

SAN DIEGO COUNTY REGIONAL AIRPORT AUTHORITY



BOARD MEMBERS

LAURIE BERMAN*
BRUCE R. BOLAND
GREG COX
JIM DESMOND
ROBERT H. GLEASON
LLOYD B. HUBBS
JIM PANKNIN
PEDRO REYES*
PAUL ROBINSON
TOM SMISEK
ANTHONY K. YOUNG

* EX OFFICIO BOARD MEMBERS

PRESIDENT/CEO
THELLA F. BOWENS

DRAFT – REVISED 11/21/12

SPECIAL BOARD

AGENDA

Thursday, December 13, 2012
10:00 A.M.

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

*Live webcasts of Authority Board meetings can be accessed at
http://www.san.org/airport_authority/boardmeetings.asp.*

This Agenda contains a brief general description of each item to be considered. The indication of a recommended action does not indicate what action (if any) may be taken. ***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 Corporate Services and are available for public inspection.

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

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

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

CALL TO ORDER:

PLEDGE OF ALLEGIANCE:

ROLL CALL:

PRESENTATIONS:

- A. MICROSOFT LEADERSHIP AWARD:**
Presented by Stuart McKee, Microsoft U.S. Public Sector National Technology Officer
- B. PROGRAM MANAGEMENT SUPPORT UPDATE:**
Presented by Iraj Ghaemi, Director, Facilities Development
- C. AIRPORT POWER STUDY UPDATE:**
Presented by Wayne Harvey, Director, Facilities Management

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

STANDING BOARD COMMITTEES

- **AUDIT COMMITTEE:**
Committee Members: Gleason, Hollingworth, Hubbs, Smisek (Chair), Tartre, Van Sambeek, Young
- **EXECUTIVE PERSONNEL AND COMPENSATION COMMITTEE:**
Committee Members: Boland, Cox, Desmond (Chair), Smisek
- **FINANCE COMMITTEE:**
Committee Members: Cox (Chair), Desmond, Panknin, Robinson, Young
- **TERMINAL DEVELOPMENT PROGRAM COMMITTEE:**
Committee Members: Boland (Chair), Gleason, Hubbs, Panknin, Robinson

ADVISORY COMMITTEES

- **AUTHORITY ADVISORY COMMITTEE:**
Liaison: Panknin
- **ART ADVISORY COMMITTEE:**
Committee Member: Gleason

LIAISONS

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

BOARD REPRESENTATIVES (EXTERNAL)

- **SANDAG TRANSPORTATION COMMITTEE:**
Representatives: Panknin, Smisek (Primary)
- **WORLD TRADE CENTER:**
Representatives: Panknin (Primary), Young

CHAIR'S REPORT:

PRESIDENT/CEO'S REPORT:

NON-AGENDA PUBLIC COMMENT:

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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 1-14):

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

1. APPROVAL OF MINUTES:

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

RECOMMENDATION: Approve the minutes of the November 1, 2012 regular meeting.

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

The Board is requested to accept the reports.

RECOMMENDATION: Accept the reports and pre-approve Board member attendance at other meetings, trainings and events not covered by the current resolution.

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

3. AWARDED CONTRACTS, APPROVED CHANGE ORDERS FROM OCTOBER 8, 2012 THROUGH NOVEMBER 8, 2012 AND REAL PROPERTY AGREEMENTS GRANTED AND ACCEPTED FROM OCTOBER 8, 2012 THROUGH NOVEMBER 8, 2012:

The Board is requested to receive the report.

RECOMMENDATION: Receive the report.

(Procurement: Jana Vargas, Director)

4. GRANT EASEMENTS FOR ELECTRICAL AND DRAINAGE UTILITIES AND PEDESTRIAN ACCESS TO THE CITY OF SAN DIEGO:

The Board is requested to grant the easements.

RECOMMENDATION: Adopt Resolution No. 2012-0125, authorizing the President/CEO to execute easements with the City of San Diego for electrical and drainage utilities and pedestrian access in support of the Washington Street access improvements.

(Aviation and Commercial Business: Troy Ann Leech, Director)

CLAIMS

5. AUTHORIZE THE REJECTION OF THE CLAIM OF BARBARA GRAHAM:

The Board is requested to reject the claim.

RECOMMENDATION: Adopt Resolution No. 2012-0126, authorizing the rejection of the claim of Barbara Graham.

(Legal: Breton Lobner, General Counsel)

COMMITTEE RECOMMENDATIONS

6. ACCEPT THE PROPOSED 2013 MASTER CALENDAR OF BOARD AND COMMITTEE MEETINGS:

The Board is requested to accept the proposed 2013 master calendar of board and committee meetings.

RECOMMENDATION: The Executive Committee recommends that the Board accept the calendar.

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

7. AUTHORIZATION OF 1) BOND DOCUMENTS AND SALE OF GENERAL AIRPORT REVENUE BONDS, INCLUDING DELEGATION OF PRICING AUTHORITY, FOR GREEN BUILD AND CAPITAL IMPROVEMENT PROGRAM FUNDING; AND 2) DEFEASANCE OF 2005 GENERAL AIRPORT REVENUE BONDS:

The Board is requested to authorize the bond documents and sale of bonds.

RECOMMENDATION:

Adopt Resolution No. 2012-0127, authorizing the issuance and sale of not to exceed \$500 million in aggregate principal amount of one or more series of San Diego County Regional Airport Authority Senior Airport Revenue Bonds; Approving the forms of a Third Supplemental Trust Indenture, Preliminary and Final Official Statements, a Purchase Contract and a Continuing Disclosure Certificate, and certain related matters.

Adopt Resolution No. 2012-0129, authorizing the refunding and defeasance of its San Diego County Regional Airport Authority Airport Revenue Refunding Bonds Series 2005, approving a form of escrow agreement, and authorizing and directing certain action with respect thereto.

(Finance: Vernon Evans, Vice President/Treasurer)

**8. EXTERNAL AUDITOR'S FISCAL YEAR ENDED JUNE 30, 2012, REPORTS:
A) AUDITED FINANCIAL STATEMENTS, B) COMPLIANCE (SINGLE
AUDIT) REPORT, C) PASSENGER FACILITY CHARGE COMPLIANCE
REPORT, D) CUSTOMER FACILITY CHARGE COMPLIANCE REPORT, AND
E) REPORT TO THE AUDIT COMMITTEE:**

The Board is requested to accept the reports.

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

(Audit: Mark A. Burchyett, Chief Auditor)

**9. THE COMPREHENSIVE ANNUAL FINANCIAL REPORT (CAFR) FOR THE
FISCAL YEAR ENDED JUNE 30, 2012:**

The Board is requested to receive the information.

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

(Finance: Vernon Evans, Vice President, Treasurer)

**10. FISCAL YEAR 2013 FIRST QUARTER REPORT AND AUDIT
RECOMMENDATIONS ISSUED BY THE OFFICE OF THE CHIEF AUDITOR:**

The Board is requested to receive the information.

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

(Audit: Mark A. Burchyett, Chief Auditor)

11. REVISION TO THE FISCAL YEAR 2013 AUDIT PLAN:

The Board is requested to receive the information.

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

(Audit: Mark A. Burchyett, Chief Auditor)

CONTRACTS AND AGREEMENTS

**12. GRANT A 10-YEAR LEASE, WITH ONE OPTION TO LESSEE TO EXTEND
TERM FOR AN ADDITIONAL 10 YEARS, TO USO COUNCIL OF SAN
DIEGO TO FURNISH AND OPERATE A USO FACILITY AT SAN DIEGO
INTERNATIONAL AIRPORT:**

The Board is requested to grant a lease.

RECOMMENDATION: Adopt Resolution No. 2012-0130, authorizing the President/CEO to take all necessary steps to grant a 10-year lease, with one option to lessee to extend the term for an additional 10 years, to USO Council of San Diego to furnish and operate a USO facility at San Diego International Airport.

(Aviation and Commercial Business: Troy Ann Leech, Director)

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

13. AWARD A CONTRACT TO PCL CONSTRUCTION SERVICES, INC., TO REFURBISH CONCESSIONS SUPPORT INFRASTRUCTURE, PHASE B, COMMUTER TERMINAL, TERMINAL 1, AND TERMINAL 2 WEST AT SAN DIEGO INTERNATIONAL AIRPORT:

The Board is requested to award a contract.

RECOMMENDATION: Adopt Resolution No. 2012-0131, awarding a contract to PCL Construction Services, Inc., in the amount of \$7,925,819, for Project No. 104122, Refurbish Concessions Support Infrastructure, Phase B, Commuter Terminal, Terminal 1, and Terminal 2 at San Diego International Airport.

(Facilities Development: Iraj Ghaemi, Director)

14. APPROVE AND AUTHORIZE THE PRESIDENT/CEO TO EXECUTE AN AGREEMENT WITH SERCO TO PROVIDE RAMP CONTROL FACILITY SERVICES AT SAN DIEGO INTERNATIONAL AIRPORT:

The Board is requested to approve and authorize the President/CEO to execute an agreement.

RECOMMENDATION: Adopt Resolution No. 2012-0132, approving and authorizing the President/CEO to execute an agreement with Serco to provide Ramp Control Facility services for five (5) years, which includes two (2) one-year options exercisable at the sole discretion of the President/CEO, in an amount not to exceed \$3,925,000.00

(Airside Operations: Dean Robbins, Manager)

PUBLIC HEARINGS:

OLD BUSINESS:

NEW BUSINESS:

15. DECEMBER 2012 LEGISLATIVE REPORT AND 2013 LEGISLATIVE AGENDA:

The Board is requested to approve the report and legislative agenda.

RECOMMENDATION: Adopt Resolution No. 2012-0132, approving the December 2012 Legislative Report and the 2013 Legislative Agenda.

(Inter-Governmental and Community Relations: Michael Kulis, Director)

CLOSED SESSION:

- 16. CONFERENCE WITH LABOR NEGOTIATOR:**
Labor negotiations pursuant to Cal. Gov. Code §54957.6:
Authority Designated Negotiators: Thella F. Bowens, President/CEO; and Jeffrey Woodson, Vice President, Administration
Employee Organization: Teamsters 911
- 17. CONFERENCE WITH REAL PROPERTY NEGOTIATORS:**
Real property negotiations pursuant to Cal. Gov. Code §54954.5(b) and §54956.8:
Property: Salt Plant – 17 acre parcel located at 1470 Bay Boulevard, San Diego
Agency Negotiators: Vernon D. Evans, Vice President, Finance/Treasurer
Negotiating Parties: United States Fish and Wildlife Service, GGTW, LLC (current tenant) and/or other interested parties
Under Negotiation: Sale – terms and conditions
- 18. CONFERENCE WITH REAL PROPERTY NEGOTIATORS:**
Legal Authority: Real property negotiations pursuant to Cal. Gov. Code § 54954.5(b) and § 54956.8
Property: 4347 North Harbor Drive, San Diego, CA 92101
Authority Negotiators: Vernon D. Evans, Vice President, Finance/Treasurer and Troy Ann Leech
Negotiating Party: City of San Diego
Under Negotiation: Terms and conditions of purchase
- 19. CONFERENCE WITH REAL PROPERTY NEGOTIATORS:**
Legal Authority: Real property negotiations pursuant to Cal. Gov. Code §54954.5(b) and §54956.8.
Property: 3312 Goldsmith Street, San Diego, CA 92106 (Assessor's parcel #450-142-13-00)
Agency Negotiators: Vernon Evans, Vice President, Finance/Treasurer and Troy Ann Leech, Director, Real Estate
Under Negotiation: Sale of property – terms and conditions
- 20. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION:**
(Cal.Gov. Code §54956.9(a)):
West Tech, Inc. v. San Diego County Regional Airport Authority, et al.,
L.A.S.C 37-2010-00106565-CU-BC-CTL
- 21. CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION:**
(Cal.Gov.Code §54956.9(a))
Ann Marie Tejcek v. San Diego County Regional Airport Authority, et al.
LASC No. 37-2011-00102856-CU-PO-CTL

- 22. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION:**
(Cal. Gov. Code § 54956.9(a))
Jacob Mojadam, individually and on behalf of all those similarly situated v. San Diego County Regional Airport Authority, et al
San Diego Superior Court Case No. 37-2012-00098040-CU-MC-CTL
- 23. CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION**
(Cal.Gov.Code §54956.9(a))
Tawnee Knight v. San Diego County Regional Airport Authority, et al.
LASC No. 37-2012-00102053-CL-PO-CTL
- 24. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION:**
Initiation of litigation pursuant to subdivision (c) of §54956.9: (1 case)
- 25. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION:**
Significant exposure to litigation pursuant to Cal. Gov. Code §54956.9(b)
[Number of cases: 1] and §54956.9(b)(3)(C) [Liability claim against Authority by Theresa, Warren & Carl Hopkins]
- 26. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION:**
Significant exposure to litigation pursuant to Cal. Gov. Code §54956.9(b):
Kelly Lancaster, David Boenitz, Mary Erickson and Richard Gilb, et al v. SDCERS,
San Diego Sup. Court Case No. 37-2011-G0096238-CU-PO-CT
Number of cases: 1
- 27. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION:**
Initiation of litigation pursuant to subdivision (c) of Section 54956.9: (1 case)
- 28. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION:**
Significant exposure to litigation (Cal. Gov. Code §§ 54956.9 (b) and 54954.5)
Number of potential cases: 1
Re: Investigative Order No. R9-2012-0009 by the California Regional Water Quality Control Board regarding submission of technical reports pertaining to an investigation of bay sediments at the Downtown Anchorage Area in San Diego Bay

REPORT ON CLOSED SESSION:

NON-AGENDA PUBLIC COMMENT:

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Note: Persons wishing to speak on specific items should reserve their comments until the specific item is taken up by the Board.

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 complete a “Request to Speak” form prior to the initiation of the portion of the agenda containing the item to be addressed (e.g., Public Comment and General Items). Failure to complete a form shall not preclude testimony, if permission to address the Board is granted by the Chair.
- 2) The Public Comment Section at the beginning of the agenda is limited to eighteen (18) minutes and is reserved for persons wishing to address the Board, 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. A second Public Comment period is reserved for general public comment later in the meeting for those who could not be heard during the first Public Comment period.
- 3) Persons wishing to speak on specific items listed on the agenda will be afforded an opportunity to speak during the presentation of individual items. Persons wishing to speak on specific items should reserve their comments until the specific item is taken up by the Board, ALUC and Committees. Public comment on specific items is limited to twenty (20) minutes – ten (10) minutes for those in favor and ten (10) minutes for those in opposition of an item. Each individual speaker will be allowed three (3) minutes, and applicants and groups will be allowed five (5) minutes.
- 4) If many persons have indicated a desire to address the Board, 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.
- 6) 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

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

You may also reach the Commuter Terminal by using public transit via the San Diego MTS system, Route 992. For route and fare information, please call the San Diego MTS at (619) 233-3004 or 511.

UPCOMING MEETING SCHEDULE

<i>Date</i>	<i>Day</i>	<i>Time</i>	<i>Meeting Type</i>	<i>Location</i>
January 3	Thursday	9:00 a.m.	Regular	Board Room