

# SAN DIEGO COUNTY REGIONAL AIRPORT AUTHORITY



## BOARD MEMBERS

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

## EX OFFICIO BOARD MEMBERS

COL. CHRISTOPHER E. O'CONNOR  
PEDRO ORSO-DELGADO  
THOMAS L. SHEEHY

PRESIDENT/CEO  
THELLA F. BOWENS

## REVISED 2/1/09 BOARD MEETING

### AGENDA

Thursday, February 5, 2009  
9:00 A.M.

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

***Live web casts of Authority Board meetings can be accessed at  
[http://www.san.org/airport\\_authority/boardmeetings.asp](http://www.san.org/airport_authority/boardmeetings.asp).***

This Agenda contains a brief general description of each item to be considered. The indication of a recommended action does not indicate what action (if any) may be taken. If comments are made to the Board without prior notice or are not listed on the Agenda, no specific answers or responses should be expected at this meeting pursuant to State law.

Staff Reports and documentation relating to each item of business on the Agenda are on file in Corporate Services and are available for public inspection.

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

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

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

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**CALL TO ORDER:**

**PLEDGE OF ALLEGIANCE:**

**ROLL CALL:**

**BOARD BUSINESS:**

**ADMINISTER OATH OR AFFIRMATION AND INSTALLATION OF BOARD MEMBERS:**

**REPORT FROM CITIZEN COMMITTEE:**

- **AIRPORT ADVISORY COMMITTEE:**  
John Hawkins, First Vice Chair, Advisory Committee

**PRESENTATION:**

- A. "GATEWAY SAN DIEGO" – INTERMODAL TRANSPORTATION CENTER:**  
Presented by the NewSchool of Architecture and Design Students
- B. REPORT ON THE AUTHORITY'S FINANCIAL CONDITION:**  
Presented by Vernon Evans, Vice President, Finance/Treasurer.

**PUBLIC COMMENT (18 MINUTES):**

Public Comment is reserved for members of the public wishing to address the Board on matters for which another opportunity to speak **is not provided on the Agenda**, and which is within the jurisdiction of the Board. Please submit a completed speaker slip to the Authority Clerk. ***Each individual speaker is limited to three (3) minutes. Applicants, groups and jurisdictions referring items to the Board for action are limited to five (5) minutes.***

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

**CONSENT AGENDA:**

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

**1. APPROVAL OF MINUTES:**

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

RECOMMENDATION: Approve the minutes of the January 9, 2009 meeting.

**2. ACCEPTANCE OF BOARD 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 report.

RECOMMENDATION: Accept the reports and pre-approve attendance at other meetings not covered by the current resolution.

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

**3. AMENDMENT TO AUTHORITY POLICY 1.50(5)(C)(IV) – “GOVERNANCE AND COMMITTEES”:**

The Board is requested to amend the policy.

RECOMMENDATION: Adopt Resolution No. 2009-0009 amending Authority Policy 1.50(5), “Governance and Committees” to establish the Terminal Development Program Committee.

**(Executive Office: Matt Harris, Senior Director)**

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

The Board is requested to make appointments.

RECOMMENDATION: Adopt Resolution No. 2009-0010, making appointments to Board committees, liaison positions, the SANDAG Transportation Committee, the SCAG Aviation Task Force, and establishing the Regional Aviation Strategic Plan/Airport Multimodal Accessibility Plan/ (RASP/AMAP) Ad Hoc Committee.

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

**5. RESIGNATIONS AND REAPPOINTMENTS TO THE AIRPORT ADVISORY COMMITTEE:**

The Board is requested to make reappointments to the Airport Advisory Committee.

RECOMMENDATION: Adopt Resolution No. 2009-0011, accepting the resignations and making reappointments to the Airport Advisory Committee.

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

***COMMITTEE RECOMMENDATIONS***

**6. REVIEW OF UNAUDITED FINANCIAL STATEMENTS FOR THE SIX MONTHS ENDED DECEMBER 31, 2008:**

The Board is requested to receive the information.

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

**(Finance/Treasurer: Vernon Evans, Vice President)**

**7. REVIEW OF THE AUTHORITY'S QUARTERLY INVESTMENT REPORT AS OF DECEMBER 31, 2008:**

The Board is requested to receive the information.

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

**(Finance/Treasurer: Vernon Evans, Vice President)**

**8. AMENDMENT TO AUTHORITY CODE 9.13 – GROUND TRANSPORTATION DRIVER’S PERMITS:**

The Board is requested to amend the policy.

RECOMMENDATION: The Finance Committee recommends that the Board adopt Resolution No. 2009-0019, amending the San Diego County Regional Airport Authority Code 9.13, Ground Transportation Driver’s Permits.

**(Finance/Treasurer: Vernon Evans, Vice President)**

**CONTRACTS AND AGREEMENTS AND AMENDMENTS TO CONTRACTS AND AGREEMENTS**

**9. AWARDED CONTRACTS, APPROVED CHANGE ORDERS FROM DECEMBER 8, 2008 THROUGH JANUARY 4, 2009 AND REAL PROPERTY AGREEMENTS GRANTED AND ACCEPTED FROM DECEMBER 8, 2008 THROUGH JANUARY 4, 2009:**

The Board is requested to receive the report.

RECOMMENDATION: Receive the report.

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

**10. AUTHORIZE THE PRESIDENT/CEO TO EXECUTE A FIRST AMENDMENT TO CONTRACT 2051200P WITH OSHKOSH TRUCK CORPORATION TO PURCHASE ADDITIONAL FIRE FIGHTING EQUIPMENT:**

The Board is requested to authorize the President/CEO to execute the first amendment to the contract.

RECOMMENDATION: Adopt Resolution No. 2009-0012, authorizing the President/CEO to execute a first amendment to Contract No. 2051200P with Oshkosh Truck Corporation to purchase additional fire fighting equipment in the amount of \$175,000.00, Project No. 104084.

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

**11. FIRST AMENDMENT TO THE CONTRACT WITH MCBEE STRATEGIC CONSULTING, LLC, FOR FEDERAL LEGISLATIVE CONSULTANT SERVICES:**

The Board is requested to approve the contract amendment.

RECOMMENDATION: Adopt Resolution No. 2009-0013, authorizing the first amendment to the contract with McBee Strategic Consulting, LLC, for Federal Legislative Consultant Services to extend the term of the agreement for two years to January 31, 2011, and add \$342,000 to the not to exceed amount.

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

**12. FIRST AMENDMENT TO CONTRACT WITH MANATT, PHELPS & PHILLIPS, LLP, FOR STATE LEGISLATIVE CONSULTANT SERVICES:**

The Board is requested to approve the contract amendment.

RECOMMENDATION: Adopt Resolution No. 2009-0014, authorizing the first amendment to the contract with Manatt, Phelps & Phillips, LLP, for State Legislative Consultant Services to extend the term of the agreement two years to January 31, 2011, and add \$337,000 to the not to exceed amount.

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

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

**13. AWARD A CONSTRUCTION CONTRACT TO KOCH CORPORATION FOR QUIETER HOME PROGRAM PHASE 4, GROUP 9, PROJECT NO. 380409:**

The Board is requested to award a construction contract.

RECOMMENDATION: Adopt Resolution No. 2009-0015, awarding a construction contract to Koch Corporation, in the amount of \$2,272,357.00, for Phase 4, Group 9, Project No. 380409, of the San Diego County Regional Airport Authority's Quieter Home Program.

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

**14. AWARD A CONSTRUCTION CONTRACT TO SAVINO CONSTRUCTION, INC., FOR QUIETER HOME PROGRAM PHASE 4, GROUP 8, PROJECT NO. 380408:**

The Board is requested to award a construction contract.

RECOMMENDATION: Adopt Resolution No. 2009-0016, awarding a construction contract to Savino Construction, Inc., in the amount of \$1,091,216.00, for Phase 4, Group 8, Project No. 380408, of the San Diego County Regional Airport Authority's Quieter Home Program.

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

**15. AUTHORIZE THE PRESIDENT/CEO TO EXECUTE, DELIVER, AND PERFORM A LETTER OF CREDIT AND REIMBURSEMENT AGREEMENT WITH UNION BANK, NA:**

The Board is requested to authorize the President/CEO to execute a Letter of Credit and Reimbursement Agreement.

RECOMMENDATION: Adopt Resolution No. 2009-0017, authorizing the President/CEO, on behalf of the Authority, to take all actions necessary to execute, deliver, and perform a Letter of Credit and Reimbursement Agreement with Union Bank, NA in order to implement the Authority's Bonding and Contract Financing Assistance Program.

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

**PUBLIC HEARINGS:**

**NEW BUSINESS:**

**16. FEBRUARY 2009 LEGISLATIVE REPORT:**

The Board is requested to approve the report.

RECOMMENDATION: Adopt Resolution No. 2009-0018, approving the February 2009 Legislative report.

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

**17. COMPREHENSIVE GROUND TRANSPORTATION MANAGEMENT PLAN UPDATE:**

The Board is requested to receive the update.

RECOMMENDATION: Provide direction to staff.

**(Finance: Vernon Evans, Vice President/Treasurer)**

**18. DISCUSSION AND POSSIBLE ACTION REGARDING THE DEVELOPMENT OF AN AGENDA FOR THE UPCOMING BOARD RETREAT:**

The Board is requested to discuss the upcoming Board retreat.

RECOMMENDATION: Provide direction to staff.

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

***STANDING BOARD COMMITTEES***

• **AUDIT COMMITTEE:**

Committee Members: Boland, Buck, Finnila (Chair), Panknin, Tartre, Van Sambeek, Zettel

• **EXECUTIVE PERSONNEL AND COMPENSATION COMMITTEE:**

Committee Members: Finnila, Miller, Watkins (Chair)

• **FINANCE COMMITTEE:**

Committee Members: Bersin (Chair), Watkins, Young

***LIAISONS***

• **AIRPORT MULTI-MODAL ACCESSIBILITY PLAN:**

Liaison: Orso-Delgado

• **MILITARY AFFAIRS LIAISONS:**

Liaisons: Boland (Primary), O'Connor, Panknin

• **RASP LIAISONS:**

Liaisons: Miller (Primary), Panknin

• **TERMINAL DEVELOPMENT PROGRAM:**

Liaisons: Boland, Miller, Panknin (Primary)

- **AVIATION TECHNOLOGICAL ADVANCES:**  
Liaisons: Desmond (Primary), Watkins

### ***BOARD REPRESENTATIVES***

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

### **PRESIDENT/CEO REPORT:**

- About the Airport
- Destination Lindbergh: The Ultimate Build Out
- Terminal Development Program
- Regional Aviation Strategic Plan
- Public Outreach and Communication
- International Air Service
- City/SANDAG/Port Collaboration

### **CLOSED SESSION:**

19. **CONFERENCE WITH LEGAL COUNSEL-ANTICIPATED LITIGATION:**  
Pursuant to Government Code Section 54956.9(b)  
Number of cases: 1  
Facts and circumstances exist causing significant exposure to litigation in accordance with Section 54956.9(b)(3)(B). These facts are known by potential plaintiff Gameday Media Properties, Inc. ("Gameday") and are as follows: a disagreement exists between the Authority and Gameday regarding the close out audit of the concession agreement.
20. **CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION:**  
Pursuant to Government Code Section 54956.9(a):  
*Kenneth Quilantang v. San Diego County Regional Airport Authority, et al.*, San Diego Superior Court Case No. 37-2008-00092986-CU-PO-CTL

- 21. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION:**  
Significant exposure to litigation pursuant to 54956.9(b)(A),(B) and (E):  
Memorandum of Agreement with SANDAG and the City of San Diego  
Number of potential cases: 1
- 22. 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.
- 23. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION:**  
Initiation of litigation pursuant to Cal. Gov. Code §54956.9(c).  
Number of potential cases: 1 (Nazbest-Pacific).
- 24. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION:**  
Initiation of litigation pursuant to Cal. Gov. Code §54956.9(c).  
Number of potential cases: 1 (Galaxy).
- 25. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION  
(Government Code Section 54956.9 (a)):**  
San Diego Unified Port District v. TDY Industries, Inc., et al., and related cross-  
actions. U.S. District Court, Southern District Case No. 03 CV 1146-B (POR)

**REPORT ON CLOSED SESSION:**

**PUBLIC COMMENT:**

Public Comment is reserved for members of the public wishing to address the Board on matters for which another opportunity to speak **is not provided on the Agenda**, and which is within the jurisdiction of the Board. Please submit a completed speaker slip to the Authority Clerk. ***Each individual speaker is limited to three (3) minutes. Applicants, groups and jurisdictions referring items to the Board for action are limited to five (5) minutes.***

**GENERAL COUNSEL REPORT:**

**BOARD MEMBER REPORTS ON MEETINGS ATTENDED AT THE EXPENSE OF THE AUTHORITY:**

**BOARD COMMENT:**

**ADJOURNMENT:**

## **Policy for Public Participation in Board and Board Committee Meetings (Public Comment)**

- 1) Persons wishing to address the Board shall complete a "Request to Speak" form prior to the initiation of the portion of the agenda containing the item to be addressed (e.g., Public Comment and General Items). Failure to complete a form shall not preclude testimony, if permission to address the Board is granted by the Chair.
- 2) The Public Comment Section at the beginning of the agenda is limited to eighteen (18) minutes and is reserved for persons wishing to address the Board on any matter for which another opportunity to speak is not provided on the Agenda, and on matters that are within the jurisdiction of the Board. A second Public Comment period is reserved for general public comment later in the meeting for those who could not be heard during the first Public Comment period.
- 3) Persons wishing to speak on specific items listed on the agenda will be afforded an opportunity to speak during the presentation of individual items. Persons wishing to speak on specific items should reserve their comments until the specific item is taken up by the Board. Public comment on specific items is limited to twenty (20) minutes – ten (10) minutes for those in favor and ten (10) minutes for those in opposition of an item. Each individual speaker will be allowed three (3) minutes, and applicants and groups will be allowed five (5) minutes.
- 4) If many persons have indicated a desire to address the Board on the same issue, then the Chair may suggest that these persons consolidate their respective testimonies. Testimony by members of the public on any item shall be limited to **three (3) minutes per individual speaker and five (5) minutes for applicants, groups and referring jurisdictions.**
- 5) Pursuant to Authority Policy 1.33 (8), recognized groups must register with the Authority Clerk prior to the meeting.
- 6) After a public hearing or the public comment portion of the meeting has been closed, no person shall address the Board without first obtaining permission to do so.

### **Additional Meeting Information**

**NOTE:** This information is available in alternative formats upon request. To request an Agenda in an alternative format, or to request a sign language or oral interpreter, or an Assistive Listening Device (ALD) for the meeting, please telephone the Authority Clerk's Office at (619) 400-2400 at least two working days prior to the meeting to ensure availability.

For your convenience, the agenda is also available to you on our website at [www.san.org](http://www.san.org).

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

**You may also reach the Commuter Terminal by using public transit via the San Diego MTS system, Route 992. For route and fare information please call the San Diego MTS at (619) 427-6438.**

<b>UPCOMING MEETING SCHEDULE</b>				
<b><i>Date</i></b>	<b><i>Day</i></b>	<b><i>Time</i></b>	<b><i>Meeting Type</i></b>	<b><i>Location</i></b>
March 5	Thursday	9:00 a.m.	Regular	Board Room
April 2	Thursday	9:00 a.m.	Regular	Board Room
May 8	Friday	9:00 a.m.	Special	Board Room