obligation to pay rents and fees.

Fiscal Impact:

The fiscal impact in Fiscal Year 2021 for the *Rent Forbearance and Abatement Program Extension 2* is a reduction in revenue of approximately \$4.7 million for Terminal Concessions, approximately \$4.3 million for the Rental Car Companies and for Inflight Services, \$145 thousand. The Authority intends to use funds from the Coronavirus Aid, Relief, and Economic Security Act ("CARES Act") to reimburse certain operating expenses and debt service in order to offset these impacts and ensure financial metrics sufficiently adhere to board policy and debt covenants.

Authority Strategies/Focus Areas:

This item supports one or more of the following (*select at least one under each area*):

Strategies

- Community Strategy
 Customer Strategy
 Employee Strategy
 Financial Strategy
 Operations Strategy

Focus Areas

- Advance the Airport Development Plan
 Transform the Customer Journey
 Optimize Ongoing Business

Environmental Review:

- A. CEQA: This Board action is not a project that would have a significant effect on the environment as defined by the California Environmental Quality Act ("CEQA"), as amended. 14 Cal. Code Regs. §15378. This Board action is not a "project" subject to CEQA. Cal. Pub. Res. Code §21065.
- B. California Coastal Act Review: This Board action is not a "development" as defined by the California Coastal Act. Cal. Pub. Res. Code §30106.
- C. NEPA: This Board action is not a project that involves additional approvals or actions by the Federal Aviation Administration ("FAA") and, therefore, no formal review under the National Environmental Policy Act ("NEPA") is required.

Application of Inclusionary Policies:

Not Applicable.

Prepared by:

Hampton Brown
 Vice President, Marketing & Innovation (*ad interim*)

Exhibit A**In-Terminal Concessions**

Concession	Package/Category	Lease #
Paradies-San Diego, LLC	Retail Package #1	LE-0647
HG-CV-Epicure-Martinez San Diego JV (Hudson)	Retail Package #2	LE-0670
PGC-PCI San Diego, LLC	Retail Package #3	LE-0665
Stellar Partners, Inc	Retail Package #4	LE-0648
Spa Didacus, Inc	Retail Package #5	LE-0659
New Zoom, Inc	Retail Package #6	LE-0660
HG-CV-Epicure-Martinez San Diego JV (Hudson)	Retail Package #7	LE-0671
Project Horizon, Inc (InMotion)	Retail Package #8	LE-0656
SFS Beauty CA, LLC (MAC)	Retail Package	LE-0908
SFS Investors JV (Duty Free)	Retail Package #	LE-0950
Host International, Inc	Food & Beverage Package #1	LE-0657
Host International, Inc	Food & Beverage Package #2	LE-0658
SSP America, Inc	Food & Beverage Package #3	LE-0667
Mission Yogurt, Inc	Food & Beverage Package #4	LE-0651
SSP America, Inc	Food & Beverage Package #5	LE-0668
SSP America, Inc	Food & Beverage Package #6	LE-0669
High Flying Foods San Diego Partnership	Food & Beverage Package #7	LE-0649
High Flying Foods San Diego Partnership	Food & Beverage Package #8	LE-0650
G&P Partners dba BCB CO. (Rental Car Center Concession)	Food & Beverage	LE-0875
Swissport Lounge (Airspace Lounge)	Food & Beverage	LE-0726
Certified Folder Display Service, Inc.	Passenger Service	LE-0880
The Classic Shine Company	Passenger Service	LE-0933
Smarte Carte, Inc.	Passenger Service	LE-0782
AC Holdings, Inc. (CNN Airport Network)	Passenger Service	LE-0799
In-Ter-Space Services, Inc. dba Clear Channel Airports	Passenger Service – Advertising	LE-0966
Bank of America, N.A.	Passenger Service	LE-0879

On-Airport Rental Car Companies

Rental Car Company	Lease #
Avis Budget Car Rental, LLC	LE-0744, LE-0745, LE-0760, LE-0761
Enterprise Rent-A-Car Company of Los Angeles, LLC	LE-0752, LE-0753
The Hertz Corporation	LE-0756, LE-0757
Fox Rent A Car, Inc.	LE-0750, LE-0751
Nevada Lease and Rentals, Inc. dba Payless Car Rental System	LE-0746, LE-0747
Sixt Rent A Car, LLC	LE-0758, LE-0759

Inflight Services Companies

Inflight Services Company	Lease #
Gate Gourmet, Inc.	LE-0776

RESOLUTION NO. 2021-0002

A RESOLUTION OF THE BOARD OF THE SAN DIEGO COUNTY REGIONAL AIRPORT AUTHORITY, APPROVING AND AUTHORIZING THE PRESIDENT/CEO TO EXECUTE THE REQUIRED AGREEMENTS TO EXTEND THE AUTHORITY'S TEMPORARY RENT FORBEARANCE AND ABATEMENT PROGRAM TO TEMPORARILY REDUCE RENTAL OBLIGATIONS OF QUALIFYING NON-AIRLINE TENANTS AT THE AIRPORT, BY PROVIDING ABATEMENT OF MONTHLY MINIMUM ANNUAL GUARANTEE (MAG), CERTAIN FIXED-RENT, AND A PORTION OF COST RECOVERY PAYMENTS FOR A PERIOD NOT TO EXCEED THREE (3) MONTHS BEGINNING JANUARY 1, 2021 AND ENDING MARCH 31, 2021, IN RESPONSE TO THE CONTINUED IMPACT OF THE COVID-19 PANDEMIC CRISIS.

WHEREAS, on March 13, 2020, President Trump issued a Proclamation on Declaring a National Emergency Concerning the Novel Coronavirus Disease ("COVID-19") Outbreak, which established March 1, 2020 as the beginning of the national emergency; and

WHEREAS, on March 19, 2020, California Governor Newsom issued an Executive Order (EO N-33-20) requiring individuals living in the State of California to stay home except as needed to maintain the continuity of operations of the federal infrastructure sectors; and

WHEREAS, on May 4, 2020, California Governor Newsom issued an Executive Order (EO N-60-20) informing local health jurisdictions and industry sectors that they may gradually reopen under new modifications and guidance provided by the State of California; and

WHEREAS, on September 23, 2020, California Governor Newsom issued an Executive Order (EO N-80-20), and on December 14, 2020 issued an Executive Order (EO N-84-20) to address a variety of issues in response to the pandemic; and

WHEREAS, on December 3, 2020, California Governor Newsom divided the state into 5 regions with San Diego County in the Southern California region and announced a regional stay at home order if ICU capacity falls to 15%; and

WHEREAS, on December 6, 2020, due to ICU capacities in the Southern Californian region falling below 15%, a regional stay at home order was issued for three weeks; and

WHEREAS, the COVID-19 pandemic has caused a financial and economic crisis and has resulted in significant disruptions to domestic and international air travel, including air travel to and from the San Diego International Airport (“Airport”); and

WHEREAS, the Airport is identified as Essential Critical Infrastructure under the Transportation System Sector and remains open and operational; and

WHEREAS, as a result of the COVID-19 pandemic, passenger throughput at the Airport began a sharp decline in March 2020, leveling off at an approximate 96% decline year-over-year in April 2020, and passenger throughput has gradually improved since March, with an approximate 68% decline year-over-year in October 2020; and

WHEREAS, retail and food & beverage concessionaires, passenger service concessionaires, on-Airport rental car operators, and inflight services companies (collectively, “Non-Airline Tenants”) of the San Diego County Regional Airport Authority (“Authority”) have continued to experience a decline in revenue commensurate with the unprecedented decline in passenger throughput, and have taken measures to reduce operating costs, including reduced hours of operation, temporary closure of many concession locations, staff layoffs and furloughs, and submitting urgent requests for additional financial relief; and

WHEREAS, due to the effects of COVID-19, and the significant decline in passenger traffic and Non-Airline Tenant business, Non-Airline Tenants are not able to generate the sales revenues necessary to support sustained payments of monthly rental obligations to the Authority; and

WHEREAS, on May 7, 2020, the Board adopted Resolution No. 2020-0057, authorizing staff to execute the required agreements to provide abatement of certain rents and fees to qualifying Non-Airline Tenants for a period beginning April 1, 2020 and ending September 30, 2020 (“*Rent Abatement Period*”); and

WHEREAS, on October 26, 2020, the Board adopted Resolution No. 2020-0099, authorizing staff to execute the required agreements to provide abatement of certain rents and fees to qualifying Non-Airline Tenants for a period beginning October 1, 2020 and ending December 31, 2020 (“*Rent Abatement Period – Extension 1*”); and

WHEREAS, the Authority has executed a Temporary Rent Forbearance and Abatement Amendment with several Non-Airline Tenants for the *Rent Abatement Period*, and the *Rent Abatement Period – Extension 1*; and

WHEREAS, the unforeseen pandemic and dramatic enplanement declines brought on by COVID-19 were not contemplated at the time of RFP responses or the lease negotiations with Non-Airline Tenants, when rental structures were established; and

WHEREAS, Non-Airline Tenants continue to experience financial hardship due to severe declines in sales commensurate with enplanement declines brought on by COVID-19, and this trend is expected to continue; and

WHEREAS, it is in the best interest of the Authority and the public to extend temporary financial relief to qualifying Non-Airline Tenants so that they may remain financially resilient and stay open where possible during the COVID-19 pandemic; and

WHEREAS, it is in the best interest of the Authority and the public to provide immediate additional temporary financial relief to qualifying Non-Airline Tenants so that the Airport may resume normal operations as passenger levels increase, protect the Authority's future revenues, and to ensure the needs of the travelling public are met and the passenger experience at the Airport does not suffer; and

WHEREAS, the Authority desires to provide additional temporary financial relief to qualifying Non-Airline Tenants by implementing abatement of certain rental obligations for a three (3) month period (the "*Rent Forbearance and Abatement Program Extension 2*"), beginning on January 1, 2021 and ending on March 31, 2021 ("*Rent Abatement Period – Extension 2*"); and

WHEREAS, the Authority believes that the *Rent Forbearance and Abatement Program Extension 2* complies with the guidance issued by the Federal Aviation Administration ("FAA") on April 4, 2020 and updated on May 29, 2020, related to airports' consideration of COVID-19 restrictions and accommodations; and

WHEREAS, the Authority believes that the *Rent Forbearance and Abatement Program Extension 2* complies with Grant Assurance 22, which pertains to economic nondiscrimination, and Grant Assurance 24, which states that a fee and rental structure must be maintained for airport facilities and services such that the airport will be as self-sustaining as possible; and

WHEREAS, the Authority believes instituting the *Rent Forbearance and Abatement Program Extension 2* will help ensure that the Authority remains competitive for solicitation of operators and services in the future; and

WHEREAS, the Authority is party to multiple agreements with in-terminal retail, food and beverage, passenger service, and advertising tenants (“Concessionaires”), operating under individual non-exclusive concession leases (“Concession Lease”), and under the Concession Leases, Concessionaires are required to make monthly rental payments to the Authority, including where applicable: (1) a monthly payment in an amount that is one-twelfth the Minimum Annual Guarantee (“MAG”) or a certain percentage of gross receipts, whichever is greater; (2) fixed-fees including monthly fixed-rent; (3) additional rent including variable cost recovery fees; (4) monthly support space rent; and, (5) contribution to a concession marketing fund; and

WHEREAS, as part of the *Rent Forbearance and Abatement Program Extension 2*, the Authority desires to provide rent forbearance and possible abatement to qualifying Concessionaires for the *Rent Abatement Period – Extension 2* for the following payment obligations only: (1) the amount that is the difference between the monthly MAG payment and percentage rent, (2) a portion of monthly cost recovery charges (RDC, janitorial, CAM), and (3) monthly concession marketing fund fees; and

WHEREAS, the Authority will place the specific amounts indicated into conditional forbearance until the end of the *Rent Abatement Period – Extension 2*; and waiver of the amounts in forbearance would be conditioned upon the Concessionaire’s compliance with the terms and conditions of the applicable agreement and all amendments during the entire term of the *Rent Abatement Period – Extension 2*; and

WHEREAS, failure of a Concessionaire to comply with said terms and conditions will result in a full reinstatement of the amounts owed during the *Rent Abatement Period – Extension 2*; and

WHEREAS, the Authority is party to multiple agreements with on-airport rental car companies (“RACs”) operating at the Authority’s consolidated rental car facility (“RCC”) under a rental car center lease, and a non-exclusive rental car concession agreement (collectively, “RCC Agreements”), and under the RCC Agreements RACs are required to make monthly rental payments to the Authority, including where applicable: (1) a monthly payment in an amount that is one-twelfth the MAG or a certain percentage of gross receipts, whichever is greater; 2) land rent for use of the RCC facility and property; 3) for those rental car companies defined as “Small Operators” only, small operator improvement rent, a cost recovery rent for use of the Small Operator areas of the RCC; and, 4) pro rata share of cost recovery items, including electricity, 12kV maintenance, and insurance; and

WHEREAS, as part of the *Rent Forbearance and Abatement Program Extension 2*, the Authority desires to provide rent forbearance and possible abatement to qualifying RACs for the *Rent Abatement Period – Extension 2* for the following payment obligations only: (1) the amount that is the difference between the monthly MAG and percentage fees, and (2) a portion of monthly cost recovery charges, including Small Operator improvement rent; and

WHEREAS, the Authority will place the specific amounts indicated into conditional forbearance until the end of the *Rent Abatement Period – Extension 2*; and waiver of the amounts in forbearance would be conditioned upon the RAC's compliance with the terms and conditions of the applicable agreement and all amendments during the entire term of the *Rent Abatement Period – Extension 2*; and

WHEREAS, failure of a RAC to comply with said terms and conditions will result in a full reinstatement of the amounts owed during the *Rent Abatement Period – Extension 2*; and

WHEREAS, the Authority is party to an agreement with an inflight services company ("Gate Gourmet") operating under a non-exclusive license agreement ("License Agreement"), and under the License Agreement, Gate Gourmet is required to make monthly rental payments to the Authority, including a monthly License Fee payment or eight percent of gross receipts, whichever is greater; and

WHEREAS, as part of the *Rent Forbearance and Abatement Program Extension 2*, the Authority desires to provide rent forbearance and possible abatement to Gate Gourmet, subject to meeting the requirements for participation in the program, for the *Rent Abatement Period – Extension 2* for the following payment obligations only: the amount that is the difference between the monthly License Fee payment and percentage fees; and

WHEREAS, failure of Gate Gourmet to comply with said terms and conditions will result in a full reinstatement of the amounts owed during the *Rent Abatement Period – Extension 2*; and

WHEREAS, should any additional inflight services provider enter into agreements with the Authority during the relevant program extension period, it would be considered a Non-Airline Tenant eligible for participation in the abatement program; and

WHEREAS, the Authority, acting through its President/CEO, reserves the right to determine which Non-Airline Tenants will qualify for the *Rent Forbearance and Abatement Program Extension 2*; and

WHEREAS, to qualify for the *Rent Forbearance and Abatement Program Extension 2*, Non-Airline Tenants must: (1) enter into a written rent abatement agreement with the Authority; (2) abide by all terms and conditions of the original Temporary Rent Forbearance and Abatement Amendment; (3) be and remain current on all accounts payable to the Authority and agree to make the required payments for rents and fees that are not subject to abatement; (3) have on-file with the Authority a fully-funded and current security deposit or Letter of Credit; (4) agree to such other terms and conditions as determined by the President/CEO to be in the best interest of the Authority; and, (5) provide information requested by the Authority concerning application for any local, state, or federal funding that is available now or in the future, to the Authority or to the Tenant to offset any rents and fees abated by the Authority for the benefit of the tenant.

NOW THEREFORE BE IT RESOLVED that the Board finds that instituting the *Rent Forbearance and Abatement Program Extension 2* will help ensure the Airport remains financially self-sufficient and remains competitive for future solicitations and revenue opportunities; and

BE IT FURTHER RESOLVED that the Board finds that, it is in the best interest of the Authority and the public to provide immediate extension of temporary financial relief in the form of the *Rent Forbearance and Abatement Program Extension 2* to qualifying Non-Airline Tenants so that they may remain financially resilient and stay open where possible during the COVID-19 pandemic; and so that the Airport can resume normal operations as passenger levels increase, protect the Authority's future revenues, and to ensure the needs of the travelling public continue to be met and the passenger experience at the Airport does not suffer; and

BE IT FURTHER RESOLVED that the Board finds that instituting the *Rent Forbearance and Abatement Program Extension 2* is in the best interest of the Authority and the travelling public; and

BE IT FURTHER RESOLVED that the Board finds that similar rent forbearance and abatement programs have been implemented at airports across the United States; and

BE IT FURTHER RESOLVED that the Board finds that the *Rent Forbearance and Abatement Program Extension 2* complies with Grant Assurance 22 and Grant Assurance 24; and

BE IT FURTHER RESOLVED that the Board hereby approves and authorizes the President/CEO to execute the required agreements for the *Rent Forbearance and Abatement Program Extension 2* to reduce rental obligations of qualifying Non-Airline Tenants at the Airport, by providing abatement of MAG (or License Fees), certain fixed-rent, a portion of cost recovery payments and other such requirements as she deems in the best interest of the Airport Authority, for a period not to exceed three (3) months beginning January 1, 2021 and ending March 31, 2021, in response to the COVID-19 pandemic crisis; and

BE IT FURTHER RESOLVED that the Board finds that this action is not a “project” as defined by the California Environmental Quality Act (“CEQA”) (California Public Resources Code §21065); and

BE IT FURTHER RESOLVED that the Board finds that this action is not a “development” as defined by the California Coastal Act (California Public Resources Code §30106); and

BE IT FURTHER RESOLVED that the Board finds that this action is not a project that involves additional approvals or actions by the Federal Aviation Administration (“FAA”) and, therefore, no formal review under the National Environmental Policy Act (“NEPA”) is required.

PASSED, ADOPTED, AND APPROVED by the Board of the San Diego County Regional Airport Authority at a regular meeting this 7th day of January 2021, by the following vote:

AYES: Board Members:

NOES: Board Members:

ABSENT: Board Members:

ATTEST:

TONY R. RUSSELL
DIRECTOR, BOARD SERVICES /
AUTHORITY CLERK

APPROVED AS TO FORM:

AMY GONZALEZ
GENERAL COUNSEL

STAFF REPORT

Meeting Date: **JANUARY 7, 2021**

Subject:

Approve and Authorize the President/CEO to Execute the Eleventh Amendment to the Agreement with Leigh Fisher to Complete Environmental Review for the Airport Development Plan

Recommendation:

Adopt Resolution No. 2021-0003, approving and authorizing the President/CEO to execute the Eleventh Amendment to the agreement with Leigh Fisher extending the term by 12 months to complete the Airport Development Plan's environmental review.

Background/Justification:

The Airport Authority released a Request for Qualifications in 2011 for consultant services to develop a new master plan for the San Diego International Airport to meet the region's growing demand for air transportation through the year 2035 with more modern, efficient, and comfortable facilities. In October 2011, the Board adopted Resolution No. 2011-0115 approving a contract of up to \$6.5 million and four (4) years for a consultant team led by Leigh Fisher for the Airport Development Plan ("ADP") and the associated federal and state environmental review. First, second, and third amendments to the contract altered staff titles and added items to the scope of work, but did not increase the not-to-exceed amount of compensation.

In December 2015, the Board approved the fourth amendment to the contract (Resolution 2015-0131), which added major items to the scope of work, increased the not-to-exceed amount of compensation to \$8,692,145, and extended the contract term to February 21, 2020. A fifth amendment added subcontractors, but did not increase the not-to-exceed amount of compensation. In September 2016, the Board approved the sixth amendment (Resolution 2016-0080), which increased the not-to-exceed amount of compensation to \$9,367,875, to support additional grant-funded sustainability management planning as part of the Airport Development Plan. The seventh and eighth amendments added subconsultants related to the environmental review, but did not increase the not-to-exceed amount of compensation. A ninth amendment was approved by the Board in January 2019 (Resolution 2019-0010) to increase the not-to-exceed compensation amount by \$2,280,780 and extend the term by one-year to February 21, 2021, in order to support developing transit options and alignments and modifying the terminal and ground transportation components to accommodate transit and reduce parking spaces. Finally, a tenth amendment was approved by the Board in October 2019 (Resolution 2019-0090) to increase the not-to exceed agreement amount by \$800,000 to \$12,448,655 to support the continued refinement of the ADP, environmental review, and ongoing collaboration with partner agencies in the region.

Having completed its environmental review under the California Environmental Quality Act ("CEQA") in January 2020, the Airport Development Plan is now undergoing federal

environmental review by the Federal Aviation Administration (“FAA”) under the National Environmental Policy Act (“NEPA”). As such, a draft Environmental Assessment for the ADP is expected to be released by the FAA in spring 2021, with a federal Record of Decision likely to occur in early fall 2021. Concurrently, Airport Authority staff has submitted all of the ADP’s project components to the California Coastal Commission to initiate a Coastal Development Permit application. The proposed eleventh amendment to the Leigh Fisher agreement would extend the term for 12 months until February 21, 2022 to allow continued professional services support through the completion of these remaining ADP environmental entitlements.

Fiscal Impact:

The proposed amendment does not increase the not-to-exceed amount of compensation for the Leigh Fisher Contract. Adequate funds for the Contract’s existing total compensation amount are included within the Board-adopted FY2018-FY2023 Capital Program Budget in Project No. 104149 SDIA Airport Development Plan. Sources of funding for this project include Airport Cash, Airport Improvement Program (AIP) Grants, and General Airport Revenue Bonds.

Authority Strategies/Focus Areas:

This item supports one or more of the following (*select at least one under each area*):

Strategies

- Community Strategy Customer Strategy Employee Strategy Financial Strategy Operations Strategy

Focus Areas

- Advance the Airport Development Plan Transform the Customer Journey Optimize Ongoing Business

Environmental Review:

- A. CEQA: This Board action is not a project that would have a significant effect on the environment as defined by the California Environmental Quality Act (“CEQA”), as amended. 14 Cal. Code Regs. §15378. This Board action is not a “project” subject to CEQA. Cal. Pub. Res. Code §21065.
- B. California Coastal Act Review: This Board action is not a “development” as defined by the California Coastal Act. Cal. Pub. Res. Code §30106.
- C. NEPA: This Board action is not a project that involves additional approvals or actions by the Federal Aviation Administration (“FAA”) and, therefore, no formal review under the National Environmental Policy Act (“NEPA”) is required.

Application of Inclusionary Policies:

The Authority has the following inclusionary programs/policy: a Disadvantaged Business Enterprise (DBE) Program, an Airport Concession Disadvantaged Business Enterprise (ACDBE) Program and Policy 5.12. These programs/policies are intended to promote the inclusion of small, local, service disabled/ veteran owned small businesses, historically underrepresented businesses and other business enterprises, on all contracts. Only one of the programs/policies named above can be used in any single contracting opportunity.

At the time of the RFQ/Statement of Qualification in September 2011, the ADP study was anticipated to utilize FAA grant funding. The plan of finance ultimately scheduled the use of Passenger Facility Charges as the funding source of this project. Consequently, no preferences were applied to the award of this contract. However, Leigh Fisher & Associates committed to working with the Airport Authority to maximize participation by small, local, historically underrepresented businesses on the project. To date, there is 21.8% small business participation on this contract.

Prepared by:

BRENDAN J. REED
DIRECTOR, PLANNING & ENVIRONMENTAL AFFAIRS

RESOLUTION NO. 2021-0003

A RESOLUTION OF THE BOARD OF THE SAN DIEGO COUNTY REGIONAL AIRPORT AUTHORITY, APPROVING AND AUTHORIZING THE PRESIDENT/CEO TO EXECUTE THE ELEVENTH AMENDMENT TO THE AGREEMENT WITH LEIGH FISHER EXTENDING THE TERM BY 12 MONTHS TO COMPLETE THE AIRPORT DEVELOPMENT PLAN'S ENVIRONMENTAL REVIEW

WHEREAS, Airport Authority released a Request for Qualifications in 2011 for consultant services to develop a new master plan for the San Diego International Airport to meet the region's growing demand for air transportation through the year 2035 with more modern, efficient, and comfortable facilities; and

WHEREAS, the Board adopted Resolution No. 2011-0115 approving a contract of up to \$6.5 million and four (4) years for a consultant team led by Leigh Fisher for the Airport Development Plan ("ADP") and the associated federal and state environmental review; and

WHEREAS, there has been six amendments to the Leigh Fisher agreement since 2011 that have modified staff titles, added scope of work items, and/or extended the term; and

WHEREAS, the agreement's not-to-exceed compensation has also been increased through Resolutions 2015-0131, 2016-0080, 2019-0010, and 2019-0090 for a total contract amount of \$12,448,655 to support the continued refinement of the ADP, its environmental review, and ongoing collaboration with partner agencies in the region; and

WHEREAS, the Airport Development Plan is now undergoing federal environmental review by the Federal Aviation Administration under the National Environmental Policy Act, which is expected to conclude in early fall 2021; and

WHEREAS, Airport Authority staff has concurrently submitted all of the ADP's project components to the California Coastal Commission to initiate a Coastal Development Permit application; and

WHEREAS, the proposed extension of the Leigh Fisher agreement term by 12 months until February 21, 2022 will allow continued professional services support through the completion of these remaining ADP environmental entitlements.

NOW, THEREFORE, BE IT RESOLVED that the Board hereby approves and authorizes the President/CEO to execute the Eleventh Amendment to the agreement with Leigh Fisher extending the term by 12 months to complete the Airport Development Plan's environmental review; and

BE IT FURTHER RESOLVED that the Board finds that this action is not a "project" as defined by the California Environmental Quality Act ("CEQA") (California Public Resources Code §21065); and

BE IT FURTHER RESOLVED that the Board finds that this action is not a "development" as defined by the California Coastal Act (California Public Resources Code §30106); and

BE IT FURTHER RESOLVED that the Board finds that this action is not a project that involves additional approvals or actions by the Federal Aviation Administration ("FAA") and, therefore, no formal review under the National Environmental Policy Act ("NEPA") is required.

PASSED, ADOPTED, AND APPROVED by the Board of the San Diego County Regional Airport Authority at a regular meeting this 7th day of January, 2021, by the following vote:

AYES: Board Members:

NOES: Board Members:

ABSENT: Board Members:

ATTEST:

TONY R. RUSSELL
DIRECTOR, BOARD SERVICES /
AUTHORITY CLERK

APPROVED AS TO FORM:

AMY GONZALEZ
GENERAL COUNSEL

SAN DIEGO COUNTY REGIONAL AIRPORT AUTHORITY

Item No.
7

STAFF REPORT

Meeting Date: **JANUARY 7, 2021**

Subject:

Appointments to Board Committees, Liaison Positions, Other Representative and Alternate Positions

Recommendation:

Adopt Resolution No. 2021-0007, appointing Gil Cabrera as a member of the Capital Improvement Program Oversight Committee and the Finance Committee.

Background/Justification:

Authority Policy 1.20 establishes a policy for the formation of committees of and for the Board. Authority Policy 1.50 (5)(c), "Standing Board Committees", establishes five standing Board committees. The departures of Greg Cox and Mark Kersey created vacancies on the Capital Improvement Program Oversight Committee and the Finance Committee.

Pursuant to California Code Regulation Section 18702.5, *Materiality Standard: Economic Interest in Personal Finances*, the Authority is now required to post on its website, an F.P.P.C. Form 806 (See Exhibit A), listing all paid appointed positions on boards, committees, or commissions of a public agency, prior to the appointments being made.

It is recommended that Gil Cabrera be appointed to the Capital Improvement Program Oversight Committee and Finance Committee to fill vacancies on those committees through the end of this month. The Board is expected to make its annual committee assignments at its February 4, 2021, meeting.

Fiscal Impact:

Legislation limits compensation for Board Members to \$200 per day of service, with a maximum of eight (8) days per month. Adequate funds for Board Member compensation are included in the Authority Board Department adopted FY 2021 and conceptually approved FY 2022 Operating Expense Budgets.

Authority Strategies/Focus Areas:

This item supports one or more of the following (*select at least one under each area*):

- | | | | | |
|---|---|---|---|---|
| <input checked="" type="checkbox"/> Community Strategy | <input type="checkbox"/> Customer Strategy | <input type="checkbox"/> Employee Strategy | <input type="checkbox"/> Financial Strategy | <input checked="" type="checkbox"/> Operations Strategy |
| <u>Focus Areas</u> | | | | |
| <input type="checkbox"/> Advance the Airport Development Plan | <input type="checkbox"/> Transform the Customer Journey | <input checked="" type="checkbox"/> Optimize Ongoing Business | | |

Environmental Review:

- A. CEQA: This Board action is not a project that would have a significant effect on the environment as defined by the California Environmental Quality Act ("CEQA"), as amended. 14 Cal. Code Regs. §15378. This Board action is not a "project" subject to CEQA. Cal. Pub. Res. Code §21065.
- B. California Coastal Act Review: This Board action is not a "development" as defined by the California Coastal Act. Cal. Pub. Res. Code §30106.
- C. NEPA: This Board action is not a project that involves additional approvals or actions by the Federal Aviation Administration ("FAA") and, therefore, no formal review under the National Environmental Policy Act ("NEPA") is required.

Application of Inclusionary Policies:

Not Applicable.

Prepared by:

TONY R. RUSSELL
DIRECTOR, BOARD SERVICES/AUTHORITY CLERK

**Agency Report of:
Public Official Appointments**

A Public Document

1. Agency Name			California Form 806
Division, Department, or Region <i>(If Applicable)</i>			For Official Use Only
Designated Agency Contact <i>(Name, Title)</i>			
Area Code/Phone Number	E-mail	Page ____ of ____	Date Posted: <i>(Month, Day, Year)</i>

2. Appointments

Agency Boards and Commissions	Name of Appointed Person	Appt Date and Length of Term	Per Meeting/Annual Salary/Stipend
	▶ Name _____ <i>(Last, First)</i> Alternate, if any _____ <i>(Last, First)</i>	▶ _____/_____/_____ <i>Appt Date</i> ▶ _____ <i>Length of Term</i>	▶ Per Meeting: \$ _____ ▶ Estimated Annual: \$0-\$1,000 \$2,001-\$3,000 \$1,001-\$2,000 _____ <i>Other</i>
	▶ Name _____ <i>(Last, First)</i> Alternate, if any _____ <i>(Last, First)</i>	▶ _____/_____/_____ <i>Appt Date</i> ▶ _____ <i>Length of Term</i>	▶ Per Meeting: \$ _____ ▶ Estimated Annual: \$0-\$1,000 \$2,001-\$3,000 \$1,001-\$2,000 _____ <i>Other</i>
	▶ Name _____ <i>(Last, First)</i> Alternate, if any _____ <i>(Last, First)</i>	▶ _____/_____/_____ <i>Appt Date</i> ▶ _____ <i>Length of Term</i>	▶ Per Meeting: \$ _____ ▶ Estimated Annual: \$0-\$1,000 \$2,001-\$3,000 \$1,001-\$2,000 _____ <i>Other</i>
	▶ Name _____ <i>(Last, First)</i> Alternate, if any _____ <i>(Last, First)</i>	▶ _____/_____/_____ <i>Appt Date</i> ▶ _____ <i>Length of Term</i>	▶ Per Meeting: \$ _____ ▶ Estimated Annual: \$0-\$1,000 \$2,001-\$3,000 \$1,001-\$2,000 _____ <i>Other</i>

3. Verification

I have read and understand FPPC Regulation 18702.5. I have verified that the appointment and information identified above is true to the best of my information and belief.

Tony R Russell

Signature of Agency Head or Designee

Print Name

Title

(Month, Day, Year)

Comment: _____

RESOLUTION NO. 2021-0007

A RESOLUTION OF THE BOARD OF THE
SAN DIEGO COUNTY REGIONAL AIRPORT
AUTHORITY, APPOINTING GIL CABRERA AS A
MEMBER OF THE CAPITAL IMPROVEMENT
PROGRAM OVERSIGHT COMMITTEE AND THE
FINANCE COMMITTEE

WHEREAS, Authority Policy Section 1.20 establishes a policy for the formation of committees of and for the Board and Authority Policy Section 1.50 (5)(c) establishes certain Board committees; and

WHEREAS, the departure of Mark Kersey and Greg Cox created vacancies on the Capital Improvement Program Oversight Committee and the Finance Committee; and

WHEREAS, the Board wishes to appoint Gil Cabrera to the Capital Improvement Program Oversight Committee and the Finance Committee to fill vacancies on those committees through the end of this month. The Board is expected to make its annual committee assignments at its February 4, 2021, meeting.

WHEREAS, pursuant to California Code Regulation Section 18702.5, *Materiality Standard: Economic Interest in Personal Finances*, the Authority is now required to post on its website F.P.P.C. Form 806, listing all the paid appointed positions on boards, committees, or commissions of a public agency; and

WHEREAS, in accordance with the requirements of the California Code of Regulations §18702.5, FPPC Form 806, outlining the appointments was posted on the Authority website with the staff report.

NOW, THEREFORE, BE IT RESOLVED that the Board hereby approves the appointment of Gil Cabrera to the Capital Improvement Program Oversight Committee and the Finance Committee to fill vacancies on those committees through the end of this month as indicated in Attachment A; and

BE IT FURTHER RESOLVED that the Board finds that this action is not a "project" as defined by the California Environmental Quality Act ("CEQA") (California Public Resources Code §21065); and

BE IT FURTHER RESOLVED that the Board finds that this action is not a "development" as defined by the California Coastal Act (California Public Resources Code §30106); and

BE IT FURTHER RESOLVED that the Board finds that this action is not a project that involves additional approvals or actions by the Federal Aviation Administration ("FAA") and, therefore, no formal review under the National Environmental Policy Act ("NEPA") is required.

PASSED, ADOPTED, AND APPROVED by the Board of the San Diego County Regional Airport Authority at it's regular meeting this 7th day of January, 2021, by the following vote:

AYES: Board Members:

NOES: Board Members:

ABSENT: Board Members:

ATTEST:

TONY R. RUSSELL
DIRECTOR, BOARD SERVICES/
AUTHORITY CLERK

APPROVED AS TO FORM:

AMY GONZALEZ
GENERAL COUNSEL

San Diego County Regional Airport Authority Board Committee, Liaison and Representative Appointments

STANDING COMMITTEES

Executive Committee		
<i>Hold Monthly Meetings</i>		
<u>Name</u>	<u>Appointed</u>	<u>Term Expiration</u>
Johanna Schiavoni (Chair)	January 2021	
Paul Robinson (Vice Chair)	February 2020	January 2022
Robert Lloyd	February 2020	January 2022
Finance Committee		
Gil Cabrera	January 7, 2021	January 31, 2021
Catherine Blakespear	February 2020	January 2021
Johanna Schiavoni (Vice Chair)	February 2020	January 2021
Paul McNamara	February 2020	January 2021
Audit Committee		
<i>Hold Quarterly Meetings</i>		
<u>Name</u>	<u>Appointed</u>	<u>Term Expiration</u>
	February 2020	January 2021
Catherine Blakespear	February 2020	January 2021
Paul McNamara (Vice Chair)	February 2020	January 2021
Mark West	February 2020	January 2021
Carmen Vann*	February 2020	June 2022
Jack Van Sambeek*	July 2018	June 2021
Agnes Wong Nickerson*	July 2020	June 2023
<small>*Public Members Added Pursuant to Public Utilities Code §170018</small>		
Executive Personnel and Compensation Committee		
<i>Hold Quarterly Meetings</i>		
<u>Name</u>	<u>Appointed</u>	<u>Term Expiration</u>
Johanna Schiavoni (Chair)	December 2019	February 2021
	February 2020	January 2021
	February 2020	January 2021
Paul Robinson	February 2020	January 2021
Capital Improvement Program Oversight Committee		
<i>Hold Quarterly Meetings</i>		
<u>Name</u>	<u>Appointed</u>	<u>Term Expiration</u>
Mark West (Chair)	February 2020	January 2021
Gil Cabrera	January 7, 2021	January 31, 2021
Bob Lloyd	February 2020	January 2021
Paul Robinson	February 2020	January 2021
	February 2020	January 2021

San Diego County Regional Airport Authority Board Committee, Liaison and Representative Appointments

REPRESENTATIVES (EXTERNAL)

SANDAG BOARD OF DIRECTORS		
<u>Name</u>	<u>Appointed</u>	<u>Term Expiration</u>
	January 2021	December 2021
Paul Robinson (Alternate)	January 2021	December 2021
SANDAG Transportation Committee		
<u>Name</u>	<u>Appointed</u>	<u>Term Expiration</u>
Johanna Schiavoni (Primary)	February 2020	January 2021
Mark West (Alternate)	February 2020	January 2021
SCAG Aviation Task Force		
	February 2020	January 2021
World Trade Center		
<u>Name</u>	<u>Appointed</u>	<u>Term Expiration</u>
Robert H. Gleason	February 2020	January 2021

REPRESENTATIVES (INTERNAL)

Authority Advisory Committee		
<u>Name</u>	<u>Appointed</u>	<u>Term Expiration</u>
Paul Robinson (Primary)	February 2020	January 2021
Johanna Schiavoni (Alternate)	February 2020	January 2021
Art Advisory Committee		
<u>Name</u>	<u>Appointed</u>	<u>Term Expiration</u>
Robert H. Gleason	February 2020	January 2021

LIAISONS

Military Affairs		
<u>Name</u>	<u>Appointed</u>	<u>Term Expiration</u>
Col. Dockery	February 2020	January 2021
Port		
<u>Name</u>	<u>Appointed</u>	<u>Term Expiration</u>
	February 2020	January 2021
	February 2020	January 2021
Paul Robinson	February 2020	January 2021
Caltrans		
<u>Name</u>	<u>Appointed</u>	<u>Term Expiration</u>
Gustavo Dallarda	October 2020	January 2021
Inter-Governmental Affairs		
<u>Name</u>	<u>Appointed</u>	<u>Term Expiration</u>
	February 2020	January 2021

STAFF REPORT

Meeting Date: **JANUARY 7, 2021**

Subject:

Reject the Claim of Marilyn Jenks

Recommendation:

Adopt Resolution No. 2021-0004, rejecting the claim of Marilyn Jenks

Background/Justification:

On November 18, Marilyn Jenks filed a claim ("Attachment A") with the San Diego County Regional Airport Authority ("Authority"). Specifically, Jenks alleges that she fell as she transited the crosswalk with her husband from the transportation island to Terminal Two at San Diego International Airport. Jenks claims damages in the amount of \$376.74 plus future medical expenses related to a severely injured right leg.

As described above, Jenks alleges that on November 4, 2020, she and her husband arrived at the transportation island on the shuttle bus from the Rental Car Center. While utilizing the crosswalk to the terminal, Jenks claims her husband slipped and fell on his back. In doing so he rolled on her feet, causing her to fall as well. Jenks claims the fall severely injured her right leg to the point she is unable to put weight on it. Jenks and her husband ultimately boarded their original departing flight with assistance from airline and Authority personnel.

Jenks's claim should be denied. An investigation into the alleged incident revealed there was no notice of an unsafe condition. No injury report was taken at the time. The General Counsel has reviewed the claim and recommends rejection.

Fiscal Impact:

Not applicable.

Authority Strategies/Focus Areas:

This item supports one or more of the following (*select at least one under each area*):

Strategies

- Community Strategy Customer Strategy Employee Strategy Financial Strategy Operations Strategy

Focus Areas

- Advance the Airport Development Plan Transform the Customer Journey Optimize Ongoing Business

Environmental Review:

- A. CEQA: This Board action is not a project that would have a significant effect on the environment as defined by the California Environmental Quality Act ("CEQA"), as amended. 14 Cal. Code Regs. §15378. This Board action is not a "project" subject to CEQA. Cal. Pub. Res. Code §21065.
- B. California Coastal Act Review: This Board action is not a "development" as defined by the California Coastal Act. Cal. Pub. Res. Code §30106.
- C. NEPA: This Board action is not a project that involves additional approvals or actions by the Federal Aviation Administration ("FAA") and, therefore, no formal review under the National Environmental Policy Act ("NEPA") is required.

Application of Inclusionary Policies:

Not applicable.

Prepared by:

AMY GONZALEZ
GENERAL COUNSEL



ACCIDENT OR DAMAGE

CLAIM FORM

Please complete all sections. Incomplete submittals will be returned, unprocessed. Use a typewriter or print in ink.

FOR AUTHORITY USE ONLY	
Document No.:	_____
Filed:	_____

1) Claimant Name: <u>Marilyn E Jenks</u>	
2) Address to which correspondence regarding this claim should be sent: <u>PO BOX 10374</u> <u>Lahaina, HI 96761</u>	
Telephone No.: <u>808-298-5463</u>	Date: <u>11/11/2020</u>
3) Date and time of incident: <u>11/4/2020 6:00 AM PST</u>	
4) Location of incident: <u>Crosswalk in front of Terminal 2 SAN</u>	
5) Description of incident resulting in claim: <u>walking in crosswalk from car rental shuttle to Terminal 2 for Alaska #829. My husband Robert Jenks slipped and fell on his back in crosswalk. He rolled and hit my feet and I fell down on right side injuring my right leg. Two civilians helped us to the sidewalk. Traffic Security officer witnessed incident and assisted in getting a wheelchair for me.</u>	
6) Name(s) of the Authority employee(s) causing the injury, damage or loss, if known:	
7) Persons having firsthand knowledge of incident:	
Witness(es) <u>Yousef - Traffic officer</u>	Physician(s): <u>Doctor on call Lahaina 11/4/2020</u>
Name: <u>Yousef & 2 civilians</u>	Name: <u>Shannon PA & Xray Tech</u>
Address: <u>Unknown</u>	Address: <u>3350 Lower Honoapiilani Rd #211</u> <u>Lahaina, HI 96761</u>
Phone: <u>Unknown</u>	Phone: <u>808-667-7676</u>
	<u>Anne Biedel - Maui Medical Group 11/9/2020</u> <u>130 Prison Street</u> <u>Lahaina, HI 96761</u>

8) Describe property damage or personal injury claimed.

Right Leg severely Injured. Unable to put weight on it. Am in a wheelchair at home. Waiting for appt. with orthopedic Surgeon.

9) Owner and location of damaged property or name/address of person injured:

Marilyn & Jenks
PO BOX 10374
Lahaina, HI 96761

} mailing address

physical address:
3559 Lower Honoapiilani Rd #3D
Lahaina, HI 96761

10) Detailed list and amount of damages claimed as of date of presentation of claim, including prospective damages. If amount exceeds \$10,000.00, a specific amount need not be included.

\$376.74 at 11/9/2020
unknown future expense waiting for further bills and doctor evaluations/treatment

Dated: 11/11/2020

Claimant: Marilyn & Jenks
(Signature)

Notice to Claimant:

Where space is insufficient, please use additional paper and identify information by proper section number.

Mail completed original form to:

OR

Deliver completed original form in person to:

Claims
San Diego County Regional Airport Authority
P.O. Box 82776
San Diego, CA 92138-2776

San Diego County Regional Airport Authority
Administration Reception Desk
3225 N. Harbor Drive, 3rd Floor
San Diego, CA 92101

RESOLUTION NO. 2021-0004

A RESOLUTION OF THE BOARD OF THE
SAN DIEGO COUNTY REGIONAL AIRPORT
AUTHORITY, REJECTING THE CLAIM OF MARILYN
JENKS

WHEREAS, on November 18, 2020, Marilyn Jenks filed a claim with the San Diego County Regional Airport Authority (“Authority”) for losses she claims were the result of falling in the crosswalk in front of Terminal Two at San Diego International Airport; and

WHEREAS, at its regular meeting on January 7, 2021, the Board considered the claim filed by Marilyn Jenks and the report submitted to the Board, and found that the claim should be rejected.

NOW, THEREFORE, BE IT RESOLVED that the Board rejects the claim of Marilyn Jenks; and

BE IT FURTHER RESOLVED that the Board finds that this action is not a “project” as defined by the California Environmental Quality Act (“CEQA”) (Cal. Pub. Res. Code § 21065); and

BE IT FURTHER RESOLVED that the Board finds that this action is not a “development” as defined by the California Coastal Act (Cal. Pub. Res. Code § 30106); and

BE IT FURTHER RESOLVED that the Board finds that this Board action is not a project that involves additional approvals or actions by the Federal Aviation Administration (“FAA”) and, therefore, no formal review under the National Environmental Policy Act (“NEPA”) is required.

PASSED, ADOPTED, AND APPROVED by the Board of the San Diego County Regional Airport Authority at its regular meeting this 7th day of January, 2021, by the following vote:

AYES: Board Members:

NOES: Board Members:

ABSENT: Board Members:

ATTEST:

TONY R. RUSSELL
DIRECTOR, BOARD SERVICES /
AUTHORITY CLERK

APPROVED AS TO FORM:

AMY GONZALEZ
GENERAL COUNSEL

STAFF REPORT

Meeting Date: **JANUARY 7, 2021**

Subject:

Reject the Claim of Robert Jenks

Recommendation:

Adopt Resolution No. 2021-0005, rejecting the claim of Robert Jenks

Background/Justification:

On November 18, Robert Jenks filed a claim (“Attachment A”) with the San Diego County Regional Airport Authority (“Authority”). Specifically, Jenks alleges that he fell as he transited the crosswalk from the transportation island to Terminal Two at San Diego International Airport. Jenks claims damages in the amount of \$50 plus future medical expenses related to injuries to his right hip, left shoulder and left elbow.

As described above, Jenks alleges that on November 4, 2020, he and his wife arrived at the transportation island on the shuttle bus from the Rental Car Center. While utilizing the crosswalk to the terminal, Jenks claims to have slipped on wet and slippery unseen water on the ground. He states that he rolled as he fell, causing his wife to fall too. Jenks claims the fall injured his right hip, his left shoulder and his left elbow. Jenks and his wife ultimately boarded their original departing flight with assistance from airline and Authority personnel.

Jenks’s claim should be denied. An investigation into the alleged incident revealed there was no notice of an unsafe condition. No injury report was taken at the time. The General Counsel has reviewed the claim and recommends rejection.

Fiscal Impact:

Not applicable.

Authority Strategies/Focus Areas:

This item supports one or more of the following (*select at least one under each area*):

Strategies

- Community Strategy Customer Strategy Employee Strategy Financial Strategy Operations Strategy

Focus Areas

- Advance the Airport Development Plan Transform the Customer Journey Optimize Ongoing Business

Environmental Review:

- A. CEQA: This Board action is not a project that would have a significant effect on the environment as defined by the California Environmental Quality Act ("CEQA"), as amended. 14 Cal. Code Regs. §15378. This Board action is not a "project" subject to CEQA. Cal. Pub. Res. Code §21065.
- B. California Coastal Act Review: This Board action is not a "development" as defined by the California Coastal Act. Cal. Pub. Res. Code §30106.
- C. NEPA: This Board action is not a project that involves additional approvals or actions by the Federal Aviation Administration ("FAA") and, therefore, no formal review under the National Environmental Policy Act ("NEPA") is required.

Application of Inclusionary Policies:

Not applicable.

Prepared by:

AMY GONZALEZ
GENERAL COUNSEL



ACCIDENT OR DAMAGE

CLAIM FORM

Please complete all sections. Incomplete submittals will be returned, unprocessed. Use a typewriter or print in ink.

FOR AUTHORITY USE ONLY	
Document No.:	_____
Filed:	_____

1) Claimant Name: Robert E. Jenks	
2) Address to which correspondence regarding this claim should be sent: PO BOX 10374 Lahaina, HI 96761	
Telephone No.: 808-298-7911	Date: 11/11/2020
3) Date and time of incident: 11/4/2020 6:00 AM PST	
4) Location of incident: crosswalk in front of Terminal 2 SAN	
5) Description of incident resulting in claim: Walking in crosswalk from car rental shuttle to Terminal 2 for Alaska # 829. I slipped and fell on my back and injured right hip. The crosswalk was wet & slippery unseen water? My wife then fell after I rolled over and hit her foot. Two civilians assisted in getting me up - I also injured my left shoulder and left elbow.	
6) Name(s) of the Authority employee(s) causing the injury, damage or loss, if known:	
7) Persons having firsthand knowledge of incident:	
Witness(es) yousef - traffic officer	Physician(s): Dr. Walton
Name: yousef & 2 civilians	Name: Steven Walton
Address: Unknown	Address: 180 Dickenson Street Lahaina HI 96761
Phone: unknown	Phone: 808-667-6268

8) Describe property damage or personal injury claimed:

Right Hip Injury
Left shoulder injury
Left Elbow injury

9) Owner and location of damaged property or name/address of person injured:

Robert E. Jenks
PO Box 10374
Lahaina, HI 96761

} mailing
address

physical address:
3559 Lower Honoapiilani Rd #3D
Lahaina, HI 96761

10) Detailed list and amount of damages claimed as of date of presentation of claim, including prospective damages. If amount exceeds \$10,000.00, a specific amount need not be included.

\$50
Further expenses unknown until doctor evaluation & treatment

Dated: 11/11/2020

Claimant:

Robert E. Jenks
(Signature)

Notice to Claimant:

Where space is insufficient, please use additional paper and identify information by proper section number.

Mail completed original form to:

OR

Deliver completed original form in person to:

Claims
San Diego County Regional Airport Authority
P.O. Box 82776
San Diego, CA 92138-2776

San Diego County Regional Airport Authority
Administration Reception Desk
3225 N. Harbor Drive, 3rd Floor
San Diego, CA 92101

RESOLUTION NO. 2021-0005

A RESOLUTION OF THE BOARD OF THE
SAN DIEGO COUNTY REGIONAL AIRPORT
AUTHORITY, REJECTING THE CLAIM OF ROBERT
JENKS

WHEREAS, on November 18, 2020, Robert Jenks filed a claim with the San Diego County Regional Airport Authority (“Authority”) for losses he claims were the result of falling in the crosswalk in front of Terminal Two at San Diego International Airport; and

WHEREAS, at its regular meeting on January 7, 2021, the Board considered the claim filed by Robert Jenks and the report submitted to the Board, and found that the claim should be rejected.

NOW, THEREFORE, BE IT RESOLVED that the Board rejects the claim of Robert Jenks; and

BE IT FURTHER RESOLVED that the Board finds that this action is not a “project” as defined by the California Environmental Quality Act (“CEQA”) (Cal. Pub. Res. Code § 21065); and

BE IT FURTHER RESOLVED that the Board finds that this action is not a “development” as defined by the California Coastal Act (Cal. Pub. Res. Code § 30106); and

BE IT FURTHER RESOLVED that the Board finds that this Board action is not a project that involves additional approvals or actions by the Federal Aviation Administration (“FAA”) and, therefore, no formal review under the National Environmental Policy Act (“NEPA”) is required.

PASSED, ADOPTED, AND APPROVED by the Board of the San Diego County Regional Airport Authority at its regular meeting this 7th day of January, 2021, by the following vote:

AYES: Board Members:

NOES: Board Members:

ABSENT: Board Members:

ATTEST:

TONY R. RUSSELL
DIRECTOR, BOARD SERVICES /
AUTHORITY CLERK

APPROVED AS TO FORM:

AMY GONZALEZ
GENERAL COUNSEL

STAFF REPORT

Meeting Date: **JANUARY 7, 2021**

Subject:

Reject the Claim of Cheryl Finkbeiner

Recommendation:

Adopt Resolution No. 2021-0006, rejecting the claim of Cheryl Finkbeiner

Background/Justification:

On November 24, 2020, Cheryl Finkbeiner filed a claim ("Attachment A") with the San Diego County Regional Airport Authority ("Authority"). Specifically, Finkbeiner alleges that she tore her leather jacket as she used the restroom in Terminal One at San Diego International Airport. Finkbeiner claims damages in the amount of \$375.56 to cover the cost of a replacement jacket and alteration.

As described above, Finkbeiner alleges that on November 15, 2020, she and her husband arrived at San Diego International Airport on Spirit Airlines. She utilized the restroom while her husband waited for their bags at baggage claim. She claims she entered the bathroom stall and tore the jacket she wore as she turned around to lock the stall door. She claims the long metal pin at the center of the hinge that open and closes the paper seat cover dispenser was displaced and raised above the dispenser itself, leaving a sharp edge. She claims the sharp edge caused a small tear on the sleeve of her jacket where it meets the shoulder seam. She notified Flagship staff at the scene and the pin was put into place.

Finkbeiner's claim should be denied. An investigation into the alleged incident revealed there was no notice of an unsafe condition. The Authority has no maintenance request on file from Flagship for this location prior to the incident. The General Counsel has reviewed the claim and recommends rejection.

Fiscal Impact:

Not applicable.

Authority Strategies/Focus Areas:

This item supports one or more of the following (*select at least one under each area*):

Strategies

- Community Strategy Customer Strategy Employee Strategy Financial Strategy Operations Strategy

Focus Areas

- Advance the Airport Development Plan Transform the Customer Journey Optimize Ongoing Business

Environmental Review:

- A. CEQA: This Board action is not a project that would have a significant effect on the environment as defined by the California Environmental Quality Act ("CEQA"), as amended. 14 Cal. Code Regs. §15378. This Board action is not a "project" subject to CEQA. Cal. Pub. Res. Code §21065.
- B. California Coastal Act Review: This Board action is not a "development" as defined by the California Coastal Act. Cal. Pub. Res. Code §30106.
- C. NEPA: This Board action is not a project that involves additional approvals or actions by the Federal Aviation Administration ("FAA") and, therefore, no formal review under the National Environmental Policy Act ("NEPA") is required.

Application of Inclusionary Policies:

Not applicable.

Prepared by:

AMY GONZALEZ
GENERAL COUNSEL

ATTACHMENT A



**ACCIDENT OR DAMAGE
CLAIM FORM**

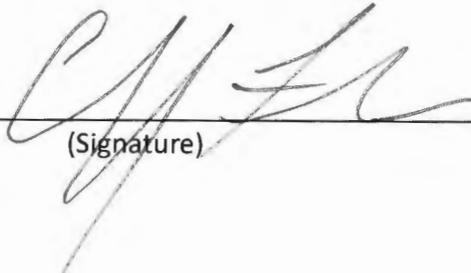
Please complete all sections. Incomplete submittals will be returned, unprocessed. Use a typewriter or print in ink.

FOR AUTHORITY USE ONLY	
Document No.:	_____
Filed:	_____

1) Claimant Name: Cheryl Finkbeiner	
2) Address to which correspondence regarding this claim should be sent: 11275 Affinity Court, Unit 120, San Diego, CA 92131	
Telephone No.: (619) 994-9036	Date: 11/18/2020
3) Date and time of incident: Sunday, November 15, 2020 7:55pm	
4) Location of incident: Terminal 1 Women's Restroom near TSA in Baggage Claim area (See Picture of Location)	
5) Description of incident resulting in claim: We arrived on Spirit Flight from Las Vegas Sunday evening and went to baggage claim area. I stepped into the womens restroom while my boyfriend waited for our luggage. I used the right side stall, I think it was 3 or 4. Maintenance and cleaning lady could better identify which one. I walked into the stall facing the toilet, normal procedure. I then turned to lock the stall door and felt a hard tug on my new leather jacket on the left arm towards the back of the shoulder. I then took my jacket off to view it and saw that it had been punctured and cut (see picture of damage). I looked around to see what had caught the arm and found a metal bar piece from the seat-cover dispenser that was attached to the left side of stall wall sticking up about 1.5 inches. It was the long hinge metal rod that allows the dispenser to open and close when stocking supplies. I immediately alerted the cleaning lady that was inside the bathroom of what had just happened, showed her the metal rod and had her touch it to see the extreme sharpness of the side top tip of it. She then got on her phn and called someone. I told her I had no time for a long wait. We both stepped outside the restroom and a person named Christian Soto came over and we both explained what had taken place. He took down my name & phn number and said someone would call me to file a claim. He also called maintenance right away to address the issue/safety hazard.	
6) Name(s) of the Authority employee(s) causing the injury, damage or loss, if known:	
7) Persons having firsthand knowledge of incident:	
Witness (es) Christian Soto (see picture of badge) & Name: restroom attendant on duty at 7:55pm.	Physician(s): Name:
Address:	Address:
Phone:	Phone:

ATTACHMENT A

8) Describe property damage or personal injury claimed:
See pictures attached of damages (punctured/sliced leather jacket backside on left upper sleeve near shoulder).
9) Owner and location of damaged property or name/address of person injured:
Cheryl Finkbeiner 11275 Affinity Court, Unit 120 San Diego, CA 92131
10) Detailed list and amount of damages claimed as of date of presentation of claim, including prospective damages. If amount exceeds \$10,000.00, a specific amount need not be included.
Jacket was purchased November 11, 2019 and had never been worn. It was worn the night before incident and day of incident to travel home due to plane being so cold. Credit card backup attached to show price of jacket. Sleeves were shortened in Feb 2020 but I dont have the bill from the cleaners to show this, however, it is a true claim. Purchase Price: \$355.56 Alteration Price: \$20.00 Total claim seeking for replacement of damaged leather jacket: \$375.56

Dated: 11/18/2020 Claimant: 
(Signature)

Notice to Claimant:
Where space is insufficient, please use additional paper and identify information by proper section number.

Mail completed original form to: OR Deliver completed original form in person to:

Claims San Diego County Regional Airport Authority Administration Reception Desk
San Diego County Regional Airport Authority 3225 N. Harbor Drive, 3rd Floor
P.O. Box 82776 San Diego, CA 92101
San Diego, CA 92138-2776

Online Form

ATTACHMENT A

← New... 🗑️ ✉️ ⌨️ ⋮

From SDIACustomerService to you + 1 more

See Details Mon, Nov 16, 2020 9:11 AM

Contact Us Form - Other

First Name: Cheryl

Last Name: Finkbeiner

Email: cherylkfink@aol.com

City: San Diego

Subject: Other

Comments:

Last night (11/15/2020) around 7:55pm I stepped into the women's restroom in terminal 1 near tsa (sign that says gates 3-10) baggage claim area and the stall had a sharp metal piece sticking out that sliced my new leather jacket. I reported immediately to the cleaning lady and she helped me get into contact with Christian Soto, who took my info to file a claim. Angelica from the airport called me last night and asked me to file a claim online. I took pictures of the sharp metal piece and pictures of my damaged leather jacket. They are available for your review if needed. I am seeking replacement for my jacket. Please contact me asap to resolve. 619-994-9036



RESOLUTION NO. 2021-0006

A RESOLUTION OF THE BOARD OF THE
SAN DIEGO COUNTY REGIONAL AIRPORT
AUTHORITY, REJECTING THE CLAIM OF CHERYL
FINKBEINER

WHEREAS, on November 24, 2020, Cheryl Finkbeiner filed a claim with the San Diego County Regional Airport Authority (“Authority”) for losses she claims were the result of tearing her leather jacket while using the restroom in Terminal One at San Diego International Airport; and

WHEREAS, at its regular meeting on January 7, 2021, the Board considered the claim filed by Cheryl Finkbeiner and the report submitted to the Board, and found that the claim should be rejected.

NOW, THEREFORE, BE IT RESOLVED that the Board rejects the claim of Cheryl Finkbeiner; and

BE IT FURTHER RESOLVED that the Board finds that this action is not a “project” as defined by the California Environmental Quality Act (“CEQA”) (Cal. Pub. Res. Code § 21065); and

BE IT FURTHER RESOLVED that the Board finds that this action is not a “development” as defined by the California Coastal Act (Cal. Pub. Res. Code § 30106); and

BE IT FURTHER RESOLVED that the Board finds that this Board action is not a project that involves additional approvals or actions by the Federal Aviation Administration (“FAA”) and, therefore, no formal review under the National Environmental Policy Act (“NEPA”) is required.

PASSED, ADOPTED, AND APPROVED by the Board of the San Diego County Regional Airport Authority at its regular meeting this 7th day of January, 2021, by the following vote:

AYES: Board Members:

NOES: Board Members:

ABSENT: Board Members:

ATTEST:

TONY R. RUSSELL
DIRECTOR, BOARD SERVICES /
AUTHORITY CLERK

APPROVED AS TO FORM:

AMY GONZALEZ
GENERAL COUNSEL

Board Communication

Date: January 7, 2021
To: Board Members
From: Tony R. Russell, Director, Board Services/ Authority Clerk
Subject: 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

Authority Policy 3.30 (3)(b) and (4) require that travel and business expense reimbursements of Board Members, the President/CEO, the Chief Auditor and the General Counsel be approved or pre-approved by the Executive Committee and presented to the Board for its information at its next regularly scheduled meeting.

On July 1, 2019, the Executive Committee pre-approved set dollar amounts for routine, in-town business expenses to be used during Fiscal Year 2020 for the President/CEO, General Counsel and Chief Auditor as authorized in Policy 3.30(3)(b)(i)(C).

The attached reports are being presented to comply with the requirements of Policy 3.30.

BUSINESS EXPENSE

A. BOLING

SAN DIEGO COUNTY REGIONAL AIRPORT AUTHORITY

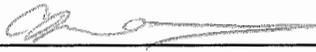
Board Services

2020

MONTHLY MILEAGE and PARKING FEE REIMBURSEMENT REPORT

EMPLOYEE NAME C. April Boling			PERIOD COVERED Nov. 2020	
DEPARTMENT/DIVISION				
Date	Miles driven	Destination and purpose of trip	Parking fees & other transportation costs paid	\$\$\$
11/16/20	30.50	Coasterra/Lunch w/Kim		
SUBTOTAL	30.50		SUBTOTAL	-

Computation of Reimbursement

	30.50
REIMBURSEMENT RATE: (see below) *	Rate as of January 2020 X 0.575
TOTAL MILEAGE REIMBURSEMENT	17.54
PARKING FEES/TOLL CHARGES (ATTACH RECEIPTS)	-
TOTAL REIMBURSEMENT REQUESTED	\$ 17.54
<p>I acknowledge that I have read, understand and agree to *Authority Policy 3.30 - Business Expense Reimbursement Policy and that any purchases/claims that are not allowed will be my responsibility. I further certify that this report of business expenses were incurred in connection with official Authority business and is true and correct.</p> <p><u>Business Expense Reimbursement Policy 3.30</u></p>	
 SIGNATURE OF EMPLOYEE	DEPT./DIV. HEAD APPROVAL