

SAN DIEGO COUNTY  
REGIONAL AIRPORT AUTHORITY  
SPECIAL BOARD MEETING



**AGENDA**

Thursday, July 10, 2008  
9:00 A.M.

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

BOARD  
MEMBERS

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

***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).***

PRESIDENT/CEO  
THELLA F. BOWENS

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:**

**PRESENTATION (S):**

**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 June 5, 2008 regular meeting and the June 6, 2008 special meeting.

**2. APPOINTMENT TO THE AIRPORT ADVISORY COMMITTEE:**

The Board is requested to approve the appointment.

RECOMMENDATION: Adopt Resolution No. 2008-0087, approving the appointment of Suhail Khalil as a member of the Airport Advisory Committee.  
**(Airport Noise Mitigation: Dan Frazee, Director)**

**3. AMENDMENT TO AUTHORITY POLICY 1.41 REGARDING POWERS AND FUNCTIONS OF THE GENERAL COUNSEL:**

The Board is requested to amend the policy.

RECOMMENDATION: Adopt Resolution No. 2008-0088, amending Authority Policy 1.41 to authorize the General Counsel to negotiate and settle or compromise any claims, causes of actions, suits, liens, costs, damages or liabilities ("Claims") against the Authority where: (1) the General Counsel believes settlement and/or compromise of the Claim is in the best interest of the Authority; (2) the amount of the Authority's obligation to settle/compromise the Claim is Ten Thousand Dollars (\$10,000) or less; and (3) the President/CEO approves, in writing, the General Counsel's recommendation to settle or compromise the Claim.

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

**4. RESOLUTION AUTHORIZING THE GRANTING OF THREE EASEMENTS TO SAN DIEGO GAS AND ELECTRIC COMPANY FOR GAS TRANSMISSION AND ELECTRICAL SERVICE TO SAN DIEGO INTERNATIONAL AIRPORT AND THE VACATION OF EASEMENTS BY SAN DIEGO GAS AND ELECTRIC COMPANY:**

The Board is requested to authorize the granting of easements.

RECOMMENDATION: Adopt Resolution No. 2008-0089, authorizing the granting of: 1) an easement to San Diego Gas and Electric Company (SDG&E) for gas transmission ("Gas Easement"); 2) an easement to SDG&E for electrical service ("Electrical Easement 1"); 3) an easement to SDG&E for electrical service ("Electrical Easement 2") to San Diego International Airport (collectively the "Easements"); and the vacation of SDG&E easements (collectively the "Vacated Easements").

**(Real Estate Management: Troy Ann Leech, Director)**

**5. ACCEPTANCE OF BOARD MEMBERS' WRITTEN REPORTS ON THEIR ATTENDANCE AT APPROVED MEETINGS:**

The Board is requested to accept the report.

RECOMMENDATION: Accept the report.

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

**6. PROPOSED POLICY AMENDMENT REGARDING LIMITATION OF MEMBERS WHO CAN SERVE ON THE AIRPORT ADVISORY COMMITTEE:**

The Board is requested to amend the policy.

RECOMMENDATION: Adopt Resolution No. 2008-0090, approving the amendment of Authority Policy 1.21 – Authority Advisory Committee.

**(Airport Noise Mitigation: Dan Frazee, Director)**

**7. JULY 2008 LEGISLATIVE REPORT:**

The Board is requested to approve the legislative report.

RECOMMENDATION: Adopt Resolution No. 2008-0091, approving the July 2008 Legislative Report.

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

**CLAIMS**

**COMMITTEE RECOMMENDATIONS**

**CONTRACTS AND AGREEMENTS**

8. **AWARDED CONTRACTS, APPROVED CHANGE ORDERS FROM APRIL 28, 2008 THROUGH JUNE 1, 2008 AND REAL PROPERTY AGREEMENTS GRANTED AND ACCEPTED FROM APRIL 28, 2008 THROUGH JUNE 1, 2008:**

The Board is requested to receive the report.

RECOMMENDATION: Receive the report.

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

9. **THIRD AMENDMENT TO THE AGREEMENT BETWEEN THE AUTHORITY AND PAUL PLEVIN SULLIVAN & CONNAUGHTON LLP:**

The Board is requested to approve the amendment.

RECOMMENDATION: Adopt Resolution No. 2008-0092, approving the Third Amendment to the Agreement between the Authority and Paul Plevin Sullivan & Connaughton LLP, exercising the second of two one-year options to extend the initial term of the Agreement to September 07, 2009.

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

10. **AWARD A CONSTRUCTION CONTRACT TO S & L SPECIALTY CONTRACTING, INC., FOR QUIETER HOME PROGRAM PHASE 4, GROUP 4, PROJECT NO. 380404:**

The Board is requested to award the contract.

RECOMMENDATION: Adopt Resolution No. 2008-0095, awarding a construction contract to S & L Specialty Contracting, Inc., in the amount of \$865,550.00, for Phase 4, Group 4, Project No. 380404, of the San Diego County Regional Airport Authority's Quieter Home Program.

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

11. **AWARD A CONSTRUCTION CONTRACT TO U.S. WINDOW & DOOR CONSTRUCTION CO., INC., dba USWD, FOR QUIETER HOME PROGRAM PHASE 3, GROUP 7, PROJECT NO. 300307:**

The Board is requested to award the contract.

RECOMMENDATION: Adopt Resolution No. 2008-0099, awarding a construction contract to U.S. Window & Door Construction Co., Inc., dba USWD, in the amount of \$2,089,466.00, for Phase 3, Group 7, Project No. 300307, of the San Diego County Regional Airport Authority's Quieter Home Program.

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

**12. AWARD A CONSTRUCTION CONTRACT TO S & L SPECIALTY CONTRACTING, INC., FOR QUIETER HOME PROGRAM PHASE 4, GROUP 1, PROJECT NO. 380401:**

The Board is requested to award the contract.

RECOMMENDATION: Adopt Resolution No. 2008-0100, awarding a construction contract to S & L Specialty Contracting, Inc., in the amount of \$1,877,850.00, for Phase 4, Group 1, Project No. 380401, of the San Diego County Regional Airport Authority's Quieter Home Program.

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

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

**13. ELEVENTH AMENDMENT TO CONTRACT NO. 2004-0184 BETWEEN THE AUTHORITY AND WESTON BENSHOOF ROCHEFORT RUBALCAVA & MacCUISH, LLP:**

The Board is requested to approve the amendment.

RECOMMENDATION: Adopt Resolution No. 2008-0096, approving the eleventh amendment to Contract No. 2004-0184 between the Authority and Weston Benshoof Rochefort Rubalcava & MacCuish LLP, increasing the amount of the contract by \$300,000, for a total not to exceed \$2,150,000 and extending the term by one year to expire no later than November 21, 2009.

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

**14. SIXTH AMENDMENT TO THE AGREEMENT BETWEEN THE AUTHORITY AND GATZKE DILLON & BALLANCE, LLP:**

The Board is requested to approve the amendment.

RECOMMENDATION: Adopt Resolution No. 2008-0097, approving the Sixth Amendment to the Agreement between the Authority and Gatzke Dillon & Ballance, LLP, to increase the amount of the contract by \$300,000 for a total not to exceed \$1,800,000.

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

**PUBLIC HEARINGS:**

**OLD BUSINESS:**

**NEW BUSINESS:**

**15. REQUEST FROM THE UNIFIED PORT OF SAN DIEGO THAT THE SAN DIEGO CITY EMPLOYEES RETIREMENT SYSTEM DIVEST OF ANY INVESTMENTS HELD IN ANY FOREIGN OWNED COMPANIES WITH BUSINESS OPERATIONS IN IRAN:**

The Board is requested to approve the resolution.

RECOMMENDATION: Adopt Resolution No. 2008-0098, requesting that the Board of Administration of the San Diego City Employees Retirement System 1) divest of any investments in foreign owned companies with business operations in Iran or Iran's energy, defense or nuclear sectors; and 2) develop a plan of divestment in any such companies or investments in accordance with the California Public Divest from Iran Act.

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

**16. AUTHORIZE THE PRESIDENT/CEO TO AWARD A CONTRACT TO MODTECH HOLDINGS, INC., TO DESIGN, PURCHASE, AND INSTALL A TWO-STORY MODULAR BUILDING AT SAN DIEGO INTERNATIONAL AIRPORT:**

The Board is requested to award the contract.

RECOMMENDATION: Adopt Resolution No. 2008-0101, authorizing the President/CEO to award a Contract to Modtech Holdings, Inc., for an amount not to exceed \$10,000,000.00 for Project No. 104074, to Design, Purchase, and Install a Two-Story Modular Building, at San Diego International Airport.

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

**17. AUTHORIZATION TO NEGOTIATE WITH AND EXECUTE A CONTRACT WITH GREENHAUS INC. FOR MARKETING & COMMUNICATIONS SERVICES:**

The Board is requested to authorize approval of the contract.

RECOMMENDATION: Adopt Resolution No. 2008-0102, authorizing the President/CEO to negotiate with and execute a contract with Greenhaus Inc. for Marketing & Communications services for three (3) years in an amount not-to-exceed \$2,500,000.00 in support of the San Diego County Regional Airport Authority's and San Diego International Airport's marketing and public relations initiatives; authorizing a not-to-exceed expenditure of \$650,000 the first year and \$925,000 each consecutive year thereafter.

**(Marketing: Richard Kwiatkowski, Director)**

- 18. AUTHORIZE THE EXECUTION OF AIRLINE OPERATING AND LEASE AGREEMENTS WITH SIGNATORY AIRLINES FOR FIVE YEAR TERM TO PROVIDE AIR SERVICE TO SAN DIEGO INTERNATIONAL AIRPORT:**  
The Board is requested to authorize the President/CEO to execute the agreement.  
RECOMMENDATION: Adopt Resolution No. 2008-0093, authorizing the granting of Authority to the President/CEO or her designee to execute Airline Operating and Lease Agreements.  
**(Finance/Treasurer: Vernon Evans, Vice President)**
- 19. AWARD OF CONTRACT TO KATZ AND ASSOCIATES FOR FACILITATION AND STRATEGIC PLANNING SERVICES FOR THE AIRPORT LAND USE COMPATIBILITY PLAN TECHNICAL ADVISORY GROUP:**  
The Board is requested to award the contract.  
RECOMMENDATION: Adopt Resolution No. 2008-0094, authorizing the President/CEO to negotiate and award a contract, in an amount not to exceed \$600,000, to Katz and Associates for facilitation and strategic planning services in support of the Airport Land Use Compatibility Plan Technical Advisory Group.  
**(Planning and Operations: Angela Shafer-Payne, Vice President)**
- 20. AUTHORIZE AMENDMENT TO LEASE WITH JIMSAIR AVIATION SERVICES, INC.:**  
The Board is requested to provide direction to staff.  
RECOMMENDATION: Provide direction to staff.  
**(Finance/Treasurer: Vernon Evans, Vice President)**

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

***CITIZEN COMMITTEES***

***STANDING BOARD COMMITTEES***

- **AUDIT COMMITTEE:**  
Committee Members: Boland, Finnila (Chair), Panknin, Zettel
- **EXECUTIVE PERSONNEL AND COMPENSATION COMMITTEE:**  
Committee Members: Finnila, Miller, Watkins (Chair)
- **FINANCE COMMITTEE:**  
Committee Members: Bersin (Chair), Watkins, Young, Sheehan

***LIAISONS***

- **AIRPORT MULTI-MODAL ACCESSIBILITY PLAN:**  
Liaison: Orso-Delgado

- **EXECUTIVE STEERING LIAISONS FOR MOA - CITY OF SAN DIEGO:**  
Liaisons: Bersin (Primary), Boland, Young
- **EXECUTIVE STEERING LIAISONS FOR MOA - SANDAG:**  
Liaisons: Desmond (Primary), Zettel, Finnila
- **MILITARY AFFAIRS LIAISONS:**  
Liaisons: Boland (Primary), O'Connor, Panknin
- **RASP LIAISONS:**  
Liaisons: Miller (Primary), Panknin
- **TERMINAL DEVELOPMENT PROGRAM:**  
Liaisons: Boland, Miller, Panknin (Primary)

### ***BOARD REPRESENTATIVES***

- **AD HOC AIRPORT REGIONAL POLICY COMMITTEE:**  
Liaison: Bersin, Boland (Alternate), Desmond, Zettel (Alternate)
- **SANDAG TRANSPORTATION COMMITTEE REPRESENTATIVE:**  
Committee Representatives: Zettel (Primary), Desmond (First Alternate), Finnila (Second Alternate)
- **SCAG AVIATION TASK FORCE:**  
Task Force Representatives: Boland (Primary), Zettel (First Alternate), Finnila (Second Alternate)
- **CALTRANS:**  
Representative: Orso-Delgado

### **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
- City/SANDAG/Port Collaboration



**CLOSED SESSION:**

21. **CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION:  
(Government Code Section 54956.9(a)):**  
North v. San Diego County Regional Airport Authority,  
San Diego Superior Court Case No. 37-2007-00066410-CU-PO-CTL
22. **CONFERENCE WITH LABOR NEGOTIATOR:  
(Government Code Section 54957.6)**  
**Authority Negotiators:** Thella F. Bowens, President/CEO and Jeffrey Woodson, Vice President, Administration  
**Employee Organization:** Teamsters 911
23. **CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION:**  
Initiation of litigation pursuant to California Government Code Section 54956.9(c):  
Number of potential cases: 1 (Nazbest-Pacific)
24. **CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION:**  
Initiation of litigation pursuant to California Government Code Section 54956.9(c):  
Number of potential cases: 1 (Galaxy)
25. **CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION  
(Government Code Section 54956.9(b)(d)):**  
Number of potential cases: 4 (regarding environmental matters)
26. **CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION  
(Government Code Section 54956.9(a)):**  
Britt v. San Diego County Regional Airport Authority, et al., San Diego Superior Court Case No. 37-2007-00072794-CU-MC-CTL
27. **CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION  
(Government Code Section 54956.9(a)):**  
Regarding the Application of San Diego County Regional Airport Authority, San Diego International Airport (SDIA), Before the Office of Administrative Hearings, State of California, OAH Case No. 2004120097
28. **CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION  
(Government Code Section 54956.9(a)):**  
Hernandez v. San Diego County Regional Airport Authority, San Diego Superior Court Case No. GIC 871979
29. **CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION  
(Government Code Section 54956.9(a)):**  
Jimsair Aviation Services, Inc. v. San Diego County Regional Airport Authority, San Diego Superior Court Case No. GIC 865099

- 30. CONFERENCE WITH REAL PROPERTY NEGOTIATORS:**  
Property: 2722-2724 Truxtun Road APN 450-841-05-00  
Agency Negotiator: Vernon D. Evans, Vice President, Finance/Treasurer and  
Eric Podnieks, Real Estate Manager  
Negotiating Parties: Truxtun LLC and/or First National Bank  
Under Negotiation: Perfecting a purchase agreement and terms of agreement  
and terms of payment

**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>
September 4	Thursday	9:00 a.m.	Regular	Board Room
October 2	Thursday	9:00 a.m.	Regular	Board Room
November 13	Thursday	9:00 a.m.	Special	Board Room