

Board Members

Gil Cabrera (Chair)
Paul Robinson (Vice Chair)
Catherine Blakespear
Mary Casillas Salas
Robert T. Lloyd
Paul McNamara
Johanna Schiavoni
Nora E. Vargas
Marni von Wilpert

Board Meeting Agenda

Thursday, January 6, 2022
9:00 A.M.

San Diego International Airport
SDCRAA Administration Building
3225 N. Harbor Drive
San Diego, California 92101

Ex-Officio Board Members

Col. Thomas M. Bedell
Gustavo Dallarda
Gayle Miller

President/CEO

Kimberly J. Becker

This meeting of the San Diego County Regional Airport Authority Board will be conducted pursuant to the provisions of California Assembly Bill 361 which suspends certain requirements of the Ralph M. Brown Act. On December 20, 2021, the San Diego County Regional Airport Authority Board adopted Resolution Number 2021-0147 finding that as a result of the continuing State of Emergency and the fact that local officials have recommended measures to promote social distancing and a finding that meeting in person continues to present imminent risks to the health and safety of attendees, it is in the best interest of the Authority and the public to continue to conduct meetings of the Board and Committees virtually pursuant to AB 361. Therefore, in the interest of public health, all Board Members will be participating in the meeting electronically. In accordance with Assembly Bill 361 and Authority Board Resolution No. 2021-0147, there will be no members of the public in attendance at the Board Meeting. We are providing alternatives to in-person attendance for viewing and participating in the meeting. In lieu of in-person attendance, members of the public may submit their comments in the following manner.

Public Comment during Board/Committee Meetings

If you'd like to speak live during the meeting, please follow these steps to request to speak:

- **Step 1:** Watch the meeting via the live Webcast located at the following link, <https://www.san.org/Airport-Authority/Meetings-Agendas/authority-board?EntryId=15008>
PLEASE NOTE: There is approximately 20 seconds of lag time between the meeting and the Webcast.
- **Step 2:** When the Chair introduces the item that you would like to comment on, (*or indicates that it is time for Non-Agenda Public Comment*), call into the public comment line by following the following directions:
REMINDER: Please do not call until the item you want to comment on is being discussed.
 1. **Dial 1-619-737-2396**
 2. **When prompted, input Conference ID: [722 513 507#](#)**
 3. **You will then hear: "If you're the meeting organizer, press star now. You are now joining the meeting." Ignore this message.**

4. ***After a few seconds, you will hear: "Please wait for the leader to admit you into the meeting, thank you for your patience." This is an indication that you are in the waiting room, Authority staff will admit you into the meeting when it is your time to speak.***
5. ***After being admitted into the meeting, your microphone will be live, please turn off your webcast to avoid feedback. Staff will then ask you to state your name and begin your comments.***

Written Non-Agenda Public comment and/or Public Comment on agenda items may also be submitted to the Authority clerk at clerk@san.org. Comments received no later than 8:30 a.m. on the day of the meeting will be distributed to the Board or Committee and included in the record.

How to Watch the Meeting

You may also view the meeting online at the following link: <https://www.san.org/Airport-Authority/Meetings-Agendas/authority-board?EntryId=15008>

Requests for Accessibility Modifications or Accommodations

As required by the Americans with Disabilities Act (ADA), requests for agenda information to be made available in alternative formats, and any requests for disability-related modifications or accommodations required to facilitate meeting participation, including requests for alternatives to observing meetings and offering public comment as noted above, may be made by contacting the Authority Clerk at (619) 400-2550 or clerk@san.org. The Authority is committed to resolving accessibility requests swiftly in order to maximize accessibility.

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. ***Please note that agenda items may be taken out of order.*** 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 Board 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 Board Services/Authority Clerk Department.

CALL TO ORDER:

ROLL CALL:

PRESENTATIONS:

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

- **AUDIT COMMITTEE:**
Committee Members: Blakespear, Casillas Salas, Lloyd, Vann (Chair), Newsom, Vargas, Wong Nickerson
- **CAPITAL IMPROVEMENT PROGRAM OVERSIGHT COMMITTEE:**
Committee Members: Blakespear, Cabrera, McNamara (Chair), Schiavoni, von Wilpert
- **EXECUTIVE PERSONNEL AND COMPENSATION COMMITTEE:**
Committee Members: McNamara, Robinson (Chair), Schiavoni, Vargas
- **FINANCE COMMITTEE:**
Committee Members: Casillas Salas, Lloyd (Chair), Schiavoni, von Wilpert

ADVISORY COMMITTEES

- **AUTHORITY ADVISORY COMMITTEE:**
Liaison: Casillas Salas (Primary), Robinson
- **ARTS ADVISORY COMMITTEE:**
Liaison: Schiavoni

LIAISONS

- **CALTRANS:**
Liaison: Dallarda
- **INTER-GOVERNMENTAL AFFAIRS:**
Liaison: Cabrera
- **MILITARY AFFAIRS:**
Liaison: Bedell

- **PORT:**
Liaisons: Robinson, Cabrera (Primary), Vargas
- **WORLD TRADE CENTER:**
Representatives: Robert H. Gleason

BOARD REPRESENTATIVES (EXTERNAL)

- **SANDAG BOARD OF DIRECTORS:**
Representative: Cabrera (Primary), Schiavoni
- **SANDAG TRANSPORTATION COMMITTEE:**
Representatives: Lloyd (Primary), Robinson

CHAIR REPORT:

PRESIDENT/CEO REPORT:

NON-AGENDA PUBLIC COMMENT:

Non-Agenda 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 (ITEMS 1- 11):

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:

RECOMMENDATION: Approve the minutes of the December 2, 2021, regular Board meeting and December 20, 2021, Special Board Meeting(s).

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.

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

3. AWARDED CONTRACTS, APPROVED CHANGE ORDERS FROM NOVEMBER 8, 2021 THROUGH DECEMBER 5, 2021 AND REAL PROPERTY AGREEMENTS GRANTED AND ACCEPTED FROM NOVEMBER 8, 2021 THROUGH DECEMBER 5, 2021:

RECOMMENDATION: Receive the report.

(Procurement: Jana Vargas, Director)

4. GRANT AN EASEMENT FOR ELECTRICAL UTILITY SERVICE TO SAN DIEGO GAS & ELECTRIC COMPANY:

RECOMMENDATION: Adopt Resolution No. 2022-0001, approving and authorizing the President/CEO to negotiate and execute an easement for electrical utility purposes with San Diego Gas & Electric Company for the relocation of a portion of existing utility owned electrical infrastructure in support of the New Administration Building Project.

(Development: Dennis Probst, VP & Chief Development Officer)

5. GRANT AN EASEMENT FOR GAS UTILITY SERVICE TO SAN DIEGO GAS & ELECTRIC COMPANY:

RECOMMENDATION: Adopt Resolution No. 2022-0002, approving and authorizing the President/CEO to negotiate and execute an easement for gas utility purposes with San Diego Gas & Electric Company for the relocation of a portion of existing utility owned gas infrastructure in support of the New Administration Building project.

(Development: Dennis Probst, VP & Chief Development Officer)

- 6. 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 SIX MONTHS, AS A RESULT OF THE CONTINUED IMPACT OF THE COVID-19 PANDEMIC:**

RECOMMENDATION: Adopt Resolution No. 2022-0003, 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 rents and Marketing fees for a period not to exceed six (6) months beginning January 1, 2022 and ending June 30, 2022, in response to the continued impact of the COVID-19 pandemic crisis.
(Revenue Generation & Partnership Development: Jim DeCock, Interim Director)

- 7. CONSIDERATION OF WHETHER TO CONTINUE VIRTUAL MEETINGS FOR AUTHORITY BOARD AND COMMITTEE MEETINGS PURSUANT TO AB 361:**

RECOMMENDATION: Adopt Resolution No. 2022-0004, finding that it is in the best interest of the Authority and the public it serves to continue to hold virtual public meetings of the Board and its Committees because a declared state of emergency is ongoing and continues to directly impact the ability of the Board and its Committees to meet safely in person and state and local officials recommend measures to promote social distancing.
(Amy Gonzalez, General Counsel)

CLAIMS

- 8. REJECT CLAIM OF HECTOR GREEN:**

RECOMMENDATION: Adopt Resolution No. 2022-0005, rejecting the claim of Hector Green.
(General Counsel: Amy Gonzalez)

COMMITTEE RECOMMENDATIONS

CONTRACTS AND AGREEMENTS

- 9. AMEND SDCERS AMENDED AND RESTATED RETIREMENT PLAN AND TRUST TO CLARIFY THE AMOUNT CREDITED TO DEFERRED RETIREMENT OPTION PLAN (DROP) ACCOUNTS WHEN EMPLOYEES WORK LESS THAN EIGHTY HOURS PER WEEK:**

RECOMMENDATION: Adopt Resolution No. 2022-0006, approving an amendment to the Amended and Restated Retirement Plan and Trust to clarify that for Deferred Retirement Option Plan (DROP) Participants, the amount credited to their DROP accounts is equal to Paid Base Compensation multiplied by 3.05 percent.
(Talent, Culture & Capability: Monty Bell, Director)

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

- 10. AWARD A CONTRACT TO BILBRO CONSTRUCTION COMPANY FOR TERMINAL 2 EAST ELECTRICAL MODERNIZATION AT SAN DIEGO INTERNATIONAL AIRPORT:**
RECOMMENDATION: Adopt Resolution No. 2022-0007, awarding a contract to Bilbro Construction Company in the amount of \$4,170,518 for Project No. 104263, Terminal 2 East Electrical Modernization at San Diego International Airport.
(Airport Design & Construction: Bob Bolton, Director)

- 11. APPROVE AND AUTHORIZE THE PRESIDENT/CEO TO EXECUTE AN ON-CALL MATERIALS TESTING & CONSTRUCTION SUPPORT SERVICES AGREEMENT AT SAN DIEGO INTERNATIONAL AIRPORT:**
RECOMMENDATION: Adopt Resolution No. 2022-0008, approving and authorizing the President/CEO to negotiate and execute an On-Call Materials Testing & Construction Support Services Agreement with Group Delta Consultants, for a term of five (5) years, with the option for two (2) one-year extensions at the sole discretion of the President/CEO, in an amount not-to-exceed \$5,000,000 in support of the New T1 and Capital Improvement Programs at San Diego International Airport.
(Airport Design & Construction: Bob Bolton, Director)

PUBLIC HEARINGS:

OLD BUSINESS:

NEW BUSINESS:

- 12. JANUARY 2022 LEGISLATIVE REPORT AND 2022 LEGISLATIVE AGENDA:**
RECOMMENDATION: Adopt Resolution No. 2022-0009, approving the January 2022 Legislative Report and 2022 Legislative Agenda.
(Government Relations: Matt Harris, Director)

- 13. APPROVE AND AUTHORIZE THE PRESIDENT/CEO TO NEGOTIATE AND EXECUTE AN AMENDMENT TO THE TURNER-FLATIRON, A JOINT VENTURE CONTRACT FOR NEW T1 TERMINAL AND ROADWAYS:**
RECOMMENDATION: Adopt Resolution No. 2022-0010, approving and authorizing the President/CEO to negotiate and execute an amendment to the Contract with Turner-Flatiron, a Joint Venture for New T1 Terminal and Roadways to add a Performance Based Incentive Program.
(Development: Dennis Probst, VP & Chief Development Officer)

CLOSED SESSION:

14. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION:

(Paragraph (1) of subdivision (d) of Cal. Gov. Code §54956.9)

Name of Case: John Van De Walker v. Brian K. Widener, et al., United States District
Court Case No. 21-cv-1829-BAS-BG

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:

ADJOURNMENT:

Policy for Public Participation in Board, Airport Land Use Commission (ALUC), and Committee Meetings (Public Comment)

- 1) Persons wishing to address the Board, ALUC, and Committees shall submit an email to the Clerk at clerk@san.org 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 submit an email 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 reserved for persons wishing to address the Board, ALUC, and Committees 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.
- 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, ALUC and Committees.
- 4) If many persons have indicated a desire to address the Board, ALUC and Committees 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.

After a public hearing or the public comment portion of the meeting has been closed, no person shall address the Board, ALUC, and Committees 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) 400-2550 at least three (3) 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.

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

You may also reach the SDCRAA Building 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) 233-3004 or 511.

DRAFT
SAN DIEGO COUNTY REGIONAL AIRPORT AUTHORITY BOARD
MINUTES
THURSDAY, DECEMBER 2, 2021
SAN DIEGO INTERNATIONAL AIRPORT
BOARD ROOM

CALL TO ORDER: Chair Cabrera called the meeting of the San Diego County Regional Airport Authority Board to order at 9:00 a.m. on Thursday, December 2, 2021, electronically and via teleconference pursuant to the provisions of California Assembly Bill 361 and Resolution No. 2021-0123 at the San Diego International Airport, Administration Building, 3225 North Harbor Drive, San Diego, CA 92101.

ROLL CALL:

PRESENT: Board Members: Blakespear, Cabrera, Casillas Salas,
 McNamara, Robinson, Schiavoni,
 Vargas, von Wilpert

ABSENT: Board Members: Bedell (Ex-Officio), Dallarda (Ex-Officio),
 Lloyd, Miller (Ex-Officio)

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

NEW BUSINESS:

1. **CONSIDERATION OF WHETHER TO CONTINUE VIRTUAL MEETINGS FOR AUTHORITY BOARD AND COMMITTEE MEETINGS PURSUANT TO AB 361:**
 RECOMMENDATION: Adopt Resolution No. 2021-0133, finding that it is in the best interest of the Authority and the public it serves to continue to hold virtual public meetings of the Board and its Committees because a declared state of emergency is ongoing and continues to directly impact the ability of the Board and its Committees to meet safely in person and state and local officials recommend measures to promote social distancing.

ACTION: Moved by Board Member Robinson and seconded by Board Member Schiavoni to approve staff's recommendation. Motion carried by the following votes: YES – Blakespear, Cabrera, Casillas Salas, McNamara, Robinson, Schiavoni, von Wilpert; NO – None; ABSENT –Lloyd, Vargas; (Weighted Vote Points: YES – 84; NO – 0; ABSENT – 16)

PRESENTATIONS:

A. 2021 BOND SALE OUTCOME:

Scott Brickner, Vice President/Chief Financial Officer, provided a presentation on the 2021 Bond Sale Outcome that included Authority Bond Financing Requirements, Favorable Market Conditions, Feasibility Report and Preliminary Official Statements, Rating Agency Presentations and Credit Ratings, Marketing and Investor Outreach, November 17 Pricing Results, Upsizing 2021AB Bonds, 2021C Refunding Bonds, Authority GARB Deal Summaries and the 2021 Bonds Financing Team.

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

- **AUDIT COMMITTEE:** Committee Member Vann reported that the Committee met on November 15th and heard several items and voted to forward those items to the Board for acceptance and approval.
- **CAPITAL IMPROVEMENT PROGRAM OVERSIGHT COMMITTEE:** None.
- **EXECUTIVE PERSONNEL AND COMPENSATION COMMITTEE:** None.
- **FINANCE COMMITTEE:** Board Member von Wilpert reported that the Committee met on November 22nd where they reviewed the Unaudited Financial Statements and the Investment Report as of October 31, 2021, and heard an update provided on the Authority's revolving credit facility and outstanding balances.

ADVISORY COMMITTEES

- **AUTHORITY ADVISORY COMMITTEE:** None.
- **ARTS ADVISORY COMMITTEE:** Chris Chalupsky, Senior Manager, Arts Program, reported that the Arts Program, in collaboration with the Airport's Culture & Capability department, is set to resume New Hire airport tours this month.

LIAISONS

- **CALTRANS:** None.

Board Member Vargas joined the meeting at 9:32 a.m.

- **INTER-GOVERNMENTAL AFFAIRS:** Chair Cabrera reported that the White House continues negotiations with Congressional leaders on the overall size and scope of the budget bill that would fund the federal government and the Presidents policy priorities. He reported that the President recently unveiled a new \$1.75 trillion framework and urged Congress to vote on both the new package and the \$1.2 trillion infrastructure proposal. He also reported that the infrastructure package includes an additional \$25 billion for aviation, of which approximately \$10 billion is proposed for airport related infrastructure projects. He reported that State Legislature has adjourned until January 3rd, when the second year of the 2021-22 legislation session resumes.
- **MILITARY AFFAIRS:** None.
- **PORT:** None.
- **WORLD TRADE CENTER:** Hampton Brown, Vice President and Chief Revenue Officer, Marketing and Air Service Development, reported that the Committee met on November 16th where the Board voted to amend the bylaws to allow officers to authorize and execute required corporate documents. He reported there were updates on the 2020 Work Plan including License Holder Deliverables, the Global Compensative Council and the 2021 Work Plan which will continue to focus on route, development and retention support, continuation of the corporate travel survey and airline stewardship within the business community.

BOARD REPRESENTATIVES (EXTERNAL)

- **SANDAG BOARD OF DIRECTORS:** Chair Cabrera reported that at its last meeting the Board of Directors approved the submission of the proposed 2022 State Transportation and Improvement Program to the California Transportation Commission and the Board also approved the SANDAG Housing and Smart Growth Funding recommended by the Regional Planning Committee.
- **SANDAG TRANSPORTATION COMMITTEE:** None.

CHAIR'S REPORT Chair Cabrera reported that the Board of Building Owners and Managers Association has unanimously awarded the Airport Authority its annual Public Official of the Year Award for the recognition of the work on the new T1 where President Biden signed the \$1.2 trillion Infrastructure and Investment and Jobs Act that will potentially benefit the new T1 project by setting aside funds for airport terminal projects.

PRESIDENT/CEO'S REPORT: Kim Becker, President/CEO, reported that on November 21st, the "San Diego Flyer", the new all-electric shuttle bus carrying passengers between the Old Town Transit Center and SAN, launched and is an excellent last-mile connection from transit to the airport that is free to customers. She also reported that even before the San Diego Flyer was launched, it won its first award from Circulate San Diego recognizing the service with the Connectivity Award at its annual Momentum Awards earlier in the month. She reported that our Communications and Marketing Teams have won two Bronze Merit Awards from the Public Relations Society of America's San Diego/Imperial Counties chapter, the first award was in the "Media Relations: COVID Response" category, recognizing our "Let's Go Safely" campaign, which helped passengers navigate the airport during the early days of the pandemic, and the second award was in the "New Digital Platform" category for the annual Sustainability Report, noting that the Planning and Environmental Affairs team played a key role in the development of the Sustainability report, as well as Communications and Marketing. She reported that the Authority's Noise Team was recognized by ACI-NA with an Environmental Achievement Award in the "Outreach, Education, and Community Involvement category", the award was for the SAN Flight Procedure Study which was a pivotal achievement in helping to address aircraft noise on behalf of the airport's neighbors. She reported that the U.S. border opened to fully vaccinated visitors on November 8th, and that the number of international flights at SAN has increased since the border opening; that most of SAN's international carriers will be offering more flights in December than they did in November with Alaska Airlines adding its seasonal service to Cancun back in November; British Airways resuming its service in October with three flights a week and now increasing to daily flights. She also reported that SAN averaged a little more than 57,000 passengers coming and going from the airport beginning the Tuesday before and the Monday after Thanksgiving with the most people traveling on Tuesday and Sunday.

Board Member Blakespear' expressed concern regarding the message, promotion, and signage of the San Diego Flyer. She stated that not adequately messaging this service is a missed opportunity. She requested that staff report back to the Board at a future meeting on wayfinding improvements for this service.

Board Member von Wilpert invited staff to present to the city's Active Transportation and Infrastructure committee.

Board Member Schiavoni also suggested that the messaging emphasize that it is a free service.

NON-AGENDA PUBLIC COMMENT:

CONSENT AGENDA (Items 2-20):

Board Member Schiavoni announced her recusal on Item 14 due to a potential conflict of interest.

ACTION: Moved by Board Member Vargas and seconded by Board Member Robinson to approve the Consent Agenda, noting Board Member Schiavoni's RECUSAL on Item 14. Motion carried by the following votes: YES – Blakespear, Cabrera, McNamara, Robinson, Casillas Salas, Schiavoni, Vargas, von Wilpert; NO – None; ABSENT – Lloyd; (Weighted Vote Points: YES – 92; NO – 0; ABSENT – 8)

2. APPROVAL OF MINUTES:

RECOMMENDATION: Approve the minutes of the November 4, 2021, regular Board meeting.

3. 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.

4. AWARDED CONTRACTS, APPROVED CHANGE ORDERS FROM OCTOBER 11, 2021 THROUGH NOVEMBER 7, 2021 AND REAL PROPERTY AGREEMENTS GRANTED AND ACCEPTED FROM OCTOBER 11, 2021 THROUGH NOVEMBER 7, 2021:

RECOMMENDATION: Receive the report.

5. DECEMBER 2021 LEGISLATIVE REPORT:

RECOMMENDATION: Adopt Resolution No. 2021-0134, approving the December 2021 Legislative Report.

6. APPOINTMENTS TO BOARD COMMITTEES, LIAISON POSITIONS, OTHER REPRESENTATIVE AND ALTERNATE POSITIONS:

RECOMMENDATION: Adopt Resolution No. 2021-0135, appointing Gil Cabrera as the primary advisory member and Johanna Schiavoni as the alternate advisory member to the SANDAG Board of Directors.

CLAIMS

7. REJECT THE CLAIM OF JENNIFER ADAMS:

RECOMMENDATION: Adopt Resolution No. 2021-0145, rejecting the claim of Jennifer Adams.

COMMITTEE RECOMMENDATIONS

8. ESTABLISH THE DATE AND TIME OF BOARD AND ALUC MEETINGS FOR 2022, AS INDICATED ON THE PROPOSED 2022 MASTER CALENDAR OF BOARD AND COMMITTEE MEETINGS:

RECOMMENDATION: The Executive Committee recommends that the Board adopt Resolution No. 2021-0136, establishing the date and time of Board and ALUC meetings; and Committee meetings for 2022 as indicated on the proposed 2022 Master Calendar of Board and Committee Meetings.

9. FISCAL YEAR 2022 FIRST QUARTER REPORT FROM THE OFFICE OF THE CHIEF AUDITOR:

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

10. REVISION TO THE FISCAL YEAR 2022 AUDIT PLAN OF THE OFFICE OF THE CHIEF AUDITOR:

RECOMMENDATION: The Audit Committee recommends that the Board Adopt Resolution No. 2021-0137, approving the revision to the Fiscal Year 2022 Audit Plan.

11. EXTERNAL AUDITORS FISCAL YEARS ENDED JUNE 30, 2021 REPORT: A) AUDITED FINANCIAL STATEMENTS, B) SINGLE AUDIT REPORTS, C) PASSENGER FACILITY CHARGES COMPLIANCE REPORT, D) CUSTOMER FACILITY CHARGE COMPLIANCE REPORT, AND E) LETTER TO THE BOARD:

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

12. REVIEW OF THE ANNUAL COMPREHENSIVE FINANCIAL REPORT (ACFR) FOR THE FISCAL YEAR ENDED JUNE 30, 2021:

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

CONTRACTS AND AGREEMENTS

13. AUTHORIZE THE PRESIDENT/CEO TO NEGOTIATE AND EXECUTE A SIXTH AMENDMENT TO AGREEMENT 209162-OS WITH SP PLUS CORPORATION FOR RENTAL CAR CENTER (RCC) BUS OPERATIONS:

RECOMMENDATION: Adopt Resolution No. 2021-0138, authorizing the President/CEO to negotiate and execute a Sixth Amendment to Agreement 209162-OS with SP Plus Corporation for Rental Car Center (RCC) Bus Operations to: 1) Extend the contract to September 30, 2022; 2) modify the per mile rate; 3) modify the management fee; and 4) Increase the maximum amount payable by \$8,000,000.00; from \$49,000,000 to \$57,000,000.

14. AUTHORIZE THE PRESIDENT/CEO TO NEGOTIATE AND EXECUTE A SECOND AMENDMENT TO AGREEMENT 210753-OS WITH ACE PARKING MANAGEMENT, INC. FOR AIRPORT SHUTTLE SERVICES:

RECOMMENDATION: Adopt Resolution No. 2021-0139, authorizing the President/CEO to negotiate and execute a Second Amendment to Agreement 210753-OS with Ace Parking Management, Inc. for Airport Shuttle Services to: 1) Extend the contract to September 30, 2022; and 2) Revise the Scope of Work to add the San Diego Flyer shuttle route.

15. GRANT AN EASEMENT FOR DRAINAGE FACILITIES TO THE CITY OF SAN DIEGO:

RECOMMENDATION: Adopt Resolution No. 2021-0140, approving and authorizing the President/CEO to negotiate and execute an easement for drainage facilities with the City of San Diego for the relocation of a portion of existing City owned storm drain infrastructure in support of the New T1 Airside Improvements project.

16. APPROVE AND AUTHORIZE THE PRESIDENT/CEO TO NEGOTIATE AND EXECUTE AN AMENDMENT TO A REIMBURSABLE AGREEMENT WITH THE DEPARTMENT OF TRANSPORTATION FEDERAL AVIATION ADMINISTRATION (FAA) FOR ENGINEERING AND TECHNICAL SUPPORT RELATED TO NEW T1 AIRSIDE IMPROVEMENTS:

RECOMMENDATION: Adopt Resolution No. 2021-0141, approving and authorizing the President/CEO to Negotiate and Execute an Amendment to a Reimbursable Agreement between the Department of Transportation Federal Aviation Administration (FAA) and the San Diego County Regional Airport Authority for engineering and technical support related to New T1 Airside Improvements.

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

- 17. AWARD A CONTRACT TO S&L SPECIALTY CONSTRUCTION, INC. FOR QUIETER HOME PROGRAM PHASE 11, GROUP 7, PROJECT NO. 381107, FIFTY-THREE (53) NON-HISTORIC SINGLE-FAMILY & MULTI-FAMILY UNITS ON THIRTY-SIX (36) RESIDENTIAL PROPERTIES LOCATED EAST AND WEST OF THE SAN DIEGO INTERNATIONAL AIRPORT:**

RECOMMENDATION: Adopt Resolution No. 2021-0142, awarding a contract to S&L Specialty Construction, Inc. in the amount of \$1,653,249.76 for Phase 11, Group 7, Project No. 381107, of the San Diego County Regional Airport Authority's ("Authority") Quieter Home Program.

- 18. AWARD A CONTRACT TO G&G SPECIALTY CONTRACTORS, INC. FOR QUIETER HOME PROGRAM PHASE 11, GROUP 8, PROJECT NO. 381108 CONSISTING OF ONE-HUNDRED-TWELVE (112) NON-HISTORIC MULTI-FAMILY UNITS ON ONE (1) RESIDENTIAL PROPERTY LOCATED EAST OF THE SAN DIEGO INTERNATIONAL AIRPORT:**

RECOMMENDATION: Adopt Resolution No. 2021-0143, awarding a contract to G&G Specialty Contractors, Inc. in the amount of \$2,651,337.95 for Phase 11, Group 8, Project No. 381108, of the San Diego County Regional Airport Authority's ("Authority") Quieter Home Program.

- 19. APPROVE AND AUTHORIZE THE PRESIDENT/CEO TO EXECUTE AN ON-CALL AGREEMENT FOR ARCHITECTURAL AND ENGINEERING CONSULTING SERVICES WITH THE JONES PAYNE GROUP, INC., FOR THE QUIETER HOME PROGRAM AND QUIETER NON-RESIDENTIAL PROGRAM:**

RECOMMENDATION: Adopt Resolution No. 2021-0144, approving and authorizing the President/CEO to negotiate and execute an on-call architectural and engineering consultant services agreement with The Jones Payne Group, Inc., for an amount not-to-exceed \$30,000,000 for a term of three years, with the option for two one-year extensions exercisable at the discretion of the President/CEO in support of the Quieter Home Program and Quieter Non-Residential Program.

- 20. AUTHORIZE AN INCREASE IN THE PRESIDENT/CEO'S AUTHORITY TO NEGOTIATE AND EXECUTE A CONTRACT TO BIND COVERAGE FOR THE OWNER CONTROLLED INSURANCE PROGRAM:**

RECOMMENDATION: Adopt Resolution No. 2021-0146, authorizing an increase in the President/CEO's authority to negotiate and execute a contract for the Owner Controlled Insurance Program in an amount not to exceed from \$20,000,000 to \$25,000,000.

PUBLIC HEARINGS:

OLD BUSINESS:

NEW BUSINESS:

CLOSED SESSION: The Board recessed into Closed Session at 10:00 a.m. to discuss Item 25.

21. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION:

(Paragraph (1) of subdivision (d) of Cal. Gov. Code §54956.9)

Name of Case: Reya-Bolanos b. San Diego County Regional Airport Authority
San Diego Superior Court Case No. 37-2020-00015247-CU-PO-CTL

22. 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

23. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION:

(Paragraph (1) of subdivision (d) of Cal. Gov. Code §54956.9)

Name of case: Neighbors Against Noise and Traffic v. City of El Cajon, et al., San Diego Superior Court Case No. 37-2021-00016823-CU-TT-CTL

24. CONFERENCE WITH LEGAL COUNSEL – EXISTING 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

25. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION:

(Paragraph (1) of subdivision (d) of Cal. Gov. Code §54956.9)

Name of Case: John Van De Walker v. Brian K. Widener, et al., United States District Court Case No. 21-cv-1829-BAS-BGS

26. CONFERENCE WITH REAL PROPERTY NEGOTIATORS:

(Government Code §54956.8)

Property: 2 parcels of land situated in the City of San Diego, County of San Diego, State of California, said parcels being a portion of that 231.21 acre tract of land acquired by Warranty Deed from San Diego Securities Company dated June 4, 1917 and recorded June 9, 1917 in Book 740 at page 61 of Deeds in the Office of the Recorder of San Diego County and a portion of that 180.34 acre tract of land acquired by Deed from the City of San Diego dated December 1, 1916 and recorded September 5, 1917 in Book 739 at page 307 of Deeds in the Office of the Recorder of San Diego County and said parcels being designated for the purpose of this description as Parcel 1 and Parcel 2. Parcel 1- approximately 14.03 acres of land and Parcel 2-approximately 2.39 acres of land as more specifically described in the Lease Agreement between the United States of America and the San Diego County Regional Airport Authority, Authority Lease No. LE-0107.

Agency negotiator: Hampton Brown, Matt Harris, Susan Diekman, Jim DeCock, Amy Gonzalez

Negotiating parties: David Bixler, Michael Oestericher, Russell Rang, Reid Merrill, Curtis Permito- United State of America, Department of the Navy

Under negotiation: Price and terms of payment

REPORT ON CLOSED SESSION: The Board adjourned out of Closed Session at 10:30 a.m. There was no reportable action.

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 10:30 a.m.

APPROVED BY A MOTION OF THE SAN DIEGO COUNTY REGIONAL AIRPORT
AUTHORITY BOARD THIS 6th DAY OF JANUARY, 2022.

ATTEST:

TONY R. RUSSELL
DIRECTOR, BOARD SERVICES /
AUTHORITY CLERK

APPROVED AS TO FORM:

AMY GONZALEZ
GENERAL COUNSEL

DRAFT
SAN DIEGO COUNTY REGIONAL AIRPORT AUTHORITY
SPECIAL BOARD AND EXECUTIVE-FINANCE COMMITTEE MEETING MINUTES
MONDAY, DECEMBER 20, 2021
BOARD ROOM

CALL TO ORDER: Chair Gil Cabrera called the Special Board and Executive-Finance Committee meeting to order at 9:16 a.m., on Monday, December 20, 2021, electronically and via teleconference pursuant to the provisions of California Assembly Bill 361 and Resolution No. 2021-0133 at the San Diego International Airport, Administration Building, 3225 N. Harbor Drive, San Diego, CA 92101.

ROLL CALL:

Board

Present: Cabrera (Chair), Blakespear, Lloyd, Robinson, McNamara, Schiavoni, von Wilpert

Absent: Casillas Salas, Bedell (Ex Officio), Dallarda (Ex Officio), Miller (Ex Officio), Vargas

Executive Committee

Present: Committee Members: Cabrera (Chair), Robinson, Lloyd, Robinson

Absent: Committee Members: None

Finance Committee

Present: Committee Members: Lloyd (Chair), Schiavoni, von Wilpert

Absent: Committee Members: Casillas Salas

Also Present: Kim Becker, President/CEO; Amy Gonzalez, General Counsel; Tony R. Russell, Director, Board Services/Authority Clerk; Arely Valenzuela, Board Services/Authority Clerk I

NON-AGENDA PUBLIC COMMENT:

NEW BUSINESS:

1. APPROVAL OF MINUTES:

RECOMMENDATION: Approve the minutes of the November 22, 2021, regular meeting.

ACTION: Moved by Board Member Robinson and seconded by Board Member Lloyd to approve staff's recommendation. Motion carried unanimously.

FINANCE COMMITTEE NEW BUSINESS:

2. REVIEW OF THE UNAUDITED FINANCIAL STATEMENTS FOR THE FIVE MONTHS ENDED NOVEMBER 30, 2021:

Elizabeth Stewart, Interim Director, Accounting, provided a presentation on the Unaudited Financial Statements for the Five Months Ended November 30, 2021 that included Enplanements, Landed Weights, Operating Revenues, Operating Expenses, Net Operating Income Summary, Nonoperating Revenues & Expenses and Statements of Net Position.

Chair Cabrera requested that staff provide the Board with a report of the hours of operations for concessions from before and during COVID.

3. REVIEW OF THE AUTHORITY'S INVESTMENT REPORT AS OF NOVEMBER 30, 2021:

Geoff Bryant, Manager, Airport Finance, provided a presentation on the Investment Report as of November 30, 2021 that included Portfolio Characteristics, Sector Distribution, Quality and Maturity Distribution, Investment Performance and Bond and Short-Term Debt Proceeds.

4. UPDATE ON REVOLVER DRAWS AND OUTSTANDING BALANCE:

Geoff Bryant, Manager, Airport Finance, provided an update on the Revolver Draws and Outstanding Balance that included the Revolving Credit Facility Balances.

EXECUTIVE COMMITTEE NEW BUSINESS:

5. **PRE-APPROVAL OF TRAVEL REQUESTS AND APPROVAL OF BUSINESS AND TRAVEL EXPENSE REIMBURSEMENT REQUESTS FOR BOARD MEMBERS, THE PRESIDENT/CEO, THE CHIEF AUDITOR AND GENERAL COUNSEL:**

ACTION: Moved by Board Member Robinson and seconded by Board Member Lloyd to approve staff's recommendation. Motion carried unanimously.

REVIEW OF FUTURE AGENDAS:

6. **REVIEW OF THE DRAFT AGENDA FOR THE JANUARY 6, 2022 BOARD MEETING:**

Kimberly J. Becker, President/CEO, provided an overview of the January 6, 2022 draft Board meeting agenda.

7. **REVIEW OF THE DRAFT AGENDA FOR THE JANUARY 6, 2022 AIRPORT LAND USE COMMISSION MEETING:**

Kimberly J. Becker, President/CEO, provided an overview of the January 6, 2022 draft Airport Land Use Commission meeting agenda.

BOARD NEW BUSINESS:

8. **CONSIDERATION OF WHETHER TO CONTINUE VIRTUAL MEETINGS FOR AUTHORITY BOARD AND COMMITTEE MEETINGS PURSUANT TO AB 361:**

Amy Gonzalez, General Counsel, provided an overview of the Staff Report.

RECOMMENDATION: Adopt Resolution No. 2021-0147, finding that it is in the best interest of the Authority and the public it serves to continue to hold virtual public meetings of the Board and its Committees because a declared state of emergency is ongoing and continues to directly impact the ability of the Board and its Committees to meet safely in person and state and local officials recommend measures to promote social distancing.

ACTION: Moved by Board Member Blakespear and seconded by Board Member Robinson to approve staff's recommendation. Motion carried by the following votes: YES – Blakespear, Cabrera, Lloyd, McNamara, Robinson, Schiavoni, von Wilpert; NO – None; ABSENT – Casillas Salas, Vargas; (Weighted Vote Points: YES – 80; NO – 0; ABSENT – 20)

COMMITTEE MEMBER COMMENTS: None.

ADJOURNMENT: The meeting adjourned at 10:30 a.m.

APPROVED BY A MOTION OF THE SAN DIEGO COUNTY REGIONAL AIRPORT AUTHORITY
EXECUTIVE COMMITTEE THIS 24TH DAY OF JANUARY 2022.

ATTEST:

TONY R. RUSSELL
DIRECTOR, BOARD SERVICES/
AUTHORITY CLERK

APPROVED AS TO FORM:

AMY GONZALEZ
GENERAL COUNSEL

Item No. 2**Staff Report**

Meeting Date: January 6, 2022

Subject:

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.

Background/Justification:

Authority Policy 1.10 defines a “day of service” for Board Member compensation and outlines the requirements for Board Member attendance at meetings.

Pursuant to Authority Policy 1.10, Board Members are required to deliver to the Board a written report regarding their participation in meetings for which they are compensated. Their report is to be delivered at the next Board meeting following the specific meeting and/or training attended. The reports (Attachment A) were reviewed pursuant to Authority Policy 1.10 Section 5 (g), which defines a “day of service”. The reports were also reviewed pursuant to Board Resolution No. 2019-0074, which granted approval of Board Member representation for attending events and meetings.

The attached reports are being presented to comply with the requirements of Policy 1.10 and the Authority Act.

Fiscal Impact:

Board and Committee Member Compensation is included in the FY 2023 Budget

Authority Strategies/Focus Areas:

This item supports one or more of the following (*select at least one under each area*):

Staff Report

Meeting Date: January 6, 2022

Page 2 of 2

Strategies

☒ Community Strategy ☐ Customer Strategy ☐ Employee Strategy ☐ Financial Strategy ☒ Operations Strategy

Focus Areas

☐ Advance the Airport Development Plan ☐ Transform the Customer Journey ☒ Optimize Ongoing Business

Environmental Review:

- A. CEQA: This Board action is not a project that would have a significant effect on the environment as defined by the California Environmental Quality Act ("CEQA"), as amended. 14 Cal. Code Regs. §15378. This Board action is not a "project" subject to CEQA. Cal. Pub. Res. Code §21065.
- B. California Coastal Act Review: This Board action is not a "development" as defined by the California Coastal Act. Cal. Pub. Res. Code §30106.
- C. NEPA: This Board action is not a project that involves additional approvals or actions by the Federal Aviation Administration ("FAA") and, therefore, no formal review under the National Environmental Policy Act ("NEPA") is required.

Application of Inclusionary Policies:

Not applicable.

Prepared by:

Tony R. Russell
Director, Board Services/Authority Clerk

BOARD MEMBER EVENT/MEETING/TRAINING REPORT SUMMARY

Directions: This Form permits Board Members to report their attendance at meetings, events, and training that qualifies for “day of service” compensation pursuant to Cal. Pub. Util. Code §170017, Board Policy 1.10 and Board Resolution 2019-0074. Unless attending a meeting held pursuant to the Brown Act, attendance must be pre-approved by the Board prior to attendance and a written report delivered at the next Board meeting. After completing this Form, please forward it to Board Services, Authority Clerk Staff.

Period Covered:	December 2021	
Board Member Name:	Catherine Blakespear	
Date:	12/20/21	
Type of Meeting	Date/Time/Location of Event/Meeting/Training	Summary and Description of the Event/Meeting/Training
<input checked="" type="checkbox"/> Brown Act <input type="checkbox"/> Pre-approved <input type="checkbox"/> Res. 2019-0074	Thursday, December 2, 2021 9:00 AM-12:00 PM Microsoft Teams	Board/ALUC Meeting
<input type="checkbox"/> Brown Act <input checked="" type="checkbox"/> Pre-approved <input type="checkbox"/> Res. 2019-0074	Monday, December 13, 2021 9:00 AM-10:30 AM 2378 Winship Lane San Diego	San Diego's New T1 groundbreaking ceremony
<input checked="" type="checkbox"/> Brown Act <input type="checkbox"/> Pre-approved <input type="checkbox"/> Res. 2019-0074	Monday, December 20, 2021 9:00 AM-11:00 AM Microsoft Teams	Special Board and Executive-Finance Committee Meeting
<input type="checkbox"/> Brown Act <input type="checkbox"/> Pre-approved <input type="checkbox"/> Res. 2019-0074		
<input type="checkbox"/> Brown Act <input type="checkbox"/> Pre-approved <input type="checkbox"/> Res. 2019-0074		
<input type="checkbox"/> Brown Act <input type="checkbox"/> Pre-approved <input type="checkbox"/> Res. 2019-0074		
<input type="checkbox"/> Brown Act <input type="checkbox"/> Pre-approved <input type="checkbox"/> Res. 2019-0074		
<input type="checkbox"/> Brown Act <input type="checkbox"/> Pre-approved <input type="checkbox"/> Res. 2019-0074		
<input type="checkbox"/> Brown Act <input type="checkbox"/> Pre-approved <input type="checkbox"/> Res. 2019-0074		

I certify that I was present for at least half of the time set for each meeting, event, and training listed herein.

Signature: Catherine Blakespear Digitally signed by Catherine Blakespear
Date: 2021.12.20 13:52:25 -08'00'

BOARD MEMBER EVENT/MEETING/TRAINING REPORT SUMMARY

Directions: This Form permits Board Members to report their attendance at meetings, events, and training that qualifies for “day of service” compensation pursuant to Cal. Pub. Util. Code §170017, Board Policy 1.10 and Board Resolution 2019-0074. Unless attending a meeting held pursuant to the Brown Act, attendance must be pre-approved by the Board prior to attendance and a written report delivered at the next Board meeting. After completing this Form, please forward it to Board Services, Authority Clerk Staff.

Period Covered:	December 1 through Decemer 31, 2021	
Board Member Name:	Gil Cabrera	
Date:	12/30/21	
Type of Meeting	Date/Time/Location of Event/Meeting/Training	Summary and Description of the Event/Meeting/Training
<input checked="" type="checkbox"/> Brown Act <input type="checkbox"/> Pre-approved <input type="checkbox"/> Res. 2019-0074	12/2/2021 - 9am-11am - Teams	SDCRAA Board of Directors Meeting
<input checked="" type="checkbox"/> Brown Act <input type="checkbox"/> Pre-approved <input type="checkbox"/> Res. 2019-0074	12/3/2021 - 9am-12pm - Zoom	SANDAG Board of Directors Meeting
<input checked="" type="checkbox"/> Brown Act <input type="checkbox"/> Pre-approved <input type="checkbox"/> Res. 2019-0074	12/10/2021 - 830am-12pm - Zoom	SANDAG Board of Directors Meeting
<input type="checkbox"/> Brown Act <input checked="" type="checkbox"/> Pre-approved <input type="checkbox"/> Res. 2019-0074	12/13/2021 - 9am-1pm - SAN	T1 Ground Breaking followed by Lunch with FAA
<input checked="" type="checkbox"/> Brown Act <input type="checkbox"/> Pre-approved <input type="checkbox"/> Res. 2019-0074	12/17/2021 - 9am-12pm - Zoom	SANDAG Board of Directors Meeting
<input checked="" type="checkbox"/> Brown Act <input type="checkbox"/> Pre-approved <input type="checkbox"/> Res. 2019-0074	12/20/2021 - 9am-11am - Teams	Special Board and Exec and Finance Committee Meeting
<input checked="" type="checkbox"/> Brown Act <input type="checkbox"/> Pre-approved <input type="checkbox"/> Res. 2019-0074		
<input type="checkbox"/> Brown Act <input type="checkbox"/> Pre-approved <input type="checkbox"/> Res. 2019-0074		

I certify that I was present for at least half of the time set for each meeting, event, and training listed herein.

Signature: Gil Cabrera Digitally signed by Gil Cabrera
Date: 2022.01.03 08:40:10 -08'00'

BOARD MEMBER EVENT/MEETING/TRAINING REPORT SUMMARY

Directions: This Form permits Board Members to report their attendance at meetings, events, and training that qualifies for "day of service" compensation pursuant to Cal. Pub. Util. Code §170017, Board Policy 1.10 and Board Resolution 2019-0074. Unless attending a meeting held pursuant to the Brown Act, attendance must be pre-approved by the Board prior to attendance and a written report delivered at the next Board meeting. After completing this Form, please forward it to Board Services, Authority Clerk Staff.

Period Covered:	December 2021	
Board Member Name:	Mary Helen Salas	
Date:	12/7/21	
Type of Meeting	Date/Time/Location of Event/Meeting/Training	Summary and Description of the Event/Meeting/Training
<input checked="" type="checkbox"/> Brown Act <input type="checkbox"/> Pre-approved <input type="checkbox"/> Res. 2019-0074	December 2, 2021 9am Microsoft Teams	Board/ALUC Meeting
<input type="checkbox"/> Brown Act <input type="checkbox"/> Pre-approved <input type="checkbox"/> Res. 2019-0074		
<input type="checkbox"/> Brown Act <input type="checkbox"/> Pre-approved <input type="checkbox"/> Res. 2019-0074		
<input type="checkbox"/> Brown Act <input type="checkbox"/> Pre-approved <input type="checkbox"/> Res. 2019-0074		
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<input type="checkbox"/> Brown Act <input type="checkbox"/> Pre-approved <input type="checkbox"/> Res. 2019-0074		
<input type="checkbox"/> Brown Act <input type="checkbox"/> Pre-approved <input type="checkbox"/> Res. 2019-0074		

I certify that I was present for at least half of the time set for each meeting, event, and training listed herein.

Signature: Mary C Salas

BOARD MEMBER EVENT/MEETING/TRAINING REPORT SUMMARY

Directions: This Form permits Board Members to report their attendance at meetings, events, and training that qualifies for “day of service” compensation pursuant to Cal. Pub. Util. Code §170017, Board Policy 1.10 and Board Resolution 2019-0074. Unless attending a meeting held pursuant to the Brown Act, attendance must be pre-approved by the Board prior to attendance and a written report delivered at the next Board meeting. After completing this Form, please forward it to Board Services, Authority Clerk Staff.

Period Covered:	December 2021	
Board Member Name:	Paul McNamara	
Date:	12/22/21	
Type of Meeting	Date/Time/Location of Event/Meeting/Training	Summary and Description of the Event/Meeting/Training
<input checked="" type="checkbox"/> Brown Act <input type="checkbox"/> Pre-approved <input type="checkbox"/> Res. 2019-0074	12/2/21/0900/zoom/meeting	Board/ALCU Meeting
<input checked="" type="checkbox"/> Brown Act <input type="checkbox"/> Pre-approved <input type="checkbox"/> Res. 2019-0074	12/20/21/0900/zoom/meeting	Special Board and Executive Finance Committee
<input type="checkbox"/> Brown Act <input type="checkbox"/> Pre-approved <input type="checkbox"/> Res. 2019-0074		
<input type="checkbox"/> Brown Act <input type="checkbox"/> Pre-approved <input type="checkbox"/> Res. 2019-0074		
<input type="checkbox"/> Brown Act <input type="checkbox"/> Pre-approved <input type="checkbox"/> Res. 2019-0074		
<input type="checkbox"/> Brown Act <input type="checkbox"/> Pre-approved <input type="checkbox"/> Res. 2019-0074		
<input type="checkbox"/> Brown Act <input type="checkbox"/> Pre-approved <input type="checkbox"/> Res. 2019-0074		
<input type="checkbox"/> Brown Act <input type="checkbox"/> Pre-approved <input type="checkbox"/> Res. 2019-0074		

I certify that I was present for at least half of the time set for each meeting, event, and training listed herein.

Signature: Paul McNamara

Digitally signed by Paul
McNamara
Date: 2021.12.22 10:32:43 -08'00'

BOARD MEMBER EVENT/MEETING/TRAINING REPORT SUMMARY

Directions: This Form permits Board Members to report their attendance at meetings, events, and training that qualifies for "day of service" compensation pursuant to Cal. Pub. Util. Code §170017, Board Policy 1.10 and Board Resolution 2019-0074. Unless attending a meeting held pursuant to the Brown Act, attendance must be pre-approved by the Board prior to attendance and a written report delivered at the next Board meeting. After completing this Form, please forward it to Board Services, Authority Clerk Staff.

Period Covered:		
Board Member Name: <u>Robinson</u>		
Date: <u>12/1/01</u>		
Type of Meeting	Date/Time/Location of Event/Meeting/Training	Summary and Description of the Event/Meeting/Training
<input checked="" type="checkbox"/> Brown Act	<u>12/2/2021</u>	<u>SDCRAA BO / ALUC</u>
<input type="checkbox"/> Pre-approved		<u>meetings</u>
<input type="checkbox"/> Res. 2019-0074	<u>Microsoft</u>	
<input checked="" type="checkbox"/> Brown Act	<u>12/20/2021</u>	<u>Exec. Finance Comm.</u>
<input type="checkbox"/> Pre-approved		<u>mtgs.</u>
<input type="checkbox"/> Res. 2019-0074	<u>Microsoft</u>	
<input type="checkbox"/> Brown Act		
<input type="checkbox"/> Pre-approved		
<input type="checkbox"/> Res. 2019-0074		
<input type="checkbox"/> Brown Act		
<input type="checkbox"/> Pre-approved		
<input type="checkbox"/> Res. 2019-0074		
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<input type="checkbox"/> Pre-approved		
<input type="checkbox"/> Res. 2019-0074		
<input type="checkbox"/> Brown Act		
<input type="checkbox"/> Pre-approved		
<input type="checkbox"/> Res. 2019-0074		

I certify that I was present for at least half of the time set for each meeting, event, and training listed herein.

Signature: 

BOARD MEMBER EVENT/MEETING/TRAINING REPORT SUMMARY

Directions: This Form permits Board Members to report their attendance at meetings, events, and training that qualifies for "day of service" compensation pursuant to Cal. Pub. Util. Code §170017, Board Policy 1.10 and Board Resolution 2019-0074. Unless attending a meeting held pursuant to the Brown Act, attendance must be pre-approved by the Board prior to attendance and a written report delivered at the next Board meeting. After completing this Form, please forward it to Board Services, Authority Clerk Staff.

Period Covered:	11/24/2021-12/20/2021	
Board Member Name:	Johanna S. Schiavoni	
Date:	12/20/21	
Type of Meeting	Date/Time/Location of Event/Meeting/Training	Summary and Description of the Event/Meeting/Training
<input checked="" type="checkbox"/> Brown Act <input type="checkbox"/> Pre-approved <input type="checkbox"/> Res. 2019-0074	12/2/2021, 9:00am video conference	SDCRAA Board Meeting
<input type="checkbox"/> Brown Act <input type="checkbox"/> Pre-approved <input checked="" type="checkbox"/> Res. 2019-0074	12/20/2021, 9:00am, video conference	SDCRAA Special Board, Executive and Finance Committee meeting
<input type="checkbox"/> Brown Act <input type="checkbox"/> Pre-approved <input type="checkbox"/> Res. 2019-0074		
<input type="checkbox"/> Brown Act <input type="checkbox"/> Pre-approved <input type="checkbox"/> Res. 2019-0074		
<input type="checkbox"/> Brown Act <input type="checkbox"/> Pre-approved <input type="checkbox"/> Res. 2019-0074		
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<input type="checkbox"/> Brown Act <input type="checkbox"/> Pre-approved <input type="checkbox"/> Res. 2019-0074		
<input type="checkbox"/> Brown Act <input type="checkbox"/> Pre-approved <input type="checkbox"/> Res. 2019-0074		

I certify that I was present for at least half of the time set for each meeting, event, and training listed herein.

Signature: _____

Johanna Schiavoni

BOARD MEMBER EVENT/MEETING/TRAINING REPORT SUMMARY

Directions: This Form permits Board Members to report their attendance at meetings, events, and training that qualifies for “day of service” compensation pursuant to Cal. Pub. Util. Code §170017, Board Policy 1.10 and Board Resolution 2019-0074. Unless attending a meeting held pursuant to the Brown Act, attendance must be pre-approved by the Board prior to attendance and a written report delivered at the next Board meeting. After completing this Form, please forward it to Board Services, Authority Clerk Staff.

Period Covered:	December 2021	
Board Member Name:	Nora Vargas	
Date:	1/3/22	
Type of Meeting	Date/Time/Location of Event/Meeting/Training	Summary and Description of the Event/Meeting/Training
<input checked="" type="checkbox"/> Brown Act <input type="checkbox"/> Pre-approved <input checked="" type="checkbox"/> Res. 2019-0074	December 2, 2021, 9am, MS Teams, Board/ALUC Meeting	Board and Airport Land Use Commission meeting
<input type="checkbox"/> Brown Act <input type="checkbox"/> Pre-approved <input type="checkbox"/> Res. 2019-0074	December 13, 2021, 9am, SD International Airport, 2378 Winship Ln, SD. New T1 Groundbreaking Ceremony	Groundbreaking ceremony for the new Terminal 1 construction project.
<input type="checkbox"/> Brown Act <input type="checkbox"/> Pre-approved <input type="checkbox"/> Res. 2019-0074		
<input type="checkbox"/> Brown Act <input type="checkbox"/> Pre-approved <input type="checkbox"/> Res. 2019-0074		
<input type="checkbox"/> Brown Act <input type="checkbox"/> Pre-approved <input type="checkbox"/> Res. 2019-0074		
<input type="checkbox"/> Brown Act <input type="checkbox"/> Pre-approved <input type="checkbox"/> Res. 2019-0074		
<input type="checkbox"/> Brown Act <input type="checkbox"/> Pre-approved <input type="checkbox"/> Res. 2019-0074		
<input type="checkbox"/> Brown Act <input type="checkbox"/> Pre-approved <input type="checkbox"/> Res. 2019-0074		

I certify that I was present for at least half of the time set for each meeting, event, and training listed herein.

Signature: Nora Vargas Digitally signed by Nora Vargas
Date: 2022.01.03 13:54:13 -08'00'

BOARD MEMBER EVENT/MEETING/TRAINING REPORT SUMMARY

Directions: This Form permits Board Members to report their attendance at meetings, events, and training that qualifies for "day of service" compensation pursuant to Cal. Pub. Util. Code §170017, Board Policy 1.10 and Board Resolution 2019-0074. Unless attending a meeting held pursuant to the Brown Act, attendance must be pre-approved by the Board prior to attendance and a written report delivered at the next Board meeting. After completing this Form, please forward it to Board Services, Authority Clerk Staff.

Period Covered:	12/1/2021 - 12/31/2021	
Board Member Name:	Marni von Wilpert	
Date:	12/21/21	
Type of Meeting	Date/Time/Location of Event/Meeting/Training	Summary and Description of the Event/Meeting/Training
<input checked="" type="checkbox"/> Brown Act <input type="checkbox"/> Pre-approved <input type="checkbox"/> Res. 2019-0074	December 2, 2021 : 9:00 am - 12:00 PM Virtual - Microsoft Teams	Board and ALUC Meeting
<input checked="" type="checkbox"/> Brown Act <input type="checkbox"/> Pre-approved <input type="checkbox"/> Res. 2019-0074	December 20, 2021 : 9:00 am - 11:00 am Virtual - Microsoft Teams	Executive-Finance Committee Meeting
<input type="checkbox"/> Brown Act <input type="checkbox"/> Pre-approved <input type="checkbox"/> Res. 2019-0074		
<input type="checkbox"/> Brown Act <input type="checkbox"/> Pre-approved <input type="checkbox"/> Res. 2019-0074		
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<input type="checkbox"/> Brown Act <input type="checkbox"/> Pre-approved <input type="checkbox"/> Res. 2019-0074		
<input type="checkbox"/> Brown Act <input type="checkbox"/> Pre-approved <input type="checkbox"/> Res. 2019-0074		
<input type="checkbox"/> Brown Act <input type="checkbox"/> Pre-approved <input type="checkbox"/> Res. 2019-0074		

I certify that I was present for at least half of the time set for each meeting, event, and training listed herein.

Signature: Marni von Wilpert

Staff Report

Meeting Date: January 6, 2022

Subject:

Awarded Contracts, Approved Change Orders from November 8, 2021 through December 5, 2021 and Real Property Agreements Granted and Accepted from November 8, 2021 through December 5, 2021

Recommendation:

Receive the report

Background/Justification:

Policy Section Nos. 5.01, Procurement of Services, Consulting, Materials, and Equipment, 5.02, Procurement of Contracts for Public Works, and 6.01, Leasing Policy, require staff to provide a list of contracts, change orders, and real property agreements that were awarded and approved by the President/CEO or her designee. Staff has compiled a list of all contracts, change orders (Attachment A) and real property agreements (Attachment B) that were awarded, granted, accepted, or approved by the President/CEO or her designee since the previous Board meeting.

Fiscal Impact:

The fiscal impact of these contracts and change orders are reflected in the individual program budget for the execution year and on the next fiscal year budget submission. Amount to vary depending upon the following factors:

1. Contracts issued on a multi-year basis; and
2. Contracts issued on a Not-to-Exceed basis.
3. General fiscal impact of lease agreements reflects market conditions.

The fiscal impact of each reported real property agreement is identified for consideration on Attachment B.

Authority Strategies/Focus Areas:

This item supports one or more of the following (*select at least one under each area*):

Strategies

- ☐ Community Strategy ☐ Customer Strategy ☐ Employee Strategy ☒ Financial Strategy ☒ Operations Strategy

Focus Areas

- ☐ Advance the Airport Development Plan ☐ Transform the Customer Journey ☒ Optimize Ongoing Business

Environmental Review:

- A. CEQA: This Board action is not a project that would have a significant effect on the environment as defined by the California Environmental Quality Act ("CEQA"), as amended. 14 Cal. Code Regs. §15378. This Board action is not a "project" subject to CEQA. Cal. Pub. Res. Code §21065.
- B. California Coastal Act Review: This Board action is not a "development" as defined by the California Coastal Act. Cal. Pub. Res. Code §30106.
- C. NEPA: This Board action is not a project that involves additional approvals or actions by the Federal Aviation Administration ("FAA") and, therefore, no formal review under the National Environmental Policy Act ("NEPA") is required.

Application of Inclusionary Policies:

Inclusionary Policy requirements were included during the solicitation process prior to the contract award.

Prepared by:

Jana Vargas
Director, Procurement

Attachment "A"**AWARDED CONTRACTS AND CHANGE ORDERS SIGNED BETWEEN November 8, 2021 to December 5, 2021****New Contracts**

Date Signed	CIP #	Company	Description	Solicitation Method	Owner	Contract Value	End Date
11/15/2021		California Scene Publishing, Inc.	The Contractor will provide holiday themed T-shirts for all concessions employees to wear during the holidays at the San Diego International Airport.	Informal RFP	Revenue Generation & Business Development	\$8,292.00	11/19/2021
11/19/2021		Gatzke Dillon & Ballance LLP	The Contractor is one of four pre-qualified and approved Contractors for Environmental Legal Services for the San Diego County Regional Airport Authority. The contract value reflects the total not-to-exceed cost for the entire pool of contractors for this service.	RFP	General Counsel	\$500,000.00	11/30/2024
11/19/2021		Meyers Nave	The Contractor is one of four pre-qualified and approved Contractors for Environmental Legal Services for the San Diego County Regional Airport Authority. The contract value reflects the total not-to-exceed cost for the entire pool of contractors for this service.	RFP	General Counsel	\$500,000.00	10/31/2024
11/19/2021		Kaplan Kirsch & Rockwell LLP	The Contractor is one of four pre-qualified and approved Contractors for Environmental Legal Services for the San Diego County Regional Airport Authority. The contract value reflects the total not-to-exceed cost for the entire pool of contractors for this service.	RFP	General Counsel	\$500,000.00	11/30/2024
11/19/2022		Best Best & Krieger LLP	The Contractor is one of four pre-qualified and approved Contractors for Environmental Legal Services for the San Diego County Regional Airport Authority. The contract value reflects the total not-to-exceed cost for the entire pool of contractors for this service.	RFP	General Counsel	\$500,000.00	10/31/2024
11/22/2021		Herc Rentals, Inc.	The Contractor will provide a scissor lift for the San Diego County Regional Airport Authority.	Informal RFP	Facilities Management	\$13,697.00	6/30/2022

Attachment "A"

AWARDED CONTRACTS AND CHANGE ORDERS SIGNED BETWEEN November 8, 2021 to December 5, 2021

New Contracts Approved by the Board

Date Signed	CIP #	Company	Description	Solicitation Method	Owner	Contract Value	End Date
11/8/2021		PGAL, Inc.	The Contract was approved by the Board on April 1, 2021. The Contractor is one of two pre-qualified and approved Contractors for on-call architectural consulting services for the San Diego County Regional Airport Authority. The contract value reflects the total not-to-exceed cost for the entire pool of contractors for this service.	RFQ	Airport Design & Construction	\$10,000,000.00	11/9/2024
11/8/2021		Corgan Associates, Inc.	The Contract was approved by the Board on April 1, 2021. The Contractor is one of two pre-qualified and approved Contractors for on-call architectural consulting services for the San Diego County Regional Airport Authority. The contract value reflects the total not-to-exceed cost for the entire pool of contractors for this service.	RFQ	Airport Design & Construction	\$10,000,000.00	11/9/2024
11/10/2021		Abhe & Svoboda, Inc.	The Contract was approved by the Board on September 2, 2021. This Contractor is one of three pre-qualified and approved to bid for On-call painting services for the San Diego County Regional Airport Authority. The contract value reflects the total not to exceed cost for the entire pool of contractors for this service.	RFQ	Facilities Maintenance Management	\$2,000,000.00	11/30/2024
11/18/2021		M.W. Vasquez Construction CO., Inc dba Vasquez Construction	The Contract was approved by the Board on September 2, 2021. This Contractor is one of three pre-qualified and approved to bid for On-call painting services for the San Diego County Regional Airport Authority. The contract value reflects the total not to exceed cost for the entire pool of contractors for this service.	RFQ	Facilities Maintenance Management	\$2,000,000.00	11/30/2024
11/22/2021		Kutak Rock LLP	The Contract was approved by the Board on October 7, 2021. This Contractor provides bond counsel legal services for the San Diego County Regional Airport Authority.	RFP	General Counsel	\$2,000,000.00	10/29/2024

Attachment "A"

AWARDED CONTRACTS AND CHANGE ORDERS SIGNED BETWEEN November 8, 2021 to December 5, 2021

Amendments and Change Orders

Date Signed	CIP #	Company	Description of Change	Owner	Previous Contract Amount	Change Order Value (+ / -)	Change Order Value (%) (+ / -)	New Contract Value	New End Date
11/5/2021		Cushman & Wakefield Western, Inc.	The Second Amendment extends the agreement by ten (10) months and increases the total compensation by \$20,000 to finalize the fair market rental value ("FMRV") for the Runway Parcels One and Two draft appraisal, consult with the FAA, attend meetings with staff and other parties, and provide as-needed consulting services. The contractor provides appraisal services for the San Diego County Regional Airport Authority.	Revenue Generation & Business Development	\$40,000.00	\$20,000.00	50.0%	\$60,000.00	6/30/2022
11/10/2021		Kleinfelder, Inc.	The First Amendment extends the agreement for ninety (90) days to allow time for a new solicitation .There is no increase in total compensation. The contractor provides on-call materials testing, special inspection, and geotechnical consulting services for the San Diego County Regional Airport Authority.	Airport Design & Construction	\$3,500,000.00	\$0.00	0.0%	\$3,500,000.00	5/1/2022
11/12/2021		Group Delta Consultants Inc.	The First Amendment extends the term of the agreement for ninety (90) days to allow time for a new solicitation. There is no increase in total compensation. The contractor provides on-call materials testing, special inspection, and geotechnical consulting services for the San Diego County Regional Airport Authority.	Airport Design & Construction	\$3,500,000.00	\$0.00	0.0%	\$3,500,000.00	5/1/2022
11/14/2021		Computer Protection Technology, Inc.	The First Amendment extends the term of the agreement by ninety days (90) and increases the total compensation by \$30,000 to allow time for a new solicitation. The contractor provides uninterruptible power supply maintenance services for the San Diego County Regional Airport Authority.	Information & Technology Services	\$300,000.00	\$30,000.00	10.0%	\$330,000.00	2/27/2022
11/17/2021		San Diego County Superintendent of Schools	The Second Amendment extends the term of the agreement by one (1) year and increases the total compensation by \$19,000 to cover webcasting costs due to COVID-19 requiring virtual meetings. The contractor provides webcast services for the San Diego County Regional Airport Authority.	Board Services	\$90,000.00	\$19,000.00	21.1%	\$109,000.00	2/25/2023

Attachment "A"**AWARDED CONTRACTS AND CHANGE ORDERS SIGNED BETWEEN November 8, 2021 to December 5, 2021****Amendments and Change Orders**

Date Signed	CIP #	Company	Description of Change	Owner	Previous Contract Amount	Change Order Value (+ / -)	Change Order Value (%) (+ / -)	New Contract Value	New End Date
11/22/2021		OAG Aviation Worldwide LLC	The Second Amendment extends the term of the agreement by one (1) year and increases the total compensation by \$25,988. The contractor provides flight data and weather feed information for the San Diego County Regional Airport Authority.	Information & Technology Services	\$53,624.00	25,987.00	48.5%	\$79,611.00	11/22/2022
11/29/2021		C&S Engineering, Inc.	The First Amendment extends the term of the agreement by ninety (90) days to allow time to for a new solicitation. There is no increase in total compensation. The contractor provides on-call airside/landside engineering consulting services for the San Diego County Regional Airport Authority.	Airport Design & Construction	\$5,000,000.00	0.00	0.0%	\$5,000,000.00	2/28/2022

Attachment "A"**AWARDED CONTRACTS AND CHANGE ORDERS SIGNED BETWEEN November 8, 2021 to December 5, 2021****Amendments and Change Orders Approved by the Board**

Date Signed	CIP #	Company	Description of Change	Owner	Previous Contract Amount	Change Order Value (+ / -)	Change Order Value (%) (+ / -)	New Contract Value	New End Date
11/29/2021		Devaney Pate Morris Cameron LLP	The Sixth Amendment was approved by the Board on September 2, 2021. The Sixth Amendment corrects an error in the Fifth Amendment regarding the length of the term, extends the term of the Agreement by one (1) more year and increases the total compensation by \$150,000. The contractor provides legal services for the San Diego County Regional Airport Authority.	General Counsel	\$550,000.00	\$150,000.00	27.3%	\$700,000.00	4/30/2023

Attachment "B"

REAL PROPERTY AGREEMENTS EXECUTED FROM November 8, 2021 through December 5, 2021

**Real Property Agreements**

Begin/End Dates	Authority Doc. #	Tenant/Company	Agreement Type	Property Location	Use	Property Area (s.f)	Consideration	Comments

**Real Property Agreement Amendments and Assignments**

Effective Date	Authority Doc. #	Tenant/Company	Agreement Type	Property Location	Use	Property Area (s.f)	Consideration	Comments
11/15/2021	LE-1098	Carbon Health Technologies, Inc.	UOP	Terminal 2 West 3835 N Harbor Drive, San Diego, CA 92101	Administering FDA-approved COVID-19 tests and other COVID-19-related services in support of air travel and a safe work environment	266	Monthly Rent is \$4,445.97	

Staff Report

Meeting Date: January 6, 2022

Subject:

Grant an Easement for Electrical Utility Service to San Diego Gas & Electric Company

Recommendation:

Adopt Resolution No. 2022-0001, authorizing the President/CEO to negotiate and execute an easement for electrical utility purposes with San Diego Gas & Electric Company for the relocation of a portion of existing utility owned electrical infrastructure in support of the New Administration Building Project.

Background/Justification:

On July 1, 2021, the Board of the San Diego County Regional Airport Authority ("Authority") adopted Resolution No. 2021-0082 to award a contract to Sundt Construction, Inc. for the New Administration Building project ("Project") at San Diego International Airport ("Airport"). The Project will be a new four-story, approximately 130,000 square foot office building that includes the Authority's administrative offices; Authority Board Room; Airport Operations Center ("AOC"); Security Operations Center ("SOC"); and Emergency Operations Center ("EOC") and will allow for the consolidation of most Authority staff into a single building located at the far west end of San Diego International Airport.

The Project design requires the relocation of an approximately 760-foot section of San Diego Gas & Electric Company ("Utility") owned underground electric facilities that cross through the Project's proposed construction footprint, granted to the Utility by an easement in 2009 ("Old Easement"). The relocation and installation of the electric facilities necessitates that an approximately 760-foot-long new utility easement ("New Easement") be granted to the Utility as depicted on "Exhibit A" and "Exhibit B". The New Easement will supersede and vacate an approximately 500-foot-long section of the Old Easement.

The New Easement is required to allow the Authority to complete the New Administration Building project according to the approved construction plans, as well as to provide the Utility with the appropriate rights needed to maintain and repair its infrastructure. The New Easement will provide the Utility the right to construct, reconstruct, maintain, operate and repair underground electric facilities, including any appurtenances thereto, together with the right of ingress and egress over, under, along, and across the New Easement area.

The term for the New Easement will be conterminous with the term of the Lease between the Authority and the San Diego Unified Port District, which currently expires on December 31, 2068. The New Easement may be terminated at the Authority's discretion.

Fiscal Impact:

The proposed easement does not provide for monetary consideration to be paid to or by the Authority. Therefore, there is no direct fiscal impact.

Authority Strategies/Focus Areas:

This item supports one or more of the following (*select at least one under each area*):

Strategies

☐ Community Strategy ☐ Customer Strategy ☐ Employee Strategy ☐ Financial Strategy ☒ Operations Strategy

Focus Areas

☒ Advance the Airport Development Plan ☐ Transform the Customer Journey ☐ Optimize Ongoing Business

Environmental Review:

- A. CEQA: This Board action is for a project that is Categorically Exempt as defined by the California Environmental Quality Act ("CEQA"), Existing Facilities (15301) - Class 1 and Replacement or Reconstruction (15302) - Class 2.
- B. California Coastal Act Review: This Board action is Categorically Excluded as defined by the California Coastal Commission, specifically Public Utilities - Replacing or relocating lines for existing uses.
- C. NEPA: This Board action is not a project that involves additional approvals or actions by the Federal Aviation Administration ("FAA") and, therefore, no formal review under the National Environmental Policy Act ("NEPA") is required.

Staff Report

Meeting Date: January 6, 2022

Page 3 of 3

Application of Inclusionary Policies:

Not applicable

Prepared by:

Dennis Probst

Development: Vice President & Chief Development Officer

RESOLUTION NO. 2022-0001

A RESOLUTION OF THE BOARD OF THE SAN DIEGO COUNTY REGIONAL AIRPORT AUTHORITY, AUTHORIZING THE PRESIDENT/CEO TO NEGOTIATE AND EXECUTE AN EASEMENT FOR ELECTRICAL UTILITY PURPOSES WITH SAN DIEGO GAS & ELECTRIC COMPANY FOR THE RELOCATION OF A PORTION OF EXISTING UTILITY OWNED ELECTRICAL INFRASTRUCTURE IN SUPPORT OF THE NEW ADMINISTRATION BUILDING PROJECT

WHEREAS, the San Diego County Regional Airport Authority ("Authority") currently leases Airport property from the San Diego Unified Port District ("Port") pursuant to that certain Lease dated January 1, 2003, and bearing Authority Document No. LE-0008; and

WHEREAS, paragraph 4 in said Lease specifies that Authority may, at its own expense, make alterations or changes, or cause to be made, built, installed, or remove any structures, machines, appliances, utilities, signs, or other improvements necessary or desirable for the authorized use of the Leased Airport without the approval of the Port; and

WHEREAS, the relocation and construction of San Diego Gas & Electric Company ("Utility") owned underground electric facilities necessitates a new utility easement be granted to the Utility ("New Easement") in support of the New Administration Building project; and

WHEREAS, the New Easement will allow the Utility to relocate approximately 760 feet of underground electric facilities that cross through San Diego International Airport property; and

WHEREAS, the New Easement will vacate and supersede a portion of the previous utility easement granted to the Utility in 2009; and

WHEREAS, the term of the New Easement will be conterminous with the term of the Lease between the Authority and the Port, which expires on December 31, 2068.

NOW, THEREFORE, BE IT RESOLVED that the Board hereby authorizes the President/CEO to negotiate and execute an easement for electrical utility purposes with the San Diego Gas & Electric Company in support of the New Administration Building Project; and

BE IT FURTHER RESOLVED that the Board finds that this action is for a project that is Categorically Exempt as defined by the California Environmental Quality Act ("CEQA"), Existing Facilities (15301) - Class 1 and Replacement or Reconstruction (15302) - Class 2; and

BE IT FURTHER RESOLVED that the Board finds that this action is for a project that is Categorically Excluded as defined by the California Coastal Commission, specifically Public Utilities - Replacing or relocating lines for existing uses; and

BE IT FURTHER RESOLVED that the Board finds that this action is not a project that involves additional approvals or actions by the Federal Aviation Administration ("FAA") and, therefore, no formal review under the National Environmental Policy Act ("NEPA") is required.

PASSED, ADOPTED, AND APPROVED by the Board of the San Diego County Regional Airport Authority at a regular meeting this 6th day of January, 2022, by the following vote:

AYES: Board Members:

NOES: Board Members:

ABSENT: Board Members:

ATTEST:

TONY R. RUSSELL
DIRECTOR, BOARD SERVICES /
AUTHORITY CLERK

APPROVED AS TO FORM:

AMY GONZALEZ
GENERAL COUNSEL

Staff Report

Meeting Date: January 6, 2022

Subject:

Grant an Easement for Gas Utility Service to San Diego Gas & Electric Company

Recommendation:

Adopt Resolution No. 2022-0002, authorizing the President/CEO to negotiate and execute an easement for gas utility purposes with San Diego Gas & Electric Company for the relocation of a portion of existing utility owned gas infrastructure in support of the New Administration Building project.

Background/Justification:

On July 1, 2021, the Board of the San Diego County Regional Airport Authority ("Authority") adopted Resolution No. 2021-0082 to award a contract to Sundt Construction, Inc., for the New Administration Building project ("Project") at San Diego International Airport ("Airport"). The Project will be a new four-story, approximately 130,000 square foot office building that includes the Authority's administrative offices; Authority Board Room; Airport Operations Center ("AOC"); Security Operations Center ("SOC"); and Emergency Operations Center ("EOC") and will allow for the consolidation of most Authority staff into a single building located at the far west end of San Diego International Airport.

The Project design requires the relocation of an approximately 800-foot section of a San Diego Gas & Electric Company ("Utility") owned 10-inch diameter steel gas main that crosses through the Project's proposed construction footprint, granted to the Utility by an easement in 2009 ("Old Easement"). The relocation and installation of the gas main necessitates that an approximately 160-foot-long new utility easement ("New Easement") be granted to the Utility as depicted on "Exhibit A" and "Exhibit B". The New Easement will supersede and vacate an approximately 800-foot-long section of the Old Easement, as the remainder of the relocated gas main will be constructed on City of San Diego owned property located along McCain Road.

The New Easement is required to allow the Authority to complete the New Administration Building project according to the approved construction plans, as well as to provide the Utility with the appropriate rights needed to maintain and repair its infrastructure. The New Easement will provide the Utility the right to construct, reconstruct, maintain, operate and repair gas utility facilities, including any appurtenances thereto, together with the right of ingress and egress over, under, along, and across the New Easement area.

The term for the New Easement will be conterminous with the term of the Lease between the Authority and the San Diego Unified Port District, which currently expires on December 31, 2068. The New Easement may be terminated at the Authority's discretion.

Fiscal Impact:

The proposed easement does not provide for monetary consideration to be paid to or by the Authority. Therefore, there is no direct fiscal impact.

Authority Strategies/Focus Areas:

This item supports one or more of the following (*select at least one under each area*):

Strategies

☐ Community Strategy ☐ Customer Strategy ☐ Employee Strategy ☐ Financial Strategy ☒ Operations Strategy

Focus Areas

☒ Advance the Airport Development Plan ☐ Transform the Customer Journey ☐ Optimize Ongoing Business

Environmental Review:

- A. CEQA: This Board action is for a project that is Categorical Exempt as defined by the California Environmental Quality Act ("CEQA"), Existing Facilities (15301) - Class 1 and Replacement or Reconstruction (15302) - Class 2.
- B. California Coastal Act Review: This Board action is Categorical Excluded as defined by the California Coastal Commission, specifically Public Utilities - Replacing or relocating lines for existing uses.
- C. NEPA: This Board action is not a project that involves additional approvals or actions by the Federal Aviation Administration ("FAA") and, therefore, no formal review under the National Environmental Policy Act ("NEPA") is required.

Staff Report

Meeting Date: January 6, 2022

Page 3 of 3

Application of Inclusionary Policies:

Not applicable

Prepared by:

Dennis Probst

Development: Vice President & Chief Development Officer

RESOLUTION NO. 2022-0002

A RESOLUTION OF THE BOARD OF THE SAN DIEGO COUNTY REGIONAL AIRPORT AUTHORITY, AUTHORIZING THE PRESIDENT/CEO TO NEGOTIATE AND EXECUTE AN EASEMENT FOR GAS UTILITY PURPOSES WITH SAN DIEGO GAS & ELECTRIC COMPANY FOR THE RELOCATION OF A PORTION OF EXISTING UTILITY OWNED GAS INFRASTRUCTURE IN SUPPORT OF THE NEW ADMINISTRATION BUILDING PROJECT

WHEREAS, the San Diego County Regional Airport Authority ("Authority") currently leases Airport property from the San Diego Unified Port District ("Port") pursuant to that certain Lease dated January 1, 2003, and bearing Authority Document No. LE-0008; and

WHEREAS, paragraph 4 in said Lease specifies that Authority may, at its own expense, make alterations or changes, or cause to be made, built, installed, or remove any structures, machines, appliances, utilities, signs, or other improvements necessary or desirable for the authorized use of the Leased Airport without the approval of the Port; and

WHEREAS, the relocation and construction of a San Diego Gas & Electric Company ("Utility") owned gas main necessitates a new utility easement be granted to the Utility ("New Easement") in support of the New Administration Building project; and

WHEREAS, the New Easement will allow the Utility to relocate approximately 800 feet of a 10-inch diameter steel gas main that crosses through San Diego International Airport property; and

WHEREAS, the New Easement will vacate and supersede a portion of the previous utility easement granted to the Utility in 2009; and

WHEREAS, the term of the New Easement will be conterminous with the term of the Lease between the Authority and the Port, which expires on December 31, 2068.

NOW, THEREFORE, BE IT RESOLVED that the Board hereby authorizes the President/CEO to negotiate and execute an easement for gas utility purposes with the San Diego Gas & Electric Company in support of the New Administration Building project; and

BE IT FURTHER RESOLVED that the Board finds that this action is for a project that is Categorically Exempt as defined by the California Environmental Quality Act ("CEQA"), Existing Facilities (15301) - Class 1 and Replacement or Reconstruction (15302) - Class 2; and

BE IT FURTHER RESOLVED that the Board finds that this action is for a project that is Categorically Excluded as defined by the California Coastal Commission, specifically Public Utilities - Replacing or relocating lines for existing uses; and

BE IT FURTHER RESOLVED that the Board finds that this action is not a project that involves additional approvals or actions by the Federal Aviation Administration ("FAA") and, therefore, no formal review under the National Environmental Policy Act ("NEPA") is required.

PASSED, ADOPTED, AND APPROVED by the Board of the San Diego County Regional Airport Authority at a regular meeting this 6th day of January, 2022, by the following vote:

AYES: Board Members:

NOES: Board Members:

ABSENT: Board Members:

ATTEST:

TONY R. RUSSELL
DIRECTOR, BOARD SERVICES /
AUTHORITY CLERK

APPROVED AS TO FORM:

AMY GONZALEZ
GENERAL COUNSEL

Staff Report

Meeting Date: January 6, 2022

Subject:

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 Six Months, as a Result of the Continued Impact of the COVID-19 Pandemic.

Recommendation:

Adopt Resolution No. 2022-0003, 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 rents and Marketing fees for a period not to exceed six (6) months beginning January 1, 2022 and ending June 30, 2022, in response to the continued impact of the COVID-19 pandemic.

Background/Justification:

On May 7, 2020, the Board adopted Resolution No. 2020-0057, authorizing staff to execute the required documents to provide abatement of certain rents and fees to qualifying non-airline tenants for a period beginning April 1, 2020, and ending September 30, 2020. Following the Board action, staff drafted a program application form and Temporary Rent Forbearance and Abatement Amendment ("Amendment") which addressed all requirements of the May 7, 2020, Board action. As a result, qualifying tenants who executed the Amendment with the San Diego County Regional Airport Authority ("Authority") and were or became current on payments which remained due to the Authority, benefitted from waiver of applicable rents and fees for the original six-month abatement period.

On October 26, 2020, the Board adopted Resolution No. 2020-0099, authorizing staff to execute the required documents to provide an abatement extension of certain rents and fees to qualifying non-airline tenants for a period beginning October 1, 2020, and ending December 31, 2020. Following the Board action, staff drafted a Temporary Rent Forbearance and Abatement Amendment Extension 1 ("Amendment 1") which addressed all requirements of the October 26, 2020, Board action. As a result, qualifying tenants who executed the Amendment 1 with the Authority and were or became current on payments

which remained due to the Authority, benefitted from waiver of applicable rents and fees for the first abatement extension period.

On January 7, 2021, the Board adopted Resolution No. 2021-0002, authorizing staff to execute the required documents to provide an abatement extension of certain rents and fees to qualifying non-airline tenants for a period beginning January 1, 2021, and ending March 31, 2021. Following the Board action, staff drafted a Temporary Rent Forbearance and Abatement Amendment Extension 2 ("Amendment 2") which addressed all requirements of the January 7, 2021 Board action. As a result, qualifying tenants who executed the Amendment 2 with the Authority and were or became current on payments which remained due to the Authority, benefitted from waiver of applicable rents and fees for the second abatement extension period.

On April 1, 2021, the Board adopted Resolution No. 2021-0028, authorizing staff to execute the required documents to provide an abatement extension of certain rents and fees to qualifying non-airline tenants for a period beginning April 1, 2021, and ending June 30, 2021. Following the Board action, staff drafted a Temporary Rent Forbearance and Abatement Amendment Extension 3 ("Amendment 3") which addressed all requirements of the April 1, 2021, Board action. As a result, qualifying tenants who executed the Amendment 3 with the Authority and were or became current on payments which remained due to the Authority, benefitted from waiver of applicable rents and fees for the third abatement extension period.

On July 1, 2021, the Board adopted Resolution No. 2021-0070, authorizing staff to execute the required documents to provide an abatement extension of certain rents and fees to qualifying non-airline tenants for a period beginning July 1, 2021, and ending September 30, 2021. Following the Board action, staff drafted a Temporary Rent Forbearance and Abatement Amendment Extension 4 ("Amendment 4") which addressed all requirements of the July 1, 2021, Board action. As a result, qualifying tenants who executed the Amendment 4 with the Authority and were or became current on payments which remained due to the Authority, benefitted from waiver of applicable rents and fees for the fourth abatement extension period.

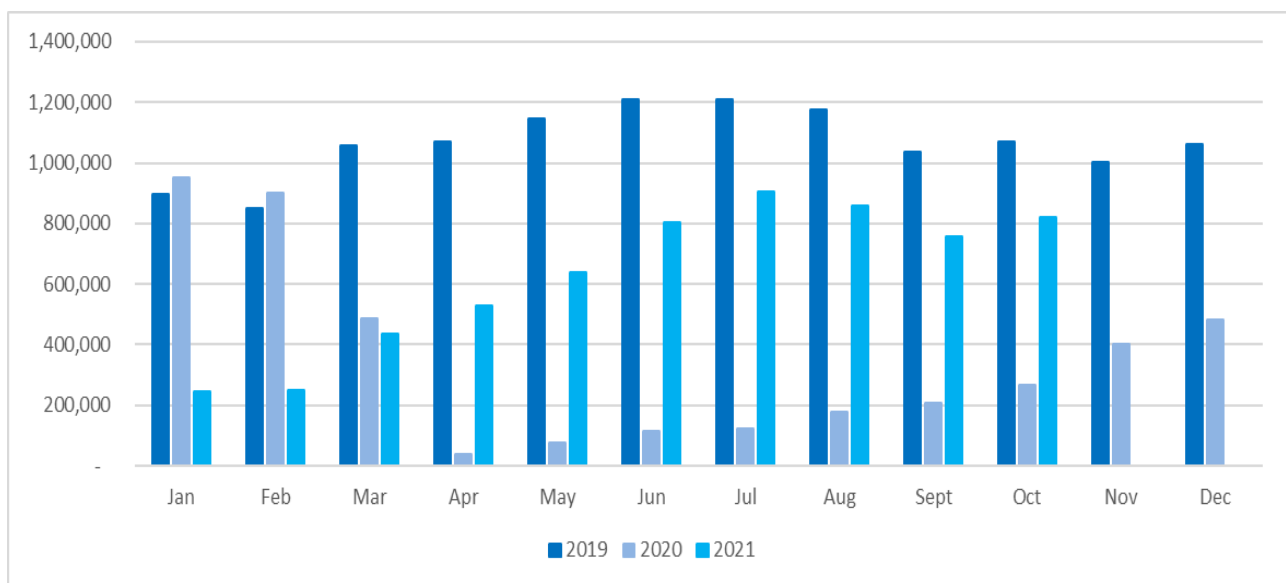
On September 1, 2021, the Board adopted Resolution No. 2021-0103, authorizing staff to execute the required documents to provide an abatement extension of certain rents and fees to qualifying non-airline tenants for a period beginning September 1, 2021, and ending December 31, 2021. Following the Board action, staff drafted a Temporary Rent Forbearance and Abatement Amendment Extension 5 ("Amendment 5") which addressed all requirements of the September 1, 2021, Board action. As a result, qualifying tenants who have executed the Amendment 5 with the Authority and are current on payments which remain due to the Authority, will benefit from waiver of applicable rents and fees for the fifth abatement extension period.

Since the September 1, 2021, Board action, tenants continue to suffer significant financial hardship due to the impacts of the novel coronavirus ("COVID-19"), which has resulted in severe and prolonged disruption to domestic and international air travel, including air travel to and from San Diego International Airport ("Airport"). The State of Emergency proclaimed by Governor Newsom on March 4, 2020, persisted, and all individuals in the State of California were under an Executive Order (most recently, EO N-84-20, December 14, 2020), and Public Health Orders by the California Department of Public Health (updated December 6, 2020), and San Diego County (updated December 9, 2020), requiring individuals to stay at home except for permitted work, local shopping, and other authorized activities. Within the State of California's four-stage framework to gradually re-open businesses and spaces, as of December 8, 2020, San Diego County was classified as "Tier 1 – Widespread", which permits, for example, retail business to be open at 20% capacity, and does not allow any indoor seating at restaurants. On December 3, 2020, Governor Newsom divided the state into 5 regions with San Diego County being included in the Southern California region and announced a regional stay-at-home order if the region's ICU capacity falls to 15% and would be in effect for three weeks. Due to ICU capacities in the Southern California region, on December 6, 2020, a regional stay-at-home order went into effect. This stay-at-home order forced closure of many businesses and prohibited gatherings of people from different households. On January 25, 2021, the regional stay at home order was lifted but San Diego County remained in the purple tier, which allowed resumption of outdoor dining, as well as some services such as gyms, barber shops and nail salons. On March 16, 2021, San Diego County moved into the less restrictive red tier but significant limitations on commercial and social activities remained in place. On June 9, 2021, San Diego County moved into the less restrictive yellow tier and then on June 15, 2021, California reopened the economy, which means all businesses, and activities could return to normal, except for "Mega Events". On August 18, 2021, due to the Delta variant and COVID cases again increasing, the TSA extended the wearing of face masks and maintaining social distancing through January 18, 2022. On December 2, 2021, following the President's order and to combat the Omicron variant, the TSA, in conjunction with the CDC, extended the face mask requirement through March 18, 2022. Finally, in response to increasing case rates and hospitalizations since Thanksgiving, the California Department of Public Health recently issued a new masking requirement for all indoor public settings, regardless of vaccination status, from December 15, 2021 through January 15, 2022.

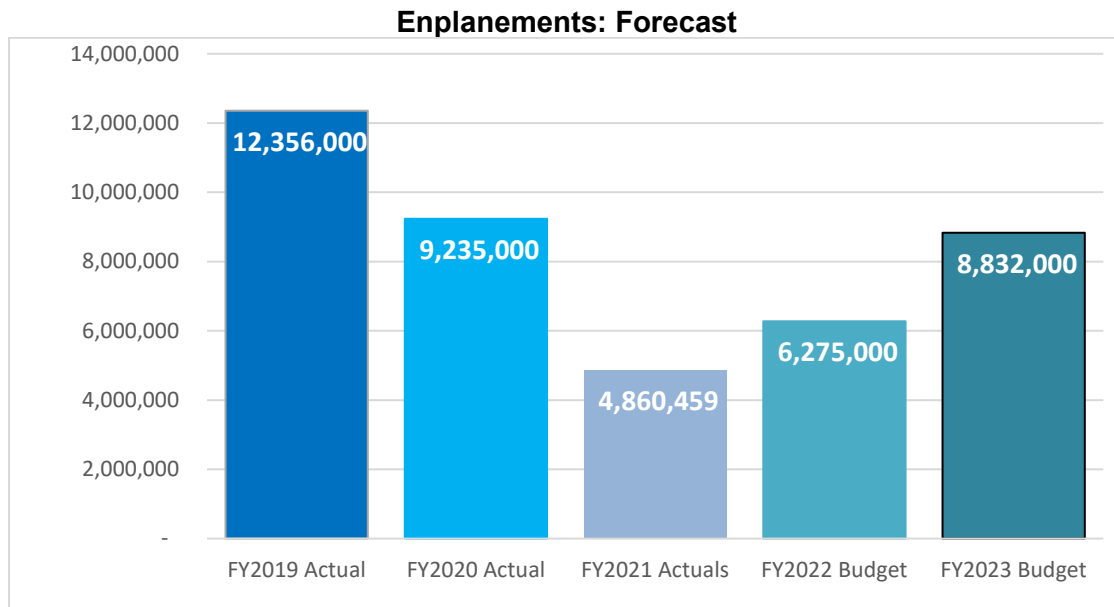
Although the Airport is identified as an Essential Critical Infrastructure under the Transportation System Sector, and the Airport remains open, passenger levels continue to slowly show signs of recovery but still demonstrate a significant negative trend over Pre-COVID-19 passenger levels. This severe decline in passenger traffic has nearly eliminated the ability of non-airline tenants to produce revenues which support and enable payment of rental obligations to the Authority. This severe reduction of revenue is consistent across all non-airline tenants, including retail and food & beverage concessions, passenger service concessions, and inflight services (collectively, "Non-Airline Tenants").

Following a sharp decline beginning in March and April 2020, passenger traffic levels have improved each month; however, current enplanement levels (October 2021) remain approximately 25% lower when compared to the same time period in 2019. Looking ahead, enplanements are expected to slowly recover as the U.S. economy reopens, however, not to the levels demonstrated prior to the pandemic. Projected enplanements for the January 2022 through June 2022 timeframe are anticipated to trend below previous years, and total enplanements for fiscal year 2022 are expected to be well below those of fiscal year 2019.

Enplanements: January 2019 to October 2021

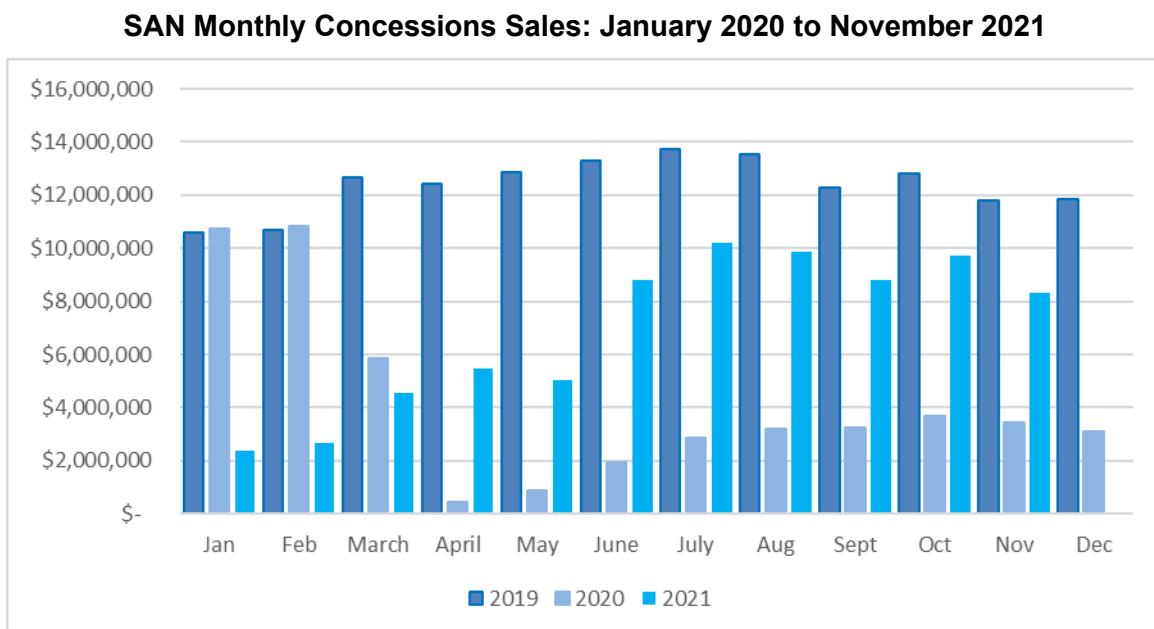


Source: SDCRAA, Finance & Risk Management Department



Source: TSA and SDCRAA Finance & Risk Management Department

The reduced enplanements continue to be matched with reduced sales for all Non-Airline Tenants. Heading into the first quarter of calendar year 2022, many of the Airport's Non-Airline Tenants continue to operate under reduced hours of operation; some locations remain temporarily closed (11 of 85 concessions are closed); and many tenants continue to submit requests to the Authority for additional financial relief.



Source: SDCRAA, Finance & Risk Management Department

Proposed Rent Abatement

To address the continued impact of COVID-19, staff is proposing a financial relief offering for a six-month period beginning January 1, 2022 and ending June 30, 2022 ("*Rent Abatement Period – Extension 6*"). Extension of the program ("*Rent Forbearance and Abatement Program Extension 6*") provides significant relief of rents. The proposed offerings are similar to those previously approved for the three-month period of September 1, 2021 and ending December 31, 2021.

For most Non-Airline Tenants, rent is one of the largest operating expenses, along with cost of goods sold, and salaries and benefits. Due to the continued significant reduction in passenger traffic, Non-Airline Tenants with fixed minimum monthly obligations will not have the level of revenues necessary to support sustained payment of these minimum rental payments to the Authority for the foreseeable future, until air travel returns to pre-COVID-19 levels. Without the *Rent Forbearance and Abatement Program Extension 6*, it is unlikely that many Non-Airline Tenants will be able to resume normal operations once passenger traffic levels resume to typical levels prior to the COVID-19 pandemic. Staff believes it is in the best interests of the Authority and the travelling public who rely upon these goods and services to offer a *Rent Forbearance and Abatement Program Extension 6* for the proposed *Rent Abatement Period – Extension 6*, to provide additional yet temporary financial relief to its Non-Airline Tenants so that they may remain financially resilient and stay open where possible. This will best position the Airport to resume normal operations as passenger levels increase, protect the Authority's future revenues, and ensure the needs of the travelling public are met and the passenger experience at SAN does not suffer.

Furthermore, the Authority's proposed *Rent Forbearance and Abatement Program Extension 6* will help ensure that the Authority remains competitive for solicitation of these essential services in the future.

FAA Guidance on COVID-19 Accommodations

Guidance issued by the Federal Aviation Administration ("FAA") on April 4, 2020, provided the context for offering the original Rent Forbearance and Abatement Program to Authority tenants whose business has temporarily declined or have been materially altered due to COVID-19. The Authority's desire to offer the Rent Abatement Program for the initial six-month period approved by the Board on May 7, 2020, the subsequent extensions approved on October 26, 2020, January 7, 2021, April 1, 2021, July 1, 2021, September 1, 2021 and the additional six-month period being contemplated in this staff report, are intended to counteract the unforeseen dramatic enplanement declines brought on by COVID-19, recognizing that sales revenues to support such rents simply cannot be generated in this dire circumstance. In preparation for the May 7, 2020 Board meeting, and in accordance with FAA guidance, Authority Staff reviewed Grant Assurance 22, which pertains to economic nondiscrimination, and Grant Assurance 24, which states that a fee

and rental structure must be maintained for airport facilities and services such that the airport will be as self-sustaining as possible. The FAA updated its guidance for airports on May 29, 2020 and in December 2020, but did not materially change the provisions applicable to the proposed program. Staff believes that the proposed *Rent Forbearance and Abatement Program Extension 6* complies with both grant assurances and that the Authority has otherwise complied with the FAA guidance cited above.

In-Terminal Concessions

Within the Airport terminals, tenants in the retail, food and beverage, passenger service, and in-terminal advertising categories operate under a non-exclusive concession lease ("Concession Lease"). Under the Concession Lease, concessionaires are required to pay the greater of a MAG or a certain percentage of gross receipts. The amount of the MAG is adjusted annually on July 1st to an amount equal to the greater of 90% of revenue paid to the Authority in the prior fiscal year, or 103% of the previous years' MAG. There are also a select few passenger service tenants that pay fixed-fee rents. Most concessionaires also pay for their pro rata share of variable concessionaire charges, for services including but not limited to janitorial services, trash collection, pest control, and fees for use of the Authority's receiving and distribution center ("RDC"). In addition, many concessionaires pay rent for support space.

For in-terminal concessions, Authority Staff recommends the following¹ as part of the *Rent Forbearance and Abatement Program Extension 6*, where applicable to each tenant, for the *Rent Abatement Period – Extension 6*: (1) forbearance and possible waiver of the amount that is the difference between the monthly MAG payment and percentage rent; (2) for tenants without a MAG, forbearance and possible waiver of fixed-rent monthly payments; (3) forbearance and possible waiver of concession marketing fund fees. Tenants will be required to continue to pay percentage rent per their original agreements; full monthly rent for occupied support space; full cost recovery charges (RDC, janitorial and CAM charges); full Shared Tenants Services fees; and full pest control charges.

These actions are necessary to maintain the long-term viability of in-terminal concessions, which are vital to operations and financial sustainability of the Airport. Exhibit A provides a list of all entities eligible to be considered under this portion of the *Rent Forbearance and Abatement Program Extension 6*.

Terms and Conditions

¹ As with the original abatement amendments, the Authority is proposing to place the specific amounts indicated into conditional forbearance until the end of the Rent Abatement Period – Extension 6. Waiver of the amounts in forbearance would be conditioned upon the tenant's compliance with the terms and conditions of the applicable agreement and all amendments during the entire term of the Rent Abatement Period – Extension 6. Failure to comply with said terms and conditions would result in a full reinstatement of the amounts owed.

To be eligible for participation in the *Rent Forbearance and Abatement Program Extension 6*, eligible Non-Airline Tenants will be bound by the similar terms and conditions of the executed Amendment which enabled participation in the initial six-month abatement period, and subsequent extensions. If a Non-Airline Tenant was not eligible or chose not to participate in the original Rent Forbearance and Abatement Program, the tenant may submit an application for the *Rent Forbearance and Abatement Program Extension 6*. Furthermore, for continued relief, a subsequent amending agreement applicable to the *Rent Abatement Period – Extension 6* must be executed between all qualifying Non-Airline Tenants and the Authority. Terms and conditions of this forthcoming amendment will include but are not limited to the following conditions:

1. The *Rent Abatement Period – Extension 6*, shall be effective January 1, 2022, to June 30, 2021;
2. All terms and conditions of the original Temporary Rent Forbearance and Abatement Amendment, Amendment 1, Amendment 2, Amendment 3, Amendment 4 and Amendment 5 shall remain in full force and effect, except where a term or condition is specifically deleted or changed under the subsequent amendment which enables the rent abatement program to be extended;
3. Tenants, or their assignee, who previously qualified for the Rent Forbearance and Abatement Program approved by the Board on May 7, 2020, will automatically qualify for the extension of the program, unless the Tenant has been terminated or placed into default under the terms and conditions of the original Amendment, Amendment 1, Amendment 2, Amendment 3, Amendment 4, Amendment 5, or any of its other agreements with the Authority;
4. Prior to approval to participate in the Rent Abatement Program Extension 6, certain Non-Airline Tenants may be required to participate in a conference with Revenue Generation and Partnership Development to outline a plan to either open closed concessions or extend operating hours of concessions with limited operating hours. This plan will be submitted in writing by applicable Non-Airline Tenants as part of their application to participate in the Rent Forbearance and Abatement Program Extension 6.
5. All other terms, conditions, and requirements of the tenant's lease agreement(s) with the Authority shall remain in full force and effect;
6. Status of accounts receivable must be current and remain current for all amounts due that have not been waived;
7. Letter of Credit must be fully-funded and up to date and must have an expiration date that is at least three (3) months after the end of the *Rent Abatement Period – Extension 6*;

8. The Authority encourages the tenant to continue to seek grants and relief available at the present time, or in the future, through other programs offered by local, state, and federal governments, as well as business interruption insurance benefits. Should funding become available to the tenant to be administered by the Authority, Tenant will cooperate with Authority to apply for and obtain funding, when requested;
9. The President/CEO may add any such other requirements and conditions as she deems in the best interests of the Authority; and
10. The President/CEO may amend the amount of rent abatement provided to the tenant in an amount up to but not greater than the other relief actually received by the tenant; including any amounts provided directly or indirectly to the tenant, either through the Authority or other another entity, to relieve tenants' obligation to pay rents and fees.

Fiscal Impact:

The *Rent Forbearance and Abatement Program Extension #6* of approximately \$6.98 million for Terminal Concessions is included in the Board approved Fiscal 2022 Budget. The Authority intends to use funds from the American Rescue Plan Act of 2021 to reimburse certain operating expenses and debt service to offset the impacts to financial metrics and sufficiently adhere to Board policy and debt covenants.

Authority Strategies/Focus Areas:

This item supports one or more of the following (*select at least one under each area*):

Strategies

- ☐ Community Strategy ☐ Customer Strategy ☐ Employee Strategy ☒ Financial Strategy ☒ Operations Strategy

Focus Areas

- ☐ Advance the Airport Development Plan ☐ Transform the Customer Journey ☒ Optimize Ongoing Business

Environmental Review:

- A. CEQA: This Board action is not a project that would have a significant effect on the environment as defined by the California Environmental Quality Act ("CEQA"), as amended. 14 Cal. Code Regs. §15378. This Board action is not a "project" subject to CEQA. Cal. Pub. Res. Code §21065.
- B. California Coastal Act Review: This Board action is not a "development" as defined by the California Coastal Act. Cal. Pub. Res. Code §30106.
- C. NEPA: This Board action is not a project that involves additional approvals or actions by the Federal Aviation Administration ("FAA") and, therefore, no formal review under the National Environmental Policy Act ("NEPA") is required.

Application of Inclusionary Policies:

Not applicable.

Prepared by:

Hampton Brown
Vice President, Marketing & Innovation

Exhibit A

In-Terminal Concessions

Concession	Package/Category	Lease #
Paradies-San Diego, LLC	Retail Package #1	LE-0647
HG-CV-Epicure-Martinez San Diego JV (Hudson)	Retail Package #2	LE-0670
PGC-PCI San Diego, LLC	Retail Package #3	LE-0665
Stellar Partners, Inc	Retail Package #4	LE-0648
Spa Didacus, Inc	Retail Package #5	LE-0659
HG-CV-Epicure-Martinez San Diego JV (Hudson)	Retail Package #7	LE-0671
Project Horizon, Inc (InMotion)	Retail Package #8	LE-0656
SFS Beauty CA, LLC (MAC)	Retail Package	LE-0908
SFS Investors JV (Duty Free)	Retail Package	LE-0950
Host International, Inc	Food & Beverage Package #1	LE-0657
Host International, Inc	Food & Beverage Package #2	LE-0658
SSP America, Inc	Food & Beverage Package #3	LE-0667
Mission Yogurt, Inc	Food & Beverage Package #4	LE-0651
SSP America, Inc	Food & Beverage Package #5	LE-0668
SSP America, Inc	Food & Beverage Package #6	LE-0669
High Flying Foods San Diego Partnership	Food & Beverage Package #7	LE-0649
High Flying Foods San Diego Partnership	Food & Beverage Package #8	LE-0650
G&P Partners dba BCB CO. (Rental Car Center Concession)	Food & Beverage	LE-0875
Swissport Lounge (Airspace Lounge)	Food & Beverage	LE-0726
Certified Folder Display Service, Inc.	Passenger Service	LE-0880
The Classic Shine Company	Passenger Service	LE-0933
Smarte Carte, Inc.	Passenger Service	LE-0782
Travel Content, LLC dba ReachTV	Passenger Service	LE-0799
In-Ter-Space Services, Inc. dba Clear Channel Airports	Passenger Service – Advertising	LE-0966

RESOLUTION NO. 2022-0003

A RESOLUTION OF THE BOARD OF THE SAN DIEGO COUNTY REGIONAL AIRPORT AUTHORITY, 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 RENTS AND MARKETING FEES, FOR A PERIOD NOT TO EXCEED SIX (6) MONTHS BEGINNING JANUARY 1, 2022 AND ENDING JUNE 30, 2022, IN RESPONSE TO THE CONTINUED IMPACT OF THE COVID-19 PANDEMIC.

WHEREAS, on March 13, 2020, President Trump issued a Proclamation on Declaring a National Emergency Concerning the Novel Coronavirus Disease ("COVID-19") Outbreak, which established March 1, 2020 as the beginning of the national emergency; and

WHEREAS, on March 19, 2020, California Governor Newsom issued an Executive Order (EO N-33-20) requiring individuals living in the State of California to stay home except as needed to maintain the continuity of operations of the federal infrastructure sectors; and

WHEREAS, on May 4, 2020, California Governor Newsom issued an Executive Order (EO N-60-20) informing local health jurisdictions and industry sectors that they may gradually reopen under new modifications and guidance provided by the State of California; and

WHEREAS, on September 23, 2020, California Governor Newsom issued an Executive Order (EO N-80-20), and on December 14, 2020 issued an Executive Order (EO N-84-20) to address a variety of issues in response to the pandemic; and

WHEREAS, on December 3, 2020, California Governor Newsom divided the state into 5 regions with San Diego County in the Southern California region and announced a regional stay at home order if ICU capacity falls to 15%; and

WHEREAS, on December 6, 2020, due to ICU capacities in the Southern Californian region falling below 15%, a regional stay at home order was issued for three weeks; and

WHEREAS, on January 25, 2021 the regional stay at home order was lifted but San Diego County remained in the purple tier, which allowed resumption of outdoor dining, as well as certain services at gyms, barber shops and nail salons; and

WHEREAS, on March 16, 2021 San Diego County moved into the next-less restrictive red tier but, significant limitations on commercial and social activities remained in place; and

WHEREAS, on June 9, 2021 San Diego County moved into the next-less restrictive yellow tier but, significant limitations on commercial and social activities remained in place; and

WHEREAS, on June 15, 2021 the State of California reopened the economy which generally means all business and activities could return to normal, but airports still remain under more restrictive TSA guidelines; and

WHEREAS, on August 18, 2021 due to the Delta variant, COVID cases began to increase and the TSA extended the guidelines for facemasks and social distancing through January 18, 2022; and

WHEREAS, on December 2, 2021 following the President's order and to combat the Omicron variant, the TSA, in conjunction with the CDC, extended the guidelines for facemasks through March 18, 2022; and

WHEREAS, in response to increasing case rates and hospitalizations since Thanksgiving, the California Department of Public Health issued a masking requirement for all indoor public settings, regardless of vaccination status, from December 15, 2021 through January 15, 2022.

WHEREAS, the COVID-19 pandemic has caused a financial and economic crisis and has resulted in significant disruptions to domestic and international air travel, including air travel to and from the San Diego International Airport ("Airport"); and

WHEREAS, the Airport is identified as Essential Critical Infrastructure under the Transportation System Sector and remains open and operational; and

WHEREAS, as a result of the COVID-19 pandemic, passenger throughput at the Airport began a sharp decline in March 2020, leveling off at an approximate 96% decline year-over-year in April 2020, and passenger throughput has gradually improved since March, with an approximate 25% decline year-over-year in October 2021, and projected enplanements through June 2022 are anticipated to trend well below those of fiscal year 2019; and

WHEREAS, retail and food & beverage concessionaires, passenger service concessionaires, and inflight services companies (collectively, "Non-Airline Tenants") of the San Diego County Regional Airport Authority ("Authority") have continued to experience a decline in revenue commensurate with the unprecedented decline in passenger throughput, and have taken measures to reduce operating costs, including reduced hours of operation, temporary closure of many concession locations, staff layoffs and furloughs, and submitting urgent requests for additional financial relief; and

WHEREAS, due to the effects of COVID-19, and the significant decline in passenger traffic and Non-Airline Tenant business, Non-Airline Tenants are not able to generate the sales revenues necessary to support sustained payments of monthly rental obligations to the Authority; and

WHEREAS, on May 7, 2020, the Board adopted Resolution No. 2020-0057, authorizing staff to execute the required agreements to provide abatement of certain rents and fees to qualifying Non-Airline Tenants for a period beginning April 1, 2020 and ending September 30, 2020 ("*Rent Abatement Period*"); and

WHEREAS, on October 26, 2020, the Board adopted Resolution No. 2020-0099, authorizing staff to execute the required agreements to provide abatement of certain rents and fees to qualifying Non-Airline Tenants for a period beginning October 1, 2020 and ending December 31, 2020 (*"Rent Abatement Period – Extension 1"*); and

WHEREAS, on January 7, 2021, the Board adopted Resolution No. 2021-0002, authorizing staff to execute the required agreements to provide abatement of certain rents and fees to qualifying Non-Airline Tenants for a period beginning January 1, 2021 and ending March 31, 2021 (*"Rent Abatement Period – Extension 2"*); and

WHEREAS, on April 1, 2021, the Board adopted Resolution No. 2021-0028, authorizing staff to execute the required agreements to provide abatement of certain rents and fees to qualifying Non-Airline Tenants for a period beginning April 1, 2021 and ending June 30, 2021 (*"Rent Abatement Period – Extension 3"*); and

WHEREAS, on July 1, 2021, the Board adopted Resolution No. 2021-0070, authorizing staff to execute the required agreements to provide abatement of certain rents and fees to qualifying Non-Airline Tenants for a period beginning July 1, 2021 and ending September 30, 2021 (*"Rent Abatement Period – Extension 4"*); and

WHEREAS, on September 1, 2021, the Board adopted Resolution No. 2021-0103, authorizing staff to execute the required agreements to provide abatement of certain rents and fees to qualifying Non-Airline Tenants for a period beginning October 1, 2021 and ending December 31, 2021 (*"Rent Abatement Period – Extension 5"*); and

WHEREAS, the Authority has executed a Temporary Rent Forbearance and Abatement Amendment with several Non-Airline Tenants for the *Rent Abatement Period*, the *Rent Abatement Period – Extension 1*, the *Rent Abatement Period-Extension 2*, the *Rent Abatement Period-Extension 3*, the *Rent Abatement Period-Extension 4*, and the *Rent Abatement Period-Extension 5*; and

WHEREAS, the unforeseen pandemic and dramatic enplanement declines brought on by COVID-19 were not contemplated at the time of RFP responses or the lease negotiations with Non-Airline Tenants, when rental structures were established; and

WHEREAS, Non-Airline Tenants continue to experience financial hardship due to severe declines in sales commensurate with enplanement declines brought on by COVID-19, and this trend is expected to continue; and

WHEREAS, it is in the best interest of the Authority and the public to extend temporary financial relief to qualifying Non-Airline Tenants so that they may remain financially resilient and stay open where possible during the COVID-19 pandemic; and

WHEREAS, it is in the best interest of the Authority and the public to provide immediate additional temporary financial relief to qualifying Non-Airline Tenants so that the Airport may resume normal operations as passenger levels increase, protect the Authority's future revenues, and to ensure the needs of the travelling public are met and the passenger experience at the Airport does not suffer; and

WHEREAS, the Authority desires to provide additional temporary financial relief to qualifying Non-Airline Tenants by implementing abatement of certain rental obligations for a six (6) month period (the "*Rent Forbearance and Abatement Program Extension 6*"), beginning on January 1, 2022 and ending on June 30, 2022 ("*Rent Abatement Period – Extension 6*"); and

WHEREAS, the Authority believes that the *Rent Forbearance and Abatement Program Extension 6* complies with the guidance issued by the Federal Aviation Administration ("FAA") on April 4, 2020 and updated on May 29, 2020 and December 2020, related to airports' consideration of COVID-19 restrictions and accommodations; and

WHEREAS, the Authority believes that the *Rent Forbearance and Abatement Program Extension 6* complies with Grant Assurance 22, which pertains to economic nondiscrimination, and Grant Assurance 24, which states that a fee and rental structure must be maintained for airport facilities and services such that the airport will be as self-sustaining as possible; and

WHEREAS, the Authority believes instituting the *Rent Forbearance and Abatement Program Extension 6* will help ensure that the Authority remains competitive for solicitation of operators and services in the future; and

WHEREAS, the Authority is party to multiple agreements with in-terminal retail, food and beverage, passenger service, and advertising tenants ("Concessionaires"), operating under individual non-exclusive concession leases ("Concession Lease"), and under the Concession Leases, Concessionaires are required to make monthly rental payments to the Authority, including where applicable: (1) a monthly payment in an amount that is one-twelfth the Minimum Annual Guarantee ("MAG") or a certain percentage of gross receipts, whichever is greater; (2) fixed-fees including monthly fixed-rent; (3) additional rent including variable cost recovery fees; (4) monthly support space rent; and, (5) contribution to a concession marketing fund; and

WHEREAS, as part of the *Rent Forbearance and Abatement Program Extension 6*, the Authority desires to provide rent forbearance and possible abatement to qualifying Concessionaires for the *Rent Abatement Period – Extension 6* for the following payment obligations only: (1) the amount that is the difference between the monthly MAG payment and percentage rent and (2) monthly concession marketing fund fees; and

WHEREAS, the Authority will place the specific amounts indicated into conditional forbearance until the end of the *Rent Abatement Period – Extension 6*; and waiver of the amounts in forbearance would be conditioned upon the Concessionaire's compliance with the terms and conditions of the applicable agreement and all amendments during the entire term of the *Rent Abatement Period – Extension 6*; and

WHEREAS, failure of a Concessionaire to comply with said terms and conditions will result in a full reinstatement of the amounts owed during the *Rent Abatement Period – Extension 6*; and

WHEREAS, the Authority, acting through its President/CEO, reserves the right to determine which Non-Airline Tenants will qualify for the *Rent Forbearance and Abatement Program Extension 6*; and

WHEREAS, to qualify for the *Rent Forbearance and Abatement Program Extension 6*, Non-Airline Tenants must: (1) enter into a written rent abatement agreement with the Authority; (2) abide by all terms and conditions of the original Temporary Rent Forbearance and Abatement Amendment, and subsequent abatement amendments; (3) be and remain current on all accounts payable to the Authority and agree to make the required payments for rents and fees that are not subject to abatement; (3) have on-file with the Authority a fully-funded and current security deposit or Letter of Credit; (4) agree to such other terms and conditions as determined by the President/CEO to be in the best interest of the Authority; (5) provide information requested by the Authority concerning application for any local, state, or federal funding that is available now or in the future, to the Authority or to the Tenant to offset any rents and fees abated by the Authority for the benefit of the Tenant; and (6) participate, where applicable, in a conference with Revenue Generation and Partnership Development to outline and provide a written plan to either open closed concessions or extend operating hours of concessions with limited hours.

NOW, THEREFORE, BE IT RESOLVED that the Board finds that instituting the *Rent Forbearance and Abatement Program Extension 6* will help ensure the Airport remains financially self-sufficient and remains competitive for future solicitations and revenue opportunities; and

BE IT FURTHER RESOLVED that the Board finds that, it is in the best interest of the Authority and the public to provide immediate extension of temporary financial relief in the form of the *Rent Forbearance and Abatement Program Extension 6* to qualifying Non-Airline Tenants so that they may remain financially resilient and stay open where possible during the COVID-19 pandemic; and so that the Airport can resume normal operations as passenger levels increase, protect the Authority's future revenues, and to ensure the needs of the travelling public continue to be met and the passenger experience at the Airport does not suffer; and

BE IT FURTHER RESOLVED that the Board finds that instituting the *Rent Forbearance and Abatement Program Extension 6* is in the best interest of the Authority and the travelling public; and

BE IT FURTHER RESOLVED that the Board finds that similar rent forbearance and abatement programs have been implemented at airports across the United States; and

BE IT FURTHER RESOLVED that the Board finds that the *Rent Forbearance and Abatement Program Extension 6* complies with Grant Assurance 22 and Grant Assurance 24; and

BE IT FURTHER RESOLVED that the Board hereby approves and authorizes the President/CEO to execute the required agreements for the *Rent Forbearance and Abatement Program Extension 6* to reduce rental obligations of qualifying Non-Airline Tenants at the Airport, by providing abatement of MAG (or License Fees), certain fixed-rent, concession marketing fund fees and other such requirements as she deems in the best interest of the Airport Authority, for a period not to exceed six (6) months beginning January 1, 2022 and ending June 30, 2022, in response to the COVID-19 pandemic crisis; and

BE IT FURTHER RESOLVED that the Board finds that this action is not a “project” as defined by the California Environmental Quality Act (“CEQA”) (California Public Resources Code §21065); and

BE IT FURTHER RESOLVED that the Board finds that this action is not a “development” as defined by the California Coastal Act (California Public Resources Code §30106); and

BE IT FURTHER RESOLVED that the Board finds that this action is not a project that involves additional approvals or actions by the Federal Aviation Administration (“FAA”) and, therefore, no formal review under the National Environmental Policy Act (“NEPA”) is required.

PASSED, ADOPTED, AND APPROVED by the Board of the San Diego County Regional Airport Authority at a regular Board meeting this 6th day of January 2022, by the following vote:

AYES: Board Members:

NOES: Board Members:

ABSENT: Board Members:

ATTEST:

TONY R. RUSSELL
DIRECTOR, BOARD SERVICES /
AUTHORITY CLERK

APPROVED AS TO FORM:

AMY GONZALEZ
GENERAL COUNSEL

Staff Report

Meeting Date: January 6, 2022

Subject:

Consideration of Whether to Continue Virtual Meetings for Authority Board and Committee Meetings Pursuant to AB 361

Recommendation:

Adopt the Resolution No. 2022-0004 finding that it is in the best interest of the Authority and the public it serves to continue to hold virtual public meetings of the Board and its Committees because a declared state of emergency is ongoing and continues to directly impact the ability of the Board and its Committees to meet safely in person and state and local officials recommend measures to promote social distancing.

Background/Justification:

California Government Code §54953(e), added by Assembly Bill 361, allows local agencies to use teleconferencing and to provide the public an opportunity to address local agencies via a call-in option or an internet-based service option, during a proclaimed state of emergency when measures to promote social distancing are in effect or the local agency has determined meeting in person would present imminent risks to the health or safety of attendees. To benefit from AB 361's provisions, a legislative body such as the Authority must make findings that meeting in person would result in imminent risk to the health and safety of attendees. The Authority must reconsider the findings every 30 days to continue conducting its public meetings virtually.

Currently, the Brown Act provides that if a legislative body elects to use teleconferencing, then it must identify each teleconference location in the public notice and agenda and post agendas at all teleconference locations. All teleconference locations must be publicly accessible and there must be an opportunity for public comment at each teleconference location. Additionally, a quorum of the members of the legislative body must participate from locations physically within the jurisdictional boundaries of the agency. (See Government Code §54953(b)(3).)

Governor Newsom issued Executive Orders suspending these requirements during the COVID-19 pandemic to facilitate social distancing measures and the remote work environment. (See Executive Orders N-29-20, Paragraph 3, and N-08-21, Paragraph 42.) These Executive Orders expired on Sept. 30, 2021 and AB 361 replaced them.

The Authority and its standing committees, may elect to use AB 361's teleconferencing procedures where a state of emergency has been formally proclaimed, and if:

1. State or local officials have imposed or recommended measures to promote social distancing at the time the legislative body holds the meeting (Government Code §54953(e)(1)(A); or
2. The legislative body holds a meeting for the first time for the purpose of determining by majority vote whether, as a result of the proclaimed state of emergency, meeting in person would present imminent risks to the health and safety of attendees (Government Code §54953(e)(1)(B)), or
3. The legislative body has determined (per #2 above) that, as a result of the proclaimed state of emergency, meeting in person would continue to present imminent risks to the health or safety of attendees (Government Code § 54953(e)(1)(C)).

AB 361 further imposes on local legislative bodies a duty to make factual findings to justify its election to continue to use AB 361's teleconferencing procedures. (Government Code §54953(e)(3)). Local legislative bodies who wish to consider using AB 361's teleconferencing procedures must make the following factual findings within 30 days after teleconferencing for the first time under the provisions of AB 361 and every 30 days thereafter:

1. The legislative body has reconsidered the circumstances of the state of emergency.
2. Either of the following circumstances exist:
 - a. The state of emergency continues to directly impact the ability of the members to meet safely in person.
 - b. State or local officials continue to impose or recommend measures to promote social distancing.

On September 23, 2021, Dr. Wilma Wooten, the Public Health Officer for the County of San Diego, issued a "Health Officer Teleconferencing Recommendation" finding that:

1. COVID-19 disease prevention measures, endorsed by the Centers for Disease Control and Prevention, include physical distancing.
2. Using technology to allow for virtual participation in public meetings is a social distancing measure that may help control the transmission of the SARS-CoV virus.
3. Public meetings bring together many individuals (both vaccinated and potentially unvaccinated), from multiple households, in a single indoor space for an extended time.
4. For those at increased risk for infection, or subject to isolation or quarantine order, teleconferencing allows for full participation in public meetings, while protecting themselves and others from the COVID-19 Virus.

5. Utilizing teleconferencing options for public meetings is an effective and recommended social distancing measure to facilitate participation in public affairs and encourage participants to protect themselves and others from the COVID-19 disease. [See, Health Officer Teleconference Recommendation attached as Exhibit 1].

On December 2, 2021, the Board adopted Resolution No. 2021-0133 finding that it is in the Authority's best interest to continue to hold virtual public meetings of the Board and its standing committees because a declared state of emergency is ongoing and continues to directly impact the ability of the Board and its committees to meet safely in person and local officials recommend measures to promote social distancing.

Under AB 361, the Authority has the following options: (1) adopt a resolution making findings that it is in the interest of public health to continue holding virtual public meetings until January 19, 2022; or (2) direct staff to commence holding in-person public meetings beginning January 19, 2022.

On December 1, 2021, the California and San Francisco Department of Public Health confirmed the first case of the Omicron Variant in California. The Centers for Disease Control and Prevention found that the "recent emergence of the Omicron variant further emphasizes the importance of vaccinations, boosters, and general prevention strategies," which includes social distancing.

On December 9, 2021, the San Diego County Health and Human Services Agency announced that the first case of the Omicron variant was identified in San Diego County and recommended social distancing along with other measures to protect against the variants.

As a result of the continued State of Emergency, the fact that local officials have imposed or recommended measures to promote social distancing, and a finding that meeting in person would continue to present imminent risks to the health or safety of attendees, staff recommends that the Board continue to conduct meetings of the Authority Board and its standing committees virtually pursuant to the provisions of AB 361.

Fiscal Impact:

Adequate funding for Online Board Meetings is included in the adopted FY 2022 and conceptually approved FY 2023 Operating Expense Budgets within the Board Services Department.

Authority Strategies/Focus Areas:

This item supports one or more of the following (*select at least one under each area*):

Strategies

- ☒ Community Strategy ☒ Customer Strategy ☐ Employee Strategy ☒ Financial Strategy ☐ Operations Strategy

Focus Areas

- ☐ Advance the Airport Development Plan ☒ Transform the Customer Journey ☒ Optimize Ongoing Business

Environmental Review:

A. CEQA: This Board action is not a project that would have a significant effect on the environment as defined by the California Environmental Quality Act ("CEQA"), as amended. 14 Cal. Code Regs. §15378. This Board action is not a "project" subject to CEQA. Cal. Pub. Res. Code §21065.

B. California Coastal Act Review: This Board action is not a "development" as defined by the California Coastal Act. Cal. Pub. Res. Code §30106.

C. NEPA: This Board action is not a project that involves additional approvals or actions by the Federal Aviation Administration ("FAA") and, therefore no formal review under the National Environmental Policy Act ("NEPA") is required.

Application of Inclusionary Policies:

Not Applicable.

Prepared by:

Amy Gonzalez
General Counsel

RESOLUTION NO. 2022-0004

A RESOLUTION OF THE BOARD OF THE SAN DIEGO COUNTY REGIONAL AIRPORT AUTHORITY, FINDING THAT IT IS IN THE BEST INTEREST OF THE AUTHORITY AND THE PUBLIC IT SERVES TO CONTINUE TO HOLD VIRTUAL PUBLIC MEETINGS OF THE BOARD AND ITS COMMITTEES BECAUSE A DECLARED STATE OF EMERGENCY IS ONGOING AND CONTINUES TO DIRECTLY IMPACT THE ABILITY OF THE BOARD AND ITS COMMITTEES TO MEET SAFELY IN PERSON AND STATE AND LOCAL OFFICIALS RECOMMEND MEASURES TO PROMOTE SOCIAL DISTANCING

WHEREAS, California Government Code §54953(e), added by Assembly Bill 361, allows local agencies to use teleconferencing and to provide the public an opportunity to address local agencies via a call-in option or an internet-based service option, during a proclaimed state of emergency when measures to promote social distancing are in effect or the local agency has determined meeting in person would present imminent risks to the health or safety of attendees; and

WHEREAS, to benefit from AB 361's provisions, a legislative body such as the Authority must make findings that meeting in person would result in imminent risk to the health and safety of attendees; and

WHEREAS, on November 4, 2021, the Board adopted Resolution No. 2021-0123 finding that it is in the Authority's best interest to continue to hold virtual public meetings of the Board and its standing committees because a declared state of emergency is ongoing and continues to directly impact the ability of the Board and its committees to meet safely in person and local officials recommend measures to promote social distancing; and

WHEREAS, on December 2, 2021, the Board adopted Resolution No. 2021-0133 finding that it is in the Authority's best interest to continue to hold virtual public meetings of the Board and its standing committees because a declared state of emergency is ongoing and continues to directly impact the ability of the Board and its committees to meet safely in person and local officials recommend measures to promote social distancing

WHEREAS, the findings of Resolution Nos. 2021-0123 and 2021-0133 are incorporated herein; and

WHEREAS, the Authority must reconsider the findings every 30 days to continue conducting its public meetings virtually; and

WHEREAS, the Authority and its standing committees, may elect to use AB 361's teleconferencing procedures where a state of emergency has been formally proclaimed, and if:

1.State or local officials have imposed or recommended measures to promote social distancing at the time the legislative body holds the meeting (Government Code §54953(e)(1)(A) or

2. The legislative body holds a meeting for the first time for the purpose of determining by majority vote whether, as a result of the proclaimed state of emergency, meeting in person would present imminent risks to the health and safety of attendees (Government Code §54953(e)(1)(B)) or

3.The legislative body has determined that, as a result of the proclaimed state of emergency, meeting in person would continue to present imminent risks to the health or safety of attendees (Government Code § 54953(e)(1)(C)); and

WHEREAS, on September 23, 2021, Dr. Wilma Wooten, the Public Health Officer for the County of San Diego, issued a "Health Officer Teleconferencing Recommendation" finding that:

1.COVID-19 disease prevention measures, endorsed by the Centers for Disease Control and Prevention, include physical distancing.

2.Using technology to allow for virtual participation in public meetings is a social distancing measure that may help control the transmission of the SARS-CoV virus.

3.Public meetings bring together many individuals (both vaccinated and potentially unvaccinated), from multiple households, in a single indoor space for an extended time;

4.For those at increased risk for infection, or subject to isolation or quarantine order, teleconferencing allows for full participation in public meetings, while protecting themselves and others from the COVID-19 Virus.

5.Utilizing teleconferencing options for public meetings is an effective and recommended social distancing measure to facilitate participation in public affairs and encourage participants to protect themselves and others from the COVID-19 disease. [See, Health Officer Teleconference Recommendation attached as Exhibit 1]; and

WHEREAS, on November 10, 2021, Governor Newsom signed Executive Order N-21-21 allowing out-of-state healthcare workers to supplement staffing at healthcare facilities across California noting that “California has stopped recording week over week declines in COVID-19 cases and hospitalizations, which demonstrates a plateau and the potential beginning of a new surge of COVID-19 cases;” and

WHEREAS, Governor Newsom recently noted that COVID cases are beginning to rise — winter months mean people indoors and more possibilities for spread; and

WHEREAS, on December 1, 2021, the California and San Francisco Department of Public Health confirmed the first case of the Omicron Variant in California. The Centers for Disease Control and Prevention found that the “recent emergence of the Omicron variant further emphasizes the importance of vaccinations, boosters, and general prevention strategies,” which includes social distancing; and

WHEREAS, on December 9, 2021, the San Diego County Health and Human Services Agency announced that the first case of the Omicron variant was identified in San Diego County and recommended social distancing along with other measures to protect against the variants; and

WHEREAS, as a result of the continued State of Emergency, the fact that local officials have imposed or recommended measures to promote social distancing, and a finding that meeting in person would continue to present imminent risks to the health or safety of attendees, the Board finds it is in the best interest of the Authority to continue to conduct meetings of the Authority Board and its standing committees virtually pursuant to the provisions of AB 361.

NOW, THEREFORE, BE IT RESOLVED THAT meetings of the Authority Board and its standing committees shall continue to be held virtually pursuant to the provisions of AB 361 because a continued State of Emergency exists, local officials have recommended measures to promote social distancing and meeting in person would continue to present imminent risks to the health and safety of attendees; and

BE IT FURTHER RESOLVED that the Board finds that this action is not a "project" as defined by the California Environmental Quality Act ("CEQA") (California Public Resources Code § 21065); and

BE IT FURTHER RESOLVED that the Board finds that this action is not a "development" as defined by the California Coastal Act (California Public Resources Code § 30106); and

BE IT FURTHER RESOLVED that the Board finds that this action is not a project that involves additional approvals or actions by the Federal Aviation Administration ("FAA") and, therefore, no formal review under the National Environmental Policy Act ("NEPA") is required.

PASSED, ADOPTED AND APPROVED by the Board of the San Diego County Regional Airport Authority at a regular Board meeting this 6th day of January, 2022 by the following vote:

AYES: Board Members:

NOES: Board Members:

ABSENT: Board Members:

ATTEST:

TONY R. RUSSELL
DIRECTOR, BOARD SERVICES/
AUTHORITY CLERK

APPROVED AS TO FORM:

AMY GONZALEZ
GENERAL COUNSEL



County of San Diego

NICK MACCHIONE, FACHE
AGENCY DIRECTOR

HEALTH AND HUMAN SERVICES AGENCY
PUBLIC HEALTH SERVICES

WILMA J. WOOTEN, M.D.
PUBLIC HEALTH OFFICER

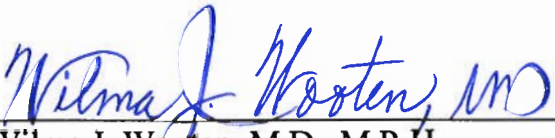
HEALTH OFFICER TELECONFERENCING RECOMMENDATION

COVID-19 disease prevention measures, endorsed by the Centers for Disease Control and Prevention, include vaccinations, facial coverings, increased indoor ventilation, handwashing, and physical distancing (particularly indoors).

Since March 2020, local legislative bodies—such as commissions, committees, boards, and councils—have successfully held public meetings with teleconferencing as authorized by Executive Orders issued by the Governor. Using technology to allow for virtual participation in public meetings is a social distancing measure that may help control transmission of the SARS-CoV-2 virus. Public meetings bring together many individuals (both vaccinated and potentially unvaccinated), from multiple households, in a single indoor space for an extended time. For those at increased risk for infection, or subject to an isolation or quarantine order, teleconferencing allows for full participation in public meetings, while protecting themselves and others from the COVID-19 virus.

Utilizing teleconferencing options for public meetings is an effective and recommended social distancing measure to facilitate participation in public affairs and encourage participants to protect themselves and others from the COVID-19 disease. This recommendation is further intended to satisfy the requirement of the Brown Act (specifically Gov't Code Section 54953(e)(1)(A)), which allows local legislative bodies in the County of San Diego to use certain available teleconferencing options set forth in the Brown Act.

September 23, 2021


Wilma J. Wooten, M.D., M.P.H.
Public Health Officer
County of San Diego

Staff Report

Meeting Date: January 6, 2022

Subject:

Reject Claim of Hector Green

Recommendation:

Adopt Resolution No. 2022-0005 rejecting claim of Hector Green.

Background/Justification:

On November 19, 2021, Hector Green filed a claim ("Attachment A") with the San Diego County Regional Airport Authority ("Authority"). Specifically, Green alleges that on August 31, 2021, while standing at an airport help desk window he slipped and fell. Green claims damages in an unspecified amount over \$100,000 to cover various injuries.

As described above, Green alleges that on August 31, 2021, he was at a help desk window when he turned to leave. As he did so he slipped and fell, causing non-specific injuries to his shoulder, hip, neck and head for which he was transported via ambulance to an emergency room.

Green's claim should be denied. No allegations of a dangerous or unsafe condition are made. A Harbor Police Report taken at the time of the incident reveals the incident did not occur on the date or location in the claim, but rather a day earlier in front of the Alaska Airlines ticket counter. Airline personnel had noticed a small spill in the vicinity and contacted janitorial staff for clean up a short time before the incident. The General Counsel has reviewed the claim and recommends rejection.

Fiscal Impact:

Not applicable.

Authority Strategies/Focus Areas:

This item supports one or more of the following (*select at least one under each area*):

Strategies

- ☐ Community Strategy ☐ Customer Strategy ☐ Employee Strategy ☐ Financial Strategy ☒ Operations Strategy

Focus Areas

- ☐ Advance the Airport Development Plan ☐ Transform the Customer Journey ☒ Optimize Ongoing Business

Environmental Review:

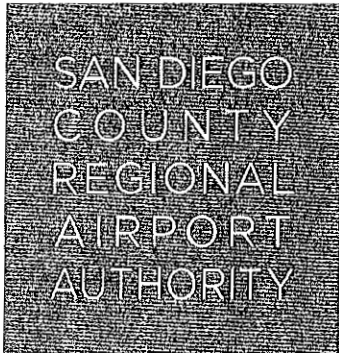
- A. CEQA: This Board action is not a project that would have a significant effect on the environment as defined by the California Environmental Quality Act ("CEQA"), as amended. 14 Cal. Code Regs. §15378. This Board action is not a "project" subject to CEQA. Cal. Pub. Res. Code §21065.
- B. California Coastal Act Review: This Board action is not a "development" as defined by the California Coastal Act. Cal. Pub. Res. Code §30106.
- C. NEPA: This Board action is not a project that involves additional approvals or actions by the Federal Aviation Administration ("FAA") and, therefore, no formal review under the National Environmental Policy Act ("NEPA") is required.

Application of Inclusionary Policies:

Not applicable.

Prepared by:

Amy Gonzalez
General Counsel

**ACCIDENT OR DAMAGE****CLAIM FORM**

Please complete all sections.
Incomplete submittals will be
returned, unprocessed. Use a
typewriter or print in ink.

FOR AUTHORITY USE ONLY

Document No.: _____

Filed: _____

1) Claimant Name: Hector Green	
2) Address to which correspondence regarding this claim should be sent: Downtown L.A. Law Group Attn: Graham Bersche 601 N. Vermont Ave Los Angeles, CA 90004	
Telephone No.: 213-232-3874	Date: 11/16/21
3) Date and time of incident: August 31, 2021 at 7:00 a.m.	
4) Location of incident: San Diego Airport Help Desk (window number unknown)	
5) Description of incident resulting in claim: Slip-and-fall Mr. Green turned around to leave the help desk window when he slipped-and-fell causing his injuries and damages. Mr. Green was transported to the emergency room via ambulance for treatment.	
6) Name(s) of the Authority employee(s) causing the injury, damage or loss, if known: Unknown	
7) Persons having firsthand knowledge of incident:	
Witness (es)	Physician(s):
Name:	Name:
Address:	Address:
Phone:	Phone:

ATTACHMENT A

8) Describe property damage or personal injury claimed:
Shoulder, hip, neck, and head injuries
9) Owner and location of damaged property or name/address of person injured:
Hector Green 6633 Murrows Dr North Highlands, CA 95660
10) Detailed list and amount of damages claimed as of date of presentation of claim, including prospective damages. If amount exceeds \$10,000.00, a specific amount need not be included.
Current Medical Specials: \$30,604.83 Total claimed damages in excess of \$100,000

Dated: 11/16/21

Claimant: Graham Bersche for Farid Yaghoubtil, Esq.

(Signature)

Notice to Claimant:

Where space is insufficient, please use additional paper and identify information by proper section number.

Mail completed original form to:

OR

Deliver completed original form in person to:

Claims
San Diego County Regional Airport Authority
P.O. Box 82776
San Diego, CA 92138-2776

San Diego County Regional Airport Authority
Administration Reception Desk
3225 N. Harbor Drive, 3rd Floor
San Diego, CA 92101

RESOLUTION NO. 2022-0005

A RESOLUTION OF THE BOARD OF THE SAN DIEGO
COUNTY REGIONAL AIRPORT AUTHORITY,
REJECTING THE CLAIM OF HECTOR GREEN

WHEREAS, on November 19, 2021, Hector Green, filed a claim with the San Diego County Regional Airport Authority ("Authority") for losses he claims were the result of slipping and falling at San Diego International Airport; and

WHEREAS, at its regular meeting on January 6, 2022, the Board considered the claim filed by Hector Green and the report submitted to the Board, and found that the claim should be rejected.

NOW, THEREFORE, BE IT RESOLVED that the Board hereby rejects the claim of Hector Green; and

BE IT FURTHER RESOLVED that the Board finds that this action is not a "project" as defined by the California Environmental Quality Act ("CEQA") (California Public Resources Code §21065); and

BE IT FURTHER RESOLVED that the Board finds that this action is not a "development" as defined by the California Coastal Act (California Public Resources Code §30106); and

BE IT FURTHER RESOLVED that the Board finds that this action is not a project that involves additional approvals or actions by the Federal Aviation Administration ("FAA") and, therefore, no formal review under the National Environmental Policy Act ("NEPA") is required.

PASSED, ADOPTED, AND APPROVED by the Board of the San Diego County Regional Airport Authority at a regular Board meeting this 6th day of January, 2022, by the following vote:

AYES: Board Members:

NOES: Board Members:

ABSENT: Board Members:

ATTEST:

TONY R. RUSSELL
DIRECTOR, BOARD SERVICES /
AUTHORITY CLERK

APPROVED AS TO FORM:

AMY GONZALEZ
GENERAL COUNSEL

Item No. 9

Staff Report

Meeting Date: January 6, 2022

Subject:

Amend SDCERS Amended and Restated Retirement Plan and Trust to Clarify the Amount Credited to Deferred Retirement Option Plan (DROP) Accounts When Employees Work Less Than Eighty Hours Per Week

Recommendation:

Adopt Resolution No. 2022-0006, approving an amendment to the Amended and Restated Retirement Plan and Trust to clarify that for Deferred Retirement Option Plan (DROP) participants, the amount credited to their DROP accounts is equal to Paid Base Compensation multiplied by 3.05 percent.

Background/Justification:

For the benefit of the employees of the Authority and their beneficiaries, the Airport Authority Board adopted and approved the Amended and Restated San Diego County Regional Airport Authority Retirement Plan and Trust ("Plan"). The Plan is a qualified governmental pension plan under § 401(a) and § 414(d) of the Internal Revenue Code of 1986, as amended. The Plan is administered by the San Diego City Employees' Retirement System ("SDCERS") pursuant to the terms of the San Diego City Employees' Retirement System Participation and Administration Agreement ("P & A Agreement").

On June 23, 2021, SDCERS issued an audit of the San Diego County Regional Airport Authority's Payroll for the period July 1, 2019 through June 30, 2020. The audit found that overall, the "Airport has procedures in place to ensure complete and accurate census data reporting to SDCERS." However, one observation noted in the audit was that the "Airport's Plan Document does not clearly address how to calculate Deferred Retirement Option Program (DROP) contributions when a DROP participant works less than 80 hours during a pay period and is paid less than the normal Base Compensation." SDCERS found that the Authority's practice of reducing DROP contributions to the amount of paid base compensation in these cases is reasonable. The purpose of the proposed amendment is to memorialize the Authority's current practice of calculating DROP contributions based on paid base compensation in the instances where a DROP participant works less than 80 hours during a pay period.

Staff recommends that the Plan be amended to memorialize the Authority's current practice as set forth in Exhibit A to this staff report.

Fiscal Impact:

This amendment memorializes our existing practice. No additional fiscal impact is anticipated.

Authority Strategies/Focus Areas:

This item supports one or more of the following (*select at least one under each area*):

Strategies

- ☒ Community Strategy ☒ Customer Strategy ☐ Employee Strategy ☒ Financial Strategy ☐ Operations Strategy

Focus Areas

- ☐ Advance the Airport Development Plan ☒ Transform the Customer Journey ☒ Optimize Ongoing Business

Environmental Review:

- A. CEQA: This Board action is not a project that would have a significant effect on the environment as defined by the California Environmental Quality Act ("CEQA"), as amended. 14 Cal. Code Regs. §15378. This Board action is not a "project" subject to CEQA. Cal. Pub. Res. Code §21065.
- B. California Coastal Act Review: This Board action is not a "development" as defined by the California Coastal Act. Cal. Pub. Res. Code §30106.
- C. NEPA: This Board action is not a project that involves additional approvals or actions by the Federal Aviation Administration ("FAA") and, therefore no formal review under the National Environmental Policy Act ("NEPA") is required.

Application of Inclusionary Policies:

Not Applicable.

Prepared by:

Monty Bell
Director, Talent Culture and Capability

EXHIBIT A

§1203 DROP Benefits and Accounts

- (a) A DROP account ("DROP Account") is a "nominal" account established within this Plan on behalf of each DROP participant. All benefits accrued by a Member under this Division are accounted for in the Member's DROP Account. A DROP participant does not have a claim on this Plan's assets with respect to the Member's DROP Account, and this Plan will not set aside any assets for any DROP participant that are separate from other Plan assets.
- (b) All amounts credited to a Member's DROP Account are fully vested.
- (c) A Member's DROP Account will be credited with:
 - (1) An amount, credited monthly, which is calculated in the same manner as the Member's Monthly Retirement Allowance. This amount will increase each year by a COLA.
 - (2) An amount, credited annually, representing the Annual Supplemental Benefit.
 - (3) An amount equal to 3.05% of the Member's paid Base Compensation, credited bi-weekly at the end of each pay period, which is paid by the Airport Authority.
 - (4) An amount equal to 3.05% of the Member's paid Base Compensation, credited bi-weekly at the end of each pay period, which is deducted from the Member's salary on a pre-tax basis pursuant to Internal Revenue Code §414(h)(2).
 - (5) When a Member reports less than eighty (80) hours worked during a bi-weekly pay period, DROP contributions shall be calculated based on the number of hours worked during that bi-weekly pay period.
 - (6) Interest on the above amounts, as determined by the Administrator.

RESOLUTION NO. 2022-0006

A RESOLUTION OF THE BOARD OF THE SAN DIEGO COUNTY REGIONAL AIRPORT AUTHORITY APPROVING AN AMENDMENT TO THE AMENDED AND RESTATED RETIREMENT PLAN AND TRUST TO CLARIFY THAT FOR DEFERRED RETIREMENT OPTION PLAN (DROP) PARTICIPANTS, THE AMOUNT CREDITED TO THEIR DROP ACCOUNTS IS EQUAL TO PAID BASE COMPENSATION MULTIPLIED BY 3.05 PERCENT

WHEREAS, in 2003, for the benefit of the employees of the Authority and their beneficiaries, the Board of the San Diego County Regional Airport Authority ("Authority") adopted a retirement plan; and

WHEREAS, the retirement plan has been subsequently amended and/or restated by Board actions resulting in the current Amended and Restated San Diego County Regional Airport Authority Retirement Plan and Trust of 2013 ("Plan"); and

WHEREAS, the Plan is a qualified governmental pension plan under §401(a) and §414(d) of the Internal Revenue Code of 1986, as amended, and is administered by the San Diego City Employees' Retirement System ("SDCERS") pursuant to the terms of the San Diego City Employees' Retirement System Participation and Administration Agreement ("P&A Agreement") approved by the Board in 2008; and

WHEREAS, SDCERS administers the Plan under a Group Trust (as set forth in the 2007 Declaration of Trust approved by the Board on May 3, 2007 and made effective July 1, 2007) pursuant to IRS Code §401(a)(24) and in accordance with Revenue Ruling 81-100, as revised by Revenue Ruling 2004-67; and

WHEREAS, pursuant to the P&A Agreement, San Diego Municipal Code §24.1806 and provisions of the Group Trust, the Plan is treated as a separate retirement plan with a separate trust, separate from the plans of the City of San Diego and the San Diego Unified Port District, however the assets of the three plans are commingled for investment purposes; and

WHEREAS, on June 23, 2021, SDCERS issued an audit of the San Diego County Regional Airport Authority's Payroll for the period July 1, 2019 through June 30, 2020 (hereinafter the "Payroll Audit"); and

WHEREAS, the Payroll Audit found that overall, the "Airport has procedures in place to ensure complete and accurate census data reporting to SDCERS." However, one observation noted in the Payroll Audit was that the "Airport's Plan Document does not clearly address how to calculate Deferred Retirement Option Program (DROP) contributions when a DROP participant works less than 80 hours during a pay period and is paid less than the normal Base Compensation." SDCERS found that the Authority's practice of reducing DROP contributions in these cases to the amount of paid base compensation is reasonable; and

WHEREAS, staff recommends that the Plan be amended to memorialize the Authority's current practice of calculating DROP contributions based on paid base compensation in the instances where a DROP participant works less than 80 hours during a pay period.

NOW THEREFORE BE IT RESOLVED that the Board finds it in the best interest of the Authority and its employees to amend the Plan to clarify that DROP contributions shall be based upon a DROP participant's paid base compensation in the instances where a DROP participant works less than 80 hours during a pay period; and

BE IT FURTHER RESOLVED that the Board approves an amendment to the plan to clarify that DROP contributions shall be calculated based upon a DROP participants paid base compensation when a DROP participant works less than 80 hours during a pay period; and

BE IT FURTHER RESOLVED that the Board finds that this action is not a "project" as defined by the California Environmental Quality Act ("CEQA") (California Public Resources Code §21065); and

BE IT FURTHER RESOLVED that the Board finds that this action is not a "development" as defined by the California Coastal Act (California Public Resources Code §30106); and

BE IT FURTHER RESOLVED that the Board finds that this action is not a project that involves additional approvals or actions by the Federal Aviation Administration ("FAA") and, therefore, no formal review under the National Environmental Policy Act ("NEPA") is required; and

BE IT FURTHER RESOLVED that the Board finds that this action is not a project that involves additional approvals or actions by the Federal Aviation

PASSED, ADOPTED AND APPROVED by the Board of the San Diego County Regional Airport Authority at a regular Board meeting this 6th day of January 2022 by the following vote:

AYES: Board Members:

NOES: Board Members:

ABSENT: Board Members:

TONY R. RUSSELL
DIRECTOR, CORPORATE
SERVICES/ AUTHORITY CLERK

APPROVED AS TO FORM:

AMY GONZALEZ
GENERAL COUNSEL

Staff Report

Meeting Date: January 6, 2022

Subject:

Award a Contract to Bilbro Construction Company for Terminal 2 East Electrical Modernization at San Diego International Airport

Recommendation:

Adopt Resolution No. 2022-0007, awarding a contract to Bilbro Construction Company in the amount of \$4,170,518 for Project No. 104263, Terminal 2 East Electrical Modernization at San Diego International Airport.

Background/Justification:

Project No. 104263, Terminal 2 East Electrical Modernization is a San Diego County Regional Airport Authority ("Authority") Board ("Board") approved project in the FY2022 Capital Improvement Program ("CIP").

The existing electrical equipment feeding power at Terminal 2 East is at end of its useful life and needs to be replaced and modernized to meet the latest electrical and safety code requirements, provide redundancy in case of unplanned power outages, and avoid excessive maintenance costs in the future. (Attachment A)

The scope of work for this project includes the furnishing of labor, materials, and equipment to replace the outdated electrical equipment feeding Terminal 2 East, and to reconfigure existing electrical room and adjacent Airport Traffic Office (ATO) breakroom by constructing new larger and modernized main electrical and ATO break rooms.

Meeting Date: January 6, 2022

This opportunity was advertised on October 4, 2021, and sealed bids were opened on November 3, 2021. The following bids were received:

Company	Total Bid
Mass Electric Construction Company	\$4,894,250
High Point Construction Services LLC	\$5,215,000
Bilbro Construction Company	\$4,170,518
De La Fuente Construction, Inc.	\$4,439,289

The Engineer's estimate is \$4,900,000.

Low bid of \$4,170,518 is determined to be responsive, and Bilbro Construction Company, is considered responsible. Staff recommends award to Bilbro Construction Company, in the amount of \$4,170,518.

Fiscal Impact:

Adequate funds for Terminal 2 East Electrical Modernization are included within the Board adopted FY2022-FY2026 Capital Program Budget in Project No. 104263. The Source of funding for this project is Airport Cash.

Authority Strategies/Focus Areas:

This item supports one or more of the following (*select at least one under each area*):

Strategies

☐ Community Strategy ☒ Customer Strategy ☐ Employee Strategy ☒ Financial Strategy ☒ Operations Strategy

Focus Areas

☒ Advance the Airport Development Plan ☒ Transform the Customer Journey ☐ Optimize Ongoing Business

Meeting Date: January 6, 2022

Environmental Review:

- A. CEQA: This Board action is for a project that is Categorical Exempt as defined by the California Environmental Quality Act ("CEQA"), Existing Facilities (15301) - Class 1 and Replacement or Reconstruction (15302) - Class 2.
- B. California Coastal Act Review: This Board action is Categorical Excluded as defined by the California Coastal Commission, specifically Public Utilities - Replacing electrical equipment, panel boards, switch boards, automatic transfer switches and building transformers for existing uses.
- C. NEPA: This Board action is not a project that involves additional approvals or actions by the Federal Aviation Administration ("FAA") and, therefore, no formal review under the National Environmental Policy Act ("NEPA") is required.

Application of Inclusionary Policies:

The Authority has the following inclusionary programs and policy: a Disadvantaged Business Enterprise (DBE) Program, an Airport Concession Disadvantaged Business Enterprise (ACDBE) Program and Policy 5.12. These programs and policy are intended to promote the inclusion of small, local, service disabled/veteran owned small businesses, historically underrepresented businesses, and other business enterprises, on all contracts. Only one of the programs or policy named above can be used in any single contracting opportunity.

This contract does not utilize federal funds and provides limited opportunities for sub-contractor participation; therefore, at the option of the Authority, Policy 5.12 was applied to promote the participation of qualified small businesses, service disabled/veteran owned small businesses, and local businesses. Policy 5.12 provides a preference of up to seven percent (7%) in the award of selected Authority contracts. When bid price is the primary selection criteria, the maximum amount of the preference cannot exceed \$200,000. The preference is only applied in measuring the bid. The final contract award is based on the amount of the original bid.

In accordance with Policy 5.12 the recommended firm Bilbro Construction company did not meet the veteran owned small business goal of 3% and had 0% veteran goal participation. However, they exceeded the local business goal of 2% with 28.20% local business participation for 2% local business preference and exceeded the small business goal of 34 % with 86.46% small business participation for 3%. The total preference awarded is 5%.

Prepared by:

Bob Bolton

Director, Airport Design & Construction

ATTACHMENT A

104263 - Terminal 2 East Electrical Modernization Project Location

Project Location at
Terminal 2 East



RESOLUTION NO. 2022-0007

A RESOLUTION OF THE BOARD OF THE SAN DIEGO COUNTY REGIONAL AIRPORT AUTHORITY AWARDING A CONTRACT TO BILBRO CONSTRUCTION COMPANY IN THE AMOUNT OF \$4,170,518 FOR PROJECT NO. 104263, TERMINAL 2 EAST ELECTRICAL MODERNIZATION AT SAN DIEGO INTERNATIONAL AIRPORT

WHEREAS, Project No. 104263, Terminal 2 East Electrical Modernization is a San Diego County Regional Airport Authority ("Authority") Board ("Board") approved project in the FY2022 Capital Improvement Program ("CIP"); and

WHEREAS, the existing electrical equipment feeding power at Terminal 2 East is at end of its useful life and needs to be replaced and modernized to meet the latest electrical and safety code requirements, provide redundancy in case of unplanned power outages, and avoid excessive maintenance costs in the future; and

WHEREAS, the scope of work for this project includes the furnishing of labor, materials, and equipment to replace the outdated electrical equipment feeding Terminal 2 East, and to reconfigure existing electrical room and adjacent Airport Traffic Office (ATO) breakroom by constructing new larger and modernized main electrical and ATO break rooms; and

WHEREAS, the Request for Bids for this project was advertised on October 4, 2021; and

WHEREAS, on November 3, 2021, the Authority opened sealed bids received in response to the Bid Solicitation package; and

WHEREAS, the low bidder, Bilbro Construction Company, submitted a bid in the amount of \$4,170,518; and

WHEREAS, the Authority staff has duly considered Bilbro Construction Company's bid, and has determined Bilbro Construction Company, is responsible and that its bid is responsive in all material respects; and

WHEREAS, the Board believes that it is in the best interest of the Authority and the public that it serves to authorize the President/CEO to award Bilbro Construction Company, the contract for Project No. 104263, Terminal 2 East Electrical Modernization upon the terms and conditions set forth in the Bid Solicitation Package.

NOW, THEREFORE, BE IT RESOLVED that the Board hereby authorizes the President/CEO to award a contract to Bilbro Construction Company, in the amount of \$4,170, 518, for Project No. 104263, Terminal 2 East Electrical Modernization at San Diego International Airport; and

BE IT FURTHER RESOLVED that the Board authorizes the President/CEO or designee to execute and deliver such contract to Bilbro Construction Company; and

BE IT FURTHER RESOLVED that the San Diego County Regional Airport Authority and its officers, employee, and agents are hereby authorized, empowered, and directed to do and perform such acts as may be necessary or appropriate in order to effectuate fully this resolution; and

BE IT FURTHER RESOLVED that the Board finds that this action is for a project that is Categorically Exempt as defined by the California Environmental Quality Act ("CEQA"), Existing Facilities (15301) - Class 1 and Replacement or Reconstruction (15302) - Class 2; and

BE IT FURTHER RESOLVED that the Board finds that this action is for a project that is Categorically Excluded as defined by the California Coastal Commission, specifically Public Utilities - Replacing electrical equipment, panel boards, switch boards, automatic transfer switches and building transformers for existing uses; and

BE IT FURTHER RESOLVED that the Board finds that this action is not a project that involves additional approvals or actions by the Federal Aviation Administration ("FAA") and, therefore, no formal review under the National Environmental Policy Act ("NEPA") is required.

PASSED, ADOPTED, AND APPROVED by the Board of the San Diego County Regional Airport Authority at a regular Board meeting this 6th day of January, 2022, by the following vote:

AYES: Board Members:

NOES: Board Members:

ABSENT: Board Members:

ATTEST:

TONY R. RUSSELL
DIRECTOR, BOARD SERVICES /
AUTHORITY CLERK

APPROVED AS TO FORM:

AMY GONZALEZ
GENERAL COUNSEL

Staff Report

Meeting Date: January 6, 2022

Subject:

Approve and Authorize the President/CEO to Execute an On-Call Materials Testing & Construction Support Services Agreement at San Diego International Airport

Recommendation:

Adopt Resolution No. 2022-0008, approving and authorizing the President/CEO to negotiate and execute an On-Call Materials Testing & Construction Support Services Agreement with Group Delta Consultants, for a term of five (5) years, with the option for two (2) one-year extensions at the sole discretion of the President/CEO, in an amount not-to-exceed \$5,000,000 in support of the New T1 and Capital Improvement Programs at San Diego International Airport.

Background/Justification:

The San Diego County Regional Airport Authority ("Authority") maintains and improves facilities and infrastructure at San Diego International Airport ("SDIA") through its New T1 and Capital Improvement Program ("CIP"). Authority Staff ("Staff") utilizes on-call consultants to provide materials testing and construction support services in support of projects associated with the CIP, the New T1 and other sustainability and facility operations initiatives at SDIA.

In 2021, Staff determined that the Authority's existing on-call materials testing and construction support services agreements, procured in 2016, did not provide all the appropriate materials testing disciplines required for upcoming projects and that new agreements were required. At that time, staff proceeded with the preparation of a Request for Qualifications ("RFQ") to obtain Statements of Qualifications ("SOQ") from qualified firms to provide On-Call Materials Testing and Construction Support Services for the Authority.

The RFQ evaluated the following key criteria:

1. Project Team Qualifications and Organization;
2. Project Management;
3. Key Personnel;
4. Work Plan and Approach/Methodology; and
5. Inclusionary Approach and Outreach.

The RFQ anticipated that a firm would be contracted for a duration of five years with two one-year extensions, with a contract valued at an amount not to exceed \$5,000,000. In addition, the RFQ anticipated that detailed scopes of services will be negotiated with the consultant and task authorizations will be issued to the consultant throughout the duration of the contract.

The Authority also established an Evaluation Panel ("Panel") for the RFQ. The Panel included key representatives from the Authority's Airport Design & Construction and Facilities Management departments.

The RFQ was issued on October 15, 2021, and the Authority received eight (8) SOQs from prospective consulting firms ("Respondents") on November 12, 2021. The Panel conducted a thorough review of the SOQs and invited four (4) of the Respondents, listed in alphabetical order below, to interview.

1. Group Delta Consultants ("Group Delta")
2. Kleinfelder
3. Ninyo & Moore
4. Wood Environment & Infrastructure Solutions ("Wood")

The Respondents were interviewed on November 22, 2021 and were asked to provide responses to a specific list of questions which targeted the evaluation criteria presented in the RFQ. The Panel then ranked and scored the short-listed Respondents. The Panel's final ranking and scoring are presented below:

Rankings	Panelist 1	Panelist 2	Panelist 3	Panelist 4	Total	Rank
Group Delta	1	1	2	1	5	1
Kleinfelder	3	4	3	3	13	3
Ninyo & Moore	4	3	4	4	15	4
Wood	2	2	1	2	7	2

Combined Scores	Project Team Quals. & Org.	Project Management	Key Personnel	Work Plan & Approach/ Method.	Inclusionary Approach/ Outreach	Total
Group Delta	925	875	925	700	180	3605
Kleinfelder	800	850	725	680	140	3195
Ninyo & Moore	750	750	750	660	180	3090
Wood	900	875	900	700	200	3575

The top ranked firm was Group Delta.

Group Delta

Group Delta will be the prime consultant responsible for managing and delivering the services requested by the Authority. They will be managing a team of qualified subconsultants with substantial staff resources, diverse capabilities, and specialist expertise.

Incorporated in San Diego in 1986, Group Delta focuses on Geotechnical and Environmental Engineering; Materials Testing and Special Inspections; and Hazardous Material. Group Delta has 85 employees in five offices throughout Southern California with two accredited material laboratories in San Diego and Anaheim. Group Delta currently provides similar services to the Authority and other public agencies in Southern California.

Next Steps:

Staff recommends that the Board authorize the President/CEO to negotiate and execute an agreement with the top-ranked firm, Group Delta, for a term of five years, with the option for two one-year extensions at the sole discretion of the President/CEO, in an amount not-to-exceed \$5,000,000 for the entire term of the agreement.

As part of the negotiations with the top ranked firm, staff will negotiate appropriate billing rates for the firm and its proposed subconsultants. Additional subconsultants may be added during the term of the agreement as additional consulting needs are identified.

Fiscal Impact:

Funds for the On-Call Materials Testing and Construction Support Services Agreement are included within the approved FY2022-FY2026 Capital Program Budget and the adopted FY2022 Operating Budget, on an as-needed basis. Capital sources of funding will include Passenger Facility Charges, Airport Revenue Bonds, Airport Improvement Program Grants, and Airport Cash, depending on the individual project.

Authority Strategies/Focus Areas:

This item supports one or more of the following (*select at least one under each area*):

Strategies

- ☐ Community Strategy ☒ Customer Strategy ☐ Employee Strategy ☒ Financial Strategy ☒ Operations Strategy

Focus Areas

- ☒ Advance the Airport Development Plan ☒ Transform the Customer Journey ☒ Optimize Ongoing Business

Environmental Review:

- A. CEQA: This Board action is for a project that received certification and approval for the Airport Development Plan Environmental Impact Report (SCH NO. 2017011053 – SDCRAA # EIR-18-01) on January 9, 2020;
- B. California Coastal Act Review: This Board action is for a project that the California Coastal Commission issued Coastal Development Permits (CDP-6-20-0154), (CDP 6-20-0447), and (CDP 6-20-0611), on September 30, 2021;
- C. NEPA: This Board action is for a project that received approval and was issued a Finding of No Significant Impact (FONSI) and Record of Decision (ROD) by the Federal Aviation Administration (FAA) on October 22, 2021.

Application of Inclusionary Policies:

The Authority has the following inclusionary programs/policies: a Disadvantaged Business Enterprise ("DBE") Program, an Airport Concession Disadvantaged Business Enterprise ("ACDBE") Program, and Policy 5.12. These programs/policy are intended to promote the inclusion of small, local, service disabled/veteran owned small businesses, historically underrepresented businesses, and other business enterprises, on all contracts. Only one of the programs/policy named above can be used in any single contracting opportunity.

The Authority's DBE Program, as required by the U.S. Department of Transportation, 49 Code of Federal Regulations ("CFR") Part 26, calls for the Authority to submit a triennial overall goal for DBE participation on all federally-funded projects. When federal funds are utilized, the Authority is prohibited from using a program that provides a preference such as those used in Policy 5.12. Therefore, the Authority must utilize other means as provided in the DBE Plan to achieve participation.

This project utilizes federal funds; therefore, DBE participation will be applied toward the Authority's overall DBE goal. No preferences were applied to the award of the On-Call Architectural and Engineering Services Agreement. However, Group Delta submitted an DBE/Inclusionary Outreach Plan and has committed to maximize opportunities to provide business opportunities to local small businesses in addition to women owned businesses, minority owned businesses and disabled veteran business through outreach sessions and its' inclusionary procurement process

Prepared by:

Bob Bolton
Director, Airport Design & Construction

RESOLUTION NO. 2022-0008

A RESOLUTION OF THE BOARD OF THE SAN DIEGO COUNTY REGIONAL AIRPORT AUTHORITY, APPROVING AND AUTHORIZING THE PRESIDENT/CEO TO NEGOTIATE AND EXECUTE AN ON-CALL MATERIALS TESTING & CONSTRUCTION SUPPORT SERVICES AGREEMENT WITH GROUP DELTA CONSULTANTS, FOR A TERM OF FIVE (5) YEARS, WITH THE OPTION FOR TWO (2) ONE-YEAR EXTENSIONS AT THE SOLE DISCRETION OF THE PRESIDENT/CEO, IN AN AMOUNT NOT-TO-EXCEED \$5,000,000 IN SUPPORT OF THE NEW T1 AND CAPITAL IMPROVEMENT PROGRAMS AT SAN DIEGO INTERNATIONAL AIRPORT

WHEREAS, the San Diego County Regional Airport Authority (“Authority”) maintains and improves facilities and infrastructure at San Diego International Airport (“SDIA”) through its New T1 and Capital Improvement Program (“CIP”); and

WHEREAS, Authority Staff (“Staff”) utilizes on-call consultants to provide materials testing and construction support services on an as-needed basis. These consultants are selected utilizing a qualification-based selection process; and

WHEREAS, in 2021, Staff determined that the existing on-call materials testing and construction support services agreements, procured in 2016, did not provide all the appropriate materials testing disciplines required for upcoming projects and that new agreements were required; and

WHEREAS, this On-Call Materials Testing and Construction Support Agreement will support projects associated with the CIP, the New T1, and other sustainability and facility operations initiatives at SDIA; and

WHEREAS, on October 15, 2021, a Request for Qualifications ("RFQ") was issued to obtain Statements of Qualifications ("SOQ") from qualified firms to provide on-call materials testing and construction support for the Authority; and

WHEREAS, an Evaluation Panel ("Panel") was established which included key representatives from the Authority's Airport Design & Construction and Facilities Management departments; and

WHEREAS, on November 12, 2021, the Authority received eight (8) SOQs from prospective consulting firms ("Respondents"); and

WHEREAS, the Panel conducted a thorough review of the SOQs, determined the four (4) most qualified Respondents to perform the requested on-call services and invited them to interview; and

WHEREAS, on November 22, 2021, the four (4) most qualified Respondents were interviewed and asked to provide responses to a specific list of questions which targeted the Evaluation Criteria in the RFQ; and

WHEREAS, on November 22, 2021, the Panel met to rank and score the four (4) Respondents and ranked Group Delta Consultants the highest; and

WHEREAS, the Panel recommends that the Board authorize the President/CEO to proceed with negotiating and executing an agreement with the top ranked firm, Group Delta Consultants.

NOW, THEREFORE, BE IT RESOLVED that the Board hereby approves and authorizes the President/CEO to negotiate and execute an On-Call Materials Testing and Construction Support Services Agreement with Group Delta Consultants, for a term of five (5) years, with the option for two (2) one-year extensions at the sole discretion of the President/CEO, in an amount not-to-exceed \$5,000,000, in support of the Capital Improvement Program ("CIP"), New T1, and other sustainability and facility operations initiatives at San Diego International Airport ("Airport"); and

BE IT FURTHER RESOLVED that the agreement shall comply with FAA regulations that require Authority projects covered by the agreement to start within five years of the date of execution of the agreement; and

BE IT FURTHER RESOLVED that the Board finds that this Board action is for a project that received certification and approval for the Airport Development Plan Environmental Impact Report (SCH NO. 2017011053 – SDCRAA # EIR-18-01) on January 9, 2020; and

BE IT FURTHER RESOLVED that the Board finds that this action is for a project that the California Coastal Commission issued Coastal Development Permits (CDP-6-20-0154), (CDP 6-20-0447), and (CDP 6-20-0611), on September 30, 2021; and

BE IT FURTHER RESOLVED that the Board finds that this Board action is for a project that received approval and was issued a Finding of No Significant Impact (FONSI) and Record of Decision (ROD) by the Federal Aviation Administration (FAA) on October 22, 2021.

PASSED, ADOPTED, AND APPROVED by the Board of the San Diego County Regional Airport Authority at a regular Board meeting this 6th day of January, 2022, by the following vote:

AYES: Board Members:

NOES: Board Members:

ABSENT: Board Members:

ATTEST:

TONY R. RUSSELL
DIRECTOR, BOARD SERVICES /
AUTHORITY CLERK

APPROVED AS TO FORM:

AMY GONZALEZ
GENERAL COUNSEL

Staff Report

Meeting Date: January 6, 2022

Subject:

January 2022 Legislative Report and 2022 Legislative Agenda

Recommendation:

Adopt Resolution No. 2022-0009, approving the January 2022 Legislative Report and 2022 Legislative Agenda.

Background/Justification:

The Authority's Legislative Advocacy Program Policy requires that staff present the Board with monthly reports concerning the status of legislation with potential impact to the Authority. The Authority Board provides direction to staff on legislative issues by adoption of a monthly Legislative Report (Attachment A). The January 2022 Legislative Report updates Board members on legislative activities that have taken place since the previous Board meeting. In directing staff, the Authority Board may take a position on pending or proposed legislation that has been determined to have a potential impact on the Authority's operations and functions.

The 2022 Legislative Agenda (Attachment B) includes general legislative guidelines and specific goals that the Authority's legislative team recommends that the Board approve for the upcoming year. Following Board approval, staff will work with the Authority's legislative consultants to closely monitor and implement Board direction in the policy areas included in the 2022 Legislative Agenda.

Federal Legislative Action

The Authority's legislative team recommends that the Board adopt a WATCH position on H.R. 5574 (Titus).

H.R. 5574 directs the Transportation Security Administration (TSA) to develop a plan to ensure that TSA material disseminated in major airports is better understood by people accessing such airports, including by foreign language speakers and people with vision or hearing impairments. In developing the plan, the TSA must take into consideration data regarding international enplanement and local populations surrounding major airports.

In Washington, Congressional leaders continue to negotiate the terms of the Build Back Better Act, a \$1.68 trillion spending plan proposed by the White House in October 2021. The Airport Authority Government Relations staff and Federal legislative consultants are closely monitoring the progress of this proposal, including a new tax credit to support the creation and usage of Sustainable Aviation Fuel (SAF).

State Legislative Action

The Authority's legislative team does not recommend that the Board adopt any new positions on state legislation at this time.

On January 3rd, the California State Legislature reconvened for year two of the 2021-2022 legislative session, and the Governor is expected to release his fiscal year 2022-2023 budget proposal early in the month.

The deadline to introduce new bills is February 18, 2022. Government Relations staff and the Authority's state legislative consultants will review newly introduced bills and the Governor's budget proposal, and will highlight those that impact the Airport Authority or San Diego International Airport in the February 2022 Legislative Report.

Fiscal Impact:

Not applicable.

Authority Strategies/Focus Areas:

This item supports one or more of the following (*select at least one under each area*):

Strategies

☒ Community Strategy ☐ Customer Strategy ☐ Employee Strategy ☒ Financial Strategy ☒ Operations Strategy

Focus Areas

☐ Advance the Airport Development Plan ☐ Transform the Customer Journey ☒ Optimize Ongoing Business

Environmental Review:

A. CEQA: This Board action is not a project that would have a significant effect on the environment as defined by the California Environmental Quality Act ("CEQA"), as amended. 14 Cal. Code Regs. §15378. This Board action is not a "project" subject to CEQA. Cal. Pub. Res. Code §21065.

- B. California Coastal Act Review: This Board action is not a "development" as defined by the California Coastal Act. Cal. Pub. Res. Code §30106.
- C. NEPA: This Board action is not a project that involves additional approvals or actions by the Federal Aviation Administration ("FAA") and, therefore, no formal review under the National Environmental Policy Act ("NEPA") is required.

Application of Inclusionary Policies:

Not applicable.

Prepared by:

Matt Harris
Director, Government Relations

RESOLUTION NO. 2022-0009

A RESOLUTION OF THE BOARD OF THE
SAN DIEGO COUNTY REGIONAL AIRPORT
AUTHORITY, APPROVING THE JANUARY 2022
LEGISLATIVE REPORT AND 2022 LEGISLATIVE
AGENDA

WHEREAS, the San Diego County Regional Airport Authority (“Authority”) operates San Diego International Airport and plans for necessary improvements to the regional air transportation system in San Diego County, including serving as the responsible agency for airport land use planning within the County; and

WHEREAS, the Authority has a responsibility to promote public policies consistent with the Authority’s mandates and objectives; and

WHEREAS, Authority staff works locally and coordinates with legislative advocates in Sacramento and Washington, D.C. to identify and pursue legislative opportunities in defense and support of initiatives and programs of interest to the Authority; and

WHEREAS, under the Authority’s Legislative Advocacy Program Policy, the Authority Board provides direction to Authority staff on pending legislation; and

WHEREAS, the Authority Board, in directing staff, may adopt positions on legislation that has been determined to have a potential impact on the Authority’s operations and functions.

NOW, THEREFORE, BE IT RESOLVED that the Board hereby approves the January 2022 Legislative Report (“Attachment A”) and 2022 Legislative Agenda (“Attachment B”); and

BE IT FURTHER RESOLVED that the Board finds that this action is not a “project” as defined by the California Environmental Quality Act (“CEQA”) (California Public Resources Code §21065); and

BE IT FURTHER RESOLVED that the Board finds that this action is not a “development” as defined by the California Coastal Act (California Public Resources Code §30106); and

BE IT FURTHER RESOLVED that the Board finds that this action is not a project that involves additional approvals or actions by the Federal Aviation Administration (“FAA”) and, therefore, no formal review under the National Environmental Policy Act (“NEPA”) is required.

PASSED, ADOPTED, AND APPROVED by the Board of the San Diego County Regional Airport Authority at a regular Board meeting this 6th day of January 2022, by the following vote:

AYES: Board Members:

NOES: Board Members:

ABSENT: Board Members:

ATTEST:

TONY R. RUSSELL
DIRECTOR, BOARD SERVICES /
AUTHORITY CLERK

APPROVED AS TO FORM:

AMY GONZALEZ
GENERAL COUNSEL

January 2022 Legislative Report

State Legislation

New Assembly Bills

No new Assembly bills to report.

*Shaded text represents new or updated legislative information

Assembly Bills from Previous Report

Legislation/Topic

AB 55 (Boerner Horvath) Employment: telecommuting.

Background/Summary

AB 55 is a placeholder (spot bill) that would declare the intent of the Legislature to enact future legislation to ensure certain rights and benefits for telecommuting employees.

Anticipated Impact/Discussion

The Authority's legislative team will closely monitor the development of this bill language for any impact on San Diego International Airport (SDIA) and the Airport Authority.

Status: 12/7/20 – Introduced.

Position: Watch (1/7/21)

*Shaded text represents new or updated legislative information

Legislation/Topic**AB 377 (Rivas) Water quality: impaired waters.****Background/Summary**

AB 377 requires, by January 1, 2025, the California State Water Resources Control Board and the Regional Water Quality Control Boards to evaluate impaired state surface waters and report to the Legislature a plan to bring all water segments into attainment by January 1, 2050. Requires, by January 1, 2023, the State Water Board and Regional Water Boards to prioritize enforcement of water quality standard violations that are causing or contributing to an exceedance of a water quality standard in a surface water of the state.

Anticipated Impact/Discussion

The Airport Authority's legislative team will work with the California Airports Council (CAC) to determine an industry-wide position and will closely monitor the development of this bill language for any impact on San Diego International Airport (SDIA) and the Airport Authority.

Status: 5/20/21 – This bill is in the Assembly Appropriations Committee.

Position: Watch (5/6/21)

*Shaded text represents new or updated legislative information

Legislation/Topic**AB 426 (Bauer-Kahan) Toxic air contaminants.****Background/Summary**

Existing law authorizes local air pollution control districts and air quality management districts, in carrying out their responsibilities with respect to the attainment of state ambient air quality standards, to adopt and implement regulations that accomplish certain objectives.

This bill would additionally authorize the districts to adopt and implement regulations to require data regarding air pollution within the district's jurisdiction from area wide stationary sources of air pollution, including mobile sources drawn by those stationary sources, to enable the calculation of health risks from toxic air contaminants. This bill would additionally authorize the districts to adopt and implement regulations to accomplish these objectives in carrying out their responsibilities with respect to the reduction of health risks from toxic air contaminants.

Anticipated Impact/Discussion

The Airport Authority's legislative team will work with the California Airports Council (CAC) to determine an industry-wide position and will closely monitor the development of this bill language for any impact on San Diego International Airport (SDIA) and the Airport Authority.

Status: 4/14/21 – This bill is in the Assembly Natural Resources Committee.

Position: Watch (3/4/21)

*Shaded text represents new or updated legislative information

Legislation/Topic

AB 513 (Bigelow) Employment: telecommuting employees.

Background/Summary

AB 513 would authorize an employee working from home to receive legally required notices and postings electronically and sign certain documents electronically. The bill would also require that a working from home employee's wages due at the time of separation of employment be deemed to have been paid on the date that the wages are mailed to the employee.

Anticipated Impact/Discussion

The Authority's legislative team will closely monitor the development of this bill language for any impact on San Diego International Airport (SDIA) and the Airport Authority.

Status: 3/18/21 – This bill was referred to the Assembly Labor and Employment Committee.

Position: Watch (3/4/21)

*Shaded text represents new or updated legislative information

Legislation/Topic**AB 538 (Muratsuchi) California Aerospace Commission: establishment.****Background/Summary**

AB 538 would establish, within the office, the California Aerospace Commission consisting of 15 members, as specified, to serve as a central point of contact for businesses engaged in the aerospace industry and to support the health and competitiveness of this industry in California. The bill would require the commission to make recommendations on legislative and administrative action that may be necessary or helpful to maintain or improve the state's aerospace industry and would authorize the commission to engage in various other activities in undertaking its mission and responsibilities, as specified.

Anticipated Impact/Discussion

Although this legislation is not expected to have any significant impact on the Airport Authority or San Diego International Airport (SDIA), if the bill were enacted, the Airport Authority's legislative team would work with the California Airports Council to identify any potential opportunities to engage with the Commission on actions that could impact California airports.

Status: 8/26/21 – This bill is in the Senate Appropriations Committee.

Position: Watch (3/4/21)

*Shaded text represents new or updated legislative information

New Senate Bills

No new Senate bills to report.

*Shaded text represents new or updated legislative information

Senate Bills from Previous Report

Legislation/Topic

SB 37 (Cortese) Contaminated Site Cleanup and Safety Act.

Background/Summary

Existing law requires the Department of Toxic Substances Control to compile a list of specified information, including, but not limited to, hazardous waste facilities where the department took, or contracted for the taking of, corrective action to remedy or prevent, for example, an imminent substantial danger to public health. Existing law requires the State Department of Health Care Services to compile a list of all public drinking water wells that contain detectable levels of organic contaminants and that are subject to water analysis by local health officers.

This bill would enact the Dominic Cortese “Cortese List” Act of 2021 and would recodify the above-described provisions with certain revisions. The bill would require the Department of Toxic Substances Control to also list hazardous waste facilities where the department issued an order for corrective action after determining that there is or has been a release of hazardous waste or constituents into the environment from a facility. The bill would require the State Water Resources Control Board, instead of the State Department of Health Care Services, to compile and update a list of all public drinking water wells that contain detectable levels of organic contaminants and that are subject to water analysis by local health officers. The bill would require the Secretary for Environmental Protection to post the information on the California Environmental Protection Agency’s internet website.

On March 11, 2021, SB 37 was amended to replace “Dominic Cortese “Cortese List” Act of 2021” to “Hazardous Waste Site Cleanup and Safety Act.”

On April 13, 2021, SB 37 was amended to remove the requirement that the Department of Toxic Substances Control to also list hazardous waste facilities where the department issued an order for corrective action after determining that there is or has been a release of hazardous waste or constituents into the environment from a facility. The amendments also remove the requirement that the State Water Resources Control Board, instead of the State Department of Health Care Services, to compile and update a list of all public drinking water wells that contain detectable levels of organic contaminants and that are subject to water analysis by local health officers.

The April 13, 2021 amendments require the Secretary for Environmental Protection to post the list or links to the information on the California Environmental Protection Agency’s internet website of all solid waste disposal facilities from which there is a known migration of hazardous waste.

*Shaded text represents new or updated legislative information

Anticipated Impact/Discussion

SB 37 could have an impact on San Diego International Airport (SDIA) as airports are federally mandated to store certain chemicals, including perfluoroalkyl and polyfluoroalkyl (PFAS) for firefighting purposes. The Airport Authority's legislative team will work with the California Airports Council (CAC) to determine an industry wide position, if applicable, and will closely monitor the development of this bill language for any impact on San Diego International Airport (SDIA) and the Airport Authority.

Status: 9/08/21 – Ordered to inactive file and will become a two-year bill.

Position: Watch (1/7/21)

*Shaded text represents new or updated legislative information

Legislation/Topic

SB 46 (Stern) American Rescue Plan Act funds: federal recovery funds: funded projects.

Background/Summary

This bill would state the intent of the Legislature to enact legislation that would require an employer to develop and implement contact tracing and safety policies for its employees, including requiring notice to the employer when an employee receives a positive COVID-19 test.

On March 10, 2021, this bill was amended to require a state agency that receives and disburses American Rescue Plan funds or other federal recovery funds, to the extent authorized by federal law, to consider projects' potential impact on specified goals, including, among other things, restoring frontline communities and rapidly accelerating achievement of environmental justice and climate goals, including, but not limited to, climate, environmental, and biodiversity protection and stimulating growth.

Anticipated Impact/Discussion

Although this legislation in its newly amended form is not expected to have a direct impact on the Airport Authority or San Diego International Airport (SDIA), the Airport Authority's legislative team will continue to monitor as it moves through the legislative process.

Status: 3/18/21 – Referred to the Assembly Government Organization and Labor, Public Employment, and Retirement Committees.

Position: Watch (1/7/21)

*Shaded text represents new or updated legislative information

Legislation/Topic**SB 285 (McGuire) California Tourism Recovery Act.****Background/Summary**

SB 285 would require the California Travel and Tourism Commission to, upon a determination by the Department of Public Health that it is safe to resume travel in California, implement a strategic media and jobs recovery campaign known as the “Calling All Californians” program for the purpose of reversing the impact of the COVID-19 pandemic on the travel and tourism industry in California, as specified. The bill would require the commission to report to the Legislature, on or before January 1, 2024, regarding the cost of the program and the impact of the program on the tourism industry in California. The bill would require, only upon appropriation by the Legislature, the Controller to transfer \$45,000,000 to the commission for the purpose of implementing the “Calling all Californians” program.

Anticipated Impact/Discussion

California’s travel industry is one of the largest economic drivers for the state. Domestic and international travelers spend an estimated \$145 billion annually at California businesses, generating \$12.3 billion in state and local tax revenues. International travelers spent \$28.1 billion in California in 2019, making travel the state’s largest export. This bill would provide necessary funding to promote the State and the San Diego region to in-state and out-of-state travelers, benefiting operations at San Diego International Airport (SDIA) and the regional economy.

Status: 5/28/21 – This bill was ordered to the Senate Inactive File at the request of Senator McGuire.

Position: Support (3/16/21)

*Shaded text represents new or updated legislative information

Legislation/Topic**SB 612 (Portantino) Ratepayer Equity****Background/Summary**

SB 612 requires electric investor-owned utilities (IOUs) to offer an allocation of certain electrical resources to other load-serving entities (LSEs), specifically, community choice aggregators (CCAs) and electric service providers (ESPs), that serve departing load customers who bear cost responsibility for those resources. These electrical resources include product attributes to comply with resource adequacy (RA), Renewable Portfolio Standard (RPS) program, and others.

Anticipated Impact/Discussion

Over the next few months, the Airport Authority will be joining San Diego Community Power (SDCP), a new Community Choice Aggregation (CCA) program that serves customers within the cities of Chula Vista, Encinitas, Imperial Beach, La Mesa, and San Diego. All CCAs are subject to a departing load charge from the Investor-Owned Utility (IOU) -- also known as a Power Charge Indifference Adjustment (PCIA) -- because San Diego Gas and Electric (SDG&E) originally purchased energy generation contracts to serve its customers. In theory, the PCIA makes SDG&E whole. However, SDCP will be subject to fluctuating PCIA costs on an annual basis and paying the departing load doesn't provide the CCA access to the generation contracts that will provide resource adequacy to its customers. SDCP aspires to keep rates competitive to SDG&E but paying the departing load charge (PCIA) without the assurance of getting access to SDG&E's long-term contracts is not in the best interest of SDCP's customers as the PCIA cost is passed on to customers. As one of those customers, the Airport Authority will be subject to a fluctuating PCIA on an annual basis, but that cost may be in addition to the cost the Authority will pay for 100% grid-delivered renewable electricity to power the airport campus.

Status: 6/28/21 – This bill is in the Assembly Utilities and Energy Committee

Position: Support (6/22/21)

*Shaded text represents new or updated legislative information

Federal Legislation

New House Bills

Legislation/Topic

H.R. 5574 (Titus) TSA Reaching Across Nationalities, Societies, and Languages to Advance Traveler Education Act (TRANSLATE Act)

Background/Summary

This bill directs the Transportation Security Administration (TSA) to develop a plan to ensure that TSA material disseminated in major airports is better understood by people accessing such airports, including by foreign language speakers and people with vision or hearing impairments.

In developing the plan, the TSA must take into consideration data regarding international enplanement and local populations surrounding major airports.

Anticipated Impact/Discussion

The Authority's legislative team will closely monitor the development of this bill language for any impact on San Diego International Airport (SDIA) operations, including concessions, signage, and airline check in and boarding processes.

Status: 11/19/21 – This bill is currently in the Senate Committee on Commerce, Science, and Transportation.

Position: Watch (1/6/22)

*Shaded text represents new or updated legislative information

Legislation/Topic**H.R. 741 (Brownley) Sustainable Aviation Fuel Act.****Background/Summary**

This bill would establish a national goal for the U.S. aviation sector to achieve a net 35% reduction in GHG emissions by 2035 and net zero emissions by 2050. The bill authorizes \$1 billion over five years, in competitive grants and costing sharing agreements to carry out projects in the U.S. to produce, transport, blend or store sustainable aviation fuel (SAF). The bill also requires EPA to establish an aviation-only Low Carbon Fuel Standard (LCFS) that regulates aviation fuel producers and importers.

Anticipated Impact/Discussion

San Diego International Airport has partnered with airports, airlines, sustainable aviation fuel producers and other stakeholders to find ways to reduce greenhouse gas emissions in the aviation sector. The Authority's legislative team will closely monitor the development of this bill language for any impact on San Diego International Airport (SDIA) and the Airport Authority.

Status: 2/4/21 – Introduced.

Position: Watch (4/1/21)

*Shaded text represents new or updated legislative information

Legislation/Topic

H.R. 1346 (Horsford) / S. 477 (Cortez Masto) Hospitality and Commerce Job Recovery Act of 2021.

Background/Summary

H.R. 1346 and S. 477 would provide federal tax credits to support the travel, convention, trade show, entertainment, tourism, and hospitality industries. Specifically, these legislative proposals allow a convention and trade show restart tax credit; extend the employee retention tax credit through 2021; suspend for taxable years 2021 through 2022, the limitation on entertainment expenses related to a trade or business; allow a restaurant and dining restart credit for businesses closed or forced to reduce services due to COVID-19 (i.e., coronavirus disease 2019); allow a 50% tax credit for travel expenditures; and allow a tax credit for unmerchantable inventory for the period between December 31, 2019, and before April 1, 2021.

Anticipated Impact/Discussion

H.R. 1346 and S. 477 are identical pieces of legislation that would provide temporary tax incentives to help restore business travel.

The COVID-19 pandemic has had a devastating impact on the hospitality and travel industries. In California, tourism spending dropped \$59 billion in 2020, and overall travel-related spending in the State is not expected to reach pre-COVID-19 levels until 2025. H.R. 1346 and S. 477 could provide a much-needed stimulus to promote travel growth, jobs and help accelerate the recovery of the tourism industry, benefiting operations at San Diego International Airport (SDIA) and the regional economy.

Status: 2/25/21 – Introduced.

Position: Support (9/2/21)

*Shaded text represents new or updated legislative information

Legislation/Topic**H.R. 1813 (DeFazio) Funding for Aviation Screeners and Threat Elimination Restoration (FASTER) Act.****Background/Summary**

In 2013, Congress began diverting one-third of the revenue collected from airline passenger security fees to be deposited into the general fund of the U.S. Treasury. This diversion has caused the Transportation Security Administration (TSA) to forgo an estimated \$19 billion in these fees. H.R. 1813 would repeal the requirement to divert funds and ensure that passenger security fees are used for aviation security purposes. H.R. 1813 would also provide TSA access to September 11 Security Fee revenue in the event of a lapse in appropriations. This means that, in the event of another government shutdown, TSA would be able to continue paying its officers.

Anticipated Impact/Discussion

Providing TSA access to the full amount of airline passenger security fee revenue would allow TSA to invest in new equipment as well as hire additional staff to better serve passengers, airlines, and airports, including San Diego International Airport (SDIA). This bill would also help minimize the impact of another government shutdown on SDIA by ensuring that there would be no disruption in TSA operations due to a lack of appropriations.

Status: 3/11/21 – Introduced.

Position: Support (4/1/21)

*Shaded text represents new or updated legislative information

Legislation/Topic**H.R. 2719 (Blumenauer) Rebuilding America's Airport Infrastructure Act.****Background/Summary**

This bill would incrementally increase the Passenger Facility Charge (PFC) cap by \$1.00 annually starting in 2023, until it reaches a level of \$8.50 in 2026. Thereafter, the PFC cap would be adjusted annually for inflation.

Anticipated Impact/Discussion

The Passenger Facility Charge Program allows commercial airports controlled by public agencies to collect up to \$4.50 for every eligible passenger. Airports use these fees to fund FAA-approved projects, including those that enhance safety, security or capacity; reduce noise; or increase air carrier competition. This bill would increase the PFC and these fees could be used to fund FAA-approved projects, including infrastructure upgrades that improve the overall passenger experience. This bill could provide additional funding for San Diego International Airport infrastructure development projects.

Status: 4/22/21 – Introduced.

Position: Support (6/3/21)

*Shaded text represents new or updated legislative information

Legislation/Topic**H.R. 3340 (Garamendi) The TIFIA Airport Act.****Background/Summary**

H.R. 3340 would expand Transportation Infrastructure Finance and Innovation Act (TIFIA) eligibility to airports. As of the end of Fiscal Year 2019, approximately \$1.88 billion of federal financing is available. Privately owned airports or general aviation airport projects are not eligible.

Anticipated Impact/Discussion

H.R. 3340 would provide an additional low-interest federal funding option for airport projects, including the Airport Authority's Airport Development Plan (ADP) and other capital projects. These projects stimulate local economic growth that is desperately needed post-COVID-19 pandemic. The Legislative team is monitoring the status of this bill and working with industry partners and associations to support this measure and any other additional sources of airport funding and resources.

Status: 5/20/21 – Referred to the Subcommittee on Highways and Transit.

Position: Support (6/3/21)

*Shaded text represents new or updated legislative information

Legislation/Topic**H.R. 3440 (Schneider) Sustainable Skies Act****Background/Summary**

H.R. 3440 would create a new tax credit specifically aimed at incentivizing the production and use of low-carbon Sustainable Aviation Fuel (SAF). Under the proposal, SAF that achieves a 50% or greater reduction in lifecycle greenhouse gas (GHG) emissions as compared to conventional jet fuel would be eligible to receive a tax credit ranging from \$1.50/gallon up to \$2.00/gallon for fuels that achieve a 100% GHG emissions reduction. Eligible fuels would receive an additional \$0.01/gallon of tax credit for each percentage point of additional GHG reductions the fuel achieves beyond 50%. The tax credit would sunset after 10 years, and aviation fuel would no longer be eligible to receive the existing Biodiesel/Renewable Diesel Blender's Tax Credit.

Anticipated Impact/Discussion

San Diego International Airport has partnered with airports, airlines, sustainable aviation fuel producers and other stakeholders to advocate for policies that would increase the use of low-carbon Sustainable Aviation Fuel to reduce greenhouse gas emissions in the aviation sector. The Airport Authority's Legislative team is monitoring the status of this bill and is working with industry partners and associations to support this measure and any additional sources of funding to incentivize the use of SAF.

Status: 5/20/21 – Introduced.

Position: Support (11/4/21)

*Shaded text represents new or updated legislative information

Legislation/Topic**H.R. 4892 (Meng) Quiet Communities Act of 2021.****Background/Summary**

This bill would reestablish the Environmental Protection Agency's (EPA) Office of Noise Abatement and Control (ONAC) and require it to study aircraft noise. H.R. 4892 would authorize ONAC to be funded at a level of \$21 million for each of fiscal years 2022 through 2026 and would require the EPA Administrator to conduct a study of aircraft noise and the effects of that noise on surrounding communities. The EPA would be required to submit its noise study to Congress within two years with specific recommendations on new measures that can be implemented to mitigate the impact of aircraft noise on surrounding communities.

Anticipated Impact/Discussion

While this bill is not anticipated to have a direct impact on operations at San Diego International Airport (SDIA), the information collected by the study may be useful in helping the community and the Airport Authority assess any environmental and health impacts of air traffic noise and pollution.

Status: 7/30/21 – Introduced.

Position: Watch (10/7/21)

*Shaded text represents new or updated legislative information

New Senate Bills

No new Senate bills to report.

*Shaded text represents new or updated legislative information

Legislation/Topic**S. 303 (Blumenthal) Essential Transportation Employee Safety Act of 2021.****Background/Summary**

This bill would require the Secretary of Transportation to work with the Centers for Disease Control and Prevention (CDC) and the Federal Emergency Management Agency (FEMA) to support the efforts of state and local governments to provide for priority testing of transportation workers. The bill would also implement personal protective equipment and cleaning, disinfection, and sanitization requirements for owners and operators of equipment or facilities used by certain transportation employers, including airports. The bill would also codify the mask mandate Executive Order requiring face mask usage in airports, on airplanes, as well as on other forms of public transportation for the duration of the pandemic.

Anticipated Impact/Discussion

As critical infrastructure to the San Diego Region, airport employees have continuously served travelers throughout the COVID-19 pandemic. This bill would ensure basic health safety measures, such as mask wearing, would continue through the duration of the pandemic.

Status: 2/8/21 – Introduced.

Position: Watch (3/4/21)

*Shaded text represents new or updated legislative information

Legislation/Topic**S. 479 (Wicker) Lifting Our Communities through Advance Liquidity for Infrastructure (LOCAL Infrastructure) Act****Background/Summary**

States and local governments issue debt as municipal bonds, specifically to fund and support infrastructure and other capital improvement projects. Bonds are usually federally tax-exempt and when interest rates drop, states and local governments oftentimes opt to refinance bonds at a lower rate and therefore allow them to save money. Advance refunding is a mechanism that allows states and local governments to save a substantial amount of capital but was repealed in the 2017 Tax Cuts and Jobs Act.

Specifically, S. 479 amends Section 149(d) of the Tax Code to restore advance funding and make capital available for use by states and local governments. As a result of this legislation, states and local governments would be able to access advance funding and refinance municipal bonds in a way that allows for more favorable rates, similar to refinancing one's mortgage at a lower interest rate. Statistics show that advance refunding has allowed states and local governments to save billions, but the mechanism has not been available to them since January 2018.

Anticipated Impact/Discussion

S. 479 would provide the Airport Authority additional flexibility to refinance existing debt and potentially achieve significant interest savings if an advance refunding is executed due to the ability to refund with tax-exempt rather than taxable debt.

Status: 2/25/21 – Introduced.

Position: Support (4/1/21)

*Shaded text represents new or updated legislative information

Legislation/Topic

S. 1715 (Duckworth) Transportation Infrastructure Finance and Innovation Act (TIFIA) for Airports.

Background/Summary

S. 1715 would allow eligible airport-related projects to participate in the TIFIA program which provides credit assistance in the form of direct loans, loan guarantees, and standby lines of credit to projects of national or regional significance.

Anticipated Impact/Discussion

In enacted, the Airport Authority could apply for loans through the TIFIA program to pay for certain projects related to the Airport Development Plan (ADP). These loans would significantly decrease the Airport Authority's interest expenses and thus reduce the total cost of the ADP.

Status: 5/19/21 – Referred to the Committee on Environment and Public Works.

Position: Support (4/1/21)

*Shaded text represents new or updated legislative information

San Diego County Regional Airport Authority
2022 Legislative Agenda

AIRPORT FUNDING

Airport Connectivity Funding

In December 2021, SANDAG adopted its Regional Transportation Plan (RTP), which includes a Sustainable Communities Strategy that integrates how the region utilizes land, develops housing, and plans for future transportation needs. Multiple linkages are planned, including a “Grand Central” station central mobility hub that would connect Amtrak as well as other transit modes directly to the airport.

Also in December 2021, the Metropolitan Transit System (MTS) Board of Directors approved the addition of an Airport-Trolley connection project to the MTS Capital Improvement Program. MTS will now seek grant funding to further study connecting the Trolley to San Diego International Airport.

The Airport Authority has worked closely with SANDAG, MTS, other partner agencies, and with San Diego’s elected officials to support efforts to identify and advocate for funding necessary to build key infrastructure projects. Opportunities for funding from the federal infrastructure legislation may yield significant benefits for the development of transit connectivity to the airport.

Action: Continue to coordinate with SANDAG, MTS, the U.S. Department of Transportation, Airport Authority legislative consultants, and others regional partners and stakeholders to identify and advocate for funding necessary to advance the Regional Transportation Plan.

Federal Grants / Infrastructure Funding

After the passage of the \$1.9 trillion American Rescue Plan Act of 2021 (ARP) in April, Congress focused much of its attention for the year on the twin infrastructure bills stemming from President Biden's American Jobs Plan and American Families Plan. On November 15, 2021, these efforts culminated in the President signing the Infrastructure Investment and Jobs Act (IIJA), a \$1.25 trillion bipartisan package focusing on conventional infrastructure concerns.

The Build Back Better Act (BBBA) was introduced as Democrats sought to fulfill the President's goal of providing a social and environmental infrastructure network. The House passed the BBBA in November, providing \$1.75 trillion, with a focus on both hard infrastructure as it relates to livability and climate change, and social infrastructure spending, such as healthcare and equity reforms. The bill is under consideration in the Senate, where the process is complicated because of the Senate rules that limit what can be included in this type of legislation.

While both bills contain significant funding across core infrastructure concerns, the IIJA includes \$15 billion for formula funding via the Airport Improvement Program (AIP), \$5 billion for a new Airport Terminal Program (ATP) for terminals, concessions, and multimodal transportation, and an additional \$5 billion for Air Traffic Control infrastructure. The bill also included significant funding for "green" infrastructure, like electric vehicle charging stations. SDIA is slated to receive approximately \$140 million in formula funding from IIJA and is well-positioned to compete for funds to be distributed under the ATP.

Even should the BBBA be passed, and with the IIJA signed into law, the process of distributing the funding contained in the bills will entail additional work at the federal level for SDIA to receive the most value possible. As funding programs are rolled out by the administration, the Airport Authority will work with the Federal Aviation Administration (FAA) and Congress to ensure that maximum funding is available for Airport Authority projects, including the New Terminal 1 (New T1) project, while limiting any adverse impacts from regulatory requirements. With new funding streams to be disbursed throughout 2022 and beyond, the Airport Authority will be closely engaged with all stakeholders to ensure that sufficient funding is received as rapidly as possible, with maximum flexibility for Airport Authority uses.

Actions: Continue to identify and pursue available federal funding for SDIA programs and capital improvement projects, such as the New Terminal 1 project, including funds to be made available from the IIJA and associated modifications to federal infrastructure funding programs, such as eligibility under the Transportation Infrastructure Finance and Innovation Act (TIFIA) for transit linkages to airports. In addition, as funding provided in recent infrastructure legislation is disbursed, work with champions in Congress, and representatives of key agencies, to ensure maximum value is achieved and regulatory impacts are minimized.

Natural Resources Funding

Over the past few years, the Governor's Administration and the California State Legislature have made significant investments that further the state's overall climate goals. In the FY 2021-2022 budget, the Legislature approved, and the Governor signed into law, over \$15 billion in funding, to be distributed over three years, to support various natural resources issues, including wildfire and forest resilience, water and drought, climate resilience, zero-emission vehicles, sustainable agriculture, and the circular economy.

Authority staff and consultants will continue to monitor the state agency grant solicitation process and seek opportunities for the Airport Authority to receive funding for projects that support airport operations and surrounding climate resiliency efforts, including funding for per- and polyfluoroalkyl (PFAS) remediation and flood protection.

In addition, the Legislature passed, and the Governor signed, Senate Bill 1 (Atkins), which establishes the California Sea Level Rise Mitigation and Adaptation Act of 2021. This bill appropriates \$100 million for the purposes of making grants to local and regional governments to update local and regional land use plans that consider sea level rise, and to support the implementation of sea level rise mitigation efforts.

The Airport Authority has been working closely with the office of Senate President Pro Tempore Toni Atkins to ensure that the Authority is able to receive grant funding for sea level rise-related projects. Additional legislation is anticipated in 2022 in the form of a climate bond which will also include funding for sea level rise, coastal resilience, flood protection and climate resilience. Authority staff and consultants will continue to work closely with the Legislature to seek opportunities for the Airport Authority to receive funding for its climate resiliency related projects.

In addition to potential funding from SB 1, the automaker Volkswagen (VW) is required to invest \$800 million in zero-emission vehicle (ZEV) projects in California over a ten-year period due to a settlement with the state for violating the Clean Air Act. Eligible projects include installing ZEV fueling infrastructure (for both electric- and hydrogen-powered cars), funding brand-neutral consumer awareness campaigns that will help grow the ZEV vehicle market and investing in car-sharing programs that will increase access to ZEVs for all consumers in California. These projects are expected to grow the state's ZEV program and lay the foundation for achieving the state's air quality and climate change goals.

Airport Authority staff will continue to strategically identify potential SDIA projects and programs that would be eligible for Cap-and-Trade funding, natural resources program funding, and VW settlement funds.

Action: Continue to work with the Airport Authority's legislative consultants, California Airports Council, and others to identify and pursue available funding from emission reduction programs, including but not limited to the California Sea Level Rise Mitigation and Adaptation Act, Cap-and-Trade Program and the VW settlement program, to fund eligible Airport Authority programs and projects, and submit strategic comments on draft funding guidelines when necessary.

Passenger Facility Charge

Congress has not increased the current \$4.50 Passenger Facility Charge (PFC) level in 20 years. A PFC increase would provide the Airport Authority with additional resources for airport improvements including the implementation of the Airport Authority Capital Improvement Program and New Terminal 1 (New T1) project. In 2018, the previous Administration signed into law H.R. 302, which reauthorized Federal Aviation Administration (FAA) programs, taxes, and fees on for five years. Unfortunately, the legislation did not raise the current \$4.50 cap on PFCs.

With the Infrastructure Investment and Jobs Act (IIJA) providing billions of dollars in funding for airports both directly and indirectly, and significant funding for airports having been included in the COVID-19 relief packages, there is unlikely to be an appetite to pursue an increase in the PFC in the coming year.

The 118th Congress, which begins in 2023, will be the setting of the next Federal Aviation Administration (FAA) reauthorization debate, and preliminary work on the legislation will begin in 2022, providing a possible opportunity to secure an increase in the PFC. Tensions remain over this issue and it is unlikely to be addressed in a meaningful way in the short-term.

Action: With the passage of the IIJA, and the additional airport funding, seeking an increase in PFCs will be difficult, as some believe recent increases in funding addresses the airport community needs. Airport Authority Government Relations staff will continue to seek a PFC increase and work with the Authority's legislative consultants, and airport industry associations as this issue is being debated.

State Grants

Government Relations staff will continue to work with the Airport Authority's legislative consultants and others to identify and apply for any applicable state grant funding, including grants for the New Terminal 1 (New T1) and its various elements, the Airport Capital Improvement Program, security, environmental/sustainability initiatives, arts and education programs, planning and energy-related programs.

Action: Continue to identify and pursue all available state funding for the New Terminal 1, Airport Capital Improvement Program, and other eligible Airport Authority programs and projects and submit strategic comments on draft funding guidelines when necessary.

Electric Vehicle Supply Equipment (EVSE) Incentive Program Support

The California Electric Vehicle Infrastructure Project (CALeVIP), funded by the California Energy Commission, provides funding for local governments and organizations to develop and implement EVSE incentive programs that help meet regional needs for Level 2 and DC fast chargers. CALeVIP evaluates proposed EVSE incentive programs and solicits input from stakeholders to guide the development and implementation of the programs.

Action: Continue to work with the Airport Authority's legislative consultants, California Airports Council, and others to identify and pursue available funding from the California Electric Vehicle Infrastructure Project to fund eligible organizations and programs.

Aviation Fuel Tax

The State of California charges sales tax on aviation fuel sold at California airports. The state deposits revenue from that tax into its general fund and is not restricted to using that revenue for aviation-related projects and programs. In 2015, the Federal Aviation Administration (FAA) notified the state of a federal policy clarification requiring state and local governments to redirect certain general sales tax revenues derived from aviation fuel to airport capital and operating costs in accordance with federal law. State and local governments were required to implement compliance plans by December 8, 2017. In May 2019, the FAA rejected the rationale used by the California State Department of Finance and further compelled the State to comply with policy and procedures concerning the use taxes on aviation fuel (79 Federal Register 66282).

The State of California responded to the FAA in August 2019 and declared that state expenditures on airport capital and operating costs exceed the estimated state general sales tax revenues derived from aviation fuel and that the state is, therefore, in compliance with federal law. However, discussions between the state and the FAA concerning the state's compliance with federal policy continue.

In 2020, Senator Mike McGuire introduced SB 988 which would have, among other things, required an aviation fuel retailer to provide a quarterly information return and would require the California Department of Tax and Fee Administration to collect and disseminate information from those returns and calculate the amount of revenue collected from the sale, storage, use, or consumption of aviation fuel in the state. The bill would have also required the department to report corresponding tax revenue information to local tax entities. Ultimately, SB 988 was never set for a hearing and failed passage.

Senator McGuire has indicated that he will prioritize legislation for the 2022 legislative year that would begin allocating fuel tax dollars to environmental projects at airports.

Action: Continue to work with the Airport Authority's legislative consultants, California Airports Council, members of the Legislature, other airports, and local and state governments to formulate a strategy and develop any necessary legislation to ensure the State of California's compliance with FAA policy and that airports receive their fair share of fuel tax dollars.

AIRPORT OPERATIONS

COVID-19 Worker Safety and Impacts on Airport Operations

In light of safety impacts and operational constraints created by the COVID-19 global pandemic, the State legislature introduced a number of measures to enhance essential worker protections as well as new safety, notification and operational requirements for all public and private employers operating in the state. Senate Bill 1159 (Hill) which in part, codifies Governor Newsom's Executive Order (N-62-20) created a rebuttable presumption that "essential employees" who contracted COVID-19 were infected on the job, and established the scope and terms of a similar presumption for infected employees not covered by N-62-20. These are new presumptions in California Workers' Compensation System and will be active through January 1, 2023.

It is expected that the Legislature will introduce additional measures aimed at increasing health & safety standards for California workers in 2022.

On September 9, 2021, President Biden announced his administration's "Path Out of the Pandemic" action plan. This plan includes wide-reaching vaccine mandates and conversations continue around different state requirements to, as a condition of employment, show proof of COVID-19 vaccination unless lawfully exempted.

The Department of Labor's Occupational Safety and Health Administration (OSHA) is currently developing a rule that will require all employers with 100 or more employees to ensure their workforce is fully vaccinated or require any workers who remain unvaccinated to produce a negative test result on at least a weekly basis before coming to work. On November 4, 2021, OSHA issued an Emergency Temporary Standard (ETS) to implement this requirement. While these requirements apply to private employers with 100 employees or more, it is anticipated that there will be an effort led by the State legislature and/or CalOSHA to examine broader approaches that may include public employers.

Action: Work with the Airport Authority's legislative consultants, California Airports Council, and other associations and partners to engage state lawmakers and regulators on collaborative approaches that balance worker health and safety—considering the operational and compliance challenges inherently faced by the Airport Authority/SDIA.

Customs and Border Protection (CBP) Staffing

As passenger volumes continued rebounding in 2021 from pandemic lows the previous year, CBP personnel allocation at California airports remains insufficient to meet traditional volume, particularly at its rate of growth prior to the pandemic. Although Airport Authority representatives have continued to communicate to CBP staff both locally and at CBP headquarters concerning the need for additional CBP Port of San Diego (aviation/maritime) resources to accommodate additional international travel at SDIA, this issue remains unresolved.

President Biden's FY2022 budget requested \$9.1 million for the hiring of 125 border patrol processing coordinators, and associated mission support personnel. The House of Representatives budget bill report provided \$9.147 million to fulfill the President's request. The Senate's bill, however, does not provide any funding for the expansion of the CBP workforce, but the report language stresses the need for sufficient staffing at ports of entry.

The Senate report further directs CBP to ensure that officers that were hired with the funds provided in Fiscal Year 2020 be appropriately deployed to large hub international airports and seaports in non-contiguous border states, and that CBP meet the staffing needs of aviation ports of entry as determined by data provided by the airports and airlines that serve them. Additionally, the Senate report directs CBP to integrate that demand-response activity into its Workload Staffing Model.

Additional legislation to provide border patrol officers, customs agents, and support staff has been introduced. S.1358, the Bipartisan Border Solutions Act of 2021, introduced by Sens. John Cornyn (R-TX) and Kyrsten Sinema (D-AZ) in April 2021, provided for 600 new Field Operations Officers hired per-fiscal year until the agency reaches its Workforce Staffing Model goals, no fewer than 250 new Border Patrol processing coordinators, and a proportional number of support staff. That bill has remained in the Senate Judiciary Committee since its introduction.

Actions: Continue to closely coordinate with CBP officials, Congress, and other interested parties to ensure that an adequate level of CBP staffing will be provided for existing and new international service at SDIA. In addition, oppose any potential shifting of CBP revenue to pay for non-CBP programs and activities.

Unmanned Aircraft Systems

The use of unmanned aircraft systems (UAS or drones) by hobbyists and for commercial purposes continues to grow. The Federal Aviation Administration (FAA) Reauthorization bill of 2018 included several amendments to address the potential threat of drones to aviation activity including the concern of Congress about the safety risks caused by unauthorized operation of UAS in proximity to airports and the safety risks of potential collisions between UAS and manned aircraft. In recent years, incidents involving UAS threats to infrastructure and aircraft have only elevated the importance of action on the matter.

The FAA finalized initial steps toward minimizing UAS threats to safety by implementing the Remote ID final rule on April 21, 2021. The final rule-imposed requirements for Drone Remote Identification and for operations of UAS without remote ID and set the compliance date for operators to 18 months after the rule's original March 16, 2021 effective date, and for operators, 30 months after that date.

On the same day, the FAA finalized its Operations of Unmanned Aircraft Systems Over People final rule. The rule established four categories for operations over people, and operations at night, with shared characteristics. The rule also updated the Remote Pilot knowledge test to include Operation at Night standards, as well as to replace the in-person recurrent test every 24 calendar months with an online recurrent training starting on April 6, 2021. Small UAS operators were also required to have their remote pilot certificate and personal identification on their persons when operating, and ready to present to authorities upon request.

Work also continues on UAS Traffic Management (UTM) generally, which may ultimately act as an air traffic control system for drones. The rollout of both Remote ID and UTM is critical for drone operations going forward and for SDIA and airports like it to ensure that drones do not pose a significant safety risk to operations and the safety of the airspace generally.

The FAA continued to engage in the BEYOND Program to test Beyond Visual Line of Sight (BVLoS) UAS operations. The program commenced on October 26, 2020, after the FAA's UAS Integration Pilot Program (IPP) concluded and will feature eight of the nine participants in the IPP. The IPP facilitated the participation of state, local, and tribal governments, and private sector entities (operators and manufacturers), to test and evaluate the integration everyday drone operations into our national airspace system. The City of San Diego was a participant in the IPP process. The City's proposal focused on "border protection and package delivery of food, with a secondary focus on international commerce, Smart City/autonomous vehicle interoperability, and surveillance."¹ The City of San Diego did not continue forward to participate in the BEYOND Program after conclusion of the IPP.

Action: Continue to work closely with the Airport Authority's legislative consultants, California Airports Council, and others to advocate for the passage of legislation that would reduce the threat of drone impacts on airport operations and continue to monitor the Remote ID rulemaking process.

¹ https://www.faa.gov/uas/programs_partnerships/integration_pilot_program/lead_participants/

Security

The Transportation Security Administration (TSA) continues to operate under Fiscal Year 2021 appropriations through at least February 18, 2022, per the Continuing Resolution passed by Congress in December 2021. While the reauthorization of TSA programs included in 2018's FAA Reauthorization legislation lapsed in September 2021, TSA operations are not contingent on reauthorization, and draft Fiscal Year 2022 appropriations language in both the House and Senate provide funding above Fiscal Year 2021 levels. Final appropriation levels are to be determined, pending an agreement between House and Senate leadership.

In 2021, TSA's focus centered on air security and preventing the spread of the virus at security checkpoints, while also managing the return to air by the traveling public. Safeguards implemented by TSA during the pandemic to facilitate contactless screening of travelers remain in effect, including passenger self-screening of travel documents, the addition of plexiglass reinforcement to checkpoints, and provision of Personal Protective Equipment (PPE) to security officers.

A notable development for air travel security in 2021 has been the uptick in unruly passengers on commercial flights. Confrontations and altercations involving belligerent airline passengers have resulted in several injuries to flight attendants and airline crew, flight delays, and even groundings. The increasing number of such incidents has become the focus of significant media attention, as well as federal action, including multiple Congressional hearings. It is anticipated that such unruly passenger incidents will continue to be a key point of concern as political polarization and pandemic safety protocols drive aggressive behavior.

Actions: Work with Airport Authority legislative consultants, airport advocates, and others to review and guide proposed changes to current security policies and procedures and work with TSA and other SDIA security personnel to implement the required changes, while maintaining federal funding for programs such as the Law Enforcement Officer Reimbursement program. In addition, track changes to security protocols or policy associated with the COVID-19 pandemic and unruly passengers.

Washington, DC Nonstop Air Service

Airport Authority staff continue to explore administrative and legislative solutions that would provide an opportunity for air carriers to begin nonstop service to Ronald Reagan Washington National Airport (DCA). San Diego International Airport is the number one unserved nonstop DCA market, and such service would provide San Diego travelers, including the region's significant military population, with a more convenient and quicker option to travel to our nation's capital, and D.C. area residents to San Diego.

The Department of Transportation has given carriers holding slots relief from the "use requirements," and thus carriers are waiting to restart service. There remains a clear need for service to meet market demand, however, no carrier has requested the ability to deploy unused slots in alternative markets.

Action: Continue to work with Airport Authority legislative consultants to advocate for administrative and legislative changes that would provide flexibility to allow air carriers to serve SAN-DCA.

REAL ID Satellite DMV Offices

The REAL ID Act of 2005 establishes federal standards for state-issued driver licenses and non-driver identification cards. To comply with this law, the Department of Homeland Security issued regulations requiring domestic air travelers, beginning on January 22, 2018, to either possess a state driver license that is compliant with the REAL ID Act or show an alternative form of identification acceptable to the Transportation Security Administration (TSA) to board their flight. However, California petitioned for and obtained a waiver to allow its driver licenses to be used as an acceptable form of identification beyond DHS's January 22, 2018, compliance date. Because of this waiver, non-REAL ID compliant California driver licenses could be used to board a domestic flight until October 1, 2020. However, due to the COVID-19 pandemic, the deadline to obtain a REAL ID was extended to October 1, 2021, and ultimately extended once again to May 3, 2023. It is expected that this issue will continue to be addressed, though it remains to be seen whether another delay would be on the horizon.

Because many air travelers, particularly those who travel infrequently, may not be aware of the federal requirements to obtain an enhanced REAL ID license by May 3, 2023, to travel by air, airports have a direct interest in ensuring that travelers have a REAL ID driver license.

To assist the State of California Department of Motor Vehicles (DMV) in the issuance of REAL ID licenses, airports could coordinate with the DMV to locate satellite DMV offices at airports to provide a convenient location for travelers to apply for REAL ID licenses.

Action: Support efforts by the California Airports Council to work with the California DMV to potentially establish satellite offices at airports to assist travelers in obtaining REAL ID driver's licenses by the May 3, 2023, compliance deadline.

AIRPORT SUSTAINABILITY

Sustainability & Energy Use Reduction

The Airport Authority continues to explore actions that can be taken to build on its efforts to become more sustainable and energy independent. Airport Authority staff continue to monitor and investigate funding opportunities for sustainable initiatives at San Diego International Airport (SDIA). Specific areas of investment are expected to include additional zero-emission ground support equipment and other airport vehicles and electric charging infrastructure.

In addition, Authority staff will continue to identify requirements and charges that could impede our ability to utilize non-traditional and "green" energy supplies to power SDIA facilities and equipment as well as actions that could be taken to alter current public utility rules, regulations, and statutes.

Actions: Identify opportunities to obtain funding for airport projects that will reduce SDIA's reliance on traditional utilities and allow for the implementation of sustainable resources. In addition, identify any regulatory and statutory impediments to potential projects and activities that would increase energy independence at SDIA and coordinate with other interested parties to remove any identified impediments.

Sustainable Aviation Fuel

In line with the Authority's ongoing goal of environmental sustainability and reduction of greenhouse gas (GHG) emissions, the conversation around accessibility and increased utilization of Sustainable Aviation Fuel (SAF) has continued to grow. SAF is made from environmentally friendly feedstocks like woody biomass (forest debris), municipal waste garbage, as well as used oils, fats, and greases. At present, SAFs can be safely blended with traditional jet fuel, handled with conventional jet fuel infrastructure, and used for commercial travel.

Today, the state uses 3.5 billion gallons of conventional jet fuel annually. If properly incentivized by the state, California can reduce its GHG emissions by an estimated 50-80 percent on a lifecycle basis, totaling 10 million metric tons—simply by switching to five percent SAF by 2025. Airport Authority staff participate on a Sustainable Aviation Fuel workgroup, comprised of airports, airlines, SAF producers, and the California Airports Council, that continues to work with the state to find ways to incentivize the production and utilization of SAFs.

In 2021, the SAF working group explored various policy and funding approaches to incentivize production and use of SAF. This working group has continued its work throughout the year, and it is anticipated that a new SAF legislative proposal will be introduced in 2022. Airport Authority Government Relations staff and legislative consultants have actively engaged with members of the working group on potential legislative incentives to encourage the production and use of SAF.

Action: Work with the Sustainable Aviation Fuel working group and the California Airports Council to support a consensus legislative or budget vehicle to incentivize the production, distribution, and integration of SAF.

AIRPORT GROUND TRANSPORTATION

Personal Vehicle Sharing Programs

State legislation was introduced during the 2018 legislative session to regulate new vehicle rental business models that involve individuals listing their personal vehicles for rent on a website through a personal ride sharing company. In 2018, Governor Jerry Brown signed Assembly Bill 2873 (Low) into law, prohibiting a personal vehicle sharing program from facilitating or arranging a vehicle for transportation if the vehicle is subject to a manufacturer's safety recall. Additional legislation seeking to regulate personal vehicle sharing have not been successful.

In addition to legislative action, several lawsuits and countersuits were filed by the City of Los Angeles and the City of San Francisco, and Turo, a ride-sharing company, further escalating tensions on the issue. It is anticipated that this will be an ongoing issue involving policymakers at the state and local level.

Action: Work with the California Airports Council, the Authority's legislative consultants, and others to monitor litigation, personal vehicle sharing program legislation and regulations, their anticipated impact on SDIA, and state efforts to regulate personal vehicle sharing companies at airports.

Autonomous Vehicles

In 2019 and 2021, Senator Ben Allen introduced Senate Bill 59 (2019) and Senate Bill 66 (2021) which sought to direct the chair of the California Transportation Commission to establish an advisory committee—the California Council on the Future of Transportation—to provide the Governor and Legislature with recommendations for changes in state policy to ensure California’s leadership in autonomous, driverless, and connected vehicle technology. However, these bills stalled in the Appropriations Committee.

At this point, it is uncertain if there will be Legislation introduced in 2022 related to autonomous vehicles but the Governor’s Administration may be working to address similar issues administratively.

Actions: Work with the California Airports Council, the Airport Authority’s legislative consultants, and others to monitor autonomous vehicle legislation and regulations and their anticipated impact on SDIA. In addition, work to ensure that airports retain authority to regulate access to and operations of all ground transportation modes at their respective airports.

FEDERAL AND STATE REGULATIONS AND MANDATES

Per- and Polyfluoroalkyl Substances (PFAS)

Federal Actions

After the Fiscal Year 2021 National Defense Authorization Act (NDAA) provided for measures to combat Per- and Polyfluoroalkyl Substances PFAS contamination, several pieces of legislation were introduced to address the issue at the federal level.

These bills include PFAS Action Act (H.R. 2467), the Protecting Firefighters from Adverse Substances Act (S. 231), and elements of both the Infrastructure Investment and Jobs Act (IIJA) and Build Back Better Act (BBBA), as well as the Fiscal Year 2022 National Defense Authorization Act (S.1605, also known as the NDAA).

H.R. 2467 is an omnibus bill that would require remediation of the release of PFAS into the environment. The bill does make an exemption for public agencies or private owners of public airports that receive federal funding from liability of remediation for certain PFAS releases, such as those resulting from the use of PFAS-containing firefighting foam. The bill, as it did in the previous Congress, passed out of the House in May 2021. It has not been considered in the Senate.

S. 231 would require the Department of Homeland Security (DHS) to develop a training and education curriculum to manage and reduce exposure to PFAS from firefighting foam and personal protective equipment by raising awareness among firefighters of best practices for working with PFAS, alternatives to PFAS use, and creating an online repository of product alternatives that do not contain PFAS. The bill was introduced in the Senate in February 2021 and passed by the chamber in July 2021. It has not yet been considered in the House.

Both the IIJA and BBBA include measures for PFAS remediation, but almost entirely in the context of drinking water.

Like the FY21 NDAA, the FY22 NDAA, which was signed into law by the President in December 2021, includes several items impacting PFAS research, remediation, and mitigation. The bill authorizes over \$500M for PFAS cleanup across the Department of Defense, including for Formerly Used Defense Sites. It also prevents the Department of Defense from incinerating PFAS-containing items until the Environmental Protection Agency (EPA) publishes a final rule on the destruction of PFAS substances, or until the Department issues its own such guidance. The Government Accountability Office (GAO) is also tasked with auditing the Defense Department's procurement of certain PFAS-containing items. The bill also extends the authority for the Centers for Disease Control and Prevention (CDC) for funding the study and assessment of the health implications of PFAS contamination in drinking water.

In terms of executive action, perhaps the most pertinent to San Diego International Airport is the October 18, 2021, announcement by the Biden Administration that eight agencies would be undertaking a government-wide effort to address PFAS contamination throughout the nation. The effort is spearheaded by the EPA, which released a strategic roadmap² of its initiatives through 2024. Among the various actions to be undertaken across the breadth of the federal government are plans to invest in research and development on PFAS impacts and interventions, enforcement actions to hold polluters accountable, and concerted efforts to accelerate the cleanup of PFAS contamination across human populations and ecosystems. As part of the government-wide effort, the FAA is pursuing the research and development of PFAS-free firefighting equipment and partnering with the Department of Defense on PFAS-free firefighting foam alternatives

State Actions

As part of the Federal Aviation Administration (FAA) Reauthorization Act of 2018 the FAA was provided three years to identify an alternative fire suppression foam without per-and polyfluoroalkyl substances (PFAS). In October 2021, the FAA released a “CertAlert” stating that fluorinated chemicals are no longer required. Although this flexibility has been provided with avenues for airports to propose alternative agents for FAA approval, airports still must meet existing performance standards for firefighting foam. It should also be noted the FAA has yet to find a product not containing fluorinated chemicals that can pass their testing.

In 2020, the Legislature passed, and the Governor signed, SB1044 (Allen) that banned Class B firefighting foams used in California with an exemption for entities that are under a federal requirement. The FAA’s announcement now places airports in a gray area once again consider the FAA has shifted the burden to airports to propose an alternative that meets federal requirements.

In 2019 the State Water Resources Control Board ordered all airports to begin testing for per-and polyfluoroalkyl substances (PFAS)—a chemical found in firefighting foam products approved and mandated for use by the FAA. Costs associated with testing are in excess of \$200,000.

Actions: Continue to advocate: (a) to require the federal government to take responsibility for PFAS-related remediation and disposal and to provide indemnity to airports for use of PFAS; (b) for funding for takeback of PFAS products and airport equipment and to replace Airport Fire Fighting Foam; (c) to direct and fund research for attribution of PFAS contamination; and (d) to ensure airports should not be financially liable for PFAS contamination.

In addition, continue to work with the California Airports Council on state funding to assist SDIA with testing associated with PFAS detection and explore options that will provide harmony with state and federal operational guidelines.

² <https://www.epa.gov/pfas/pfas-strategic-roadmap-epas-commitments-action-2021-2024>

Implementing a Regulatory Framework for Hop-On Jet Service

The rise of on-demand jet services, such as JetSuiteX, poses a new set of questions for the Airport Authority. The model, which allows for private aircraft to be accessible for short-range passengers at commercial prices, has significant implications for the day-to-day operations of SDIA, and airports around the nation. To better adapt to the emerging hop-on service market, the Airport Authority will seek to ascertain clarity from the Federal Aviation Administration (FAA) as to whether hop-on air service is considered under Federal Aviation Regulations Part 135 to be an “on-demand” service, or whether “on-demand service” has a different meaning in this market.

Action: Work with the FAA, the Airport Authority’s legislative consultants, and the San Diego Congressional delegation to clarify the regulatory framework surrounding hop-on air service.

Remote Public Meetings and Ralph M. Brown Act

The COVID-19 public health crisis forced local agencies to become more flexible in conducting public meeting processes. Over the course of the pandemic, Governor Newsom signed two executive orders waiving certain in-person provisions of the Ralph M. Brown Act. Those provisions related to the Brown Act expired on September 30, 2021.

However, the Governor signed Assembly Bill 361 (Rivas), which became effective on September 30, 2021, and which permits the continued utilization of remote participation without the posting of a local official’s physical location so long as there is a state-issued State of Emergency. As a result, local agencies across the state have utilized virtual/remote public meetings to protect the public, agency staff as well as elected and appointed officials. AB 361 is in effect until January 1, 2025; however, there are ongoing conversations about the possibility of allowing some of the changes made in AB 361 to be made permanent.

Action: Work with the Airport Authority’s legislative consultants, California Airports Council, Legislature, and other local government partners to ensure there is certainty for public meeting processes and to explore codifying changes to allow for some flexibility in conducting meetings in a way that continues to increase the public’s access, maintains transparency, and upholds the public’s trust.

State Mandates/Governmental Operations

Authority staff continues to work with its legislative consultants and the California Airports Council to identify proposals that could impose unfunded state mandates and/or measures that would preempt the operational control of the Airport Authority or SDIA, thereby increasing Airport Authority expenses.

Action: Work with the California Airports Council, and other local government partners to monitor measures that would apply unfunded state mandates and limit operational autonomy—analyzing their potential impact and cost to the Authority/SDIA.

California Air Resources Board Regulations

California Air Resources Board (CARB) staff has met several times with California Airports Council staff and member airports to discuss CARB's proposed implementation of new zero-emission bus and ground equipment regulations. CARB staff has been informed that these proposed regulations, if implemented, would eliminate access by California airports to federal funding provided under the Voluntary Airport Low Emission (VALE) and Airport Zero Emissions Vehicle and Infrastructure Pilot Program (ZEV) grant programs. CARB staff is now considering the possibility of implementing zero-emission requirements that would allow airports to procure zero emission vehicles via a voluntary method while achieving emission reduction goals set by CARB to comply with the State Implementation Plan.

Action: Continue to coordinate with the California Airports Council and others to dialogue with California Air Resources Board representatives to preserve access by California airports to the Voluntary Airport Low Emission (VALE) and Airport Zero Emissions Vehicle and Infrastructure Pilot Program (ZEV) grant programs.

Staff Report

Meeting Date: January 6, 2022

Subject:

Approve and Authorize the President/CEO to Negotiate and Execute an Amendment to the Turner-Flatiron, a Joint Venture Contract for New T1 Terminal and Roadways

Recommendation:

Adopt Resolution No. 2022-0010, approving and authorizing the President/CEO to negotiate and execute an amendment to the Contract with Turner-Flatiron, a Joint Venture for New T1 Terminal and Roadways to add a Performance Based Incentive Program.

Background/Justification:

In September 2020, San Diego County Regional Airport Authority ("Authority") Board ("Board") authorized the selection of Turner-Flatiron, a Joint Venture ("JV") as the design build contractor for the New T1 Terminal and Roadways ("Terminal and Roadways") and authorized the JV to perform Validation Phase services. In October 2021, the Board authorized the negotiation and execution of a Validation Amendment to the Contract with the JV. This Staff Report requests Board authorization for the addition of a Performance Based Incentive Program to the Contract with the JV.

The Board has taken the following actions related to the Contract with the JV:

1. On September 3, 2020, the Board adopted Resolution No. 2020-0090, approving and authorizing the President/CEO to negotiate and execute a contract and a Validation Phase Services Agreement with the JV for validation phase services, design concept and documentation, early procurement work, and early construction related to the Terminal and Roadways project in an amount not to exceed \$80,000,000.
2. On July 1, 2021, the Board adopted Resolution No. 2021-0081, approving and authorizing the President/CEO to negotiate and execute an Amendment to the Contract with the JV, extending the Validation Phase Services Agreement by 107 days from 300 days to 407 days and increasing the Contract price by \$78,000,000 from \$80,000,000 to \$158,000,000 for validation phase services, extended design, early procurement, early construction, and select abatement and demolition activities.

3. On October 7, 2021, the Board adopted Resolution No. 2021-0115, approving and authorizing the President/CEO to negotiate and execute: (1) a Validation Amendment establishing a Maximum Contract Price not to exceed \$2,610,417,181 and a Master Project Schedule to the Contract with the JV for the design and construction of the Terminal and Roadways; (2) a Guaranteed Maximum Price Amendment within the Maximum Contract Price after the issuance of the Validation Amendment; and (3) future change orders using uncommitted program contingency funds within the New T1 Program Budget.

Performance Based Incentive Program

The Terminal and Roadways Contract includes a provision that incentivizes price reduction by increasing the JV's fixed fee if the Guaranteed Maximum Price ("GMP") is lower than the Maximum Contract Price ("MCP"), as memorialized in the Validation Amendment. The fixed fee adjustment is calculated by first subtracting specific "excluded costs" such as design fees, JV staff costs, and the JV fixed fee from both the MCP and GMP, yielding a Cost for Comparison ("CC"), for the MCP and GMP respectively. The numerical difference between the MCP CC and the GMP CC (referenced in the Contract as the "CC Variance") is then multiplied by the Fee Adjustment percentage of 2% to establish the Fixed Fee Adjustment that is added to the Fixed Fee at the time of the GMP. The Fixed Fee Adjustment is only calculated against the first 10% reduction against the MCP. The remainder of any price reduction reverts to the Authority.

The Terminal and Roadways Contract also stipulates that the Airport Authority may introduce other incentive provisions. Accordingly, staff is proposing that the Board authorize the President/CEO to negotiate a Performance-Based Incentive Program ("PBIP") that would incentivize performance by making it possible for the JV to earn an increase to the fixed fee adjustment percentage from 2% up to a cap of 3% (a maximum increase of 1%), through the satisfaction of specific, measurable performance criteria.

The purpose of the PBIP is to support the Airport's values and expectations by incentivizing behaviors and outcomes that are key to project success but that are difficult to achieve simply through enforcement of the contract. These desirable behaviors include collaboration, teamwork, proactive and effective communication, and work processes that are efficient, timely, reliable and that engender trust.

Implementation of the PBIP begins with the establishment of a set of measurable performance criteria that are agreed to by both the Authority and the JV. Performance criteria must be objectively quantifiable outcomes that provide value to the Authority; are not easily incentivized through other contract mechanisms; and are fair, reasonable, and relevant measurements of JV performance, as affirmed by both the JV and the Authority.

Performance outcomes will be reviewed on a regular basis by members of the Authority and JV project teams and scored. The scores will be reconciled and tracked until the GMP. When the GMP is accepted by the Authority, the average PBIP score will be used to calculate an increase, if any, to the fixed fee adjustment percentage. As noted above, the maximum possible increase to the fixed fee is 1% of any price reduction that has been achieved with a GMP that is less than the MCP, as measured by the computation of the CC Variance.

The Authority has successfully implemented PBIPs previously on both the Terminal 2 Parking Plaza and the Airport Support Facilities projects.

Requested Authorization

Staff requests that the Board approve and authorize the President/CEO to negotiate and execute an amendment to the contract with the JV for the Terminal and Roadways project to add a Performance Based Incentive Program.

Fiscal Impact:

The amendment requested in this Board Action does not increase the Maximum Contract Price. Adequate funds for the Terminal and Roadways components of the New T1 Program are included within the Board approved and amended FY2022-FY2026 Capital Program Budget within the New T1 line item. Sources of funding for the for the Terminal and Roadways components of the New T1 Program are Airport Revenue Bonds, Airport Cash, the Authority's short-term credit facility, and potentially AIP Grants.

Authority Strategies/Focus Areas:

This item supports one or more of the following:

Strategies

☒ Community Strategy ☒ Customer Strategy ☐ Employee Strategy ☒ Financial Strategy ☒ Operations Strategy

Focus Areas

☒ Advance the Airport Development Plan ☒ Transform the Customer Journey ☐ Optimize Ongoing Business

Environmental Review:

- A. CEQA: This Board action is for a project that received certification and approval for the Airport Development Plan Environmental Impact Report (SCH NO. 2017011053 – SDCRAA # EIR-18-01) on January 9, 2020;
- B. California Coastal Act Review: This Board action is for a project that the California Coastal Commission issued Coastal Development Permits (CDP-6-20-0154), (CDP 6-20-0447), and (CDP 6-20-0611), on September 30, 2021.
- C. NEPA: This Board action is for a project that received approval and was issued a Finding of No Significant Impact (FONSI) and Record of Decision (ROD) by the Federal Aviation Administration (FAA) on October 22, 2021.

Application of Inclusionary Policies:

The Authority has the following inclusionary programs/policies/approach: a Disadvantaged Business Enterprise (DBE) Program, an Airport Concession Disadvantaged Business Enterprise (ACDBE) Program, Policy 5.12 and the Inclusionary Approach. These programs/policy/approach are intended to promote the inclusion of small, local, service disabled veteran owned, historically underrepresented businesses and other business enterprises, on all contracts.

The Terminal and Roadways Contract is funded both by federal and non-federal dollars (mixed funded) therefore the DBE Program and Inclusionary Approach applies. DBE participation on the federally funded work will be counted towards the Authority's overall DBE goal. No preferences were applied to the award of the Contract, however Turner-Flatiron submitted an Inclusionary Outreach Plan which delineates their commitment to working with the Authority to maximize participation by small, local, veteran owned small businesses and disadvantaged business enterprises.

Prepared by:

Dennis Probst

Development: Vice President & Chief Development Officer

RESOLUTION NO. 2022-0010

A RESOLUTION OF THE BOARD OF THE SAN DIEGO COUNTY REGIONAL AIRPORT AUTHORITY, APPROVING AND AUTHORIZING THE PRESIDENT/CEO TO NEGOTIATE AND EXECUTE AN AMENDMENT TO THE CONTRACT WITH TURNER-FLATIRON, A JOINT VENTURE, FOR NEW T1 TERMINAL AND ROADWAYS TO ADD A PERFORMANCE BASED INCENTIVE PROGRAM

WHEREAS, in September 2020, San Diego County Regional Airport Authority ("Authority") Board ("Board") authorized the selection of Turner-Flatiron, a Joint Venture ("JV") as the design build contractor for the New T1 Terminal and Roadways ("Terminal and Roadways") and authorized the JV to perform Validation Phase services; and

WHEREAS, in October 2021, the Board authorized the negotiation and execution of a Validation Amendment to the Contract with the JV; and

WHEREAS, this request is for Board authorization for the addition of a Performance Based Incentive Program to the Contract with the JV); and

WHEREAS, on September 3, 2020, the Board adopted Resolution No. 2020-0090, approving and authorizing the President/CEO to negotiate and execute a contract and a Validation Phase Services Agreement with the JV for validation phase services, design concept and documentation, early procurement work, and early construction related to the Terminal and Roadways project in an amount not to exceed \$80,000,000; and

WHEREAS, on July 1, 2021, the Board adopted Resolution No. 2021-0081, approving and authorizing the President/CEO to negotiate and execute an Amendment to the Contract with the JV, extending the Validation Phase Services Agreement by 107 days from 300 days to 407 days and increasing the contract price by \$78,000,000 from \$80,000,000 to \$158,000,000 for validation phase services, extended design, early procurement, early construction, and select abatement and demolition activities; and

WHEREAS, on October 7, 2021, the Board adopted Resolution No. 2021-0115, approving and authorizing the President/CEO to negotiate and execute: (1) a Validation Amendment establishing a Maximum Contract Price not to exceed \$2,610,417,181 and a Master Project Schedule to the Contract with the JV for the design and construction of the Terminal and Roadways; (2) a Guaranteed Maximum Price Amendment within the Maximum Contract Price after the issuance of the Validation Amendment; and (3) future change orders using uncommitted program contingency funds within the New T1 Program Budget; and

WHEREAS, the Terminal and Roadways Contract includes a provision that incentivizes price reduction by increasing the JV's fixed fee if the Guaranteed Maximum Price ("GMP") is lower than the Maximum Contract Price ("MCP"), as memorialized in the Validation Amendment; and

WHEREAS, the fixed fee adjustment is calculated by first subtracting specific "excluded costs" such as design fees, JV staff costs, and the JV fixed fee from both the MCP and GMP, yielding a Cost for Comparison ("CC"), for the MCP and GMP respectively; and

WHEREAS, the numerical difference between the MCP CC and the GMP CC (referenced in the Contract as the "CC Variance") is then multiplied by the Fee Adjustment percentage of 2% to establish the Fixed Fee Adjustment that is added to the Fixed Fee at the time of the GMP, the remainder of any price reduction reverts to the Authority; and

WHEREAS, staff is also proposing that the Board authorize the President/CEO to negotiate a Performance-Based Incentive Program ("PBIP") that would incentivize performance by making it possible for the JV to earn an increase to the fixed fee adjustment percentage from 2% up to a cap of 3% (a maximum increase of 1%), through the satisfaction of specific, measurable performance criteria; and

WHEREAS, the purpose of the PBIP is to support the Airport's values and expectations by incentivizing behaviors and outcomes that are key to project success but that are difficult to achieve simply through enforcement of the contract; and

WHEREAS, performance criteria must be objectively quantifiable outcomes that provide value to the Authority; are not easily incentivized through other contract mechanisms; and are fair, reasonable, and relevant measurements of JV performance, as affirmed by both the JV and the Authority; and

WHEREAS, performance outcomes will be reviewed on a regular basis by members of the Authority and JV project teams, the scores will be reconciled and tracked until the GMP; and

WHEREAS, when the GMP is accepted by the Authority, the average PBIP score will be used to calculate an increase, if any, to the fixed fee adjustment percentage; and

WHEREAS, the maximum possible increase to the fixed fee is 1% of any price reduction that has been achieved with a GMP that is less than the MCP, as measured by the computation of the CC Variance; and

WHEREAS, Staff requests that the Board approve and authorize the President/CEO to negotiate and execute an amendment to the contract with the JV for the Terminal and Roadways project to add a Performance Based Incentive Program.

NOW, THEREFORE, BE IT RESOLVED that the Board hereby approves and authorizes the President/CEO to negotiate and execute an amendment to the contract with Turner-Flatiron, a Joint Venture for New T1 Terminal and Roadways project to add a Performance Based Incentive Program; and

BE IT FURTHER RESOLVED that the Board finds that this action is for a project that received certification and approval for the Airport Development Plan Environmental Impact Report (SCH NO. 2017011053 – SDCRAA # EIR-18-01) on January 9, 2020; and

BE IT FURTHER RESOLVED that the Board finds that this action is for a project that the California Coastal Commission issued Coastal Development Permits (CDP-6-20-0154), (CDP 6-20-0447), and (CDP 6-20-0611), on September 30, 2021; and

BE IT FURTHER RESOLVED that the Board finds that this action is for a project that received approval and was issued a Finding of No Significant Impact (FONSI) and Record of Decision (ROD) by the Federal Aviation Administration (FAA) on October 22, 2021.

PASSED, ADOPTED, AND APPROVED by the Board of the San Diego County Regional Airport Authority at a regular Board meeting this 6th day of January, 2022, by the following vote:

AYES: Board Members:

NOES: Board Members:

ABSENT: Board Members:

ATTEST:

TONY R. RUSSELL
DIRECTOR, BOARD SERVICES /
AUTHORITY CLERK

APPROVED AS TO FORM:

AMY GONZALEZ
GENERAL COUNSEL



New T1 Terminal and Roadways Performance Based Incentive Program

Airport Authority Board Meeting

January 6, 2022

Presented by: **Dennis Probst**
Vice President, Development

Purpose

The purpose of the Performance Based Incentive Program (“PBIP”) is to support the Airport’s values and expectations by incentivizing behaviors and outcomes that are key to project success but that are difficult to achieve simply through enforcement of the contract. These desirable behaviors include collaboration, teamwork, proactive and effective communication, and work processes that are efficient, timely, reliable, and that engender trust.

Recommendation for Board Approval

Adopt Resolution No. 2022-____, approving and authorizing the President/CEO to negotiate and execute an amendment to the Contract with Turner-Flatiron, a Joint Venture for New T1 Terminal and Roadways to add a performance Based Incentive Program.

Questions?



Board Communication

Date: January 06, 2022
To: Board Members
From: Tony R. Russell, Director, Board Services/ Authority Clerk
Subject: 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

Authority Policy 3.30 (3)(b) and (4) require that travel and business expense reimbursements of Board Members, the President/CEO, the Chief Auditor and the General Counsel be approved or pre-approved by the Executive Committee and presented to the Board for its information at its next regularly scheduled meeting.

On August 23, 2021, the Executive Committee pre-approved set dollar amounts for routine, in-town business expenses to be used during Fiscal Year 2021 for the President/CEO, General Counsel and Chief Auditor as authorized in Policy 3.30(3)(b)(i)(C).

The attached reports are being presented to comply with the requirements of Policy 3.30.

**TRAVEL
EXPENSE
REIMBURSEMENT
REPORT**

Kim Becker

SAN DIEGO COUNTY REGIONAL AIRPORT AUTHORITY

TRAVEL EXPENSE REIMBURSEMENT REPORT - Board Members, President/CEO, General Counsel, Chief Auditor

(To be completed within 30 days from travel return date for domestic travel; 45 days for international travel)

Refer to Authority Policy 3.30 - Business and Travel Expense Reimbursement Policy, outlining appropriate reimbursable expenses. Attach all required supporting documentation. All receipts must be detailed (credit card receipts do not provide sufficient detail). Any special items should be explained in the space provided below.

Businss and Travel Reimbursement Guidelines

Date:

Name:	Kimberly J. Becker	Dept:	6 - Executive
Departure Date:	11/29/2021	Return Date:	11/30/2021
Destination:	Seattle, WA	Report Due:	12/30/21
Business Purpose:	Alaska Airlines Air Service Headquarters Visit		

<u>Expense items not included in Per Diem</u>		Employee Paid Expenses							TOTAL
Authority Prepaid Expenses		11/29/21	11/30/21	12/1/21	12/2/21	12/3/21	12/4/21	12/5/21	
		Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday	
Air Fare, Railroad, Bus	200.00								-
Conference Fees									-
Rental Car									-
Gas									-
Parking & Tolls									-
Mileage - Attach mileage form									-
Taxi / TNC / Shuttle Fare	32.29								32.29
Lodging	166.25								166.25
Telephone, Internet and Fax									-
Laundry									-
Miscellaneous:									-
									-
	\$ 200.00								\$ 198.54

Expense items included in Per Diem:

Meals & Incidental Expenses (M&IE)

Meals will be reimbursed at established Per Diem rates. Receipts shall not be required except for authorized meals above per diem rate (approved by CEO or Vice President below). If a meal is provided by a conference or meeting, do not include the meal for reimbursement below. On first travel day, only include lunch and dinner if flight departs after 9:00 a.m. On last travel day, only include breakfast and lunch if flight returns before 6:00 p.m.

<u>GSA Per Diem for Domestic</u>		<u>US Dept of State Per Diem for International</u>						
	<u>Enter Daily Per Diem Rate</u>	<u>11/29/21</u>	<u>11/30/21</u>	<u>12/1/21</u>	<u>12/2/21</u>	<u>12/3/21</u>	<u>12/4/21</u>	<u>12/5/21</u>
		<u>Monday</u>	<u>Tuesday</u>	<u>Wednesday</u>	<u>Thursday</u>	<u>Friday</u>	<u>Saturday</u>	<u>Sunday</u>
Breakfast	\$18.00	18.00	18.00					36.00
Lunch	\$19.00	19.00	19.00					38.00
Dinner	\$34.00		34.00					34.00
Incidentals	\$5.00	5.00	5.00					10.00
Total M&IE	\$76.00	42.00	76.00					118.00
Approved Meal Exception Above Per Diem Rate ¹								-
Total Meal and Incidentals Expenses		\$ 42.00	\$ 76.00	\$ -	\$ -	\$ -	\$ -	\$ 118.00

Explanation: Substantiation for exception should be attached

Trip Grand Total

Less Cash Advance (Attach copy of Authority check)

Less Expenses Prepaid by Authority

Due Traveler - if positive amount, prepare check request

Due Authority - if negative, attach check payable to SDCRAA

Note: Send this report to Accounting even if the amount is \$0.

By signing below, TRAVELER: (a) acknowledges understanding and agreeing to be bound by Authority Policy 3.30 - Business and Travel Expense Reimbursement Policy; (b) certifies that this report is true and correct and all claimed expenses were incurred in connection with official Authority business; and (c) understands that any purchases/claims that are not allowed will be traveler's responsibility. By signing below, ADMINISTRATOR certifies, based on reasonable inquiry, that expenses approved in this report were reasonable, necessary, directly related to the Authority's business, and that they are reimbursable under Authority Policy 3.30.

Prepared By:

Diane Casey

Ext.: 2445

Traveler's Signature:

Date: 12/3/2

AUTHORITY CLERK CERTIFICATION ON BEHALF OF EXECUTIVE COMMITTEE (To be completed by Clerk)

I, _____ hereby certify that this document was approved by the Executive Committee at it's meeting on _____

Clerk Signature: _____ Date: _____



Traveltrust
374 North Coast Highway 101
Encinitas, CA 92024
760-635-1700

Created 11/8/2021 8:59 AM PST

Kim Becker
Seattle
11/29-11/30/21

For a single calendar entry click [here](#)
Travel Itinerary

Passenger Names

BECKER/KIMBERLY JANE - 02

Traveltrust Business Hours are Monday 5am - Friday 5pm Pacific

Agency Reference Number: ADISVY

Please review your itinerary and report any discrepancies to Traveltrust within 24hrs of receipt

Travel requirements are being updated constantly, please be sure to check with your airline or CDC.gov for the latest in travel requirements and restrictions.

Alaska Airlines - Flight Number 2498		Confirmation: SSQSEC
Departure: Mon, 11/29/2021 7:45 AM Departure City: Eugene, OR (EUG) Departing Terminal: Status: Confirmed	Arrival: Mon, 11/29/2021 9:10 AM Arrival City: Seattle, WA (SEA) Arrival Terminal: Class of Service: M - ECONOMY	Equipment: DH4 Travel Time: 1 hour(s) 25 minute(s) Add flight to Calendar Baggage Info Operating Carrier Baggage Info Weather CHECK IN NOW
Operated By HORIZON AIR AS ALASKAHORIZON Seat Assignments: BECKER/KIMBERLY JANE - 09B FREQUENT FLYER NUMBER [REDACTED] FREQUENT FLYER NUMBER [REDACTED]		

Alaska Airlines - Flight Number 0901		Confirmation: SSQSEC
Departure: Tue, 11/30/2021 10:20 AM Departure City: Seattle, WA (SEA) Departing Terminal: Status: Confirmed	Arrival: Tue, 11/30/2021 12:55 PM Arrival City: Burbank, CA (BUR) Arrival Terminal: Class of Service: K - ECONOMY	Equipment: 73J Meal: Snack Travel Time: 2 hour(s) 35 minute(s) Add flight to Calendar Baggage Info Weather CHECK IN NOW
Seat Assignments: BECKER/KIMBERLY JANE - 09C FREQUENT FLYER NUMBER [REDACTED]		

Invoice Detail		
Name: BECKER/KIMBERLY JANE Alaska Airlines Ticket: 0277662916878 Invoice Number: 5595162 Service Fee: 8900803227301	Issue Date: 08/27/2021	Amount: \$198.40
Name: BECKER/KIMBERLY JANE Alaska Airlines Ticket: 0277675769077 Invoice Number: 5601187 Service Fee: 8900805091371	Issue Date: 08/27/2022 Issue Date: 11/8/2021 Issue Date: 11/8/2021	Amount: \$30.00 See Exchange Detail Amount: \$200.00 Amount: \$25.00 Total Fare: USD \$453.40
Your total has been charged to American Express ending in 1013 All charges will be billed and appear separately on your statement		

Exchange Detail		
New Ticket Number: 0277675769077 Original Ticket Number: 0277662916882	Issue Date: 11/8/2021	New Airfare: \$348.40 Original Airfare: -\$148.40 Airline Change Fee: \$0.00 Amount Charged: \$200.00

General Remarks
THIS TICKET IS NON-REFUNDABLE AND MUST BE USED FOR THE FLIGHTS BOOKED. IF THE RESERVATION IS NOT USED OR CANCELLED, BEFORE THE DEPARTURE OF YOUR FLIGHTS IT MAY HAVE NO VALUE. CONTACT TRAVELTRUST BEFORE YOUR OUTBOUND FLIGHT TO CHANGE IF NECESSARY. PER MANDATORY IATA RESOLUTION 830D YOUR CONTACT DETAILS HAVE BEEN GIVEN TO THE AIRLINES FOR FLIGHT MODIFICATIONS ONLY

Kim Becker
Seattle
11/29 - 11/30/21

Guest Information

Dates of Stay 11/29/2021 -
11/30/2021

Guest number 35201

Member Number603

Group Number

Important information

Marriott retains official records of all charges and credits to your account and will honor only these records.

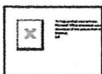
Your privacy is important to us. For full details, please view our [Privacy Statement](#).

After a stay, it may take up to seven days for Marriott Bonvoy points to be credited to your account.

Casey Diane

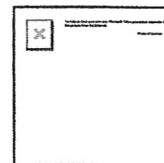
Kim Becker
Seattle
11/29 - 11/30/21

From: no-reply@lyftmail.com on behalf of Lyft Receipts <no-reply@lyftmail.com>
Sent: Monday, November 29, 2021 6:21 AM
To: Becker Kimberly
Subject: Your ride with German on November 29



NOVEMBER 29, 2021 AT 5:20 AM

Thanks for riding with German!



100% of tips go to drivers. [Add a tip](#)

Lyft fare (8.31mi, 16m 41s)	\$26.91
Tip	\$5.38



PayPal account

\$32.29



☐ **Pickup** 5:20 AM
655 Ayers Rd, Eugene, OR

☐ **Drop-off** 5:36 AM
28860 Douglas Dr, Lane, OR

Trip Purpose: Eug to sea AS visit

Expense Code: TO AIRPORT

Kim Becker
Seattle
11/29 - 11/30/21



U.S. General Services Administration

FY 2021 Per Diem Rates for Seattle, Washington

Meals & Incidentals (M&IE) Breakdown

Primary Destination	County	M&IE Total	Continental Breakfast/Breakfast	Lunch	Dinner	Incidental Expenses	First & Last Day of Travel
Seattle	King	\$76	\$18	\$19	\$34	\$5	\$57.00

Kim Becker
Seattle
11/29 - 11/30/21

**SAN DIEGO COUNTY REGIONAL AIRPORT AUTHORITY
OUT-OF-TOWN TRAVEL REQUEST**

GENERAL INSTRUCTIONS:

- A. All out-of-town travel requests must conform to applicable provisions of Policy 3.30.
- B. Once traveler completes form, submit to the traveler's Administrator for approval (for Board Members, President/CEO, General Counsel and Chief Auditor, Administrator is Board Executive Committee).

TRAVELER INFORMATION:

Traveler Name: Kimberly J. Becker Department: Executive, BU6
Position: ☐ Board Member ☒ President/CEO ☐ General Counsel ☐ Chief Auditor
☐ All Other Authority Employees

DATE OF REQUEST: 08/20/2021 DATE OF DEPARTURE/RETURN: 11/29/2021 / 11/30/2021

DESTINATION / BUSINESS PURPOSE:

Destination: Seattle, WA

Business Purpose: Alaska Airlines Headquarters Visit

PROJECTED OUT-OF-TOWN TRAVEL EXPENSES:

A. Transportation Costs:	
• Airfare <input checked="" type="checkbox"/> check box for business class or equivalent (international only)	\$ 400.00
• Rental Car	\$
• Other Transportation (Taxi, TNC, Train, Bus)	\$ 50.00
• Auto (Gas, Parking/Tolls, Mileage)	\$
B. Lodging	\$ 250.00
C. Meals and Incidental Expenses (Per Diem)	\$ 100.00
D. Seminar and Conference Fees	\$
E. Entertainment	\$
TOTAL PROJECTED TRAVEL EXPENSES	\$ 800.00

CERTIFICATION BY TRAVELER

By my signature below, I certify the following:

1. The above-listed projected out-of-town travel expenses conform to Policy 3.30, are reasonable and directly related to Authority business; and
2. I have attended training regarding my responsibilities pursuant to Policy 3.30 within the past two years.

Travelers Signature: Kimberly J. Becker Date: Aug 20, 2021

CERTIFICATION BY ADMINISTRATOR (If Administrator is Executive Committee, Clerk certifies below.)

By my signature below, I certify the following:

1. I have reviewed this out-of-town travel request and made inquiries to determine that the out-of-town travel and identified expenses are directly related to and necessary for the advancement of the Authority's business and reasonable in comparison to the anticipated benefits to the Authority; and
2. I have attended training regarding my responsibilities pursuant to Policy 3.30 within the past two years.

Administrator's Signature: _____ Date: _____

AUTHORITY CLERK CERTIFICATION ON BEHALF OF EXECUTIVE COMMITTEE

I, Martha Morales, Assistant Authority Clerk I, certify that this document was approved
(Name of Clerk)

by the Executive Committee at its September 27, 2021 meeting.
(Meeting Date)

Kim Beck
Seattle
11/29 - 11/30/21

Alaska Preliminary

Meeting Attendees:

1400-1530

Mike Britman, Director Network
David Carlisle, Manager Network
Mike Ostler, Director Scheduling
Kevin Lemme, Principal Network Strategy
Joost Vlek, Manager Airport Affairs

1400-1500

Brett Catlin, VP Network + Alliances
Shane Jones, VP Airport Affairs

1430-1500

Andrew Harrison, EVP and CCO

Dinner:

1845 (TBD)

The Butcher's Table

2121 Westlake Ave

Seattle, WA 98121

Kevin Lemme

Ben Brookman

Brett Catlin

David Carlisle (Besse)

Hotel:

Seattle Airport Marriott

3201 South 176th Street

Seattle, WA 98188

Flight:

NOV 29 AS579 SAN-SEA 8:45-11:55

NOV 30 AS1380 SEA-SAN 8:40-11:35

OUT OF TOWN TRAVEL REQUEST

Kim Becker

SAN DIEGO COUNTY REGIONAL AIRPORT AUTHORITY
OUT-OF-TOWN TRAVEL REQUEST

GENERAL INSTRUCTIONS:

- A. All out-of-town travel requests must conform to applicable provisions of Policy 3.30.
- B. Once traveler completes form, submit to the traveler's Administrator for approval (for Board Members, President/CEO, General Counsel and Chief Auditor, Administrator is Board Executive Committee).

TRAVELER INFORMATION:

Traveler Name: Kimberly J. Becker Department: Executive, BU6
Position: ☐ Board Member ☒ President/CEO ☐ General Counsel ☐ Chief Auditor
☐ All Other Authority Employees

DATE OF REQUEST: 11/30/2021 DATE OF DEPARTURE/RETURN: 01/20/2021 / 01/22/2022

DESTINATION / BUSINESS PURPOSE:

Destination: Palm Desert, CA

Business Purpose: San Diego Economic Development Corporation – Leadership Retreat

PROJECTED OUT-OF-TOWN TRAVEL EXPENSES:

A. Transportation Costs:	
• Airfare <input type="checkbox"/> check box for business class or equivalent (international only)	\$
• Rental Car	\$
• Other Transportation (Taxi, TNC, Train, Bus)	\$
• Auto (Gas, Parking/Tolls, Mileage)	\$ 138.00
B. Lodging	\$ 500.00
C. Meals and Incidental Expenses (Per Diem)	\$ 70.00
D. Seminar and Conference Fees	\$ 750.00
E. Entertainment	\$
TOTAL PROJECTED TRAVEL EXPENSES	\$ 1,458.00

CERTIFICATION BY TRAVELER

By my signature below, I certify the following:

- 1. The above-listed projected out-of-town travel expenses conform to Policy 3.30, are reasonable and directly related to Authority business; and
- 2. I have attended training regarding my responsibilities pursuant to Policy 3.30 within the past two years.

Travelers Signature: Kimberly J. Becker Date: 12/7/21

CERTIFICATION BY ADMINISTRATOR (If Administrator is Executive Committee, Clerk certifies below.)

By my signature below, I certify the following:

- 1. I have reviewed this out-of-town travel request and made inquiries to determine that the out-of-town travel and identified expenses are directly related to and necessary for the advancement of the Authority's business and reasonable in comparison to the anticipated benefits to the Authority; and
- 2. I have attended training regarding my responsibilities pursuant to Policy 3.30 within the past two years.

Administrator's Signature: _____ Date: _____

AUTHORITY CLERK CERTIFICATION ON BEHALF OF EXECUTIVE COMMITTEE

I, _____, certify that this document was approved
(Name of Clerk)
by the Executive Committee at its _____ meeting.
(Meeting Date)

Casey Diane

From: Catherine DeYoung <cd@sandiegobusiness.org>
Sent: Thursday, December 2, 2021 2:17 PM
To: Casey Diane
Subject: EDC's Inclusive Growth Leadership Retreat in Palm Desert - You're invited

Good afternoon –

Please join us for a EDC leadership retreat in Palm Desert next month to refine and recommitment to our [inclusive growth strategy](#) – Thursday, January 20 through Saturday morning January 22. EDC Chairman Julian Parra and Vice Chair of Inclusion Lisette Islas will lead a small group comprised of employers, partners and community leaders. **Are you able to participate?**

As you will recall in 2019, EDC introduced research conducted in partnership with the Brookings Institute as a platform for an inclusive economic development strategy. We formed a steering committee of large employers and community partners to set 2030 goals around jobs, talent and households. Since then we have socialized the research and implemented employer-led demonstration projects: Advancing San Diego (talent development) and Anchor Collaborative (small business jobs through large employer procurement shifts).

We know the pandemic has only increased the urgency of these efforts. Our research team is refreshing the data to measure the impact of the pandemic on the 2030 goals and will share their findings at the retreat. We'll also hear from regional elected officials on their vision for inclusive economic development. The discussions will focus on employer-led solutions to building talent and addressing the increasing pressures of high cost housing and childcare. Our overarching purpose for the retreat is to strategize ways to make EDC's goals the region's goals in the year ahead. More details to come but for now, I wanted to get the dates on your calendar.

Schedule and logistic information:

Thursday, January 20 - opening session 3 pm. Meetings all day Friday. Retreat will conclude Saturday, January 22 at 11 am.

Retreat fee: \$750 per person, paid to Economic Development Foundation, a 501c3 donation. Due January 7.

Food and beverages are included in the retreat fee.

[Hotel Paseo -- 45-400 Larkspur Lane, Palm Desert](#)

Rooms cost: \$246.86 per night including all taxes/fees – confirmed participants will receive a room block code prior to booking.

Precautions: All meals will be hosted outside. Meeting spaces are large and guests will be asked to wear masks and show proof of vaccination before registering.

Over the years our leadership trips to study other cities have established longstanding relationships and created strong camaraderie among EDC's board and partners. We expect this retreat to have that same feeling and impact. Our hope is you will find the experience rewarding and come away a stronger champion for this important work.

Please give me a call if you have any questions. **We hope to have your reply by December 10.**

Best regards, Lauree

Lauree Sahba | COO

San Diego Regional EDC

Cell: 619/322-6453

San to Hotel Posco
246 miles Roundtrip

YOUR TRIP TO:

[45000 - 45024] Larkspur Ln

246
.58
\$138

Scan this QR code for
directions on your mobile
device:



2 HR 58 MIN | 123 MI

Est. fuel cost: \$16.00

Trip time based on traffic conditions as of 4:29 PM on November
30, 2021. Current Traffic: Heavy



Print a full health report of your car with HUM
vehicle diagnostics (800) 906-2501



1. Start out going **west** on Terminal Access Rd.

Then 0.07 miles

0.07 total miles



2. Take Terminal Access Rd toward **Terminal Return/Airport Exit/Parking**.

Then 0.20 miles

0.27 total miles



3. Turn **slight right** toward **Rental Car Return/I-5/Downtown**.

Then 0.50 miles

0.77 total miles



4. Turn **slight right** onto N Harbor Dr.

Then 1.08 miles

1.85 total miles



5. Turn **left** onto W Grape St.

W Grape St is just past W Hawthorn St.

Then 0.38 miles

2.23 total miles



6. Merge onto I-5 S.

If you reach Albatross St you've gone a little too far.

Then 0.57 miles

2.80 total miles



7. Merge onto CA-163 N via EXIT 16 toward **Escondido**.

Then 11.02 miles

13.82 total miles



8. CA-163 N becomes I-15 N.

Then 45.31 miles

59.12 total miles



9. Take the **CA-79 S/Temecula Pkwy** exit, EXIT 58, toward **Indio**.

Then 0.23 miles

59.35 total miles










10. Take the ramp toward **Indio/Warner Springs**.

If you reach I-15 N you've gone about 0.3 miles too far.

Then 0.02 miles

59.37 total miles

-  **11.** Turn **right** onto Temecula Pkwy/CA-79. Continue to follow CA-79.
Then 17.67 miles 77.04 total miles
-  **12.** Turn **left** onto US Highway 371/Anza-borrego Desert State Park Road/CA-371. Continue to follow CA-371.
CA-371 is 0.1 miles past High Point Truck Trl.
If you reach Old Meadow Dr you've gone about 0.1 miles too far.
Then 20.67 miles 97.71 total miles
-  **13.** Turn **right** onto State Highway 74/Palms to Pines Scenic Byway/CA-74. Continue to follow Palms to Pines Scenic Byway/CA-74.
Palms to Pines Scenic Byway is 0.6 miles past Old Cahuilla Rd.
If you are on Paradise Dr and reach Wampum Trl you've gone a little too far.
Then 24.20 miles 121.91 total miles
-  **14.** Turn **right** onto Highway 111/CA-111.
If you are on Monterey Ave and reach Palm Desert Dr you've gone a little too far.
Then 0.63 miles 122.54 total miles
-  **15.** Turn **right** onto Larkspur Ln.
If you reach San Luis Rey Ave you've gone about 0.1 miles too far.
Then 0.01 miles 122.55 total miles
-  **16.** [45000 - 45024] Larkspur Ln, [45000 - 45024] LARKSPUR LN.
Your destination is just past Highway 111.
If you reach El Paseo you've gone a little too far.

 Save to My Maps

Use of directions and maps is subject to our [Terms of Use](#). We don't guarantee accuracy, route conditions or usability. You assume all risk of use.



U.S. General Services Administration

FY 2022 Per Diem Rates for Palm Springs, California

Meals & Incidentals (M&IE) Breakdown

Primary Destination	County	M&IE Total	Continental Breakfast/Breakfast	Lunch	Dinner	Incidental Expenses	First & LastDay of Travel
Palm Springs	Riverside	\$69	\$16	\$17	\$31	\$5	\$51.75