

SAN DIEGO COUNTY REGIONAL AIRPORT AUTHORITY



BOARD MEMBERS

DAVID ALVAREZ
LAURIE BERMAN*
C. APRIL BOLING
GREG COX
JIM DESMOND
COL. JOHN FARNAM*
ROBERT H. GLEASON
LLOYD B. HUBBS
JIM JANNEY
ERAINA ORTEGA*
PAUL ROBINSON
MARY SESSOM

* EX OFFICIO BOARD MEMBERS

PRESIDENT/CEO
THELLA F. BOWENS

DRAFT ACTION MINUTES

BOARD

AGENDA

Thursday, April 23, 2015
9:00 A.M.

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

***Live webcasts of Authority Board meetings can be accessed at
<http://www.san.org/Airport-Authority/Meetings-Agendas?EntryId=1954>***

CALL TO ORDER: Chair Gleason called the meeting to order at 9:05 a.m.

PLEDGE OF ALLEGIANCE: Board Member Boling led the pledge of allegiance.

ROLL CALL: Board Members Berman (Ex Officio), Cox, Ortega (Ex Officio), and Sessom were ABSENT.

Board Member Alvarez arrived at 9:15 a.m.

PRESENTATION:

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

STANDING BOARD COMMITTEES

- **AUDIT COMMITTEE:**
Committee Members: Gleason, Hollingworth, Hubbs (Vice Chair), Sessom, Tartre, Van Sambeek
- **CAPITAL IMPROVEMENT PROGRAM OVERSIGHT COMMITTEE:**
Committee Members: Alvarez, Gleason, Hubbs (Chair), Robinson
- **EXECUTIVE PERSONNEL AND COMPENSATION COMMITTEE:**
Committee Members: Cox, Desmond (Chair), Hubbs, Sessom

- **FINANCE COMMITTEE:**
Committee Members: Alvarez, Boling, Cox (Chair), Janney, Sessom

ADVISORY COMMITTEES

- **AUTHORITY ADVISORY COMMITTEE:**
Liaison: Robinson (Primary), Boling
- **ART ADVISORY COMMITTEE:**
Committee Member: Gleason

LIAISONS

- **AIRPORT LAND USE COMPATIBILITY PLAN FOR SAN DIEGO INTERNATIONAL AIRPORT:**
Liaison: Janney
- **CALTRANS:**
Liaison: Berman
- **INTER-GOVERNMENTAL AFFAIRS:**
Liaison: Cox
- **MILITARY AFFAIRS:**
Liaison: Farnam
- **PORT:**
Liaisons: Cox, Gleason (Primary), Robinson

BOARD REPRESENTATIVES (EXTERNAL)

- **SANDAG TRANSPORTATION COMMITTEE:**
Representatives: Alvarez (Primary), Hubbs
- **WORLD TRADE CENTER:**
Representatives: Alvarez, Gleason (Primary)

CHAIR'S REPORT:

PRESIDENT/CEO'S REPORT:

NON-AGENDA PUBLIC COMMENT:

CONSENT AGENDA (Items 1-15):

Chair Gleason requested that Items 4 and 15 be pulled from the Consent Agenda for discussion.

[ACTION: 7-0-2 to approve the Consent Agenda as amended, noting Board Members Cox and Sessom as ABSENT.]

1. APPROVAL OF MINUTES:

RECOMMENDATION: Approve the minutes of the March 19, 2015, regular meeting.

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

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 FEBRUARY 23, 2015 THROUGH MARCH 29, 2015 AND REAL PROPERTY AGREEMENTS GRANTED AND ACCEPTED FROM FEBRUARY 23, 2015 THROUGH MARCH 29, 2015:

RECOMMENDATION: Receive the report.

4. APRIL 2015 LEGISLATIVE REPORT:

[ACTION: This item was removed from the Consent Agenda for discussion.]

5. AMEND AUTHORITY POLICY 9.20 – SAN DIEGO INTERNATIONAL AIRPORT NOISE ADVISORY COMMITTEE (ANAC):

RECOMMENDATION: Adopt Resolution No. 2015-0025, amending Authority Policy 9.20 – San Diego International Airport Noise Advisory Committee (ANAC).

6. AMEND AUTHORITY CODE 7.03 – SMOKING, TO ADDRESS ELECTRONIC DELIVERY DEVICES:

RECOMMENDATION: Adopt Resolution No. 2015-0026, amending Authority Code 7.03 – Smoking, to Address Electronic Delivery Devices.

7. GRANT A WATER EASEMENT TO THE CITY OF SAN DIEGO:

RECOMMENDATION: Adopt Resolution No. 2015-0027, authorizing the President/CEO to negotiate and execute a water easement with the City of San Diego in support of north side development projects.

CLAIMS

8. REJECT THE CLAIM OF JAMES WALTERS:

RECOMMENDATION: Adopt Resolution No. 2015-0028, rejecting the claim of James Walters.

COMMITTEE RECOMMENDATIONS

CONTRACTS AND AGREEMENTS

9. APPROVE AND AUTHORIZE AN INCREASE TO THE CONTRACT DURATION FOR CONSTRUCT ELECTRICAL DISTRIBUTION SYSTEM (12KV) PROJECT AT SAN DIEGO INTERNATIONAL AIRPORT:

RECOMMENDATION: Adopt Resolution No. 2015-0029, approving and authorizing an increase to the contract duration from 479 days to 661 days, for Project No. 104136, Construct Electrical Distribution System (12kV) at San Diego International Airport.

10. APPROVE AND AUTHORIZE AN INCREASE IN THE PRESIDENT/CEO'S CHANGE ORDER AUTHORITY FOR PROJECT 104118 NORTH SIDE INTERIOR ROAD AND UTILITIES, FROM \$372,953 TO \$453,000:

RECOMMENDATION: Adopt Resolution No. 2015-0030, approving and authorizing an increase in the President/CEO's change order authority from \$372,953 to an amount not to exceed \$452,953, for Project No. 104118, North Side Interior Road and Utilities at San Diego International Airport.

11. APPROVE AND AUTHORIZE THE PRESIDENT/CEO TO EXECUTE A FIRST AMENDMENT TO THE TECHNICAL SUPPORT SERVICES AGREEMENT WITH ORACLE AMERICA, INC.:

RECOMMENDATION: Adopt Resolution No. 2015-0031, approving and authorizing the President/CEO to execute a First Amendment to the Technical Support Services Agreement with Oracle America, Inc., extending the term for 5 years and increasing the compensation amount by \$750,000 for a not-to-exceed amount of \$1,625,000.

12. APPROVE AND AUTHORIZE THE PRESIDENT/CEO TO EXECUTE A SECOND AMENDMENT TO THE AGREEMENT WITH THE CITY OF SAN DIEGO FOR THE EMT-PARAMEDIC SERVICES:

RECOMMENDATION: Adopt Resolution No. 2015-0032, approving and authorizing the President/CEO to execute a Second Amendment to the Agreement for Emergency Medical Technician (EMT)-Paramedic services between the San Diego County Regional Airport Authority and the City of San Diego, to increase the compensation amount by \$500,000 for a total not-to-exceed compensation amount of \$5,318,000 and to exercise the two one-year renewal periods.

13. APPROVE AND AUTHORIZE THE PRESIDENT/CEO TO EXECUTE A FIRST AMENDMENT TO THE AGREEMENT WITH OCEAN BLUE ENVIRONMENTAL SERVICES, INCORPORATED, FOR PROFESSIONAL ON-CALL HAZARDOUS WASTE DISPOSAL SERVICES:

RECOMMENDATION: Adopt Resolution No. 2015-0033, approving and authorizing the President/CEO to execute a First Amendment to the Agreement with Ocean Blue Environmental Services, Incorporated, for professional on-call hazardous waste disposal services to increase the original overall not-to-exceed Agreement amount of \$3,750,000 by \$2,000,000 for a revised overall not-to-exceed Agreement amount of \$5,750,000.

14. APPROVE AND AUTHORIZE THE PRESIDENT/CEO TO NEGOTIATE AND EXECUTE A LICENSE AGREEMENT AND GENERATING FACILITY INTERCONNECTION AGREEMENTS WITH SAN DIEGO GAS & ELECTRIC COMPANY ASSOCIATED WITH THE TERMINAL 2 SOLAR PHOTOVOLTAIC GENERATING SYSTEMS AT SAN DIEGO INTERNATIONAL AIRPORT:

RECOMMENDATION: Adopt Resolution No. 2015-0034, approving and authorizing the President/CEO to negotiate and execute: (1) a license agreement with San Diego Gas & Electric Company ("SDG&E"), for the installation, operation, and maintenance of smart meter network communications devices, for a maximum term of 20 years; and (2) two Generating Facility Interconnection Agreements with SDG&E to permit the San Diego County Regional Airport Authority to interconnect and operate electrical generating facilities on the Terminal 2 West roof and in the Terminal 2 parking lot in parallel with SDG&E's distribution system, at San Diego International Airport.

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

15. AWARD A CONTRACT TO GRANITE CONSTRUCTION COMPANY FOR CONSTRUCT RENTAL CAR CENTER (RCC) BUS PARKING FACILITY AT SAN DIEGO INTERNATIONAL AIRPORT:

[ACTION: This item was removed from the Consent Agenda for discussion.]

ITEMS REMOVED FROM THE CONSENT AGENDA FOR DISCUSSION

4. APRIL 2015 LEGISLATIVE REPORT:

Mike Kulis, Director, Inter-Governmental Relations, stated that staff is recommending that the position on AB 24 be changed because the bill includes the provision that Transportation Network Companies would be required to participate in the Department of Motor Vehicles Employer Pull Notice Program. He further stated that the requirement that a Department of Justice criminal background check for TNC drivers was struck from the bill, staff is recommending that the Board adopt a "Support if Amended" position as this

would allow the Authority to advocate for restoring the Department of Justice background check language if the bill continues to move forward.

RECOMMENDATION: Adopt Resolution No. 2015-0024, approving the April 2015 Legislative Report.

[ACTION: 7-0-2 to approve staff's recommendation as amended, noting Board Members Cox and Sessom as ABSENT.]

15. AWARD A CONTRACT TO GRANITE CONSTRUCTION COMPANY FOR CONSTRUCT RENTAL CAR CENTER (RCC) BUS PARKING FACILITY AT SAN DIEGO INTERNATIONAL AIRPORT:

Iraj Ghaemi, Director, Facilities Development, provided a detailed overview of the project to include an explanation as to why the bus parking facility was not designed to be built with the Rental Car Center.

RECOMMENDATION: Adopt Resolution No. 2015-0035, awarding a contract to Granite Construction Company, in the amount of \$5,513,027 for Project No. 104181, Construct RCC Bus Parking Facility at San Diego International Airport.

[ACTION: 7-0-2 to approve staff's recommendation, noting Board Members Cox and Sessom as ABSENT.]

PUBLIC HEARINGS:

OLD BUSINESS:

The Board recessed at 9:42 a.m. and reconvened at 10:00 a.m.

NEW BUSINESS:

WORKSHOP:

16. DISCUSSION REGARDING THE FISCAL YEAR 2016-2020 CAPITAL PROGRAM:

Jeffrey Woodson, Vice President, Development, and Iraj Ghaemi, Director, Facilities Development, provided an overview of the Fiscal Year 2016-2010 Capital Program.

RECOMMENDATION: Provide direction to staff.

[ACTION: No action taken.]

CLOSED SESSION: The Board recessed into Closed Session at 11:07 a.m. to discuss Item 26.

- 17. CONFERENCE WITH REAL PROPERTY NEGOTIATORS:**
(Real property negotiations pursuant to Cal. Gov. Code § 54954.5(b) and § 54956.8.)
Property: Salt Plant – 17 acre parcel located at 1470 Bay Boulevard, San Diego.
Agency Negotiators: Scott Brickner, Finance & Asset Management, Vice President/Treasurer.
Negotiating Parties: San Diego Gas & Electric, United States Fish and Wildlife Service, GGTW, LLC (current tenant) and/or other interested parties.
Under Negotiation: Sale – terms and conditions.
- 18. CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION:**
(Cal. Gov. Code § 54956.9(a) and (d)(1).)
Diego Concession Group, Inc. v. San Diego County Regional Airport Authority,
San Diego Superior Court Case No. 37-2012-00088083-CU-BT-CTL
- 19. CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION:**
(Cal. Gov. Code § 54956.9(a) and (d)(1).)
Dryden Oaks, LLC v. San Diego County Regional Airport Authority, et al.,
San Diego Superior Court, North County, Case No. 37-2014-00004077-CU-EI-NC
- 20. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION:**
(Cal. Gov. Code § 54956.9(a) and (d)(1).)
Donna Wilson; John Wilson v. San Diego Port Authority; San Diego International Airport; San Diego County Regional Airport Authority
San Diego Superior Court Case No. 37-2014-00015326-CU-PO-CTL (Meyer)
- 21. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION:**
(Cal. Gov. Code §54956.9(a) and (d)(1).)
Jennifer Cain v. San Diego County Regional Airport Authority, et al
San Diego Superior Court Case No. 37-2014-00030402-CU-PO-CTL
- 22. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION:**
(Cal. Gov. Code §54956.9(a) and (d)(1).)
Joan M. Ward v. San Diego County Regional Airport Authority, et al
San Diego Superior Court Case No. 37-2014-00022181-CU-WT-CTL
- 23. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION:**
(Cal. Gov. Code § 54956.9(a) and (d)(1).)
Alice Boehm v. San Diego County Regional Airport Authority, et al,
San Diego Superior Court Case No. 37-2014-00022124-CU-PO-CTL

24. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION AND EXISTING LITIGATION:

(Significant exposure to litigation pursuant to Cal. Gov. Code §§ 54956.9(a) and 54956.9(b).)

Jay A. Bass, et al/v. San Diego City Employees' Retirement System, et al.,
San Diego Superior Court Case No. 37-2013-00077566-CU-OE-CTL

25. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION:

(Significant exposure to litigation pursuant to Cal. Gov. Code §§ 54956.9 (b) and 54954.5.)

Re: Investigative Order No. R9-2012-0009 by the California Regional Water Quality Control Board regarding submission of technical reports 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:

(Initiation of litigation pursuant to Cal. Government Code § 54956.9(d).)

Number of cases: 2

REPORT ON CLOSED SESSION: The Board reconvened at 11:41 a.m. There was no reportable action.

NON-AGENDA PUBLIC COMMENT: None

GENERAL COUNSEL REPORT: None

BUSINESS AND TRAVEL EXPENSE REIMBURSEMENT REPORTS FOR BOARD MEMBERS, PRESIDENT/CEO, CHIEF AUDITOR AND GENERAL COUNSEL WHEN ATTENDING CONFERENCES, MEETINGS, AND TRAINING AT THE EXPENSE OF THE AUTHORITY:

BOARD COMMENT:

ADJOURNMENT: The meeting was adjourned at 11:42 a.m.

For reference only. This document is not the official action of the Board and should not be relied upon for legal purposes. This document is not the official action of the Board and should not be relied upon for legal purposes.