

**SAN DIEGO COUNTY REGIONAL AIRPORT AUTHORITY BOARD
MINUTES
THURSDAY, JANUARY 7, 2021
SAN DIEGO INTERNATIONAL AIRPORT
BOARD ROOM**

CALL TO ORDER: Chair Schiavoni called the meeting of the San Diego County Regional Airport Authority Board to order at 9:03 a.m. on Thursday, January 7, 2021, 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: Cabrera, Dallarda (Ex-Officio), Dockery (Ex-Officio), Lloyd, McNamara, Robinson, Schiavoni, Vargas, West

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

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

Chair Schiavoni welcomed new Board Members Cabrera and Vargas. She also thanked and recognized former Chair, April Boling, for her contributions and service to the Airport Authority.

PRESENTATIONS:

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

- **AUDIT COMMITTEE:** None.
- **CAPITAL IMPROVEMENT PROGRAM OVERSIGHT COMMITTEE:** Board Member West reported that the Committee's next meeting will be on January 14th and he recommended that all Board Members attend because an update on the Airport Development Program will be given.
- **EXECUTIVE PERSONNEL AND COMPENSATION COMMITTEE:** None.
- **FINANCE COMMITTEE:** Chair Schiavoni reported that the Committee's last met on December 21, 2020 where they reviewed the unaudited financial statements for the five months ended November 30, 2020, the investment report as of November 30, 2020 and an update on the upcoming request for proposals regarding variable and short-term debt.

ADVISORY COMMITTEES

- **AUTHORITY ADVISORY COMMITTEE:** None.
- **ART ADVISORY COMMITTEE:** Chris Chalupsky, Senior Manager, Art & Community Partnership, reported that the Request For Qualification for six Airport Development Program - related public art solicitations closed on December 7th, 2020 and that approximately 100 submissions were received. He reported that a selection panel comprised of members of the Arts Advisory Committee along with a body of external experts convened on multiple days during the week of December 14, 2020 to shortlist finalists and that interviews with the finalists will be held shortly to select the recommended awardees. He also reported that over the course of five days preceding the holidays, live musical performances resumed at the airport. He also reported that the airport's Performing Arts Residency artist, Margaret Noble has concluded her 6-month residency.

LIAISONS

- **CALTRANS:** Board Member Dallarda reported that due to the number of positive COVID-19 cases and the extended stay at home orders, the California Department of Transportation (Caltrans) district office in Old Town continues to be closed and will continue to provide services to the public via teleworking and that the maintenance and construction offices remain open. He also reported that highway traffic continues to be at about 20% below normal and that speeds continue to be high. He reported that there were some incursions into work zones which resulted in two fatalities and that Caltrans is asking the Board to help spread the message to watch out for construction workers, maintenance workers and emergency responders. He also reported that Caltrans recently released an equity statement that acknowledges that communities of color and underserved communities have historically experienced fewer benefits and a greater share of negative impacts associated with the State's transportation system and Caltrans recognizes its leadership role and unique responsibility to eliminate barriers and provide more equitable transportation for all Californians.
- **MILITARY AFFAIRS:** None.
- **PORT:** Chair Schiavoni congratulated Joe Stuyvesant on being named the new President and Chief Executive Officer of the Port District of San Diego.
- **WORLD TRADE CENTER:** None.

BOARD REPRESENTATIVES (EXTERNAL)

- **SANDAG BOARD OF DIRECTORS:** Board Member Robinson reported that the SANDAG Board met on December 4th and 18th and that they named Board Member Blakespear as the new Chair of the SANDAG Board of Directors.

ADVISORY COMMITTEES (Continued)

- **INTER-GOVERNMENTAL AFFAIRS:** Matt Harris, Director, Government Relations, reported that prior to the end of the 116th Congress, lawmakers approved a \$2 trillion bi-partisan appropriations bill that funded the government for the remainder of the fiscal year, as well as another COVID relief package which includes \$2 billion for airports and concessionaires, of which \$1.75 billion is reserved for commercial service airports and \$200 million for concessionaire relief. He reported that these funds are expected to be available within the next 30 to 60 days. He reported that it is considered very likely that there will be another COVID-19 relief package this year and that the Airport Authority's Government Relations team is continuing to work with federal consultants and industry partners to advocate for additional resources in the next COVID-relief package. He also reported that the Governor's Office released a preview of his budget, which includes \$4.5 billion to promote job recovery and support small businesses. He reported that the Government Relations team will be reviewing this budget to identify any funding or grant opportunities available to the Airport Authority or our concessionaires and other partners. He also reported that the Airport Authority's Government Relations team is currently working with state and federal consultants, partners at the California Airports Council and other stakeholders to prepare the Authority's 2021 Legislative Agenda and that he will be joined by the consultant teams to present the agenda for approval at the February Board meeting.

BOARD REPRESENTATIVES (EXTERNAL) (Continued)

- **SANDAG BOARD OF DIRECTORS:** Board Member Robinson reported that the SANDAG Board met on December 4th and 18th and that they named Board Member Blakespear as the new Chair of the SANDAG Board of Directors.
- **SANDAG TRANSPORTATION COMMITTEE:** Chair Schiavoni reported that the committee met once since the last San Diego Airport Authority Board meeting and that they forwarded to the full SANDAG Board the draft 2021 Regional Transportation Improvement Program and public transportation safety target recommendations that are required by federal law. She also reported that the committee received an update on the San Vicente Comprehensive Multimodal Corridor Plan, which includes the City of Poway, sections of east San Diego County such as Ramona and Lakeside, and the Barona Indian Reservation.

CHAIR'S REPORT: Chair reported that the Airport Authority still faces major challenges in 2021 as the Authority works to recover from the impacts of the COVID-19 pandemic. She also reported that the Airport Authority's recently installed battery energy storage system will be commissioned near the end of January and will allow the airport to maximize financial and environmental benefits from the campus-wide photovoltaic portfolio. She reported that the Airport Authority anticipates one million dollars in savings on utility demand costs over 10 years and that the system is an important tool in harnessing onsite renewable energy opportunities and maximizing benefits as outlined in

the Strategic Energy Plan. She also congratulated Kim Becker, President/CEO, on her election to the Board of Directors of Airports Council International – North America.

PRESIDENT/CEO’S REPORT: Kim Becker, President/CEO, reported that December’s numbers were down 70 percent compared to 2019 and that, on the day before Christmas Eve, they were down only 46 percent. She reported that this was a new high for the pandemic, with nearly 34,000 total passengers arriving and departing. She reported that Japan Airlines announced it will restart service to SAN in March. She reported that the only international markets SAN currently serves are Puerto Vallarta and Cancun. She also reported that Alaska Airlines launched its first nonstop flight from San Diego to Jackson Hole, Wyoming and that it is offered daily, excluding Tuesdays and Wednesdays, until April 11, 2021. She also reported that Alaska Airlines will start new daily nonstop service between San Diego and JFK airport in New York on April 4, 2021. She reported that SAN is encouraging those that choose to fly to use all safety precautions and follow all appropriate city, county and state health guidelines. She also reported that an onsite COVID-19 testing program for Hawaii-bound passengers was expanded in December and that SAN’s testing partner, Carbon Health, is now offering COVID tests for all departing passengers who wish to be tested. She also reported that the Authority transitioned to an open taxi system on January 1st and, to date, less than 20 taxi cabs have signed up to operate at the airport. She reported that during the recent Employee Appreciation event Camille Bueno was recognized as Volunteer of the Year, the Adobe Acrobat DC Pro Electronic Signature Team as Sustainability Champion of the Year, Telecommute Team as Innovator of the year, 2020 Hydrant Fuel Lines as Team of the Year and Steve Terry as Employee of the Year. She also thanked the entire SAN team for all of their hard work and dedication over the past year.

NON-AGENDA PUBLIC COMMENT: None.

CONSENT AGENDA (Items 1-10):

ACTION: Moved by Board Member Robinson and seconded by Board Member West to approve the Consent Agenda. Motion carried by the following votes: YES – Cabrera, Lloyd, McNamara, Robinson, Schiavoni, Vargas, West; NO – None; ABSENT – Blakespear; (Weighted Vote Points: YES – 75; NO – 0; ABSENT – 12)

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.

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.
4. **JANUARY 2021 LEGISLATIVE REPORT:**
RECOMMENDATION: Adopt Resolution No. 2021-0001, approving the January 2021 Legislative Report.
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.
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.
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.

CLAIMS

8. **REJECT THE CLAIM OF MARILYN JENKS:**
RECOMMENDATION: Adopt Resolution No. 2021-0004, rejecting the claim of Marilyn Jenks.
9. **REJECT THE CLAIM OF ROBERT JENKS:**
RECOMMENDATION: Adopt Resolution No. 2021-0005, rejecting the claim of Robert Jenks.

- 10. REJECT THE CLAIM OF CHERYL FINKBEINER:**
RECOMMENDATION: Adopt Resolution No. 2021-0006, rejecting the claim of Cheryl Finkbeiner.

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: The Board did not meet in 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: 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 9:46 a.m.

APPROVED BY A MOTION OF THE SAN DIEGO COUNTY REGIONAL AIRPORT AUTHORITY BOARD THIS 4TH DAY OF FEBRUARY, 2021.

ATTEST:



TONY R. RUSSELL
DIRECTOR, BOARD SERVICES /
AUTHORITY CLERK

APPROVED AS TO FORM:



AMY GONZALEZ
GENERAL COUNSEL