

# SAN DIEGO COUNTY REGIONAL AIRPORT AUTHORITY



## BOARD MEMBERS

ALAN D. BERSIN\*  
BRUCE R. BOLAND  
JIM DESMOND  
RAMONA FINNILA\*  
JIM PANKNIN  
TOM SMISEK  
ROBERT J. WATKINS\*  
ANTHONY K. YOUNG  
CHARLENE ZETTEL  
\* EXECUTIVE COMMITTEE

## EX OFFICIO BOARD MEMBERS

COL. CHRISTOPHER E. O'CONNOR  
PEDRO ORSO-DELGADO  
THOMAS L. SHEEHY

PRESIDENT/CEO  
THELLA F. BOWENS

## Revised 03/02/09 BOARD MEETING

### AGENDA

Thursday, March 5, 2009  
9:00 A.M.

San Diego International Airport  
Commuter Terminal – Third Floor  
Board Room  
3225 N. Harbor Drive  
San Diego, California 92101

***Live web casts of Authority Board meetings can be accessed at  
[http://www.san.org/airport\\_authority/boardmeetings.asp](http://www.san.org/airport_authority/boardmeetings.asp).***

This Agenda contains a brief general description of each item to be considered. The indication of a recommended action does not indicate what action (if any) may be taken. If comments are made to the Board without prior notice or are not listed on the Agenda, no specific answers or responses should be expected at this meeting pursuant to State law.

Staff Reports and documentation relating to each item of business on the Agenda are on file in Corporate Services and are available for public inspection.

**NOTE:** Pursuant to Authority Code Section 2.15, all Lobbyists shall register as an Authority Lobbyist with the Authority Clerk within ten (10) days of qualifying as a lobbyist. A qualifying lobbyist is any individual who receives \$100 or more in any calendar month to lobby any Board Member or employee of the Authority for the purpose of influencing any action of the Authority. To obtain Lobbyist Registration Statement Forms, contact the Corporate Services/Authority Clerk Department.

**PLEASE COMPLETE A "REQUEST TO SPEAK" FORM PRIOR TO THE COMMENCEMENT OF THE MEETING AND SUBMIT IT TO THE AUTHORITY CLERK. PLEASE REVIEW THE POLICY FOR PUBLIC PARTICIPATION IN BOARD AND BOARD COMMITTEE MEETINGS (PUBLIC COMMENT) LOCATED AT THE END OF THE AGENDA.**

*The Authority has identified a local company to provide oral interpreter and translation services for public meetings. If you require oral interpreter or translation services, please telephone the Corporate Services/Authority Clerk Department with your request at (619) 400-2400 at least three (3) working days prior to the meeting.*

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**CALL TO ORDER:**

**PLEDGE OF ALLEGIANCE:**

**ROLL CALL:**

**PRESENTATIONS:**

**A. INTRODUCTION OF THE NEW USO DIRECTOR AND LOCAL MANAGER:**

**B. DISNEY 'RED TEAM' VIDEO:**

Presented by Matt Harris, Senior Director, Executive Office

**C. 2008 PASSENGER SATISFACTION SURVEY RESULTS:**

Presented by Scott Ludwigsen, Executive Vice President, Phoenix Marketing International

**D. REPORT ON THE AUTHORITY'S FINANCIAL CONDITION:**

Presented by Vernon Evans, Vice President, Finance/Treasurer

**E. DESTINATION LINDBERGH STATUS REPORT:**

Presented by Keith Wilschetz, Director, Airport Planning

**PUBLIC COMMENT (18 MINUTES):**

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:**

The consent agenda contains items that are routine in nature and non-controversial. Some items may be referred by a standing Board Committee or approved as part of the budget process. The matters listed under 'Consent Agenda' may be approved by one motion. Any Board Member may remove an item for separate consideration. Items so removed will be heard before the scheduled New Business Items, unless otherwise directed by the Chair.

**1. APPROVAL OF MINUTES:**

The Board is requested to approve minutes of prior Board meetings.

RECOMMENDATION: Approve the minutes of the February 5, 2009 meeting.

**2. ACCEPTANCE OF BOARD MEMBERS' WRITTEN REPORTS ON THEIR ATTENDANCE AT APPROVED MEETINGS AND PRE-APPROVAL OF ATTENDANCE AT OTHER MEETINGS NOT COVERED BY THE CURRENT RESOLUTION:**

The Board is requested to accept the reports and pre-approve attendance.  
RECOMMENDATION: Accept the reports and pre-approve attendance at other meetings not covered by the current resolution.  
**(Corporate Services: Tony R. Russell, Director/Authority Clerk)**

**3. APPOINTMENTS TO THE FINANCE COMMITTEE AND A REPRESENTATIVE AND ALTERNATE TO THE SANDAG TRANSPORTATION COMMITTEE:**

The Board is requested to make appointments.  
RECOMMENDATION: Adopt Resolution No. 2009-0023, appointing Chairperson Bersin (Chair) and Board Member Watkins to the Finance Committee and appointing Board Member Smisek as Vice Chair of the Finance Committee and pursuant to Authority Policy 1.20 (2)(c), appointing Board Member Finnilla as an alternate to the Committee to serve in the absence of other Committee members, and appointing Board Members Smisek (First Alternate) and Zettel (Primary) to the SANDAG Transportation Committee.  
**(Corporate Services: Tony R. Russell, Director/Authority Clerk)**

**4. POLICY AMENDMENT REGARDING AREAS OF EXPERTISE OF MEMBERS TO SERVE ON THE AIRPORT ADVISORY COMMITTEE:**

The Board is requested to amend the policy.  
RECOMMENDATION: Adopt Resolution No. 2009-0024, approving the amendment of Authority Policy 1.21 – Airport Advisory Committee.  
**(Noise Mitigation: Dan Frazee, Director)**

***CLAIMS***

**5. RESOLUTION AUTHORIZING THE REJECTION OF THE CLAIM OF DOLORES LAZARO:**

The Board is requested to reject a claim.  
RECOMMENDATION: Adopt Resolution No. 2009-0026, authorizing the rejection of the claim of Dolores Lazaro.  
**(Legal: Breton Lobner, General Counsel)**

***COMMITTEE RECOMMENDATIONS***

**6. QUARTERLY AUDIT ACTIVITIES REPORT – FISCAL YEAR 2009 SECOND QUARTER, AND REVIEW OF AUDIT RECOMMENDATIONS ISSUED BY THE OFFICE OF THE CHIEF AUDITOR:**

The Board is requested to receive the report.  
RECOMMENDATION: The Audit Committee recommends that the Board receive the report.  
**(Audit Department: Mark Burchyett, Chief Auditor)**

**7. REPORT ON THE QUALITY ASSESSMENT REVIEW (QAR) OF THE OFFICE OF THE CHIEF AUDITOR:**

The Board is requested to receive the report.

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

**(Audit Department: Mark Burchyett, Chief Auditor)**

**8. REVISION TO THE FISCAL YEAR 2009 AUDIT PLAN OF THE OFFICE OF THE CHIEF AUDITOR:**

The Board is requested to receive the report.

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

**(Audit Department: Mark Burchyett, Chief Auditor)**

**9. SUPPORT FOR AN INVESTMENT TO ATTRACT DISNEY CRUISE LINES SHIP TO SAN DIEGO:**

The Board is requested to support an investment.

RECOMMENDATION: The Executive Committee recommends that the Board adopt Resolution No. 2009-0035, supporting in concept an investment in bonded indebtedness or similar investment vehicle of 25% of project costs (not to exceed \$5 million) related to construction of cruise ship terminal facilities to attract the homeporting of a Disney Cruise Lines ship; provided, that the matter is brought before the Board for consideration and final approval prior to execution of the subject investment.

**(Executive Office: Matt Harris, Senior Director)**

**CONTRACTS AND AGREEMENTS AND AMENDMENTS TO CONTRACTS AND AGREEMENTS**

**10. AWARDED CONTRACTS, APPROVED CHANGE ORDERS FROM JANUARY 5, 2009 THROUGH FEBRUARY 1, 2009 AND REAL PROPERTY AGREEMENTS GRANTED AND ACCEPTED FROM JANUARY 5, 2009 THROUGH FEBRUARY 1, 2009:**

The Board is requested to receive the report.

RECOMMENDATION: Receive the report.

**(Procurement: Jana Vargas, Director)**

**11. AWARD A CONTRACT TO ABC CONSTRUCTION COMPANY, INC., TO CONSTRUCT IMPROVEMENTS TO PARKING LOT 10:**

The Board is requested to award a contract.

RECOMMENDATION: Adopt Resolution No. 2009-0027, awarding a contract to ABC Construction Company, Inc., in the amount of \$ 278,470.00, for Project No. 104081B, Improvements to Parking Lot 10, at San Diego International Airport.

**(Facilities Development: Iraj Ghaemi, Director)**

**12. APPROVE THE SECOND AMENDMENT TO THE LEGAL SERVICES AGREEMENT BETWEEN THE AUTHORITY AND ANDERSON & KREIGER LLP:**

The Board is requested to approve the second amendment.

RECOMMENDATION: Adopt Resolution No. 2009-0028, approving the Second Amendment to the Legal Services Agreement (201386-OS) between the Authority and Anderson & Kreiger LLP. The Agreement consisted of a one (1) year term expiring no later than April 11, 2007, with (2) one-year options to renew at the discretion of the Board. This action would increase the number of one-year options to extend the term of the Agreement from two (2) to four (4) and provide for a new expiration date no later than April 10, 2011. No funds are being added to the Agreement.

**(Legal: Breton Lobner, General Counsel)**

**13. APPROVE THE THIRD AMENDMENT TO THE AGREEMENT BETWEEN THE AUTHORITY AND KUTAK ROCK LLP:**

The Board is requested to approve the third amendment.

RECOMMENDATION: Adopt Resolution No. 2009-0029, approving the third amendment to Contract No. 200005-OS between the Authority and Kutak Rock LLP. This amendment increases the number of one-year options to extend the term of the Agreement from two to four.

**(Legal: Breton Lobner, General Counsel)**

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

**14. AWARD A CONSTRUCTION CONTRACT TO S&L SPECIALTY CONTRACTING, INC., FOR QUIETER HOME PROGRAM PHASE 4, GROUP 11 (43 EAST SIDE UNITS; 3 WEST SIDE UNITS; NON-HISTORIC):**

The Board is requested to award a contract.

RECOMMENDATION: Adopt Resolution No. 2009-0030, awarding a construction contract to S&L Specialty Contracting, Inc., in the amount of \$1,148,550.00, for Phase 4, Group 11, Project No. 380411, of the San Diego County Regional Airport Authority's ("Authority's") Quieter Home Program.

**(Facilities Development: Iraj Ghaemi, Director)**

**15. AWARD A CONSTRUCTION CONTRACT TO G&T CONVEYOR COMPANY FOR BAGGAGE HANDLING SYSTEM MODIFICATIONS – IMPROVE BAGGAGE SCREENING CAPACITY:**

The Board is requested to award a contract.

RECOMMENDATION: Adopt Resolution No. 2009-0031, awarding a contract to G&T Conveyor Company in the amount of \$1,290,419.00, for Project No. 103096O, Baggage Handling System Modifications – Improve Baggage Screening Capacity, at San Diego International Airport.

**(Facilities Development: Iraj Ghaemi, Director)**

**16. AWARD A CONTRACT TO SADLER ELECTRIC, INC. FOR TERMINAL 1 ELECTRICAL EQUIPMENT UPGRADES:**

The Board is requested to award a contract.

RECOMMENDATION: Adopt Resolution No. 2009-0032, awarding a construction Contract to Sadler Electric, Inc., in the amount of \$2,450,000.00, for Project No. 103097, Terminal 1 Electrical Equipment Upgrades at San Diego International Airport.

**(Facilities Development: Iraj Ghaemi, Director)**

**17. AUTHORIZE THE PRESIDENT/CEO TO EXECUTE A 16<sup>TH</sup> AMENDMENT TO CONTRACT NO. 2004-0132-SA ORACLE MASTER HOSTING AGREEMENT:**

The Board is requested to approve the sixteenth amendment.

RECOMMENDATION: Adopt Resolution 2009-0033, authorizing the President/CEO to execute a 16<sup>th</sup> amendment to Contract No. 2004-0132-SA with Oracle USA INC. to provide technical assistance in the upgrade of the Authority E1 toolkit from version 8.95 to version 8.97.

**(Administration: Jeffrey Woodson, Vice President)**

**PUBLIC HEARINGS:**

**NEW BUSINESS:**

**18. MARCH 2009 LEGISLATIVE REPORT:**

The Board is requested to approve the report.

RECOMMENDATION: Adopt Resolution No. 2009-0034, approving the March 2009 Legislative report.

**(Inter-Governmental Relations: Michael Kulis, Director)**

**19. AUTHORIZE THE IMPLEMENTATION AND COLLECTION OF A TEN DOLLAR PER TRANSACTION CUSTOMER FACILITY CHARGE FROM AIRPORT RENTAL CAR COMPANIES FOR PURPOSES OF DESIGNING, FINANCING, AND CONSTRUCTING A POTENTIAL CONSOLIDATED RENTAL CAR FACILITY AND COMMON USE TRANSPORTATION SYSTEM AT SAN DIEGO INTERNATIONAL AIRPORT:**

The Board is requested to authorize collection.

RECOMMENDATION: Adopt Resolution No. 2009-0025, authorizing the implementation and collection of a Ten Dollar (\$10.00) per transaction Customer Facility Charge from airport rental car companies for purposes of designing, financing, and constructing a potential consolidated rental car facility and common use transportation system at San Diego International Airport.

**(Finance: Vernon Evans, Vice President/Treasurer)**

**20. REPORT OUT ON THE ACTION TAKEN BY THE BOARD IN CLOSED SESSION AT THE FEBRUARY 5, 2009 MEETING REGARDING THE TEAMSTERS 911 AGREEMENT:**

The Board is requested to receive the report.

RECOMMENDATION: Receive the report.

**(Executive Office: Thella F. Bowens, President/CEO)**

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

***STANDING BOARD COMMITTEES***

- **AUDIT COMMITTEE:**  
Committee Members: Smisek, Watkins, Young, Zettel (Chair), Tartre, Buck, Van Sambeek
- **EXECUTIVE PERSONNEL AND COMPENSATION COMMITTEE:**  
Committee Members: Boland, Desmond, Watkins (Chair), Zettel
- **FINANCE COMMITTEE:**  
Committee Members: Panknin, Sheehy (Ex-Officio), Young
- **TERMINAL DEVELOPMENT PROGRAM COMMITTEE:**  
Committee Members: Boland (Chair), Finnilla, Orso Delgado (Ex Officio), Panknin (Vice Chair), Miller (Public Member), Sheehy (Ex-Officio)

***AD HOC COMMITTEE***

- **RASP/AMAP AD HOC COMMITTEE:**  
Committee Members: Desmond, Finnilla (Chair), Boland (Vice Chair), Panknin, Orso Delgado (Ex-Officio)

***LIAISONS***

- **MILITARY AFFAIRS LIAISONS:**  
Liaisons: Boland (Primary), Panknin
- **AVIATION TECHNOLOGICAL ADVANCES:**  
Liaisons: Desmond (Primary), Smisek
- **CALTRANS:**  
Representative: Orso-Delgado (Ex-Officio)

***BOARD REPRESENTATIVES***

- **SANDAG TRANSPORTATION COMMITTEE REPRESENTATIVE:**  
Committee Representatives: Young (Primary), Zettel (First Alternate), Smisek (Second Alternate)

- **SCAG AVIATION TASK FORCE:**  
Task Force Representatives: Zettel (Primary), Smisek (Alternate)
- **WORLD TRADE CENTER:**  
Representatives: Watkins (Primary), Finnila (Alternate)

**PRESIDENT/CEO REPORT:**

- About the Airport
- Destination Lindbergh: The Ultimate Build Out
- Terminal Development Program
- Regional Aviation Strategic Plan
- Public Outreach and Communication
- International Air Service
- Comprehensive Ground Transportation Plan

**CLOSED SESSION:**

- 21. CONFERENCE WITH LEGAL COUNSEL-ANTICIPATED LITIGATION:**  
Pursuant to Government Code Section 54956.9(b)  
Number of cases: 1  
Facts and circumstances exist causing significant exposure to litigation in accordance with Section 54956.9(b)(3(B)). These facts are known by potential plaintiff Gameday Media Properties, Inc. ("Gameday") and are as follows: a disagreement exists between the Authority and Gameday regarding the close out audit of the concession agreement.
- 22. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION:**  
Pursuant to Government Code Section 54956.9(a):  
*Kenneth Quilantang v. San Diego County Regional Airport Authority, et al.*, San Diego Superior Court Case No. 37-2008-00092986-CU-PO-CTL
- 23. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION:**  
Significant exposure to litigation pursuant to 54956.9(b)(A),(B) and (E):  
Memorandum of Agreement with SANDAG and the City of San Diego  
Number of potential cases: 1
- 24. CONFERENCE WITH LABOR NEGOTIATOR:**  
Labor negotiations pursuant to Cal. Gov. Code §54957.6.  
Authority Designated Negotiators: Thella F. Bowens, President/CEO and Jeffrey Woodson, Vice President, Administration.  
Employee Organization: Teamsters 911.
- 25. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION:**  
Initiation of litigation pursuant to Cal. Gov. Code §54956.9(c).  
Number of potential cases: 1 (Nazbest-Pacific).

**26. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION:**

Initiation of litigation pursuant to Cal. Gov. Code §54956.9(c).  
Number of potential cases: 1 (Galaxy).

**27. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION**

**(Government Code Section 54956.9 (a)):**

San Diego Unified Port District v. TDY Industries, Inc., et al., and related cross-actions. U.S. District Court, Southern District Case No. 03 CV 1146-B (POR)

**REPORT ON CLOSED SESSION:**

**PUBLIC COMMENT:**

Public Comment is reserved for members of the public wishing to address the Board on matters for which another opportunity to speak **is not provided on the Agenda**, and which is within the jurisdiction of the Board. Please submit a completed speaker slip to the Authority Clerk. ***Each individual speaker is limited to three (3) minutes. Applicants, groups and jurisdictions referring items to the Board for action are limited to five (5) minutes.***

**GENERAL COUNSEL REPORT:**

**BOARD MEMBER REPORTS ON MEETINGS ATTENDED AT THE EXPENSE OF THE AUTHORITY:**

**BOARD COMMENT:**

**ADJOURNMENT:**

## **Policy for Public Participation in Board and Board Committee Meetings (Public Comment)**

- 1) Persons wishing to address the Board shall complete a "Request to Speak" form prior to the initiation of the portion of the agenda containing the item to be addressed (e.g., Public Comment and General Items). Failure to complete a form shall not preclude testimony, if permission to address the Board is granted by the Chair.
- 2) The Public Comment Section at the beginning of the agenda is limited to eighteen (18) minutes and is reserved for persons wishing to address the Board on any matter for which another opportunity to speak is not provided on the Agenda, and on matters that are within the jurisdiction of the Board. A second Public Comment period is reserved for general public comment later in the meeting for those who could not be heard during the first Public Comment period.
- 3) Persons wishing to speak on specific items listed on the agenda will be afforded an opportunity to speak during the presentation of individual items. Persons wishing to speak on specific items should reserve their comments until the specific item is taken up by the Board. Public comment on specific items is limited to twenty (20) minutes – ten (10) minutes for those in favor and ten (10) minutes for those in opposition of an item. Each individual speaker will be allowed three (3) minutes, and applicants and groups will be allowed five (5) minutes.
- 4) If many persons have indicated a desire to address the Board 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 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 two 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](http://www.san.org).

**For those planning to attend the Board meeting, parking is available in the public parking lot located directly in front of the Commuter Terminal. Bring your ticket to the third floor receptionist for validation.**

**You may also reach the Commuter Terminal by using public transit via the San Diego MTS system, Route 992. For route and fare information please call the San Diego MTS at (619) 427-6438.**

<b>UPCOMING MEETING SCHEDULE</b>				
<b><i>Date</i></b>	<b><i>Day</i></b>	<b><i>Time</i></b>	<b><i>Meeting Type</i></b>	<b><i>Location</i></b>
April 2	Thursday	9:00 a.m.	Regular	Board Room
May 8	Friday	9:00 a.m.	Special	Board Room
June 4	Thursday	9:00 a.m.	Regular	Board Room