

SAN DIEGO COUNTY REGIONAL AIRPORT AUTHORITY

DRAFT ACTION MINUTES

BOARD

AGENDA

Thursday, April 21, 2016
9:00 A.M.

San Diego International Airport
SDCRAA Administration Building – Third Floor
Board Room
3225 N. Harbor Drive
San Diego, California 92101

Board Members

Robert H. Gleason
Board Chair

David Alvarez

C. April Boling

Greg Cox

Jim Desmond

Lloyd B. Hubbs

Jim Janney

Paul Robinson

Mary Sessom

Ex-Officio Board

Members

Laurie Berman

Eraina Ortega

Col. Jason G. Woodworth

President / CEO

Thella F. Bowens

CALL TO ORDER: Chair Gleason called the meeting to order at 9:03 a.m.

PLEDGE OF ALLEGIANCE: Board Member Boling led the Pledge of Allegiance.

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

Board Members Alvarez and Sessom arrived during the course of the meeting.

PRESENTATIONS: None

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

STANDING BOARD COMMITTEES

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

ADVISORY COMMITTEES

AUTHORITY ADVISORY COMMITTEE:

Liaison: Robinson (Primary), Boling

- **ART ADVISORY COMMITTEE:**
Committee Member: Gleason

LIAISONS

- **AIRPORT LAND USE COMPATIBILITY PLAN:**
Liaison: Janney
- **CALTRANS:**
Liaison: Berman
- **INTER-GOVERNMENTAL AFFAIRS:**
Liaison: Cox
- **MILITARY AFFAIRS:**
Liaison: Woodworth
- **PORT:**
Liaisons: Boling, Cox, Gleason (Primary), Robinson
- **WORLD TRADE CENTER:**
Representatives: Gleason (Primary)

BOARD REPRESENTATIVES (EXTERNAL)

- **SANDAG TRANSPORTATION COMMITTEE:**
Representatives: Boling (Alternate), Janney (Primary)

CHAIR'S REPORT:

PRESIDENT/CEO'S REPORT:

NON-AGENDA PUBLIC COMMENT: None

CONSENT AGENDA (Items 1-10):

Chair Gleason requested that Item 4 be pulled from the Consent Agenda for discussion.

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

1. APPROVAL OF MINUTES:

RECOMMENDATION: Approve the minutes of the March 7, 2016 special meeting and the March 17, 2016 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 22, 2016 THROUGH MARCH 20, 2016 AND REAL PROPERTY AGREEMENTS GRANTED AND ACCEPTED FROM FEBRUARY 22, 2016 THROUGH MARCH 20, 2016:

RECOMMENDATION: Receive the report.

4. APRIL 2016 LEGISLATIVE REPORT:

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

5. AMEND AUTHORITY POLICIES 1.20 - FORMATION OF BOARD COMMITTEES AND 1.30 – MEETINGS OF THE BOARD OF DIRECTORS AND BOARD COMMITTEES:

RECOMMENDATION: Adopt Resolution No. 2016-0027, amending Authority Policy 1.20 – Formation of Committees and Policy 1.30 – Meetings, Agendas and Voting of the Board of Directors, to set the date, time and place of Board and Committee meetings.

CLAIMS

6. REJECT THE CLAIM OF ANTHONY NACIN:

RECOMMENDATION: Adopt Resolution No. 2016-0028, rejecting the claim of Anthony Nacin.

COMMITTEE RECOMMENDATIONS

CONTRACTS AND AGREEMENTS

- 7. APPROVE AND AUTHORIZE AN INCREASE IN THE PRESIDENT/CEO'S CHANGE ORDER AUTHORITY FOR NORTH SIDE UTILITY (NSU) STORM DRAIN TRUNK PROJECT AT SAN DIEGO INTERNATIONAL AIRPORT:**
RECOMMENDATION: Adopt Resolution No. 2016-0029, approving and authorizing an increase in the President/CEO's change order authority from \$415,867.20 to an amount not to exceed \$439,895.88, for Project No. 104118E, NSU Storm Drain Trunk at San Diego International Airport.
(Facilities Development: Iraj Ghaemi, Director)
- 8. AUTHORIZE THE PRESIDENT/CEO TO EXECUTE THE VEBA TRUST AGREEMENT WITH MATRIX TRUST COMPANY AS SUCCESSOR TRUSTEE TO US BANK:**
RECOMMENDATION: Adopt Resolution 2016-0030, authorizing the President/CEO to execute the Matrix Trust Company VEBA Trust Agreement and perform any and all other actions necessary to assign Matrix Trust Company as the successor trustee.
(Talent, Culture & Capability: Kurt Gering, Director)
- 9. APPROVE THE ASSIGNMENT OF AUTHORITY AGREEMENT 209173OS WITH STUTZ ARTIANO SHINOFF & HOLTZ APC FOR GENERAL LEGAL SERVICES TO DEVANEY PATE MORRIS & CAMERON LLP:**
RECOMMENDATION: Adopt Resolution No. 2016-0031, approving the assignment of Authority Agreement No. 209173OS with Stutz Artiano Shinoff & Holtz APC for General Legal Services to Devaney Pate Morris & Cameron LLP.
(Legal: Breton Lobner, General Counsel)
- 10. GRANT A RENTAL CAR CENTER LEASE AND CONCESSION AGREEMENT TO GREEN MOTION SAN, LLC:**
RECOMMENDATION: Adopt Resolution No. 2016-0032, authorizing the President/CEO to negotiate and execute a Non-Exclusive On-Airport Rental Car Concession Agreement and a Rental Car Center Lease Agreement with Green Motion SAN, LLC.
(Real Property and Concessions: Eric Podnieks, Program Manager)

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

ITEMS REMOVED FROM THE CONSENT AGENDA FOR DISCUSSION

4. APRIL 2016 LEGISLATIVE REPORT:

Michael Kulis, Director, Inter-Governmental Relations, stated that due to the change in the language of AB2611, staff is recommending that the Board change its position from "Support" to a "Watch." He also reported that the Federal Aviation Administration Reauthorization Bill was approved by the U.S. Senate and assigned the new number, H.R. 636.

RECOMMENDATION: Adopt Resolution No. 2016-0025, approving the April 2016 Legislative Report.

[ACTION: 9-0 to approve the April 2016 Legislative Report as amended.]

PUBLIC HEARINGS: None

OLD BUSINESS: None

NEW BUSINESS:

11. APPROVE AND AUTHORIZE THE PRESIDENT/CEO TO EXECUTE A FOURTH AMENDMENT TO THE CONTRACT WITH ACE PARKING MANAGEMENT, INC.:

RECOMMENDATION: Adopt Resolution No. 2016-0033, approving and authorizing the President/CEO to execute a Fourth Amendment to the contract with ACE Parking Management, Inc. for Airport Shuttle Services to increase the compensation by \$2,530,682 resulting in a not-to-exceed compensation amount of \$31,330,682.

[ACTION: 9-0 to approve staff's recommendation.]

12. STATUS UPDATE AND POSSIBLE ACTION ON COMMUNITY NOISE ISSUES:

RECOMMENDATION: Adopt Resolution No. 2016-0034, approving the April 21, 2016 Update – Noise Issues.

For reference only. This document is not the official actions of the meeting and should not be maintained once the final minutes are adopted.

[ACTION: 6-0-3 to approve Resolution No. 2016-0034R as amended to also request that Noise Dots 1,2,4 and 5 remain in place and that the Board direct staff to: 1) conduct bi-monthly meetings of the Airport Noise Advisory Committee (ANAC); 2) expand the membership of the ANAC to include representation of two additional voting members, one member who resides in the 60-65 dB CNEL area and the other member who represents an organized community group focused on noise issues; 3) request a noise audit by the State through Assembly Woman Atkins' Office; 4) create an Ad Hoc subcommittee of the ANAC to address noise issues, and 5) report back to the Board with a report outlining the pros and cons associated with memorializing the Noise Dot Agreement so that there is consistent application and that all requested direction be presented at the May meeting for Board action.]

- 13. AUTHORIZE AND ADOPT THE CREATION OF A SEASONAL INTERNATIONAL AIR SERVICE INCENTIVE PROGRAM (SIASIP):**
RECOMMENDATION: Adopt Resolution No. 2016-0026, authorizing the creation of a Seasonal International Air Service Incentive Program (SIASIP).

[ACTION: 9-0 to approve staff's recommendation.]

CLOSED SESSION: The Board did not recess into Closed Session.

- 14. 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
- 15. 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
- 16. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION:**
(Cal. Gov. Code § 54956.9(a) and (d)(1).)
Donna Wilson; John Wilson v. San Diego County Regional Airport Authority;
Turner-PCL-Flatiron, a joint venture.
San Diego Superior Court Case No. 37-2014-00015326-CU-PO-CTL (Meyer)
- 17. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION:**
(Cal. Gov. Code § 54956.9(a)):
Maria Paula Bermudez v. San Diego County Regional Airport Authority, American Airlines, Inc., et al.
San Diego Superior Court Case No. 37-2015-00022911-CU-PO-CTL

- 18. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION:**
(Cal. Gov. Code §54956.9(a) and (d)(1))
Stanley Moore v. San Diego County Regional Airport Authority, et al.,
San Diego Superior Court Case No. 37-2015-00030676-CU-OE-CTL
- 19. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION:**
Cal. Gov. Code § 54956.9(a) and (d).
In the matter of the Petition of San Diego County Regional Airport Authority for Review of Action by the California Regional Water Quality Control Board in Issuing Order No. R9-2013-0001, as amended by Orders Nos. R9-2015-0001 and R9-2015-0100 (NPDES NO. CAS0109266) [Water Code §§ 13320(a) and 13321(a)]
- 20. 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
- 21. 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
- 22. 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:

NON-AGENDA PUBLIC COMMENT:

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: None

ADJOURNMENT: The meeting was adjourned at 12:27 p.m.