

SAN DIEGO COUNTY REGIONAL AIRPORT AUTHORITY

Board Members

Johanna Schiavoni
Chair

Catherine Blakespear
Gil Cabrera

Mary Casillas Salas
Robert T. Lloyd

Paul McNamara
Paul Robinson

Nora E. Vargas
Marni von Wilpert

BOARD MEETING **AGENDA**

Thursday, April 1, 2021
9:00 A.M.

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

Ex-Officio Board Members

Gustavo Dallarda
Col. Charles B. Dockery
Gayle Miller

President / CEO

Kimberly J. Becker

This meeting of the Board of the San Diego County Regional Airport Authority Board will be conducted pursuant to the provisions of California Executive Order N-29-20 which suspends certain requirements of the Ralph M. Brown Act. During the current State of Emergency and in the interest of public health, all Board members will be participating in the meeting electronically. In accordance with the Executive Order, 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.

Comment on Non-Agenda Items

Public comments on non-agenda items must be submitted to the Authority Clerk at clerk@san.org, no later than 4:00 p.m. the day prior to the posted meeting in order to be eligible to be read into the record. The Authority Clerk will read the first 30 comments received by 4:00 p.m. the day prior to the meeting into the record; each of these comments will be read for up to three minutes or for the time determined by the Chair. The maximum number of comments to be read into the record on a single issue will be 16. All other comments submitted, including those received after 4:00 p.m. the day prior and before 8:00 a.m. the day of the meeting, will be provided to the Authority Board and submitted into the written record for the meeting.

Comment on Agenda Items

Public comment on agenda items may be submitted to the Authority clerk at clerk@san.org. Comments received no later than 8:00 a.m. on the day of the meeting will be distributed to the Board and included in the record.

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

- **Step 1:** Fill out the online [Request to Speak Form](#) to speak during the meeting via teleconference. The form must be submitted by 4 p.m. the day before the meeting or by 4:00 p.m. the Friday before a Monday meeting. After completing the form, you'll get instructions on how to call in to the meeting.
- **Step 2:** Watch the meeting via the Webcast located at the following link, <https://www.san.org/Airport-Authority/Meetings-Agendas/Authority-Board?EntryId=13943>
- **Step 3:** When the Board begins to discuss the agenda item you want to comment on, call in to the conference line, you will be placed in a waiting area. ***Please do not call until the item you want to comment on is being discussed.***
- **Step 4:** When it is time for public comments on the item you want to comment on, Authority Clerk staff will invite you into the meeting and unmute your phone. Staff will then ask you to state your name and begin your comments.

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=13943>

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 <mailto: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), Van Sambeek, 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: Cabrera, Casillas Salas, Lloyd (Chair), Vargas, von Wilpert

ADVISORY COMMITTEES

- **AUTHORITY ADVISORY COMMITTEE:**
Liaison: Casillas Salas (Primary), Robinson
- **ARTS ADVISORY COMMITTEE:**
Committee Member: Robert H. Gleason

LIAISONS

- **CALTRANS:**
Liaison: Dallarda
- **INTER-GOVERNMENTAL AFFAIRS:**
Liaison: Cabrera
- **MILITARY AFFAIRS:**
Liaison: Dockery
- **PORT:**
Liaisons: Robinson, Schiavoni (Primary), Vargas
- **WORLD TRADE CENTER:**
Representatives: Robert H. Gleason

BOARD REPRESENTATIVES (EXTERNAL)

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

CHAIR'S REPORT:

PRESIDENT/CEO'S 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 February 22, 2021 special and March 4, 2021 regular Board meetings.

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 FEBRUARY 8, 2021 THROUGH MARCH 7, 2021 AND REAL PROPERTY AGREEMENTS GRANTED AND ACCEPTED FROM FEBRUARY 8, 2021 THROUGH MARCH 7, 2021:**
RECOMMENDATION: Receive the report.
(Procurement: Jana Vargas, Director)
- 4. APRIL 2021 LEGISLATIVE REPORT:**
RECOMMENDATION: Adopt Resolution No. 2021-0027, approving the April 2021 Legislative Report.
(Government Relations: Matt Harris, Director)
- 5. 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 THREE MONTHS, AS A RESULT OF THE CONTINUED IMPACT OF THE COVID-19 PANDEMIC:**
RECOMMENDATION: Adopt Resolution No. 2021-0028, 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-rent, and a portion of cost recovery payments for a period not to exceed three (3) months beginning April 1, 2021 and ending June 30, 2021, in response to the continued impact of the COVID-19 pandemic crisis.
(Revenue Generation & Partnership Development: Jim DeCock, Acting Director)

CLAIMS

COMMITTEE RECOMMENDATIONS

CONTRACTS AND AGREEMENTS

- 6. AUTHORIZE THE PRESIDENT/CEO TO EXECUTE A "POWER YOUR DRIVE FOR FLEETS " PROGRAM PARTICIPATION AGREEMENT WITH SAN DIEGO GAS & ELECTRIC:**
RECOMMENDATION: Adopt Resolution No. 2021-0029, authorizing the President/CEO to execute a "Power Your Drive for Fleets" Program Participation Agreement with San Diego Gas & Electric.
(Airport Planning & Environmental: Brendan Reed, Director)

- 7. AWARD A CONTRACT TO S&L SPECIALTY CONSTRUCTION, INC. FOR QUIETER HOME PROGRAM PHASE 10, GROUP 12, PROJECT NO. 381012, FOURTEEN (14) SINGLE-FAMILY AND MULTI-FAMILY UNITS ON TWELVE (12) HISTORIC RESIDENTIAL PROPERTIES LOCATED EAST AND WEST OF THE SAN DIEGO INTERNATIONAL AIRPORT:**
RECOMMENDATION: Adopt Resolution No. 2021-0030, awarding a contract to S&L Specialty Construction, Inc. in the amount of \$1,093,339.28 for Phase 10, Group 12, Project No. 381012, of the San Diego County Regional Airport Authority's Quieter Home Program.
(Airport Planning & Environmental: Brendan Reed, Director)
- 8. REVISE RESOLUTION NUMBERS 2021-0010, 2021-0011, 2021-0012, 2021-0013, 2021-0014, AND 2021-0015 TO CORRECT THE ENTITY NAMES FOR CONTRACTS WITH ARTISTS COMMISSIONED TO DESIGN, FABRICATE, TRANSPORT, DELIVER AND CONSULT DURING INSTALLATION OF INTEGRATED ARTWORKS FOR THE AIRPORT TERMINAL AND ROADWAYS PROJECT:**
RECOMMENDATION: Adopt Resolution No. 2021-0031, revising Resolution Numbers 2021-0010, 2021-0011, 2021-0012, 2021-0013, 2021-0014 and 2021-0015 to correct the name of the Artists to whom a contract was awarded.
(Customer Experience & Innovation: Chris Chalupsky, Senior Manager, Arts Program)
- 9. APPROVE AND AUTHORIZE THE PRESIDENT/CEO TO EXECUTE A FIFTH AMENDMENT TO THE AGREEMENT WITH DEVANEY PATE MORRIS & CAMERON LLP:**
RECOMMENDATION: Adopt Resolution No. 2021-0032, approving and authorizing the President/CEO to execute a Fifth Amendment to the Agreement with Devaney Pate Morris & Cameron LLP for professional legal services extending the term for one year.
(Legal: Amy Gonzalez, General Counsel)

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

10. APPROVE AND AUTHORIZE THE PRESIDENT/CEO TO EXECUTE TWO ON-CALL ARCHITECTURAL CONSULTING SERVICES AGREEMENTS AT SAN DIEGO INTERNATIONAL AIRPORT:

RECOMMENDATION: Adopt Resolution No. 2021-0033, approving and authorizing the President/CEO to negotiate and execute an On-Call Architectural Consulting Services Agreement with Corgan Associates for a term of three years, with the option for two one-year extensions at the sole discretion of the President/CEO, in an amount not-to-exceed \$10,000,000 in support of the Airport Development and Capital Improvement Programs at San Diego International Airport.

Adopt Resolution No. 2021-0034, approving and authorizing the President/CEO to negotiate and execute an On-Call Architectural Consulting Services Agreement with PGAL, Inc., for a term of three years, with the option for two one-year extensions at the sole discretion of the President/CEO, in an amount of not-to-exceed \$10,000,000, in support of the Airport Development and Capital Improvement Programs at San Diego International Airport.

(Airport Design and Construction: Bob Bolton, Director)

11. APPROVE AND AUTHORIZE THE PRESIDENT/CEO TO EXECUTE TWO ON-CALL ENGINEERING CONSULTING SERVICES AGREEMENTS AT SAN DIEGO INTERNATIONAL AIRPORT:

RECOMMENDATION: Adopt Resolution No. 2021-0035, approving and authorizing the President/CEO to negotiate and execute an On-Call Engineering Consulting Services Agreement with C&S Engineers, Inc., for a term of three years, with the option for two one-year extensions at the sole discretion of the President/CEO, in an amount not-to-exceed \$10,000,000 in support of the Airport Development and Capital Improvement Programs at San Diego International Airport.

Adopt Resolution No. 2021-0036, approving and authorizing the President/CEO to negotiate and execute an On-Call Engineering Consulting Services Agreement with HNTB Corporation, for a term of three years, with the option for two one-year extensions at the sole discretion of the President/CEO, in an amount not-to-exceed \$10,000,000 in support of the Airport Development and Capital Improvement Programs at San Diego International Airport.

(Airport Design and Construction: Bob Bolton, Director)

PUBLIC HEARINGS:

12. ADOPT AN ADDENDUM TO THE ENVIRONMENTAL IMPACT REPORT FOR THE AIRPORT DEVELOPMENT PROGRAM FOR SAN DIEGO INTERNATIONAL AIRPORT:

RECOMMENDATION:

Adopt Resolution No. 2021-0037, adopting an Addendum to the Environmental Impact Report for the Airport Development Program for San Diego International Airport.

(Airport Planning & Environmental: Brendan Reed, Director)

OLD BUSINESS:

NEW BUSINESS:

13. AUTHORIZE THE PRESIDENT/CEO TO ENTER INTO TIDELAND USE PERMITS WITH THE SAN DIEGO UNIFIED PORT DISTRICT AND SUBLEASES WITH HERTZ CORPORATION AND/OR AVIS RENT A CAR FOR PARCELS LOCATED ON HARBOR ISLAND TO ACCOMMODATE TERMINAL DEVELOPMENT EFFORTS:

RECOMMENDATION: Adopt Resolution No. 2021-0038, authorizing the President/CEO to enter into a Tideland Use and Occupancy Permit with the San Diego Unified Port District for a term of 5 years with 2 separate one-year options to renew for approximately 135,521 square feet of land area located at 3032 North Harbor Drive in the City of San Diego, California.

Adopt Resolution No. 2021-0039, authorizing the President/CEO to enter into a Tideland Use and Occupancy Permit with the San Diego Unified Port District for a term of 51 months for approximately 60,958 square feet of land area on the east side of Harbor Island Drive near North Harbor Drive and 261,130 square feet of land area located north-easterly of the neck of Harbor Island Drive and adjacent easterly to 1380 Harbor Island Drive in the City of San Diego, California.

Adopt Resolution No. 2021-0040, authorizing the President/CEO to enter into Tideland Use and Occupancy Permit(s) with the San Diego Unified Port District and/or subleases with Hertz Corporation and/or Avis Rent A Car for approximately 160,000 square feet of land area located on Harbor Island for a term to expire no later than the expiration of the neighboring Authority leasehold interest at 3032 North Harbor Drive in the City of San Diego, California.

(Marketing, Innovation, and Revenue: Hampton Brown, Vice President)

- 14. AUTHORIZE THE PRESIDENT/CEO TO ENTER INTO A 20 YEAR LEASE WITH THE SAN DIEGO UNIFIED PORT DISTRICT TO ACCOMMODATE GROUND TRANSPORTATION SHUTTLE BUS OPERATIONS:**
RECOMMENDATION: Adopt Resolution No. 2021-0041, authorizing the President/CEO to enter into a 20-year lease with the San Diego Unified Port District for approximately 104,830 square feet of land area located at 2535 Pacific Highway in the City of San Diego, California.
(Marketing, Innovation, and Revenue: Hampton Brown, Vice President)
- 15. APPROVE CREATION OF AN AD HOC COMMITTEE ON DIVERSITY, EQUITY, AND INCLUSION:**
RECOMMENDATION: The Board Chair recommends that the Board create an ad hoc committee on diversity, equity, and inclusion.
(Government Relations: Matt Harris, Director)

CLOSED SESSION:

- 16. 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
- 17. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION:**
(Paragraph (1) of subdivision (d) of Cal. Gov. Code §54956.9)
Name of Case: Park Assist LLC v. San Diego County Regional Airport Authority, et al.
United States District Court Case No. 18 CV2068 LAB MDD
- 18. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION:**
(Paragraph (1) of subdivision (d) of Cal. Gov. Code §54956.9)
Name of Case: Quiet Skies San Diego v. San Diego County Regional Airport Authority
San Diego Superior Court Case No. 37-2020-00007998-CU-TT-CTL
- 19. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION:**
(Paragraph (1) of subdivision (d) of Section 54956.9)
Name of case: In re Hertz Global Holdings, Inc., Case No. 20-11219-MFW
- 20. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION:**
(Paragraph (1) of subdivision (d) of Cal. Gov. Code §54956.9)
Name of Case: City of Coronado v. San Diego County Regional Airport Authority, et al.
San Diego Superior Court Case No. 37-2020-00039394-CU-TT-CTL
- 21. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION:**
(Paragraph (1) of subdivision (d) of Cal. Gov. Code §54956.9)
Name of case: In re Advantage Holdco, Inc., et al., Case No. 20-11259-JTD

- 22. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION:**
(Initiation of litigation pursuant to paragraph (4) of subdivision (d) of Cal. Gov. Code §54956.9)
Number of cases: 2
- 23. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION:**
(Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Cal. Gov. Code §54956.9)
Investigative Order No. R9-2012-0009 by the California Regional Water Quality Control Board pertaining to an investigation of bay sediments at the Downtown Anchorage Area in San Diego.
Number of potential cases: 1
- 24. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION:**
(Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Cal. Gov. Code §54956.9)
Number of potential cases: 1
- 25. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED 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
- 26. CONFERENCE WITH REAL PROPERTY NEGOTIATORS:**
(Government Code §54956.8)
Property: 2554-2610 California Street, San Diego CA 92101
Agency negotiator: Hampton Brown, Eric Podnieks
Negotiating parties: Ryan King, Voit Estate Services
Under negotiation: Price and terms of payment
- 27. CONFERENCE WITH REAL PROPERTY NEGOTIATORS:**
(Government Code §54956.8)
Property: Approximately 104,830 square feet of land area located at 2535 Pacific Highway in the City of San Diego, California; approximately 135,521 square feet of land area located at 3032 North Harbor Drive in the City of San Diego; approximately 60,958 square feet of land area on the east side of Harbor Island Drive near North Harbor Drive; and 261,130 square feet of land area located north-easterly of the neck of Harbor Island Drive and adjacent easterly to 1380 Harbor Island Drive in the City of San Diego, California
Agency negotiator: Hampton Brown, Eric Podnieks
Negotiating parties: Taylor Stack, Asset Manager, Real Estate-San Diego Unified Port District, Anette Dahl, Department Manager, Real Estate-San Diego Unified Port District
Under negotiation: Price and terms of payment

28. CONFERENCE WITH LABOR NEGOTIATORS:

Cal. Gov. Code section 54957.6

Agency designated representatives: Angela Shafer-Payne, Monty Bell, Lola Barnes, Greg Halsey, Rod Betts

Employee organization: California Teamsters Local 911

29. THREAT TO PUBLIC SERVICES OR FACILITIES:

Consultation with: General Counsel and President/CEO

REPORT ON CLOSED SESSION:

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.
- 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

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 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
SPECIAL BOARD
AND EXECUTIVE-FINANCE COMMITTEE MEETING MINUTES
MONDAY, FEBRUARY 22, 2021
BOARD ROOM

CALL TO ORDER: Chair Schiavoni called the special Board and regular Executive and Finance Committee meeting to order at 9:01 a.m., on Monday, February 22, 2021, electronically and via teleconference pursuant to Executive Order N-29-20, at the San Diego International Airport, Administration Building, 3225 N. Harbor Drive, San Diego, CA 92101.

Chair Schiavoni acknowledged the passing of Committee Member Larry Barza and spoke regarding his service on the Art Advisory Committee and within the community of San Diego.

ROLL CALL:

Board

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

Absent: Dallarda (Ex Officio), Dockery (Ex Officio), Miller (Ex Officio), Robinson, Vargas

Executive Committee

Present: Committee Members: Lloyd, Schiavoni (Chair)

Absent: Committee Members: Robinson

Finance Committee

Present: Committee Members: Cabrera, Casillas Salas, Lloyd (Chair), von Wilpert

Absent: Committee Members: Vargas

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

NON-AGENDA PUBLIC COMMENT: None

BOARD NEW BUSINESS:

1. APPROVE AND AUTHORIZE THE AIR SERVICE INCENTIVE PROGRAM (ASIP21) AT SAN DIEGO INTERNATIONAL AIRPORT:

Hampton Brown, Interim Vice President, Marketing & Air Service Development, and Robyn Platt, Air Service Program Manager, Marketing & Air Service Development, provided a presentation on the SAN Air Service Incentive Program that included The Importance of New Air Service, Why Air Service Incentive Programs are Critical, Regional Partners Support New Air Service Efforts, SAN Has Successfully Attracted New Air Service With Incentives, Current Program, Current Program Is Insufficient, Review of Peer ASIPs, Current Program Less Competitive Than Peers, Proposed Program Objectives, Proposed Program Components: New Service, Return To Service and Proposed Program Positions SAN In Mid-Pack of Peers

RECOMMENDATION: Adopt Resolution 2021-0020, approving and authorizing a new Air Service Incentive Program (ASIP21) at San Diego International Airport to promote new air service and the return to service for COVID-19 impacted services, terminating, and replacing all existing air service incentive programs, including those authorized by resolutions 2007-0115, 2009-0118R, 2011-0034, 2012-0011, and 2016-0026.

ACTION: Moved by Board Member Casillas Salas and seconded by Board Member Cabrera to approve staff's recommendation. Motion carried by the following votes: YES – Blakespear, Cabrera, Casillas Salas, Lloyd, Schiavoni, von Wilpert; NO – None; ABSENT – McNamara, Robinson, Vargas (Weighted Vote Points: YES – 72; NO – 0; ABSENT – 28)

FINANCE COMMITTEE NEW BUSINESS:

2. REVIEW OF THE UNAUDITED FINANCIAL STATEMENTS FOR THE SEVEN MONTHS ENDED JANUARY 31, 2021:

Scott Brickner, Vice President/CFO, provided a presentation on the Review of the Unaudited Financial Statements for the Six Months Ended December 31, 2020 that included Enplanements, Gross Landing Weight Units, Operating Revenues, Operating Expenses, Net Operating Income Summary, Nonoperating Revenues & Expenses, Statements of Net Position and Budget – Timeline of Key Dates.

Board Member von Wilpert requested that an overview be provided at the Board Retreat detailing how CARES Act funds were utilized by the Authority.

3. REVIEW OF THE AUTHORITY'S INVESTMENT REPORT AS OF JANUARY 31, 2021:

Geoff Bryant, Manager, Airport Finance, provided a presentation on the Investment Report that included Portfolio Characteristics, Sector Distribution, Quality and Maturity Distribution, Investment Performance and Bond Proceeds.

EXECUTIVE COMMITTEE NEW BUSINESS:

4. APPROVAL OF MINUTES:

RECOMMENDATION: Approve the minutes of the January 25, 2021 regular meeting.

ACTION: Moved by Chair Schiavoni and seconded by Board Member Lloyd to approve staff's recommendation. Motion carried unanimously, noting Board Member Robinson as ABSENT.

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:

RECOMMENDATION: Pre-approve travel requests and approve business and travel expense reimbursement requests.

ACTION: Moved by Board Member Lloyd and seconded by Chair Schiavoni to approve staff's recommendation. Motion carried unanimously, noting Board Member Robinson as ABSENT.

REVIEW OF FUTURE AGENDAS:

6. REVIEW OF THE DRAFT AGENDA FOR THE MARCH 4, 2021 BOARD MEETING:

Kimberly J. Becker, President/CEO, provided an overview of the March 4, 2021 draft Board Agenda.

7. REVIEW OF THE DRAFT AGENDA FOR THE MARCH 4, 2021 AIRPORT LAND USE COMMISSION MEETING:

Kimberly J. Becker, President/CEO, provided an overview of the March 4, 2021 draft Airport Land Use Commission meeting agenda.

COMMITTEE MEMBER COMMENTS: None.

ADJOURNMENT: The meeting adjourned at 10:11 a.m.

APPROVED BY A MOTION OF THE SAN DIEGO COUNTY REGIONAL AIRPORT
AUTHORITY BOARD THIS 1ST DAY OF APRIL, 2021.

ATTEST:

TONY R. RUSSELL
DIRECTOR, BOARD SERVICES/
AUTHORITY CLERK

APPROVED AS TO FORM:

AMY GONZALEZ
GENERAL COUNSEL

DRAFT
SAN DIEGO COUNTY REGIONAL AIRPORT AUTHORITY BOARD
MINUTES
THURSDAY, MARCH 4, 2021
SAN DIEGO INTERNATIONAL AIRPORT
BOARD ROOM

CALL TO ORDER: Chair Schiavoni called the meeting of the San Diego County Regional Airport Authority Board to order at 9:01 a.m. on Thursday, March 4, 2021, electronically and via teleconference pursuant to Executive Order N-29-20 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, Dallarda (Ex-Officio), Lloyd, McNamara, Robinson, Schiavoni, Vargas, von Wilpert

ABSENT: Board Members: Dockery (Ex-Officio), Miller (Ex-Officio)

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

Robert Gleason, Chair of the Authority Arts Advisory Committee, acknowledged the passing of Committee Member Larry Baza and recognized his contribution to the Authority and the San Diego community.

PRESENTATIONS:

A. DISCUSSION REGARDING THE PARAMETERS FOR FISCAL YEAR 2022 AND FISCAL YEAR 2023 OPERATING BUDGETS:

Kimberly J. Becker, President/CEO, Scott Brickner, Vice President/CFO, John Dillon, Director, Financial Planning & Budget and Maya Dayan, Manager, Airport Finance provided a presentation on the Parameters for the FY 2022 and FY 2023 Operating Budgets that included Strategic Plan Future State Description, Strategic Goals, Focus Areas, Top Three Priorities, Airport Development Program (ADP) Action Items, Optimizing Ongoing Business (OOB) Action Items, Transforming Customer Experience (TCE) Action Items, Enplanements, Total Operating Revenue, Revenue Budget Parameters, Total Operating Expenses & Equipment Outlay, Expense Budget Parameters, Budget – Timeline of Key Dates.

Board Member Blakespear requested that if the Airport decides to not move towards 100% renewable power that it be brought back to the Board for discussion.

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

- **AUDIT COMMITTEE:** Committee Member Vann reported that the Committee met on February 8th and the meeting included the Fiscal Year 2021 Second Quarter Report from the Office of the Chief Auditor and a Revision to the Fiscal Year 2021 Audit Plan of the Office of the Chief Auditor. She also reported that the Audit Committee is accepting applications to fill an upcoming public member vacancy on the Audit Committee.
- **CAPITAL IMPROVEMENT PROGRAM OVERSIGHT COMMITTEE:** None.
- **EXECUTIVE PERSONNEL AND COMPENSATION COMMITTEE:** None.
- **FINANCE COMMITTEE:** Board Member Lloyd reported that the Committee met on February 22nd to review the Unaudited Financial Statements for the Seven Months Ended January 31, 2021 as well as the Investment Report as of January 31, 2021.

ADVISORY COMMITTEES

- **AUTHORITY ADVISORY COMMITTEE:** None.
- **ART ADVISORY COMMITTEE:** Chris Chalupsky, Senior Manager, Arts Program, reported that the call for submissions for the Airport's new artist mentorship program called "Under the Wing" closed on March 4th. He also reported on the loss of Larry Baza from our Arts Advisory Committee and that the committee will discuss ways the Authority can memorialize the late Committee Member at an upcoming meeting.

LIAISONS

- **CALTRANS:** Board Member Dallarda reported that the Torrey Meadows Bridge opened on February 13th. He also reported that on February 18th the Gilman Bridge was illuminated. He announced the upcoming March 6th "Tarp Your Load" event and the March 30th Disadvantage Business Enterprise Summit and that the United States Department of Transportation released a Notice of Availability for Infrastructure for Rebuilding America (INFRA) Grants and that applications are due on March 19th. He also reported that CALTRANS has released the California Transportation Plan (CTP) 2050.
- **INTER-GOVERNMENTAL AFFAIRS:** Board Member Cabrera reported that the House of Representatives approved the Pandemic Relief Package and that it has progressed to the Senate and that this legislation includes \$6.5 billion for commercial airports and \$800 million for concessionaires. He also reported that the Government Relations team is working with local government agency partners, federal consultants, and trade associations to deliver Letters in Support for additional relief to San Diego Congressional Delegation and made personal contact with key Congressional Staff to advocate for the inclusion of the airport industry in the final Bill. He reported that President Biden is expected to release

details of the Infrastructure Proposal and that, in response, the Authority has developed a list of Capital Improvement Projects that are shovel ready and will help the regional economy recover and that this will be included in the Authority's advocacy efforts. He also reported that the Governor and Legislature continue to address the impact of the COVID-19 pandemic and prepare the state for recovery and that on February 23rd the Golden State Stimulus Plan was signed. He reported that the San Diego City Council voted to create a temporary COVID-19 Response and Recovery Committee and it will be co-chaired by Board Member von Wilpert and Jennifer Campbell, Council President. He also reported that the Government Relations Team continues to deliver briefings to local elected officials and their staff on the impacts of COVID-19, the Airport Development Program and additional topics of importance and interest.

- **MILITARY AFFAIRS:** None.
- **PORT:** None.
- **WORLD TRADE CENTER:** None.

BOARD REPRESENTATIVES (EXTERNAL)

- **SANDAG BOARD OF DIRECTORS:** Chair Schiavoni reported that the Board met on February 12th where the Board approved additional bond refinancing and short-term debt refunding, adopted SANDAG's Commitment to Equity statement and received a presentation on the Initial Performance Results, Key Planning Assumptions and Upcoming Milestones for the development of the 2021 Regional Plan. She also reported that at the February 26th meeting the Board received presentations on SANDAG's Disadvantage Business Enterprise and Workforce Utilization Program, received a report on the Equal Opportunity Program and Internal Employment Program, a Regional Economic update and that the Board approved an amendment to the SANDAG budget for the current Fiscal Year.
- **SANDAG TRANSPORTATION COMMITTEE:** Board Member Cabrera reported that the Committee heard a report on the Proposed 2021 Bond Issuance Refunding and New Debt and heard additional updates on the Regional Transportation Improvement Program, the Otay Mesa East Port of Entry and an Update on the Next Generation Transit Fare System and Possible Fare Changes.

Board Member Lloyd reported that the Committee also heard updates on the North County Trolley System.

Board Member Blakespear reported on SANDAG's Litter Abatement Subcommittee's efforts to reduce litter on San Diego highways and on the Committee's support of the CALTRAN's "Tarp Your Load" program in reducing litter by unsecured loads.

CHAIR'S REPORT: Chair Schiavoni congratulated Board Member Vargas on her appointment as the Chair of SANDAG's Transportation Committee. She also reported that the Airport Innovation Lab has launched its fifth cohort and that the cohort will focus on health and safety in the terminals. She also reported that the Facilities Management Department and the Airport Design and Construction teams worked together to save the Authority more than \$300,000 by trading two sweeper trucks for two new machines powered by clean diesel which will further reduce emissions. She also reported that the Airport Authority has received the Distinguished Budget Presentation Award from the Government Finance Officers Association for its annual budget for the fiscal year beginning July 1, 2019 and that this marks the 16th consecutive year that the Authority has earned this award. She also reported that the Design-Build Institute of America has presented the airport with two "2020 Design-Build for Transportation/Aviation Leadership" awards for Terminal 2 Parking Plaza and the International Arrivals facility projects.

PRESIDENT/CEO'S REPORT: Kim Becker, President/CEO, reported that Japan Airlines resumed its nonstop service to Tokyo on March 3rd and that this is the first overseas route that SAN has been able to regain. She also reported that Alaska Airlines has announced that they will offer seasonal nonstop service from SAN to Kalispell and Bozeman, Montana starting May 20th, and, in two weeks, will begin nonstop service to Missoula, Montana. She reported that Allegiant announced it would offer seasonal nonstop service to Kalispell and Bozeman, Montana, Pasco, Washington, Des Moines, Iowa, and Mesa, Arizona as early as the end of May. She also reported that the Valentine's/President's Day weekend provided a slight bump to passenger traffic and that the Authority ended February down 70% over last year. She also provided an update on the federal mask mandate, which requires that individuals who do not wear a mask to be removed from the premises, and that guidance has been provided on what constitutes an appropriate facial covering to travelers. She reported that individuals who are not in compliance will be offered disposable masks and that the Authority continues to provide education to passengers through a variety of means, including the website, in-terminal signage, and social media posts. She reported that on February 11th, researchers from the Harvard T.H. Chan School of Public Health released an independent report under their Aviation Public Health Initiative that examines the strategies implemented by airports to reduce the transmission of COVID-19. She reported that this report found that a multi-layered approach to health and safety significantly contributed to risk reduction of COVID-19 transmission and it also made it clear that passengers have a role to play in preventing the spread of COVID-19 by wearing masks, physically distancing, and practicing hand hygiene and that SAN continues to evaluate and modify health and safety mitigation strategies based on the best available science. She also reported that the Authority published the 2019-2020 Sustainability Report at the end of 2020 and that a one-page summary sheet has been created which can be downloaded at sustain.san.org.

NON-AGENDA PUBLIC COMMENT: None.

CONSENT AGENDA (Items 1-10):

ACTION: Moved by Board Member Robinson and seconded by Board Member Cabrera to approve the Consent Agenda. Motion carried by the following votes: YES – Blakespear, Cabrera, Casillas Salas, Lloyd, McNamara, Robinson, Schiavoni, Vargas, von Wilpert; NO – None; ABSENT – None; (Weighted Vote Points: YES – 100; NO – 0; ABSENT – 0)

1. APPROVAL OF MINUTES:

RECOMMENDATION: Approve the minutes of the January 25, 2021 Special and the February 4, 2021 regular Board meetings.

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

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

3. AWARDED CONTRACTS, APPROVED CHANGE ORDERS FROM JANUARY 11, 2021 THROUGH FEBRUARY 7, 2021 AND REAL PROPERTY AGREEMENTS GRANTED AND ACCEPTED FROM JANUARY 11, 2021 THROUGH FEBRUARY 7, 2021:

RECOMMENDATION: Receive the report.

4. MARCH 2021 LEGISLATIVE REPORT:

RECOMMENDATION: Adopt Resolution No. 2021-0021, approving the March 2021 Legislative Report.

5. CONTINUE THE DECLARATION OF THE EXISTENCE OF A LOCAL EMERGENCY IN RESPONSE TO THE SERIOUS AND IMMINENT THREAT OF THE NOVEL CORONAVIRUS (COVID-19):

RECOMMENDATION: Adopt Resolution No. 2021-0022, confirming the need to continue the Declaration of a Local Emergency in response to COVID-19.

6. APPOINTMENT OF AUTHORITY ADVISORY COMMITTEE MEMBERS:

RECOMMENDATION: Adopt Resolution No. 2021-0023, appointing members to the Authority Advisory Committee.

CLAIMS

COMMITTEE RECOMMENDATIONS

7. **FISCAL YEAR 2021 SECOND QUARTER REPORT FROM THE OFFICE OF THE CHIEF AUDITOR:**
RECOMMENDATION: The Audit Committee recommends that the Board accept the report.
8. **REVISION TO THE FISCAL YEAR 2021 AUDIT PLAN OF THE OFFICE OF THE CHIEF AUDITOR:**
RECOMMENDATION: The Audit Committee recommends that the Board Adopt Resolution No. 2021-0024, approving the revision to the Fiscal Year 2021 Audit Plan of the Office of the Chief Auditor.

CONTRACTS AND AGREEMENTS

9. **APPROVE AND AUTHORIZE THE PRESIDENT/CEO TO EXECUTE A SECOND AMENDMENT TO THE ON-CALL INDUSTRIAL HYGIENE SERVICES AGREEMENT WITH TETRA TECH EM INC.:**
RECOMMENDATION: Adopt Resolution No. 2021-0025, approving and authorizing the President/CEO to execute a Second Amendment to the On-call Industrial Hygiene Services Agreement with Tetra Tech EM Inc., increasing the amount payable by \$775,000 for a total not-to-exceed compensation amount of \$1,475,000.
10. **APPROVE AND AUTHORIZE THE PRESIDENT/CEO TO NEGOTIATE AND EXECUTE AN AMENDMENT TO A REIMBURSABLE AGREEMENT BETWEEN THE FEDERAL AVIATION ADMINISTRATION (FAA) FOR THE RELOCATION OF TWO COMPONENTS OF AN FAA SYSTEM THAT CONFLICT WITH ADP PACKAGE 1: TERMINAL AND ROADWAYS:**
RECOMMENDATION: Adopt Resolution No. 2021-0026, approving and authorizing the President/CEO to negotiate and execute an Amendment to a Reimbursable Agreement between the Federal Aviation Administration (FAA) and the San Diego County Regional Airport Authority for the relocation of two components of an FAA system.

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

PUBLIC HEARINGS:

OLD BUSINESS:

NEW BUSINESS:

The Board recessed at 10:40 a.m. and reconvened at 10:43 a.m.

CLOSED SESSION: The Board recessed into Closed Session at 10:44 a.m. to discuss Items 13 and 23.

- 11. 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
- 12. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION:**
(Paragraph (1) of subdivision (d) of Cal. Gov. Code §54956.9)
Name of Case: Park Assist LLC v. San Diego County Regional Airport Authority, et al.
United States District Court Case No. 18 CV2068 LAB MDD
- 13. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION:**
(Paragraph (1) of subdivision (d) of Cal. Gov. Code §54956.9)
Name of Case: Quiet Skies San Diego v. San Diego County Regional Airport Authority
San Diego Superior Court Case No. 37-2020-00007998-CU-TT-CTL
- 14. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION:**
(Paragraph (1) of subdivision (d) of Section 54956.9)
Name of case: In re Hertz Global Holdings, Inc., Case No. 20-11219-MFW
- 15. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION:**
(Paragraph (1) of subdivision (d) of Section 54956.9)
Name of case: Elizabeth Stillwagon v. San Diego County Regional Airport Authority
San Diego Superior Court Case No. 37-2020-00015509-CU-OE-CTL
- 16. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION:**
(Paragraph (1) of subdivision (d) of Cal. Gov. Code §54956.9)
Name of Case: City of Coronado v. San Diego County Regional Airport Authority, et al.
San Diego Superior Court Case No. 37-2020-00039394-CU-TT-CTL
- 17. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION:**
(Paragraph (1) of subdivision (d) of Cal. Gov. Code §54956.9)
Name of case: In re Advantage Holdco, Inc., et al., Case No. 20-11259-JTD
- 18. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION:**
(Initiation of litigation pursuant to paragraph (4) of subdivision (d) of Cal. Gov. Code §54956.9)
Number of cases: 2

- 19. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION:**
(Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Cal. Gov. Code §54956.9)
Investigative Order No. R9-2012-0009 by the California Regional Water Quality Control Board pertaining to an investigation of bay sediments at the Downtown Anchorage Area in San Diego.
Number of potential cases: 1
- 20. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION:**
(Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Cal. Gov. Code §54956.9)
Number of potential cases: 1
- 21. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED 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
- 22. CONFERENCE WITH REAL PROPERTY NEGOTIATORS:**
(Government Code §54956.8)
Property: 2554-2610 California Street, San Diego CA 92101
Agency negotiator: Hampton Brown, Eric Podnieks
Negotiating parties: Ryan King, Voit Estate Services
Under negotiation: Price and terms of payment
- 23. CONFERENCE WITH REAL PROPERTY NEGOTIATORS:**
(Government Code §54956.8)
Property: Approximately 104,830 square feet of land area located at 2535 Pacific Highway in the City of San Diego, California; approximately 135,521 square feet of land area located at 3032 North Harbor Drive in the City of San Diego; approximately 60,958 square feet of land area on the east side of Harbor Island Drive near North Harbor Drive; and 261,130 square feet of land area located north-easterly of the neck of Harbor Island Drive and adjacent easterly to 1380 Harbor Island Drive in the City of San Diego, California
Agency negotiator: Hampton Brown, Eric Podnieks
Negotiating parties: Taylor Stack, Asset Manager, Real Estate-San Diego Unified Port District, Anette Dahl, Department Manager, Real Estate-San Diego Unified Port District
Under negotiation: Price and terms of payment
- 24. THREAT TO PUBLIC SERVICES OR FACILITIES:**
Consultation with: General Counsel and President/CEO

REPORT ON CLOSED SESSION: The Board adjourned out of Closed Session at 11:40 a.m.

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 11:40 a.m.

APPROVED BY A MOTION OF THE SAN DIEGO COUNTY REGIONAL AIRPORT AUTHORITY BOARD THIS 1ST DAY OF APRIL, 2021.

ATTEST:

TONY R. RUSSELL
DIRECTOR, BOARD SERVICES /
AUTHORITY CLERK

APPROVED AS TO FORM:

AMY GONZALEZ
GENERAL COUNSEL

STAFF REPORT

Meeting Date: **APRIL 1, 2021**

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 2021 Budget

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. 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. Section 15378. This Board action is not a "project" subject to CEQA. Pub. Res. Code Section 21065.
- B. California Coastal Act Review: This Board action is not a "development" as defined by the California Coastal Act, Pub. Res. Code Section 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:	March 2021	
Board Member Name:	Catherine Blakespear	
Date:	3/22/21	
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	03/04/2021 9:00 a.m. - noon Microsoft Teams	Board/ALUC Meeting
<input checked="" type="checkbox"/> Brown Act <input type="checkbox"/> Pre-approved <input type="checkbox"/> Res. 2019-0074	03/12/21 1:00 - 5:00 p.m. Microsoft Teams	Board Retreat
<input checked="" type="checkbox"/> Brown Act <input type="checkbox"/> Pre-approved <input type="checkbox"/> Res. 2019-0074	03/13/21 9:00 a.m.-1:00 p.m. Microsoft Teams	Board Retreat
<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: 2021.03.22 16:51:11 -0700'

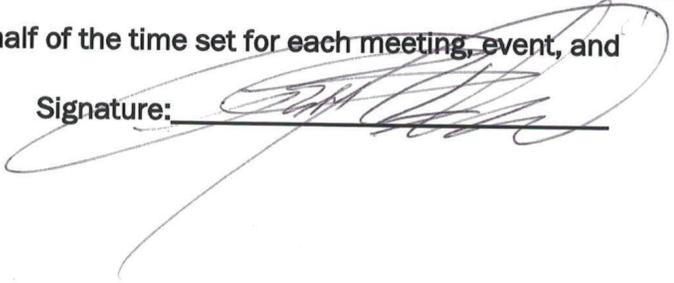


BOARD MEMBER EVENT/MEETING/TRAINING REPORT SUMMARY

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Period Covered:		March 2021
Board Member Name:		Bob Lloyd
Date:		3/23/21
Type of Meeting	Date/Time/Location of Event/Meeting/Training	Summary and Description of the Event/Meeting/Training
<input type="checkbox"/> Brown Act <input type="checkbox"/> Pre-approved <input type="checkbox"/> Res. 2019-0074	03/04/2021 9:00 AM Virtual	Board / ALUC
<input type="checkbox"/> Brown Act <input type="checkbox"/> Pre-approved <input type="checkbox"/> Res. 2019-0074	03/12/2021 1:00 PM Virtual	Board Retreat
<input type="checkbox"/> Brown Act <input type="checkbox"/> Pre-approved <input type="checkbox"/> Res. 2019-0074	03/13/2021 9:00 AM Virtual	Board Retreat
<input type="checkbox"/> Brown Act <input type="checkbox"/> Pre-approved <input type="checkbox"/> Res. 2019-0074	3/22/2021 9:00 AM Virtual	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		

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

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Period Covered:	March 2021	
Board Member Name:	Paul McNamara	
Date:	3/25/21	
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	3/4/2021/090/Zoom/Board Meeting	Monthly Board Meeting
<input checked="" type="checkbox"/> Brown Act <input type="checkbox"/> Pre-approved <input type="checkbox"/> Res. 2019-0074	3/11/2021/1300/Zoom/Annual Retreat	Annual Retreat
<input checked="" type="checkbox"/> Brown Act <input type="checkbox"/> Pre-approved <input type="checkbox"/> Res. 2019-0074	3/12/2021/0900/Zoom/Annual Retreat	Annual Retreat
<input checked="" type="checkbox"/> Brown Act <input type="checkbox"/> Pre-approved <input type="checkbox"/> Res. 2019-0074	3/25/2021/0900/Zoom/ExComp	Executive Personnel and Compensation 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		

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: 2021.03.24 14:08:24 -07'00'

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: Robinson		
Date: 3/1/21		
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	3/4 9:00 a.m.	SDCRAA Board ALVC Mtgs.
<input checked="" type="checkbox"/> Brown Act <input type="checkbox"/> Pre-approved <input type="checkbox"/> Res. 2019-0074	Microsoft 3/12 1:00 p.m.	SDCRAA Bd Retreat
<input checked="" type="checkbox"/> Brown Act <input type="checkbox"/> Pre-approved <input type="checkbox"/> Res. 2019-0074	Microsoft 3/13 9:00 a.m.	SDCRAA Bd Retreat
<input checked="" type="checkbox"/> Brown Act <input type="checkbox"/> Pre-approved <input type="checkbox"/> Res. 2019-0074	Microsoft 3/25	ECPC
<input type="checkbox"/> Brown Act <input type="checkbox"/> Pre-approved <input type="checkbox"/> Res. 2019-0074	Microsoft	
<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: PE Robinson

March 22, 2021

Board Services

SAN DIEGO
COUNTY
REGIONAL
AIRPORT
AUTHORITY

BOARD MEMBER EVENT/MEETING/TRAINING REPORT SUMMARY

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Period Covered:	March 2021	
Board Member Name:	Mary H. Salas	
Date:	3/22/21	
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	Th. March 4, 2021 9am-12noon Virtual	SD Airport Authority Board/ALUC
<input checked="" type="checkbox"/> Brown Act <input type="checkbox"/> Pre-approved <input type="checkbox"/> Res. 2019-0074	Fri. March 12, 2021 1-5pm Virtual	SD Airport Authority Board Retreat
<input checked="" type="checkbox"/> Brown Act <input type="checkbox"/> Pre-approved <input type="checkbox"/> Res. 2019-0074	Sat. March 13, 2021 9am-1pm Virtual	SD Airport Authority Board Retreat
<input type="checkbox"/> Brown Act <input checked="" type="checkbox"/> Pre-approved <input type="checkbox"/> Res. 2019-0074	Th. March 18, 2021 10am-12pm Airport Authority Administrative Offices	Airport On-Site Tour
<input checked="" type="checkbox"/> Brown Act <input type="checkbox"/> Pre-approved <input type="checkbox"/> Res. 2019-0074	Mon. March 22, 2021 9-11am Virtual	SDCRAA Special Board Meeting
<input checked="" type="checkbox"/> Brown Act <input type="checkbox"/> Pre-approved <input type="checkbox"/> Res. 2019-0074	Tues. March 30, 2021 11am-1pm	Roundtable Discussion on SD Airport's Plans to Replace Terminal 1
<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 H. 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:	January - March 2021	
Board Member Name:	Nora Vargas	
Date:	3/24/21	
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 checked="" type="checkbox"/> Res. 2019-0074	1/7/21, 9am, MS Teams Board/Airport Land Use Ccommission (ALUC)	BOARD meeting
<input checked="" type="checkbox"/> Brown Act <input type="checkbox"/> Pre-approved <input checked="" type="checkbox"/> Res. 2019-0074	1/14/21, 11am, MS Teams Capitol Improvement Program Oversight Committee (CIPOC)	CIP Update, ADP Update, Capital Proj. Finance Update, External Relations Update
<input checked="" type="checkbox"/> Brown Act <input type="checkbox"/> Pre-approved <input checked="" type="checkbox"/> Res. 2019-0074	2/4/21, 9am, MS Teams BOARD/ALUC	Review Financials, Noise Compatability Study Update, Committee Reports, Contracts & Agreements, Feb. Legislative Report Approval, Closed Session.
<input checked="" type="checkbox"/> Brown Act <input type="checkbox"/> Pre-approved <input checked="" type="checkbox"/> Res. 2019-0074	3/4/21, 9am, MS Teams BOARD ALUC	Committee Reports, Approval of Contracts & CO's, Legislative Report, Emergency Declaration COVID, Fiscal Report, Contracts & Agreements, Closed Session
<input checked="" type="checkbox"/> Brown Act <input type="checkbox"/> Pre-approved <input checked="" type="checkbox"/> Res. 2019-0074	3/12/21, 1pm, MS Teams Board Retreat	State of Aviation, State of SDIA, ADP Update, Review ADP Financing Plan, COVID Operations Recovery
<input checked="" type="checkbox"/> Brown Act <input type="checkbox"/> Pre-approved <input checked="" type="checkbox"/> Res. 2019-0074	3/13/21, 9am, MS Teams Board Retreat	Airport Finance, Review Airport Concessions Models, Update on Strategic Plan
<input checked="" type="checkbox"/> Brown Act <input type="checkbox"/> Pre-approved <input checked="" type="checkbox"/> Res. 2019-0074	3/22/21, 9am, MS Teams Special Board/Exec. Finance Committee	Staff Report on Financials, Investments and Debt Issuance Process, Review April Draft Agendas, Closed Session
<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 E. Vargas

STAFF REPORT

Meeting Date: **APRIL 1, 2021**

Subject:

Awarded Contracts, Approved Change Orders from February 8, 2021 through March 7, 2021 and Real Property Agreements Granted and Accepted from February 8, 2021 through March 7, 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:

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 February 8, 2021 to March 7, 2021

New Contracts

Date Signed	CIP #	Company	Description	Solicitation Method	Owner	Contract Value	End Date
2/11/2021		McGriff Insurance Services	The Contractor will provide Health and Wellness Broker Services for the San Diego County Regional Airport Authority.	RFP	Talent, Culture & Capability	\$550,500.00	2/29/2024
2/23/2021		Verizon Wireles	The Contractor will provide wireless services for the San Diego County Regional Airport Authority.	RFB	Information & Technoly Services	\$950,000.00	2/3/2024
2/26/2021		Cultura	The Contractor is the certified local authorized dealer for Haworth Inc. providing office furniture to the San Diego County Regional Airport Authority.	RFP	Airport Planning & Environmental Affairs	\$800,000.00	12/31/2024

Attachment "A"

AWARDED CONTRACTS AND CHANGE ORDERS SIGNED BETWEEN February 8, 2021 to March 7, 2021

New Contracts Approved by the Board

Date Signed	CIP #	Company	Description	Solicitation Method	Owner	Contract Value	End Date
			NO AWARDED NEW CONTRACTS APPROVED BY THE BOARD				

Attachment "A"

AWARDED CONTRACTS AND CHANGE ORDERS SIGNED BETWEEN February 8, 2021 to March 7, 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
2/8/2021		OpenText	The 1st Amendment corrects the number of concurrent users for AXC Business Intelligence Perpetual License. There is no change in total compensation. The Contractor provides e-Discovery Software and License for the San Diego County Regional Airport Authority.	General Counsel	\$153,750.00	\$0.00	0%	\$153,750.00	1/3/2022
2/8/2021		HC West LLC dba A&D Fire	The Acknowledgment and Consent Assignment transfers rights, duties and obligations under the current Service and Consulting Agreement to HC West LLC dba A&D Fire from A&D Fire Sprinklers, Inc. The Contractor provides Fire Sprinklers Maintenance Services at the San Diego International Airport. There is no increase in compensation.	Facilities Management	\$980,000.00	\$0.00	0%	\$980,000.00	7/31/2022
2/10/2021		EMS Bruel & Kjaer, Inc. dba Envirosuite, Inc.	The 1st Amendment reflects the Contractor's legal name from Bruel & Kjaer to EMS Bruel & Kjaer, Inc. dba Envirosuite, Inc. There is no change in total compensation. The Contractor provides Noise Operation Monitoring System and Support Services for the San Diego County Regional Airport Authority.	Quieter Home Program	\$1,200,000.00	\$1.00	0%	\$1,200,000.00	4/30/2021
2/26/2021		Willis Tower Watson Midwest, Inc.	The 1st Amendment reflects the Contractor's legal name from Willis of Illinois , Inc., to "Willis Towers Watson Midwest, Inc. for Broker Services .There is no change in total compensation. The Contractor provides Broker services for the San Diego County Regional Airport Authority.	Finance & Risk Management	\$153,750.00	\$0.00	0%	\$153,750.00	1/3/2022

Attachment "A"

AWARDED CONTRACTS AND CHANGE ORDERS SIGNED BETWEEN February 8, 2021 to March 7, 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
3/4/2021		Hyoco Distribution	The 1st Amendment extends the term of the contract by one year (1). There is no change in total compensation. The Contractor provides Dynamic Signage Repair and Maintenance services for the San Diego County Regional Airport Authority.	Airside & Terminal Operations	\$24,999.00	\$0.00	0%	\$24,999.00	4/30/2022
3/5/2021		Risk Solutions International, LLC	The Acknowledgment and Consent Assignment transfers rights, duties and obligations under the current Service and Consulting Agreement to Risk Solutions International, LLC from Ankura Consulting Group, LLC . There is no increase in compensation. The Contractor provides Business Continuity services for the San Diego County Regional Airport Authority.	Aviation Security & Public Safety	\$50,000.00	\$0.00	0%	\$50,000.00	11/1/2021

Attachment "A"

AWARDED CONTRACTS AND CHANGE ORDERS SIGNED BETWEEN February 8, 2021 to March 7, 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
			NO AWARDED AMENDMENTS APPROVED BY THE BOARD						

Attachment "B"

REAL PROPERTY AGREEMENTS EXECUTED FROM February 8, 2021 to March 7, 2021



Real Property Agreements

Begin/End Dates	Authority Doc. #	Tenant/Company	Agreement Type	Property Location	Use	Property Area (s.f)	Consideration	Comments
1/25/21 to 12/31/22	N/A	California Creative House 1, LLC (Landlord)	Assumption for Standard Industrial/Commercial Single-Tenant Lease-Net	2544-2610 California Street, San Diego, CA 92101	Office and Parking	approx.. 3,800 sq.. warehouse/office located on approximately 30,226 sq.. of land	\$9,561 per month (net); operating expenses and property taxes extra	The Airport is the Tenant of this privately owned property. The property rights were acquired through the assumption of the lease between Landlord and Tomatoes Extraordinaire, Inc.



Real Property Agreement Amendments and Assignments

Effective Date	Authority Doc. #	Tenant/Company	Agreement Type	Property Location	Use	Property Area (s.f)	Consideration	Comments
1/1/2021	LE-0660	New Zoom	Temporary Rent Forbearance & Abatement Extension 2 Amendment	All Terminals	Operation of a Retail Concession	N/A	N/A	Extends special program in response to COVID 19 Pandemic for Jan - Mar 2021 period
1/1/2021	LE-0758	Sixt Rent a Car	Temporary Rent Forbearance & Abatement Extension 2 Amendment	Rental Car Center	Non-Exclusive On-Airport Rental Car Concession	N/A	N/A	Extends special program in response to COVID 19 Pandemic for Jan - Mar 2021 period
1/1/2021	LE-0759	Sixt Rent a Car	Temporary Rent Forbearance & Abatement Extension 2 Amendment	Rental Car Center	Rental Car Center Lease Agreement	N/A	N/A	Extends special program in response to COVID 19 Pandemic for Jan - Mar 2021 period
1/1/2021	LE-0908	SFS Beauty	Temporary Rent Forbearance & Abatement Agreement Ext. 2	Terminal 2 West	Retail Concession	N/A	N/A	Extends special program in response to COVID 19 Pandemic for Jan - Mar 2021 period
1/1/2021	LE-0950	SFS Duty Free	Temporary Rent Forbearance & Abatement Agreement Ext 2	Terminals 2 West	Retail Concession	N/A	N/A	Extends special program in response to COVID 19 Pandemic for Jan - Mar 2021 period



Real Property Agreement Amendments and Assignments Continued

Effective Date	Authority Doc. #	Tenant/Company	Agreement Type	Property Location	Use	Property Area (s.f)	Consideration	Comments
2/1/2021	LE-0907	MEX/Ace Rent a Car	Amendment - Term	Off-Site Rental Car Company	Non-Exclusive Off-Airport Rental Car Concession	N/A	N/A	Extends expiration date to 3/12/2021 for collection of updated Letter of Credit
2/18/2021	LE-0657	Host International, Inc.	Temporary Rent Forebearance & Abatement Extension 2 Amendment	Terminals 1 & 2	Food/Beverage Operations	N/A	N/A	Extends special program in response to COVID 19 Pandemic for Jan - Mar 2021 period
2/18/2021	LE-0658	Host International, Inc.	Temporary Rent Forebearance & Abatement Extension 2 Amendment	Terminals 1 & 2	Food/Beverage Operations	N/A	N/A	Extends special program in response to COVID 19 Pandemic for Jan - Mar 2021 period
2/22/2021	LE-0667	SSP America, Inc.	Temporary Rent Forebearance & Abatement Extension 2 Amendment	Terminals 1 & 2	Food/Beverage Operations	N/A	N/A	Extends special program in response to COVID 19 Pandemic for Jan - Mar 2021 period
2/22/2021	LE-0668	SSP America, Inc.	Temporary Rent Forebearance & Abatement Extension 2 Amendment	Terminals 1 & 2	Food/Beverage Operations	N/A	N/A	Extends special program in response to COVID 19 Pandemic for Jan - Mar 2021 period
2/22/2021	LE-0669	SSP America, Inc.	Temporary Rent Forebearance & Abatement Extension 2 Amendment	Terminals 1 & 2	Food/Beverage Operations	N/A	N/A	Extends special program in response to COVID 19 Pandemic for Jan - Mar 2021 period

STAFF REPORT

Meeting Date: **APRIL 1, 2021**

Subject:

April 2021 Legislative Report

Recommendation:

Adopt Resolution No. 2021-0027, approving the April 2021 Legislative Report.

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 April 2021 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.

Federal Legislative Action

Staff recommends that the Board adopt a SUPPORT position on each of the following bills: S. 479 (Wicker) and H.R. 1813 (DeFazio).

S. 479 would provide the Airport Authority with additional flexibility to refinance existing debt and potentially achieve significant interest savings by amending the U.S. Tax Code to restore advance funding and make capital available for use by states and local government entities.

H.R. 1813 (DeFazio) would repeal a requirement that diverts one-third of the revenue collected from airline passenger security fees away from aviation security to be deposited in the Treasury general fund. The bill would also give the Transportation Security Administration (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.

Staff recommends that the Board adopt a WATCH position on the following bill: H.R. 741 (Brownley). This bill would establish a national goal for the U.S. aviation sector to achieve a net thirty-five percent (35%) reduction in Greenhouse Gas emissions by 2035 and net zero emissions by 2050. The bill authorizes \$1 billion over five years in competitive grants and cost sharing agreements to carry out projects in the U.S. to produce, transport, blend or store sustainable aviation fuel (SAF).

In March, President Biden signed into law the \$1.9 trillion American Rescue Plan Act. The new law provides a total of \$8 billion in additional emergency relief for airports, which includes \$6.5 billion in direct relief to commercial airports and \$800 million in relief for concessionaires. The total funding for San Diego International Airport is expected to be approximately \$80-85 million. The Federal Aviation Administration (FAA) is expected to release the funds in the coming months.

It is widely expected that negotiations on an infrastructure package between Congress and the Biden Administration will continue in April. The Airport Authority's Government Relations staff and Federal legislative consultants continue to be in regular contact with Federal elected officials and their staff, federal agencies, industry associations and other aviation stakeholders to advocate for an infrastructure package that includes funding for San Diego International Airport capital projects.

State Legislative Action

In cases where legislation requires an immediate response prior to a Board meeting, Policy 1.60(5)(c) authorizes Authority staff, in consultation with the Board Chair, to advocate a position provided that staff has determined that action to be consistent with the Board's legislative agenda. In accordance with this policy, staff consulted with the Board Chair to adopt a SUPPORT position on SB 285 (McGuire) on March 16, 2021 and on AB 302 (Ward) on March 18, 2021.

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.

AB 302 (Ward) would expand to any city within the County of San Diego the authority of the board to enter into contracts to license or regulate for-hire vehicle services and to regulate vehicle safety and driver qualifications for passenger jitney service.

Staff recommends that the Board adopt a WATCH position on the following bill: AB 426 (Bauer-Kahan). This bill would authorize local air pollution control districts and air quality management 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.

In March, the California Department of Public Health announced that public transit workers, including commercial airport employees, were eligible to receive the COVID-19 vaccine in Phase 1C, which began on March 15, 2021.

The announcement comes after months of advocacy by the Airport Authority Government Relations Staff, the Authority's state legislative consultants, and the California Airports Council (CAC) with the Governor's Office, the Government Operations Agency (GovOps), and the California State Transportation Agency (CalSTA).

Over the past month, staff have continued outreach to the region’s elected officials., providing briefings to: Assemblymembers Lorena Gonzalez, and Chris Ward; staff from the office of Assemblymember Brian Maienschein; staff from the office of Senator Ben Hueso; Carlsbad Mayor Matt Hall; Chula Vista Councilmember and California Coastal Commission Chair Steve Padilla; National City Mayor Alejandra Sotelo-Solis; San Diego Councilmembers Chris Cate and Stephen Whitburn; San Marcos Mayor Rebecca Jones; staff from the office of U.S. Representative Sara Jacobs; and staff from the office of U.S. Representative Scott Peters.

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. 2021-0027

A RESOLUTION OF THE BOARD OF THE SAN DIEGO COUNTY REGIONAL AIRPORT AUTHORITY, APPROVING THE APRIL 2021 LEGISLATIVE REPORT

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 April 2021 Legislative Report (“Attachment A”); 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 meeting this 1st day of April 2021, 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

April 2021 Legislative Report

State Legislation

New Assembly Bills

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: 3/15/21 – This bill was amended and referred to the Assembly Local Government Committee.

Position: Watch (3/4/21)

*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) This bill 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 72 (Petrie-Norris) Environmental protection: Natural Resources Agency: coastal adaptation projects: sea level rise: regulator permitting: report.

Background/Summary

Existing law establishes the Natural Resources Agency. Existing law requires the agency, by July 1, 2017, and every 3 years thereafter, to update the state's climate adaptation strategy to identify vulnerabilities to climate change by sectors and priority actions needed to reduce the risks in those sectors. This bill would enact the Coastal Adaptation Permitting Act of 2021 and would require the agency to explore, and authorize it to implement, options within the agency's jurisdiction to establish a more coordinated and efficient regulatory review and permitting process for coastal adaptation projects, as defined. The bill would require the agency to submit, by July 1, 2023, a report to the Legislature with suggestions and recommendations for improving and expediting the regulatory review and permitting process for coastal adaptation projects.

Anticipated Impact/Discussion

If enacted, the Airport Authority's legislative team would work with the California Airports Council to identify any potential opportunities to engage with the agency on actions and recommendations that could impact California airports.

Status: 1/11/21 – This bill is in the Assembly Natural Resources Committee.

Position: Watch (1/7/21)

*Shaded text represents new or updated legislative information

Legislation/Topic

AB 302 (Ward) San Diego Metropolitan Transit Development Board: regulation of transportation and passenger jitney services.

Background/Summary

AB 302 would expand to any city within the County of San Diego the authority of the board to enter into contracts to license or regulate transportation services and to regulate vehicle safety and driver qualifications for passenger jitney service.

On March 15, 2021, the bill was amended to replace “transportation service” to “for-hire vehicle services” and defines that term to mean vehicles, other than public transportation vehicles, transporting passengers over public streets for compensation.

Anticipated Impact/Discussion

By expanding the jurisdictions with which the Metropolitan Transit System (MTS) can contract to provide such regulatory services beyond MTS’s service area, this bill creates the potential for a centralized licensing and enforcement mechanism to regulate these services. This would create consistency and efficiency in the regulation practices and potentially reduce the number of regulatory agencies and costs operators experience to acquire operational permits. As currently drafted, this bill has no direct impact on San Diego International Airport or the Airport Authority and allows the Authority to continue to regulate on-airport commercial vehicles in the same way it does at present. The Authority’s legislative team will closely monitor the development of this bill language for any impact on SDIA and the Airport Authority.

Status: 3/15/21 – This bill was amended and referred to the Assembly Local Government Committee.

Position: Support (3/18/21)

*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: 2/18/21 – 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: 2/18/21 – This bill was referred to the Assembly Jobs, Economic Development, and the Economy Committee.

Position: Watch (3/4/21)

*Shaded text represents new or updated legislative information

New Senate Bills

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: 3/12/21 – This bill is set for a hearing in the Assembly Appropriations Committee on March 22, 2021.

Position: Support (3/16/21)

*Shaded text represents new or updated legislative information

Senate Bills from Previous Report

Legislation/Topic

SB 1 (Atkins) Coastal resources: sea level rise.

Background/Summary

This bill would also include, as part of the procedures that the California Coastal Commission is required to adopt, recommendations and guidelines for the identification, assessment, minimization, and mitigation of sea level rise within each local coastal program, as provided. The bill would delete the timeframe specified above by which the commission is required to adopt these procedures. The bill would require the commission to take into account the effects of sea level rise in coastal resource planning and management policies and activities, as provided. In addition, the bill would require state and regional agencies to identify, assess, and, to the extent feasible and consistent with their statutory authorities, minimize and mitigate the impacts of sea level rise. To the extent that a regional agency is a local public agency, this bill would impose a state-mandated local program.

This bill would create within state government the California Sea Level Rise State and Regional Support Collaborative and would require the collaborative to provide state and regional information to the public and support to local, regional, and other state agencies for the identification, assessment, and, where feasible, the mitigation of sea level rise. The bill would require, upon appropriation in the annual Budget Act, the collaborative to expend no more than \$100,000,000 annually from appropriate bond funds and other sources for the purpose of making grants to local governments to update local and regional land use plans to take into account sea level rise and for directly related investments to implement those plans, as provided. Existing law authorizes the Secretary for Environmental Protection to expend up to \$1,500,000 per year for the Environmental Justice Small Grant Program. This bill would instead authorize the secretary to expend up to \$2,000,000 per year for purposes of the grant program and would require up to \$500,000 of that money to be expended by the secretary for grants to organizations working to address and mitigate the effects of sea level rise in disadvantaged communities, as defined, impacted by sea level rise.

Anticipated Impact/Discussion

If enacted, bonds and other sources of funding for the purposes of making grants to local governments could be used to help implement the Authority's goals and efforts to implement the Climate Resilience Plan and airport development plan mitigation efforts. 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: 3/16/21 – This bill passed the Senate Natural Resources and Water Committee on a 7-2 vote.

Position: Watch (1/7/21)

*Shaded text represents new or updated legislative information

Legislation/Topic

SB 37 (Cortese) Contaminated sites: the Hazardous Waste 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.”

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: 3/11/21 – This bill has been referred to the Senate Environmental Quality Committee.

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: 3/10/21 – Amended.

Position: Watch (1/7/21)

*Shaded text represents new or updated legislative information

Federal Legislation

New House Bills

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. 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

New Senate Bills

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. 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

STAFF REPORT

Meeting Date: **APRIL 1, 2021**

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

Recommendations:

Adopt Resolution No. 2021-0028, 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-rent, and a portion of cost recovery payments for a period not to exceed three (3) months beginning April 1, 2021 and ending June 30, 2021, in response to the continued impact of the COVID-19 pandemic crisis.

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 remain 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

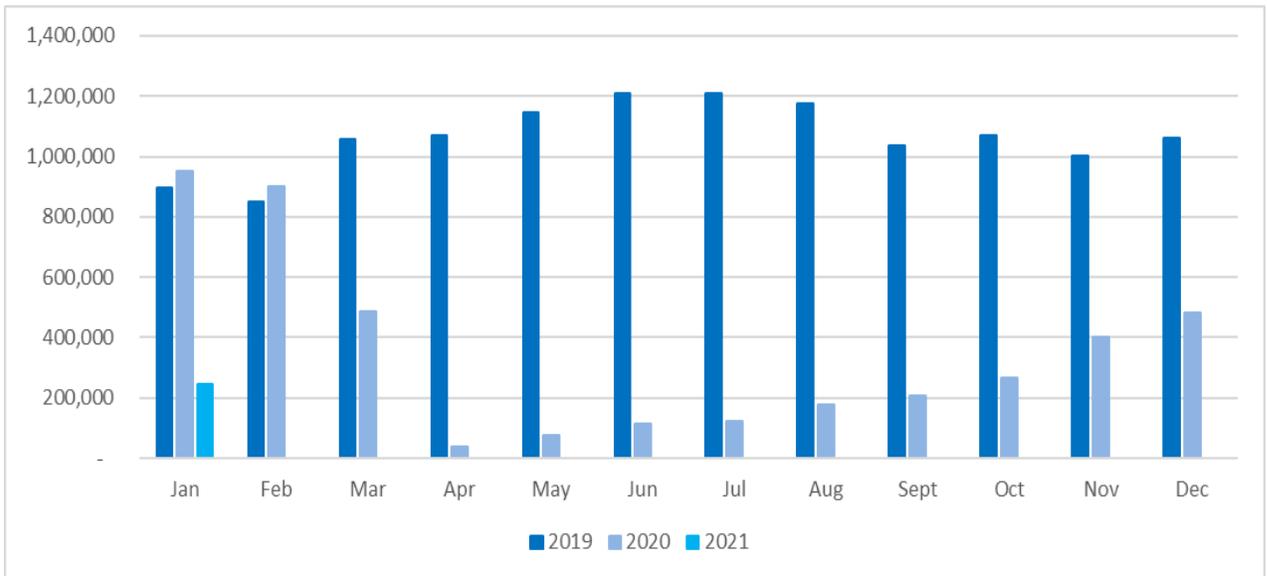
addressed all requirements of the January 7, 2021 Board action. As a result, qualifying tenants who have executed the Amendment 2 with the Authority and are current on payments which remain due to the Authority, will benefit from waiver of applicable rents and fees for the second abatement extension period.

Since the January 7, 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, has persisted, and all individuals in the State of California continue to be 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 is 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 business and prohibited gatherings of people from different households. On January 25, 2021, the regional stay at home order was lifted but San Diego remained in the purple tier, which allowed resumption of outdoor dining, as well some services such as gyms, barber shops and nail salons. On March 16, 2021, San Diego moved into the less restrictive red tier but significant limitations on commercial and social activities remain in place.

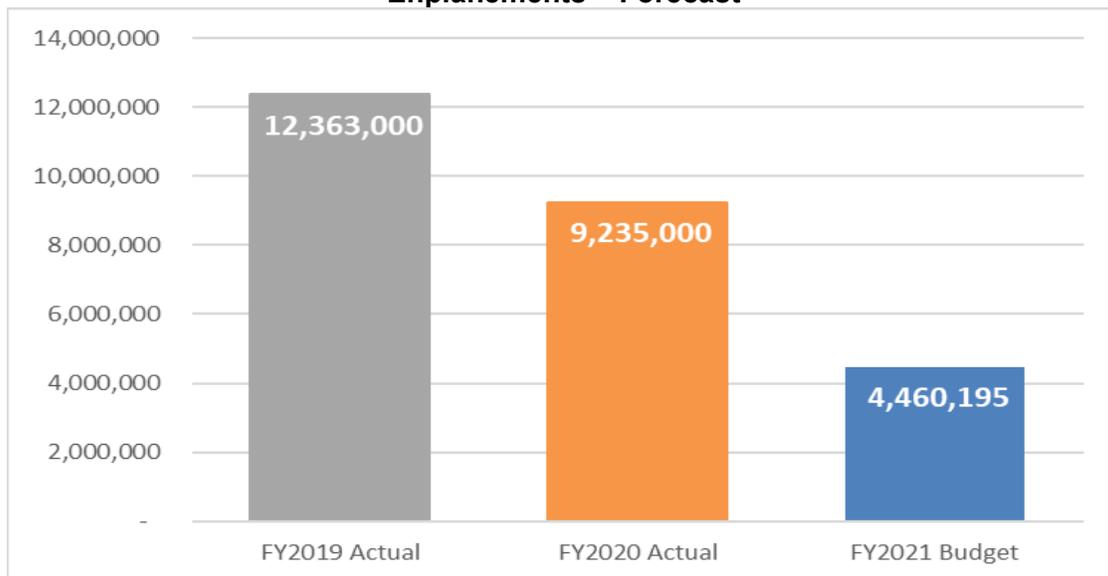
Although the Airport is identified as an Essential Critical Infrastructure under the Transportation System Sector, and the Airport remains open, passenger levels continue to demonstrate significant downward trending year-over-year, and remain at record lows. This unprecedented severe and prolonged decline 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, on-Airport rental car operators, 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 (February 2021) remain approximately 70% lower when compared to the same time period in 2020. 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 April 2021 through June 2021 timeframe are anticipated to trend well below previous years, and total enplanements for fiscal year 2021 are expected to be well below those of fiscal year 2019.

Enplanements: January 2019 to January 2021



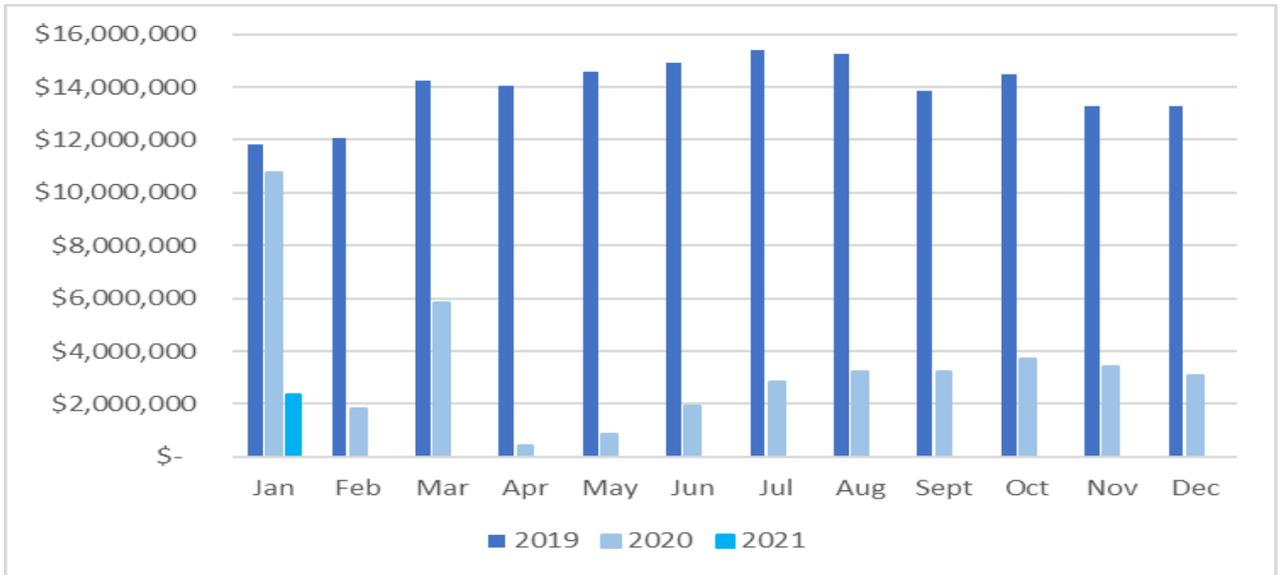
Enplanements – Forecast



Source: TSA and SDCRAA Finance & Risk Management Department

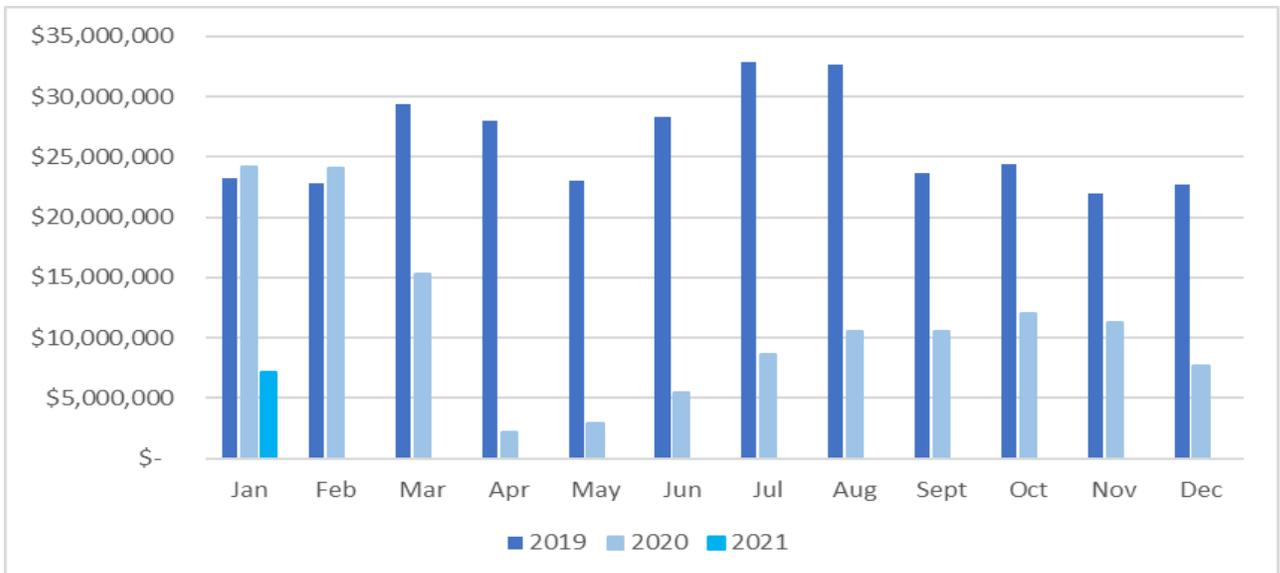
The profound decline in enplanements continues to be met with a commensurate decline in sales for all Non-Airline Tenants. Heading into the second quarter of calendar year 2021, many of the Airport’s Non-Airline Tenants continue to operate under reduced hours of operation; some locations remain temporarily closed (40 of 85 concessions are closed); layoffs and furloughs continue; and many tenants continue to submit requests to the Authority for additional financial relief.

SAN Monthly Concessions Sales: January 3, 2020 to January 2021



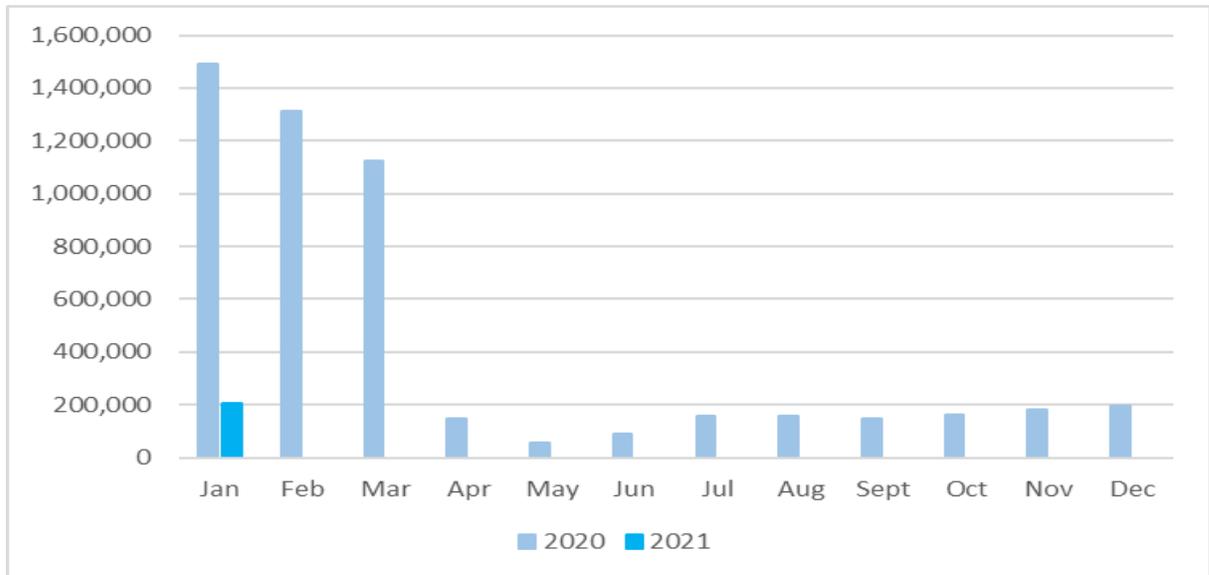
Source: SDCRAA, Finance & Risk Management Department

SAN Rental Car Monthly Gross Revenue: January 2020 to January 2021



Source: SDCRAA, Finance & Risk Management Department
 Note: Includes On-Airport and Off-Airport RACs

SAN Inflight Services Gross Revenue: January 2020 to January 2021



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 three-month period beginning April 1, 2021 and ending June 30, 2021 (*"Rent Abatement Period – Extension 3"*). Extension of the program (*"Rent Forbearance and Abatement Program Extension 3"*) provides significant relief of rents and fees, while continuing collection of certain cost recovery items for those tenants who are open and operating, and who are using services provided by the Authority. The proposed offering is the same as previously approved for the three-month period of January 1, 2021 and ending March 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 3*, 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 3* for the proposed *Rent Abatement Period – Extension 3*, 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 3* 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 and January 7, 2021, and the additional three-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 3* 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 3*, where applicable to each tenant, for the *Rent Abatement Period – Extension 3*: (1) forbearance and possible waiver of the amount that is the difference between the monthly MAG payment and

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 3. 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 3. Failure to comply with said terms and conditions would result in a full reinstatement of the amounts owed.

percentage rent; (2) for tenants without a MAG, forbearance and possible waiver of fixed-rent monthly payments; (3) forbearance and possible waiver of a portion of cost recovery payments (RDC, janitorial and CAM charges); and, (4) 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; a portion of cost recovery charges (RDC, janitorial and CAM charges); full Shared Tenants Services fees; and full pest control charges. For cost recovery charges (RDC, janitorial and CAM), the Authority will reduce regular fees commensurate with reduced sales activity.

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 3*.

On-Airport Rental Car Companies

Operators at the Authority's rental car center ("RCC") have entered into two contracts with the Authority: the "Rental Car Center Lease", and the "Non-Exclusive Rental Car Concession Agreement" (collectively, "RCC Agreements"). Under the RCC Agreements, each rental car concessionaire is required to pay the following fees: 1) the greater of a MAG, or a certain percentage of gross receipts; 2) land rent for use of the RCC facility and property; 3) for those rental car companies defined as "Small Operators" only, small operator improvement rent, a cost recovery rent for use of the Small Operator areas of the RCC; and, 4) pro rata share of cost recovery items, including electricity, 12kV maintenance, and insurance. The amount of the MAG is adjusted annually on July 1st to an amount equal to the greater of 85% of revenue paid to the Authority in the prior fiscal year, or the previous years' MAG. Under the RCC concession agreement, in the event of extraordinary circumstance outside of the operators' control which affects the rental car industry as a whole by reducing gross revenues to a level that inhibits operators' ability to meet the MAG requirement, operators are to be granted an opportunity to meet with the Authority Board to seek an adjustment of the MAG; however any adjustment is at the sole and absolute discretion of the Board. The Land Rent is adjusted annually on July 1st by the change in "Consumer Price Index" over the prior year (although the rental amount does not ever decrease).

For on-Airport rental car companies, Authority Staff recommends the following² as part of the *Rent Forbearance and Abatement Program Extension 3*, for the *Rent Abatement Period – Extension 3*: (1) forbearance and possible waiver of the amount that is the difference between the monthly MAG payment and percentage fees; and (2) forbearance and possible waiver of a portion of cost recovery payments, including small operator improvement rent. Tenants will be required to continue to pay percentage fees and land rent, as well as to collect and remit "Customer Facility Charges" to the Authority, per their original agreements. For cost recovery charges, the Authority will reduce regular fees commensurate with reduced sales activity.

These actions are necessary to maintain the long-term viability of on-Airport rental car companies, which are vital to operations and financial sustainability of the Airport, and a

² See comment 1 above. The same conditions would apply to the possible waiver of these amounts.

vital service to the San Diego community. Exhibit A provides a list of all entities eligible to be considered under this portion of the *Rent Forbearance and Abatement Program Extension 3*.

Inflight Services

An inflight service company, Gate Gourmet, Inc. (“Gate Gourmet”), has entered into a non-exclusive license agreement (“License Agreement”) with the Authority to provide inflight catering beverages and meals to the airlines. Under the License Agreement, Gate Gourmet is required to pay the following monthly fees: 1) the greater of a monthly License Fee³, or eight percent of monthly gross receipts.

Similar to the Airport’s concession and rental car companies, Gate Gourmet has experienced a dramatic reduction in revenues as a direct result of reduced passenger traffic during the COVID-19 pandemic. As with concessions and rental car companies, Gate Gourmet continues to experience reduced revenues that do not support minimum payments to the Airport, in recent months.

For Gate Gourmet, Authority Staff recommends the following⁴ for the *Rent Abatement Period* and the *Rent Abatement Period – Extension 3*: (1) waive the amount that is the difference between the monthly License Fee payment and percentage fees. Gate Gourmet will be required to continue to pay percentage fees per its original agreement.

These actions are necessary to maintain the long-term viability of inflight services, 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 3*.

Terms and Conditions

To be eligible for participation in the *Rent Forbearance and Abatement Program Extension 3*, 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 3*. Furthermore, for continued relief, a subsequent amending agreement applicable to the *Rent Abatement Period – Extension 3* 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 3*, shall be effective April 1, 2021 to June 30, 2021;
2. All terms and conditions of the original Temporary Rent Forbearance and Abatement Amendment, Amendment 1, and Amendment 2 shall remain in full

³ The monthly License Fee required under the Gate Gourmet license agreement is the same payment type as a monthly MAG.

⁴ See comment 1 above. The same conditions would apply to the possible waiver of these amounts.

- 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, or any of its other agreements with the Authority;
 4. All other terms, conditions, and requirements of the tenant's lease agreement(s) with the Authority shall remain in full force and effect;
 5. Status of accounts receivable must be current and remain current for all amounts due that have not been waived;
 6. Letter of Credit must be fully-funded and up to date and must not have an expiration date that is a minimum of three (3) months after the *Rent Abatement Period – Extension 3* ends;
 7. 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;
 8. The President/CEO may add any such other requirements and conditions as she deems in the best interests of the Authority; and
 9. 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 fiscal impact in Fiscal Year 2021 for the *Rent Forbearance and Abatement Program Extension 3* is a reduction in revenue of approximately \$3.5 million for Terminal Concessions, approximately \$2.1 million for the Rental Car Companies and for Inflight Services, \$121 thousand. The Authority intends to use funds from the Coronavirus Aid, Relief, and Economic Security Act ("CARES Act") to reimburse certain operating expenses and debt service in order to offset these impacts and ensure financial metrics sufficiently adhere to board policy and debt covenants.

Additionally, through the Coronavirus Response and Relief Supplemental Appropriations Act (CRRSAA) the Authority will receive \$2,709,020 to provide relief from rent and minimum annual guarantees to airport concessions. The Grant has been applied for and the Authority is waiting on notification of its award.

The Authority also anticipates receiving grant funds specifically for concession relief from the American Rescue Plan Act of 2021. At this time, the amount of the grant related to concession relief is unknown.

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
AC Holdings, Inc. (CNN Airport Network)	Passenger Service	LE-0799
Travel Content, LLC dba ReachTV	Passenger Service	LE-0799
In-Ter-Space Services, Inc. dba Clear Channel Airports	Passenger Service – Advertising	LE-0966

On-Airport Rental Car Companies

Rental Car Company	Lease #
Avis Budget Car Rental, LLC	LE-0744, LE-0745, LE-0760, LE-0761
Enterprise Rent-A-Car Company of Los Angeles, LLC	LE-0752, LE-0753
The Hertz Corporation	LE-0756, LE-0757
Fox Rent A Car, Inc.	LE-0750, LE-0751
Nevada Lease and Rentals, Inc. dba Payless Car Rental System	LE-0746, LE-0747
Sixt Rent A Car, LLC	LE-0758, LE-0759

Inflight Services Companies

Inflight Services Company	Lease #
Gate Gourmet, Inc.	LE-0776

RESOLUTION NO. 2021-0028

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-RENT, AND A PORTION OF COST RECOVERY PAYMENTS FOR A PERIOD NOT TO EXCEED THREE (3) MONTHS BEGINNING APRIL 1, 2021 AND ENDING JUNE 30, 2021, IN RESPONSE TO THE CONTINUED IMPACT OF THE COVID-19 PANDEMIC CRISIS.

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 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 moved into the next-less restrictive red tier but, significant limitations on commercial and social activities remain in place; and

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 70% decline year-over-year in February 2021; and

WHEREAS, retail and food & beverage concessionaires, passenger service concessionaires, on-Airport rental car operators, 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, 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* and the *Rent Abatement Period-Extension 2*; 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 three (3) month period (the *“Rent Forbearance and Abatement Program Extension 3”*), beginning on April 1, 2021 and ending on June 30, 2021 (*“Rent Abatement Period – Extension 3”*); and

WHEREAS, the Authority believes that the *Rent Forbearance and Abatement Program Extension 3* 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 3* 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 3* 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 3*, the Authority desires to provide rent forbearance and possible abatement to qualifying Concessionaires for the *Rent Abatement Period – Extension 3* for the following payment obligations only: (1) the amount that is the difference between the monthly MAG payment and percentage rent, (2) a portion of monthly cost recovery charges (RDC, janitorial, CAM), and (3) 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 3*; 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 3*; 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 3*; and

WHEREAS, the Authority is party to multiple agreements with on-airport rental car companies (“RACs”) operating at the Authority’s consolidated rental car facility (“RCC”) under a rental car center lease, and a non-exclusive rental car concession agreement (collectively, “RCC Agreements”), and under the RCC Agreements RACs 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 MAG or a certain percentage of gross receipts, whichever is greater; 2) land rent for use of the RCC facility and property; 3) for those rental car companies defined as “Small Operators” only, small operator improvement rent, a cost recovery rent for use of the Small Operator areas of the RCC; and, 4) pro rata share of cost recovery items, including electricity, 12kV maintenance, and insurance; and

WHEREAS, as part of the *Rent Forbearance and Abatement Program Extension 3*, the Authority desires to provide rent forbearance and possible abatement to qualifying RACs for the *Rent Abatement Period – Extension 3* for the following payment obligations only: (1) the amount that is the difference between the monthly MAG and percentage fees, and (2) a portion of monthly cost recovery charges, including Small Operator improvement rent; and

WHEREAS, the Authority will place the specific amounts indicated into conditional forbearance until the end of the *Rent Abatement Period – Extension 3*; and waiver of the amounts in forbearance would be conditioned upon the RAC’s compliance with the terms and conditions of the applicable agreement and all amendments during the entire term of the *Rent Abatement Period – Extension 3*; and

WHEREAS, failure of a RAC to comply with said terms and conditions will result in a full reinstatement of the amounts owed during the *Rent Abatement Period – Extension 3*; and

WHEREAS, the Authority is party to an agreement with an inflight services company (“Gate Gourmet”) operating under a non-exclusive license agreement (“License Agreement”), and under the License Agreement, Gate Gourmet is required to make monthly rental payments to the Authority, including a monthly License Fee payment or eight percent of gross receipts, whichever is greater; and

WHEREAS, as part of the *Rent Forbearance and Abatement Program Extension 3*, the Authority desires to provide rent forbearance and possible abatement to Gate Gourmet, subject to meeting the requirements for participation in the program, for the *Rent Abatement Period – Extension 3* for the following payment obligations only: the amount that is the difference between the monthly License Fee payment and percentage fees; and

WHEREAS, failure of Gate Gourmet to comply with said terms and conditions will result in a full reinstatement of the amounts owed during the *Rent Abatement Period – Extension 3*; and

WHEREAS, should any additional inflight services provider enter into agreements with the Authority during the relevant program extension period, it would be considered a Non-Airline Tenant eligible for participation in the abatement program; 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 3*; and

WHEREAS, to qualify for the *Rent Forbearance and Abatement Program Extension 3*, 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; and, (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.

NOW THEREFORE BE IT RESOLVED that the Board hereby finds that instituting the *Rent Forbearance and Abatement Program Extension 3* 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 3* 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 3* 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 3* 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 3* to reduce rental obligations of qualifying Non-Airline Tenants at the Airport, by providing abatement of MAG (or License Fees), certain fixed-rent, a portion of cost recovery payments and other such requirements as she deems in the best interest of the Airport Authority, for a period not to exceed three (3) months beginning April 1, 2021 and ending June 30, 2021, 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 meeting this 1st day of April 2021, 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: **APRIL 1, 2021**

Subject:

Authorize the President/CEO to Execute a “Power Your Drive for Fleets ” Program Participation Agreement with San Diego Gas & Electric

Recommendation:

Adopt Resolution No. 2021-0029, authorizing the President/CEO to execute a “Power Your Drive for Fleets” Program Participation Agreement with San Diego Gas & Electric.

Background/Justification:

In support of the State of California’s goal to reach at least 5 million zero-emission vehicles by 2030, San Diego Gas & Electric (SDG&E) has initiated a pilot program, as approved by the California Public Utilities Commission, to own, install, operate, and maintain Electric Vehicle Charging Make-Ready (Make-Ready) Infrastructure at qualifying locations operating Medium-Duty/Heavy-Duty Electric Vehicles under the Power Your Drive (PYD) for Fleets Make-Ready Infrastructure Program (Program). SDG&E has identified San Diego International Airport (SAN) and its shuttle fleet as eligible under the Program.

The implementation of clean transportation initiatives that reduce greenhouse gas (GHG) emissions airside and landside is a community strategy and is a top priority for the San Diego County Regional Airport Authority (Authority). The electrification of Authority-operated shuttles is specifically called out in the Authority’s Clean Transportation Plan as a way to reduce the environmental impact generated from ground transportation operations, which represent the largest source of GHG emissions associated with SAN outside of aircraft. In addition, the operation of Authority vehicles and equipment represent 28 percent of GHG emissions, over which the Authority has direct operational control.

As part of mitigation associated with the Airport Development Plan (ADP) Environmental Impact Report, the Authority has committed to full electrification of its shuttle fleet by 2028. In addition, the California Air Resources Board now requires all fixed-route airport shuttles serving the State’s 13 largest airports, such as SAN, to transition to 100 percent zero-emission vehicles by 2035. The Authority’s shuttle fleet currently provides the following functions on fixed-routes: transportation of passengers to and from the Rental Car Center, transportation of passengers between airport terminals, and transportation of employees to and from the employee parking lot located along Admiral Boland Way. These shuttles are currently stored at various locations on airport property, but will be displaced from these locations once construction of the Airport Development Program begins.

The Authority is considering the lease of property located north of the Airport that may be used to consolidate the storage and charging of the Authority’s shuttle fleet into one location. If approved, the property will be able to accommodate up to 60 shuttles, with 33 electric vehicle charging stations (EVCS). The lot may also be outfitted with

infrastructure to easily increase the number of EVCS in the future. As a result, the electrification of the shuttle storage lot will enable the full conversion of the Authority's shuttle fleet and help the Authority meet its ADP EIR mitigation requirements.

The SDG&E PYD Program will be used to offset the costs associated with providing electrical infrastructure to the shuttle storage lot. Specifically, the Program provides no-cost design, installation, and operation of the Utility-Side Make-Ready Infrastructure. Utility-Side Make-Ready Infrastructure includes all necessary infrastructure up to the utility meter. The Program also provides a rebate of up to 80% for the cost to design and install the Customer-Side Make-Ready Infrastructure, which includes all infrastructure post-utility meter. The remaining 20% of Customer-Side Make-Ready Infrastructure costs would be covered through the Authority's existing shuttle operations agreement with Ace Parking and the Board-approved Airport Development Plan capital budget.

Program Participation Agreement

The Program Participation Agreement (Agreement) includes a ten-year period. During the term, the Authority must agree, among other things, to the following:

- procure, install, operate, and maintain EVCS in good working order; and
- provide EVCS usage data for a minimum period of five (5) years.

The Authority has already procured 33 EVCS that it anticipates will be installed in the shuttle storage lot once the necessary improvements have been completed. Each EVCS will be equipped with the technology needed to remotely provide usage data.

Additionally, the Agreement requires the Authority to agree to, in part, the following:

- Waive any compensation of any kind for any duties or requirements provided for participation in any way as part of the Program, including any other inconvenience or loss (Section 8);
- Provide SDG&E with the right to terminate or suspend the Program at its sole discretion for any reason, with or without cause (Section 21);
- Waive any liability and claims against SDG&E with respect to the Customer-Side Make-Ready Infrastructure, to the extent SDG&E's activities are not performed by SDG&E negligently or with intentional misconduct (Addendum 1, Section 3.b.); and
- Indemnify, defend, and hold harmless SDG&E for any claims arising out of the Authority's design, construction, installation, or use of the Customer-Side Make-Ready Infrastructure except if a claim is based on SDG&E's negligence or intentional wrongdoing (Addendum 1, Section 3.c.).

Following the execution of the Agreement, SDG&E will move forward with its design and ultimately enter into the construction phases of providing the necessary electrical infrastructure to the shuttle storage lot.

Fiscal Impact:

As mentioned, the SDG&E PYD for Fleets Program will cover 100% and 80% of utility-side and customer-side EVCS make-ready costs, respectively. The remaining customer-side EVCS costs, including ongoing charger usage monitoring, will be supported through Board-adopted FY2021 and conceptual FY2022 Operating budgets in the maintenance and utility expense line items and FY2021 to FY2025 Capital budgets in project "104292 EV Chargers for Shuttle Lot." For years not yet adopted, costs will be included in future budget requests.

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 a "project" subject to CEQA under Cal. Pub. Res. Code §21065; however, the proposed project qualifies for categorical exemptions under CEQA Sections §15301, 15302, and 15304. A notice of exemption has been prepared and will be filed with the County of San Diego, upon approval by the Authority Board.
- B. California Coastal Act Review: This Board action is a "development" as defined by the California Coastal Act. Cal. Pub. Res. Code §30106. Prior to any site preparation or construction associated with the electric vehicle charging stations, a Coastal Development Permit will be obtained in compliance with the California Coastal Act.
- C. NEPA: This Board action is part of a broader project that involves additional approvals or actions by the Federal Aviation Administration ("FAA") and, therefore, formal review under the National Environmental Policy Act ("NEPA") is required. A categorical exclusion will be prepared and submitted to the Federal Aviation Administration for approval prior to any site preparation or construction associated with the electric vehicle charging stations.

Application of Inclusionary Policies:

Not applicable.

Prepared by:

BRENDAN REED
DIRECTOR, PLANNING & ENVIRONMENTAL AFFAIRS

RESOLUTION NO. 2021-0029

A RESOLUTION OF THE BOARD OF THE
SAN DIEGO COUNTY REGIONAL AIRPORT
AUTHORITY, AUTHORIZING THE PRESIDENT/CEO
TO EXECUTE A “POWER YOUR DRIVE FOR
FLEETS” PROGRAM PARTICIPATION AGREEMENT
WITH SAN DIEGO GAS & ELECTRIC

WHEREAS, Power Your Drive for Fleets Program is an electrical vehicle charging station program (“PYD for Fleets Program”) administered by San Diego Gas & Electric (“SDG&E”), in which the SDG&E owns, installs, operates, and maintains electrical infrastructure at locations throughout San Diego County to allow for the charging of Medium-Duty/Heavy-Duty Electric Vehicles; and

WHEREAS, the conversion of the Authority-operated shuttle fleet will help to implement mitigation measures associated with the Airport Development Plan (“ADP”) Environmental Impact Report and to meet long-term zero emission airport shuttle regulations by the California Air Resources Board; and

WHEREAS, the Authority has applied to and was approved for participation in the SDG&E PYD for Fleets Program in order to facilitate the necessary electrical infrastructure to allow for the installation of 33 electric vehicle charging stations, with capacity to increase to 60 charging stations in the future; and

WHEREAS, in order to participate in the PYD for Fleets Program, the Authority must enter into a Program Participation Agreement with SDG&E for a 10-year term; and

WHEREAS, the Board finds it in the best interest of the Authority to participate in the PYD for Fleets Program; and

WHEREAS, the Board finds that participation in the PYD for Fleets Program reduces greenhouse gas emissions and supports the Authority’s Clean Transportation Plan.

NOW, THEREFORE, BE IT RESOLVED that the Board hereby authorizes the President/CEO to execute a “Power Your Drive for Fleets” Program Participation Agreement with SDG&E; and

BE IT FURTHER RESOLVED that this Board action is a “project” subject to CEQA under Cal. Pub. Res. Code §21065; however, the proposed project qualifies for categorical exemptions under CEQA Sections §15301, 15302, and 15304; and

BE IT FURTHER RESOLVED that this Board action is a "development" as defined by the California Coastal Act. Cal. Pub. Res. Code §30106 and that a Coastal Development Permit will be obtained in compliance with the California Coastal Act prior to any site preparation or construction associated with the electric vehicle charging stations; and

BE IT FURTHER RESOLVED that this Board action is part of a broader project that involves additional approvals or actions by the Federal Aviation Administration (“FAA”) and, therefore, formal review under the National Environmental Policy Act (“NEPA”) is required and a categorical exclusion will be submitted to the FAA for approval prior to any site preparation or construction associated with the electric vehicle charging stations.

PASSED, ADOPTED, AND APPROVED by the Board of the San Diego County Regional Airport Authority at a regular meeting this 1st day of April, 2021, 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: **APRIL 1, 2021**

Subject:

Award a Contract to S&L Specialty Construction, Inc. for Quieter Home Program Phase 10, Group 12, Project No. 381012, Fourteen (14) Single-Family and Multi-Family Units on Twelve (12) Historic Residential Properties Located East and West of the San Diego International Airport

Recommendation:

Adopt Resolution No. 2021-0030, awarding a contract to S&L Specialty Construction, Inc. in the amount of \$1,093,339.28 for Phase 10, Group 12, Project No. 381012, of the San Diego County Regional Airport Authority's ("Authority") Quieter Home Program.

Background/Justification:

The Authority's Quieter Home Program ("Program") provides sound attenuation treatment to residences within the highest noise-impacted neighborhoods surrounding San Diego International Airport ("SDIA"). This contract for Phase 10, Group 12, Project number 381012 includes installation of new acoustical windows, doors, and ventilation improvements to reduce aircraft-related noise levels and provide sound attenuation to fourteen (14) single-family and multi-family units on twelve (12) historic residential properties located East and West of the San Diego International Airport (refer to Attachment A).

To date, the Program has completed 4,471 residences, of which 944 are historic and 3,527 are non-historic. 2,872 residences are located west of SDIA and 1,599 are located east of SDIA.

Project No. 381012 was advertised on January 8, 2021 and bids were opened on February 8, 2021. The following bids were received (refer to Attachment B):

Company	Total Bid
De La Fuente Construction, Inc.	\$878,381.28*
S&L Specialty Construction, Inc.	\$1,093,339.28
G&G Specialty Contractors, Inc.	\$1,162,950.28

*The low bid of \$878,381.28 from De La Fuente Construction, Inc was found to be non-responsive. The Authority reached out to De la Fuente Construction Inc. to provide a debrief, review their bid submission, and answer questions.

The Engineer's Estimate was advertised as \$881,299.85. After the bid was advertised, the Engineer was notified of additional costs due to COVID-19 impacts across the material manufacturers, especially for wood products. The Engineer revised their

original estimate based on these costs provided by the vendor. The revised Engineer's estimate is \$1,010,729.05.

The next lowest bid of \$1,093,339.28 is considered responsive and S&L Specialty Construction, Inc. is considered responsible. Award to S&L Specialty Construction, Inc. is, therefore, recommended in the amount of \$1,093,339.28.

Fiscal Impact:

Adequate funds for the contract with S&L Specialty Construction, Inc. are included in the adopted FY 2021 and conceptual FY 2022 Operating Expense Budgets within the Quieter Home Program budget line item. Sources of funding include federal Airport Improvement Program grants and Passenger Facility Charges.

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 a "project" subject to the California Environmental Quality Act ("CEQA"), Pub. Res. Code §21065. The individual projects under the Quieter Home Program are part of a class of projects that are categorically exempt from CEQA: 14 Cal. Code Regs. §15301 – "Existing Facilities: Class 1 consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination."
- B. California Coastal Act. This Board action is a "development" as defined by the California Coastal Act, Cal. Pub. Res. Code §30106. The individual projects under the Quieter Home Program will consist of treatments to single-family and multi-family dwellings. Improvements to single-family homes are exempt from coastal permit requirements under Cal. Pub. Res. Code §30610(a) and 14 Cal. Code Regs. §13250 – "Improvements to Single-Family Residences." The proposed improvements to multi-family residences are exempt from coastal permit requirements under Cal. Pub. Res. Code §30610(b) and 14 Cal. Code Regs. §13253 – "Improvements to Structures Other than Single-Family Residences and Public Works Facilities that Require Permits."

- C. NEPA: This Board action is a project that involves approvals or actions by the Federal Aviation Administration (“FAA”) and therefore, also requires review under the National Environmental Policy Act (“NEPA”) for its potential environmental impacts. The NEPA review is underway for a Categorical Exclusion for the 2021-2025 Program. A Categorical Exclusion will be obtained before the program construction is initiated for these Quieter Home Program projects.

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.

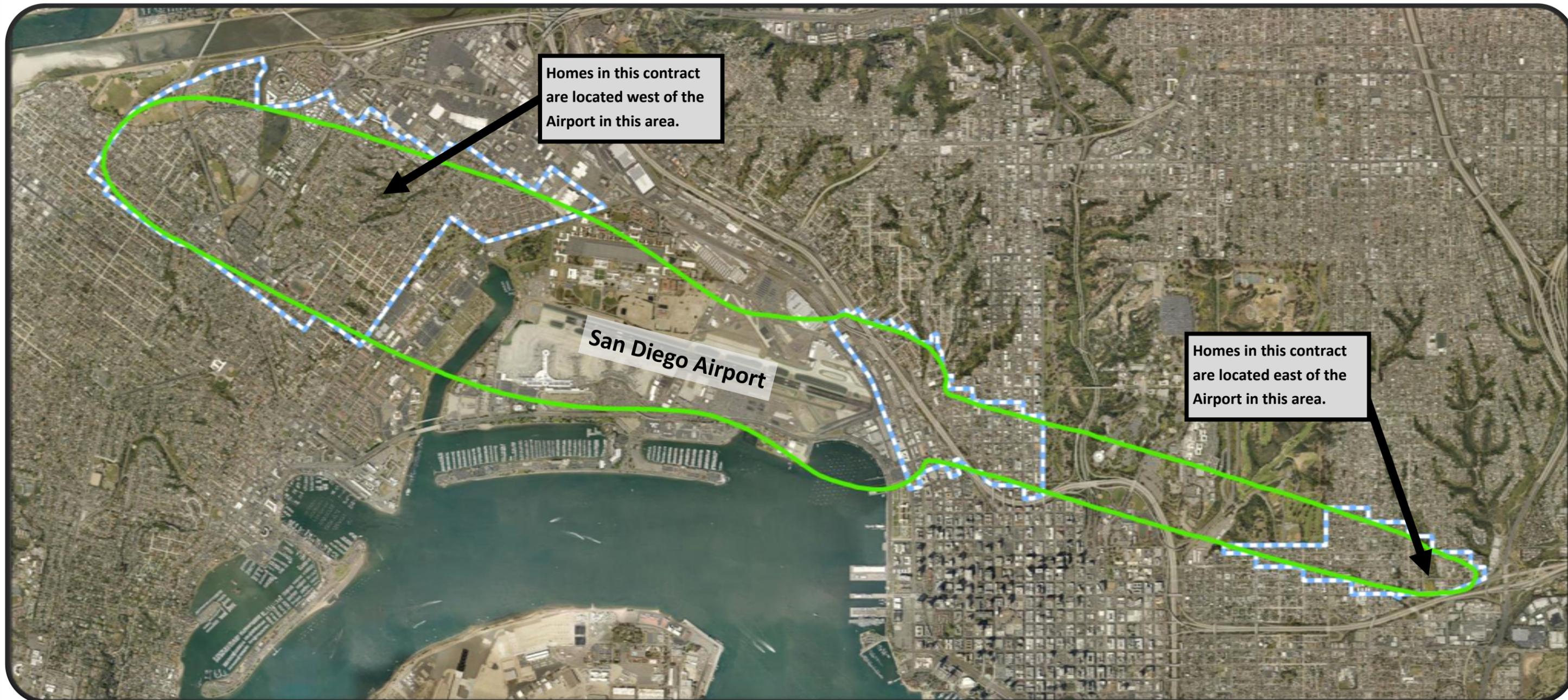
The Authority’s DBE Program, as required by the U.S. Department of Transportation, 49 Code of Federal Regulations (CFR) Part 26, calls for the Authority to submit a triennial overall goal for DBE participation on all federally-funded projects. When federal funds are utilized, the Authority is prohibited 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, it will be applied toward the Authority’s overall DBE goal. S&L Specialty Construction, Inc. proposed 2.7% DBE participation on QHP Phase 10, Group 12.

Prepared by:

BRENDAN REED
DIRECTOR, PLANNING & ENVIRONMENTAL AFFAIRS

Attachment A



LEGEND

 65 dB Boundary

 65 dB CNEL Contour

San Diego County Regional Airport Authority
Quieter Home Program
Project 381012

TABULATION OF BIDS

ATTACHMENT B

TITLE: QUIETER HOME PROGRAM PROJECT NO. 381012
 BIDS OPENED: February 8, 2021 at 2:00 p.m.
 ENGINEER'S ESTIMATE: \$881,300.00

CONTRACTOR:				Engineer's Estimate				De La Fuente Construction, Inc.				S&L Specialty Construction, Inc.				G&G Specialty Contractors, Inc.			
ADDRESS:				22W 35th St. Suite 207 National City, CA 91950				315 S. Franklin Street, Syracuse, NY 13202				1221 N. Mondel Drive, Gilbert, AZ 85233							
GUARANTEE OF GOOD FAITH:				SureTec Insurance Company				Liberty Mutual Insurance Company				Hartford Casualty Insurance Company							
Res No.	Bid Item Number - Name/Address	Dwellin q Units	Unit of Measure	General Construction (In Figures)	Ventilation Construction (In Figures)	Electrical Construction (In Figures)	TOTAL (In Figures)	General Construction (In Figures)	Ventilation Construction (In Figures)	Electrical Construction (In Figures)	TOTAL (In Figures)	General Construction (In Figures)	Ventilation Construction (In Figures)	Electrical Construction (In Figures)	TOTAL (In Figures)	General Construction (In Figures)	Ventilation Construction (In Figures)	Electrical Construction (In Figures)	TOTAL (In Figures)
381005.13	REARDON 1437 29TH STREET	1	Lump Sum	\$71,209.43	\$0.00	\$0.00	\$71,209.43	\$81,669.00	\$0.00	\$0.00	\$81,669.00	\$101,000.00	\$0.00	\$0.00	\$101,000.00	\$96,158.00	\$0.00	\$0.00	\$96,158.00
381005.13	REARDON 1439 29TH STREET	1	Lump Sum	\$13,932.77	\$0.00	\$0.00	\$13,932.77	\$21,081.00	\$0.00	\$0.00	\$21,081.00	\$14,000.00	\$0.00	\$0.00	\$14,000.00	\$21,336.00	\$0.00	\$0.00	\$21,336.00
381012.02	DARLINGTON 1446 GROVE STREET	1	Lump Sum	\$65,327.82	\$0.00	\$0.00	\$65,327.82	\$52,793.00	\$0.00	\$0.00	\$52,793.00	\$67,000.00	\$0.00	\$0.00	\$67,000.00	\$68,312.00	\$0.00	\$0.00	\$68,312.00
381012.04	KELLY 1517 GRANADA AVENUE	1	Lump Sum	\$83,016.14	\$0.00	\$0.00	\$83,016.14	\$61,321.00	\$0.00	\$0.00	\$61,321.00	\$85,000.00	\$0.00	\$0.00	\$85,000.00	\$79,557.00	\$0.00	\$0.00	\$79,557.00
381012.05	MANISON 1325 GROVE STREET	1	Lump Sum	\$57,846.85	\$9,681.06	\$3,096.82	\$70,624.73	\$45,557.00	\$17,831.00	\$4,509.00	\$67,897.00	\$75,000.00	\$11,000.00	\$3,000.00	\$89,000.00	\$64,511.00	\$20,000.00	\$3,500.00	\$88,011.00
381012.06	MATHIS 1522 GRANADA AVENUE	1	Lump Sum	\$50,560.77	\$10,021.55	\$3,124.49	\$63,706.81	\$39,496.00	\$13,866.00	\$5,927.00	\$59,309.00	\$53,000.00	\$10,000.00	\$4,000.00	\$67,000.00	\$62,868.00	\$19,000.00	\$4,600.00	\$86,268.00
381012.07	MAURIELLO 1528 GRANADA	1	Lump Sum	\$96,718.67	\$19,529.87	\$4,368.55	\$120,617.09	\$89,108.00	\$25,838.00	\$10,436.00	\$125,382.00	\$128,000.00	\$23,000.00	\$7,000.00	\$158,000.00	\$137,535.00	\$33,500.00	\$8,100.00	\$179,135.00
381012.08	NOVAK 1339 FERN STREET	1	Lump Sum	\$35,541.21	\$0.00	\$0.00	\$35,541.21	\$31,625.00	\$0.00	\$0.00	\$31,625.00	\$39,000.00	\$0.00	\$0.00	\$39,000.00	\$38,659.00	\$0.00	\$0.00	\$38,659.00
381012.10	RINTOUL 4608 GREENE STREET	1	Lump Sum	\$24,772.24	\$9,566.71	\$5,748.95	\$40,087.90	\$24,798.00	\$12,629.00	\$11,712.00	\$49,139.00	\$30,000.00	\$11,000.00	\$5,000.00	\$46,000.00	\$37,106.00	\$19,000.00	\$9,000.00	\$65,106.00
381012.10	RINTOUL 4610 GREENE STREET	1	Lump Sum	\$33,442.86	\$9,683.94	\$3,688.85	\$46,815.65	\$30,759.00	\$13,423.00	\$3,865.00	\$48,047.00	\$37,000.00	\$12,000.00	\$6,000.00	\$55,000.00	\$40,754.00	\$19,000.00	\$3,000.00	\$62,754.00
381012.11	SCHABERG 2460 A STREET	1	Lump Sum	\$92,170.62	\$0.00	\$0.00	\$92,170.62	\$86,214.00	\$0.00	\$0.00	\$86,214.00	\$133,000.00	\$0.00	\$0.00	\$133,000.00	\$112,455.00	\$0.00	\$0.00	\$112,455.00
381012.12	JERJIS 1419 30TH STREET	1	Lump Sum	\$42,444.04	\$10,635.78	\$3,520.84	\$56,600.66	\$46,706.00	\$17,012.00	\$5,927.00	\$69,645.00	\$69,000.00	\$11,000.00	\$4,000.00	\$84,000.00	\$70,286.00	\$19,000.00	\$4,600.00	\$93,886.00
381012.13	VAUGHN/CELESTE-VAUGHN 1345 GROVE STREET	1	Lump Sum	\$46,638.05	\$11,845.08	\$4,124.87	\$62,608.00	\$44,760.00	\$20,104.00	\$7,590.00	\$72,454.00	\$70,000.00	\$12,000.00	\$4,000.00	\$86,000.00	\$69,534.00	\$20,500.00	\$5,800.00	\$95,834.00
381012.14	WESTBROOK 1420 GROVE STREET	1	Lump Sum	\$55,671.73	\$0.00	\$0.00	\$55,671.73	\$48,666.00	\$0.00	\$0.00	\$48,666.00	\$66,000.00	\$0.00	\$0.00	\$66,000.00	\$72,140.00	\$0.00	\$0.00	\$72,140.00
							Subtotal				Subtotal				Subtotal				Subtotal
							\$877,960.57				\$875,042.00				\$1,090,000.00				\$1,159,611.00
							Probable Cost for Permits:				Probable Cost for Permits:				Probable Cost for Permits:				Probable Cost for Permits:
							\$3,339.28				\$3,339.28				\$3,339.28				\$3,339.28
							TOTAL BID				TOTAL BID				TOTAL BID				TOTAL BID
							\$881,299.85				\$878,381.28				\$1,093,339.28				\$1,162,950.28

Addenda No. 1 & 2 noted

Addenda No. 1 & 2 noted

Addenda No. 1 & 2 noted

RESOLUTION NO. 2021-0030

A RESOLUTION OF THE BOARD OF THE SAN DIEGO COUNTY REGIONAL AIRPORT AUTHORITY, AWARDING A CONTRACT TO S&L SPECIALTY CONSTRUCTION, INC., IN THE AMOUNT OF \$1,093,339.28 FOR PHASE 10, GROUP 12, PROJECT NO. 381012, OF THE SAN DIEGO COUNTY REGIONAL AIRPORT AUTHORITY'S QUIETER HOME PROGRAM

WHEREAS, the San Diego County Regional Airport Authority ("Authority") has established a residential sound insulation program, known as the Quieter Home Program ("Program"), to reduce aircraft noise levels in the homes of residents living within the highest noise-impacted neighborhoods surrounding San Diego International Airport ("Airport"); and

WHEREAS, Phase 10, Group 12, of the Program will include installation of new acoustical windows, doors, and ventilation improvements to reduce aircraft-related noise levels inside the homes; and

WHEREAS, Phase 10, Group 12, of the Program provides sound attenuation to fourteen (14) single-family and multi-family units on twelve (12) historic residential properties located east and west of the San Diego International Airport; and

WHEREAS, the Authority issued a Bid Solicitation Package for Phase 10, Group 12, on January 8, 2021 and

WHEREAS, on February 8, 2021, the Authority opened sealed bids received in response to the Bid Solicitation Package; and

WHEREAS, the apparent low bidder S&L Specialty Construction, Inc. submitted a bid of \$1,093,339.28 and the Authority's staff has duly considered the bid and has determined that S&L Specialty Construction, Inc. is responsible and its bid is responsive in all material respects; and

WHEREAS, the San Diego County Regional Airport Authority Board ("Board") believes that it is in the best interest of the Authority and the public that it serves to award S&L Specialty Construction, Inc., the contract for Phase 10, Group 12, upon the terms and conditions set forth in the Bid Solicitation Package.

NOW, THEREFORE, BE IT RESOLVED that the Board hereby awards a contract to S&L Specialty Construction, Inc., in the amount of \$1,093,339.28 for Phase 10, Group 12, Project No. 381012, of the San Diego County Regional Airport Authority's Quieter Home Program; and

BE IT FURTHER RESOLVED that the Authority's President/CEO or designee is hereby authorized to execute and deliver such contract to S&L Specialty Construction, Inc.; and

BE IT FURTHER RESOLVED that the Authority and its officers, employees, and agents are hereby authorized, empowered, and directed to do and perform all such acts as may be necessary or appropriate in order to effectuate fully the foregoing; and

BE IT FURTHER RESOLVED that the Board of the San Diego County Regional Airport Authority finds that this is a "project" as defined by the California Environmental Quality Act ("CEQA"), Cal. Pub. Res. Code §21065; and is a "development," as defined by the California Coastal Act, Cal. Pub. Res. Code §30106 and that the individual Quieter Home Program projects are categorically exempt from the CEQA under Cal. Code Regs. §15301(f), "Existing Facilities," and are exempt from coastal permit requirements under Cal. Pub. Res. Code §§30610(a) and 30610(b) and 14 Cal. Code Regs. §§13250 and 13253; and

BE IT FURTHER RESOLVED that the Board of the San Diego County Regional Airport Authority finds this is a project that involves approvals or actions by the Federal Aviation Administration ("FAA") and therefore, also requires review under the National Environmental Policy Act ("NEPA") for its potential environmental impacts. The NEPA review is underway for a Categorical Exclusion for the 2021-2025 Program. A Categorical Exclusion will be obtained before the program construction is initiated for these Quieter Home Program projects.

PASSED, ADOPTED, AND APPROVED by the Board of the San Diego County Regional Airport Authority at a regular meeting this 1st day of April 2021, 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: **APRIL 1, 2021**

Subject:

Revise Resolution Numbers 2021-0010, 2021-0011, 2021- 0012, 2021-0013, 2021-0014, and 2021-0015 to Correct the Entity Names for Contracts with Artists Commissioned to Design, Fabricate, Transport, Deliver and Consult During Installation of Integrated Artworks for the Airport Terminal and Roadways Project.

Recommendation: Adopt Resolution No. 2021-0031, revising Resolution Numbers 2021-0010, 2021-0011, 2021-0012, 2021-0013, 2021-0014 and 2021-0015 correcting the name of the Artist to whom the contracts are awarded.

Background/Justification:

At the February 4, 2021 Authority Board Meeting, the Board awarded and authorized the President/CEO to execute a contract with Hood Design Studio to design, fabricate, transport, deliver and consult during installation of an Integrated Artwork for the Airport Terminal and Roadways-Gateway Public Art Project in an amount not-to-exceed \$2,100,000 (Resolution No. 2021-0010). It was brought to staff's attention that the contract should be awarded to Hood Design Studio, Inc. Staff recommends adopting Resolution No. 2021-0010-R to correct the entity name from Hood Design Studio to Hood Design Studio, Inc.

At the February 4, 2021 Authority Board Meeting, the Board awarded and authorized the President/CEO to execute a contract with Nova Jiang to design, fabricate, transport, deliver and consult during installation of an Integrated Artwork for the Airport Terminal and Roadways-Vertical Ticketing Public Art Project in an amount not-to-exceed \$640,000 (Resolution No. 2021-0011). It was brought to staff's attention that the contract should be awarded to Nova Jiang Studio, LLC. Staff recommends adopting Resolution No. 2021-0011-R to correct the entity name from Nova Jiang to Nova Jiang Studio, LLC.

At the February 4, 2021 Authority Board Meeting, the Board awarded and authorized the President/CEO to execute a contract with Matthew Mazzotta to design, fabricate, transport, deliver and consult during installation of an Integrated Artwork for the Airport Terminal and Roadways-Outdoor Plaza Public Art Project in an amount not-to-exceed \$520,000 (Resolution No. 2021-0012). It was brought to staff's attention that the contract should be awarded to Social Space, LLC. Staff recommends adopting Resolution No. 2021-0012-R to correct the entity name from Matthew Mazzotta to Social Space, LLC.

At the February 4, 2021 Authority Board Meeting, the Board awarded and authorized the President/CEO to execute a contract with Amy Ellingson to design, fabricate, transport, deliver and consult during installation of an Integrated Artwork for the Airport Terminal and Roadways - Recomposure Area Public Art Project in an amount not-to-exceed \$376,000 (Resolution No. 2021-0013). It was brought to staff's attention that the contract should be awarded to Amy Ellingson Studio, LLC. Staff recommends adopting Resolution No. 2021-0013-R to correct the entity name from Amy Ellingson to Amy Ellingson Studio, LLC.

At the February 4, 2021 Authority Board Meeting, the Board awarded and authorized the President/CEO to execute a contract with Erwin Redl to design, fabricate, transport, deliver and consult during installation of an Integrated Artwork for the Airport Terminal and Roadways-Food Hall Interactive Public Art Project in an amount not-to-exceed \$580,000 (Resolution No. 2021-0014). It was brought to staff’s attention that the contract should be awarded to Paramedia, LLC. Staff recommends adopting Resolution No. 2021-0014-R to correct the entity name from Erwin Redl to Paramedia, LLC.

At the February 4, 2021 Authority Board Meeting, the Board awarded and authorized the President/CEO to execute a contract with Donald Lipski to design, fabricate, transport, deliver and consult during installation of an Integrated Artwork for the Airport Terminal and Roadways-Family Play Area Public Art Project in an amount not-to-exceed \$385,000 (Resolution No. 2021-0015). It was brought to staff’s attention that the contract should be awarded to The Lipski Group, Inc. Staff recommends adopting Resolution No. 2021-0015-R to correct the entity name from Donald Lipski to The Lipski Group, Inc.

The effective date of these revised Resolutions would be February 4, 2021.

Fiscal Impact:

There is no fiscal impact as a result of this action.

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 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:

CHRIS CHALUPSKY
SENIOR MANAGER, ARTS PROGRAM

RESOLUTION NO. 2021-0031

A RESOLUTION OF THE BOARD OF THE SAN DIEGO COUNTY REGIONAL AIRPORT AUTHORITY, REVISING RESOLUTION NUMBERS 2021-0010, 2021-0011, 2021-0012, 2021-0013, 2021-0014 and 2021-0015 CORRECTING THE NAME OF THE ARTIST TO WHOM THE CONTRACTS ARE AWARDED

WHEREAS, the Airport Arts Master Plan calls for artwork to be site-specific and integrated into the Airport; and

WHEREAS, Authority Policy 8.50 allocates for Board approval Public Art 2% of eligible construction costs from Eligible Projects to fund the Public Arts Program which includes terminals, landside and other specified construction; and

WHEREAS, the Airport Arts Master Plan, approved by the Board on March 14, 2019, calls for the integration of public art projects and Arts Program infrastructure within the Airport Development Program (ADP); and

WHEREAS, on November 6, 2020, the Authority issued a Request for Qualifications for the Airport Terminal and Roadways Public Art; and

WHEREAS, at the February 4, 2021 Authority Board Meeting, the Board awarded and authorized the President/CEO to execute a contract with Hood Design Studio to design, fabricate, transport, deliver and consult during installation of an Integrated Artwork for the Airport Terminal and Roadways-Gateway Public Art Project in an amount not-to-exceed \$2,100,000 (Resolution No. 2021-0010). It was brought to staff's attention that the contract should be awarded to Hood Design Studio, Inc. Staff recommends revising Resolution No. 2021-0010 to correct the entity name from Hood Design Studio to Hood Design Studio, Inc; and

WHEREAS, at the February 4, 2021 Authority Board Meeting, the Board awarded and authorized the President/CEO to execute a contract with Nova Jiang to design, fabricate, transport, deliver and consult during installation of an Integrated Artwork for the Airport Terminal and Roadways-Vertical Ticketing Public Art Project in an amount not-to-exceed \$640,000 (Resolution No. 2021-0011). It was brought to staff's attention that the contract should be awarded to Nova Jiang Studio, LLC. Staff recommends revising Resolution No. 2021-0011 to correct the entity name from Nova Jiang to Nova Jiang Studio, LLC; and

WHEREAS, at the February 4, 2021 Authority Board Meeting, the Board awarded and authorized the President/CEO to execute a contract with Matthew Mazzotta to design, fabricate, transport, deliver and consult during installation of an Integrated Artwork for the Airport Terminal and Roadways-Outdoor Plaza Public Art Project in an amount not-to-exceed \$520,000 (Resolution No. 2021-0012). It was brought to staff's attention that the contract should be awarded to Social Space, LLC. Staff recommends revising Resolution No. 2021-0012 to correct the entity name from Matthew Mazzotta to Social Space, LLC; and

WHEREAS, at the February 4, 2021 Authority Board Meeting, the Board awarded and authorized the President/CEO to execute a contract with Amy Ellingson to design, fabricate, transport, deliver and consult during installation of an Integrated Artwork for the Airport Terminal and Roadways - Recomposure Area Public Art Project in an amount not-to-exceed \$376,000 (Resolution No. 2021-0013). It was brought to staff's attention that the contract should be awarded to Amy Ellingson Studio, LLC. Staff recommends revising Resolution No. 2021-0013 to correct the entity name from Amy Ellingson to Amy Ellingson Studio, LLC; and

WHEREAS, at the February 4, 2021 Authority Board Meeting, the Board awarded and authorized the President/CEO to execute a contract with Erwin Redl to design, fabricate, transport, deliver and consult during installation of an Integrated Artwork for the Airport Terminal and Roadways-Food Hall Interactive Public Art Project in an amount not-to-exceed \$580,000 (Resolution No. 2021-0014). It was brought to staff's attention that the contract should be awarded to Paramedia, LLC. Staff recommends revising Resolution No. 2021-0014 to correct the entity name from Erwin Redl to Paramedia, LLC; and

WHEREAS, at the February 4, 2021 Authority Board Meeting, the Board awarded and authorized the President/CEO to execute a contract with Donald Lipski to design, fabricate, transport, deliver and consult during installation of an Integrated Artwork for the Airport Terminal and Roadways-Family Play Area Public Art Project in an amount not-to-exceed \$385,000 (Resolution No. 2021-0015). It was brought to staff's attention that the contract should be awarded to The Lipski Group, Inc. Staff recommends revising Resolution No. 2021-0015 to correct the entity name from Donald Lipski to The Lipski Group, Inc.

NOW, THEREFORE, BE IT RESOLVED that the Board hereby revises Resolution Numbers 2021-0010, 2021-0011, 2021-0012, 2021-0013, 2021-0014 and 2021-0015 to reflect the correct name of the Artist to whom the contracts are awarded as set forth in the revised Resolutions attached hereto; and

BE IT FURTHER RESOLVED that the effective dates of the revised Resolutions shall be February 4, 2021; 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 meeting this 1st day of April, 2021 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

RESOLUTION NO. 2021-0010-R

A RESOLUTION OF THE BOARD OF THE SAN DIEGO COUNTY REGIONAL AIRPORT AUTHORITY AWARDING AND AUTHORIZING THE PRESIDENT/CEO TO EXECUTE A CONTRACT WITH HOOD DESIGN STUDIO, INC. TO DESIGN, FABRICATE, TRANSPORT AND DELIVER, AND CONSULT DURING INSTALLATION OF AN ARTWORK FOR THE AIRPORT TERMINAL AND ROADWAYS GATEWAY PUBLIC ART OPPORTUNITY IN AN AMOUNT NOT TO EXCEED \$2,100,000

WHEREAS, the Airport Arts Master Plan calls for artwork to be site-specific and integrated into the Airport; and

WHEREAS, Authority Policy 8.50 allocates for Board approval 2% of eligible construction costs from Eligible Projects to fund the Public Art Program which includes terminals, landside and other specified construction; and

WHEREAS, the Airport Arts Master Plan, approved by the Board on March 14, 2019, calls for the integration of public art projects and Arts Program infrastructure within the Airport Development Program (ADP); and

WHEREAS, on November 6, 2020, the Authority issued a Request for Qualifications for the Airport Terminal and Roadways Public Art; and

WHEREAS, ninety-nine responses were received and the Artist Selection Panel established by the Arts Advisory Committee comprised of art and design professionals, reviewed ninety-one responsive submissions and interviewed four finalist candidates; and

WHEREAS, the evaluation panel ('Panel') for the Airport Terminal and Roadways Gateway Public Art Opportunity recommended Hood Design Studio, Inc. be awarded an agreement to design, fabricate, transport and deliver, and consult during the installation of public art; and

WHEREAS, on January 19, 2021, the Arts Advisory Committee voted in favor of the Panel's recommendation and voted to forward the recommendation to the Board for approval.

NOW, THEREFORE, BE IT RESOLVED that the Board hereby awards and authorizes the President/CEO to execute a contract with Hood Design Studio,

Inc. to design, fabricate, transport and deliver, and consult during the installation of public art in an amount not-to-exceed \$2,100,000; and

BE IT FURTHER RESOLVED that funding for the preliminary phases of this contract, with expenditures totaling \$84,000 in Fiscal Year 2021 (FY21), is included within the ADP-related expenditures previously identified for FY21; 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 meeting this 4th day of February, 2021 by the following vote:

AYES: BOARD MEMBERS:

NOES: BOARD MEMBERS:

ABSENT: BOARD MEMBERS:

ATTEST:

TONY R. RUSSELL

DIRECTOR, CORPORATE SERVICES/
AUTHORITY CLERK

APPROVED AS TO FORM:

AMY GONZALEZ
GENERAL COUNSEL

RESOLUTION NO. 2021-0011-R

A RESOLUTION OF THE BOARD OF THE SAN DIEGO COUNTY REGIONAL AIRPORT AUTHORITY AWARDING AND AUTHORIZING THE PRESIDENT/CEO TO EXECUTE A CONTRACT WITH NOVA JIANG STUDIO, LLC TO DESIGN, FABRICATE, TRANSPORT AND DELIVER, AND CONSULT DURING INSTALLATION OF AN ARTWORK FOR THE AIRPORT TERMINAL AND ROADWAYS VERTICAL TICKETING PUBLIC ART OPPORTUNITY IN AN AMOUNT NOT TO EXCEED \$640,000

WHEREAS, the Airport Arts Master Plan calls for artwork to be site-specific and integrated into the Airport; and

WHEREAS, Authority Policy 8.50 allocates for Board approval 2% of eligible construction costs from Eligible Projects to fund the Public Art Program which includes terminals, landside and other specified construction; and

WHEREAS, the Airport Arts Master Plan, approved by the Board on March 14, 2019, calls for the integration of public art projects and Arts Program infrastructure within the Airport Development Program (ADP); and

WHEREAS, on November 6, 2020, the Authority issued a Request for Qualifications for the Airport Terminal and Roadways Public Art; and

WHEREAS, ninety-nine responses were received and the artist selection panel established by the Arts Advisory Committee comprised of art and design professionals, reviewed ninety-one responsive submissions and interviewed three finalist candidates; and

WHEREAS, the evaluation panel ('Panel') for the Airport Terminal and Roadways Vertical Ticketing Public Art Opportunity recommended Nova Jiang Studio, LLC be awarded an agreement to design, fabricate, transport and deliver, and consult during the installation of public art; and

WHEREAS, on January 19, 2021, the Arts Advisory Committee voted in favor of the Panel's recommendation and voted to forward the recommendation to the Board for approval.

NOW, THEREFORE, BE IT RESOLVED that the Board hereby awards and authorizes the President/CEO to execute a contract with Nova Jiang Studio,

LLC to design, fabricate, transport and deliver, and consult during the installation of public art in an amount not-to-exceed \$640,000; and

BE IT FURTHER RESOLVED that funding for the preliminary phases of this contract, with expenditures totaling \$25,600 in Fiscal Year 2021 (FY21), is included within the ADP-related expenditures previously identified for FY21; 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 meeting this 4th day of February, 2021 by the following vote:

AYES: BOARD MEMBERS:

NOES: BOARD MEMBERS:

ABSENT: BOARD MEMBERS:

ATTEST:

TONY R. RUSSELL

DIRECTOR, CORPORATE SERVICES/
AUTHORITY CLERK

APPROVED AS TO FORM:

AMY GONZALEZ
GENERAL COUNSEL

RESOLUTION NO. 2021-0012-R

A RESOLUTION OF THE BOARD OF THE SAN DIEGO COUNTY REGIONAL AIRPORT AUTHORITY AWARDING AND AUTHORIZING THE PRESIDENT/CEO TO EXECUTE A CONTRACT WITH SOCIAL SPACE, LLC MATTHEW MAZZOTTA ~~TO~~ DESIGN, FABRICATE, TRANSPORT AND DELIVER, AND CONSULT DURING INSTALLATION OF AN ARTWORK FOR THE AIRPORT TERMINAL AND ROADWAYS OUTDOOR PLAZA PUBLIC ART OPPORTUNITY IN AN AMOUNT NOT TO EXCEED \$520,000

WHEREAS, the Airport Arts Master Plan calls for artwork to be site-specific and integrated into the Airport; and

WHEREAS, Authority Policy 8.50 allocates for Board approval 2% of eligible construction costs from Eligible Projects to fund the Public Art Program which includes terminals, landside and other specified construction; and

WHEREAS, the Airport Arts Master Plan, approved by the Board on March 14, 2019, calls for the integration of public art projects and Arts Program infrastructure within the Airport Development Program (ADP); and

WHEREAS, on November 6, 2020, the Authority issued a Request for Qualifications for the Airport Terminal and Roadways Public Art; and

WHEREAS, ninety-nine responses were received and the artist selection panel established by the Arts Advisory Committee comprised of art and design professionals, reviewed ninety-one responsive submissions and interviewed four finalist candidates; and

WHEREAS, the evaluation panel ('Panel') for the Airport Terminal and Roadways Outdoor Plaza Public Art Opportunity recommended Social Space, LLC Matthew Mazzotta be awarded an agreement to design, fabricate, transport and deliver, and consult during the installation of public art; and

WHEREAS, on January 19, 2021, the Arts Advisory Committee voted in favor of the Panel's recommendation and voted to forward the recommendation to the Board for approval.

NOW, THEREFORE, BE IT RESOLVED that the Board hereby awards and authorizes the President/CEO to execute a contract with Social Space, LLC

Matthew Mazzetta be to design, fabricate, transport and deliver, and consult during the installation of public art in an amount not-to-exceed \$520,000; and

BE IT FURTHER RESOLVED that funding for the preliminary phases of this contract, with expenditures totaling \$10,400 in Fiscal Year 2021 (FY21), is included within the ADP-related expenditures previously identified for FY21; 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 meeting this 4th day of February, 2021 by the following vote:

AYES: BOARD MEMBERS:

NOES: BOARD MEMBERS:

ABSENT: BOARD MEMBERS:

ATTEST:

TONY R. RUSSELL

DIRECTOR, CORPORATE SERVICES/
AUTHORITY CLERK

APPROVED AS TO FORM:

AMY GONZALEZ
GENERAL COUNSEL

RESOLUTION NO. 2021-0013-R

A RESOLUTION OF THE BOARD OF THE SAN DIEGO COUNTY REGIONAL AIRPORT AUTHORITY AWARDING AND AUTHORIZING THE PRESIDENT/CEO TO EXECUTE A CONTRACT WITH AMY ELLINGSON STUDIO, LLC TO DESIGN, FABRICATE, TRANSPORT AND DELIVER, AND CONSULT DURING INSTALLATION OF AN ARTWORK FOR THE AIRPORT TERMINAL AND ROADWAYS RECOMPOSURE AREA PUBLIC ART OPPORTUNITY IN AN AMOUNT NOT TO EXCEED \$376,000

WHEREAS, the Airport Arts Master Plan calls for artwork to be site-specific and integrated into the Airport; and

WHEREAS, Authority Policy 8.50 allocates for Board approval 2% of eligible construction costs from Eligible Projects to fund the Public Art Program which includes terminals, landside and other specified construction; and

WHEREAS, the Airport Arts Master Plan, approved by the Board on March 14, 2019, calls for the integration of public art projects and Arts Program infrastructure within the Airport Development Program (ADP); and

WHEREAS, On November 6, 2020, the Authority issued a Request for Qualifications for the Airport Terminal and Roadways Public Art; and

WHEREAS, ninety-nine responses were received and the Artist Selection Panel established by the Arts Advisory Committee comprised of art and design professionals, reviewed ninety-one responsive submissions and interviewed three finalist candidates; and

WHEREAS, the evaluation panel ('Panel') for the Airport Terminal and Roadways Recomposure Area Public Art Opportunity recommended Amy Ellingson Studio, LLC be awarded an agreement to design, fabricate, transport and deliver, and consult during the installation of public art; and

WHEREAS, on January 19, 2021, the Arts Advisory Committee voted in favor of the Panel's recommendation and voted to forward the recommendation to the Board for approval.

NOW, THEREFORE, BE IT RESOLVED that the Board hereby awards and authorizes the President/CEO to execute a contract with Amy Ellingson Studio,

LLC to design, fabricate, transport and deliver, and consult during the installation of public art in an amount not-to-exceed \$376,000; and

BE IT FURTHER RESOLVED that funding for the preliminary phases of this contract, with expenditures totaling \$15,200 in Fiscal Year 2021 (FY21), is included within the ADP-related expenditures previously identified for FY21; 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 meeting this 4th day of February, 2021 by the following vote:

AYES: BOARD MEMBERS:

NOES: BOARD MEMBERS:

ABSENT: BOARD MEMBERS:

ATTEST:

TONY R. RUSSELL

DIRECTOR, CORPORATE SERVICES/
AUTHORITY CLERK

APPROVED AS TO FORM:

AMY GONZALEZ
GENERAL COUNSEL

RESOLUTION NO. 2021-0014-R

A RESOLUTION OF THE BOARD OF THE SAN DIEGO COUNTY REGIONAL AIRPORT AUTHORITY AWARDING AND AUTHORIZING THE PRESIDENT/CEO TO EXECUTE A CONTRACT WITH PARAMEDIA, LLC ERWIN REDL TO DESIGN, FABRICATE, TRANSPORT AND DELIVER, AND CONSULT DURING INSTALLATION OF AN ARTWORK FOR THE AIRPORT TERMINAL AND ROADWAYS FOOD HALL INTERACTIVE PUBLIC ART OPPORTUNITY IN AN AMOUNT NOT TO EXCEED \$580,000

WHEREAS, the Airport Arts Master Plan calls for artwork to be site-specific and integrated into the Airport; and

WHEREAS, Authority Policy 8.50 allocates for Board approval 2% of eligible construction costs from Eligible Projects to fund the Public Art Program which includes terminals, landside and other specified construction; and

WHEREAS, the Airport Arts Master Plan, approved by the Board on March 14, 2019, calls for the integration of public art projects and Arts Program infrastructure within the Airport Development Program (ADP); and

WHEREAS, on November 6, 2020, the Authority issued a Request for Qualifications for the Airport Terminal and Roadways Public Art; and

WHEREAS, ninety-nine responses were received and the Artist Selection Panel established by the Arts Advisory Committee comprised of art and design professionals, reviewed ninety-one responsive submissions and interviewed three finalist candidates; and

WHEREAS, the evaluation panel ('Panel') for the Airport Terminal and Roadways Food Hall Interactive Public Art Opportunity recommended Paramedia, LLC Erwin Redl be awarded an agreement to design, fabricate, transport and deliver, and consult during the installation of public art; and

WHEREAS, on January 19, 2012, the Arts Advisory Committee voted in favor of and the Panel's recommendation and voted to forwarded the recommendation to the Board for approval.

NOW, THEREFORE, BE IT RESOLVED that the Board hereby awards and authorizes the President/CEO to execute a contract with Paramedia, LLC Erwin

~~Redd~~ to design, fabricate, transport and deliver, and consult during the installation of public art in an amount not-to-exceed \$580,000; and

BE IT FURTHER RESOLVED that funding for the preliminary phases of this contract, with expenditures totaling \$23,000 in Fiscal Year 2021 (FY21), is included within the ADP-related expenditures previously identified for FY21; 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 meeting this 4th day of February, 2021 by the following vote:

AYES: BOARD MEMBERS:

NOES: BOARD MEMBERS:

ABSENT: BOARD MEMBERS:

ATTEST:

TONY R. RUSSELL

DIRECTOR, CORPORATE SERVICES/
AUTHORITY CLERK

APPROVED AS TO FORM:

AMY GONZALEZ
GENERAL COUNSEL

RESOLUTION NO. 2021-0015-R

A RESOLUTION OF THE BOARD OF THE SAN DIEGO COUNTY REGIONAL AIRPORT AUTHORITY AWARDING AND AUTHORIZING THE PRESIDENT/CEO TO EXECUTE A CONTRACT WITH THE LIPSKI GROUP, INC. DONALD LIPSKI TO DESIGN, FABRICATE, TRANSPORT AND DELIVER, AND CONSULT DURING INSTALLATION OF AN ARTWORK FOR THE AIRPORT TERMINAL AND ROADWAYS FAMILY PLAY AREA PUBLIC ART OPPORTUNITY IN AN AMOUNT NOT TO EXCEED \$385,000

WHEREAS, the Airport Arts Master Plan calls for artwork to be site-specific and integrated into the Airport; and

WHEREAS, Authority Policy 8.50 allocates for Board approval Public Art 2% of eligible construction costs from Eligible Projects to fund the Public Arts Program which includes terminals, landside and other specified construction; and

WHEREAS, the Airport Arts Master Plan, approved by the Board on March 14, 2019, calls for the integration of public art projects and Arts Program infrastructure within the Airport Development Program (ADP); and

WHEREAS, on November 6, 2020, the Authority issued a Request for Qualifications for the Airport Terminal and Roadways Public Art; and

WHEREAS, ninety-nine responses were received and the Artist Selection Panel established by the Arts Advisory Committee comprised of art and design professionals, reviewed ninety-one responsive submissions and interviewed three finalist candidates; and

WHEREAS, the Artist Selection Panel ('Panel') for the Airport Terminal and Roadways Family Play Area Public Art Opportunity recommended The Lipski Group, Inc. Donald Lipski be awarded an agreement to design, fabricate, transport and deliver, and consult during the installation of public art; and

WHEREAS, on January 19, 2021, the Arts Advisory Committee voted in favor of the Panel's recommendation and voted to forward the recommendation to the Board for approval.

NOW, THEREFORE, BE IT RESOLVED that the Board hereby awards and authorizes the President/CEO to execute a contract with The Lipski Group, Inc.

~~Donald Lipski~~ to design, fabricate, transport and deliver, and consult during the installation of public art in an amount not-to-exceed \$385,000; and

BE IT FURTHER RESOLVED that funding for the preliminary phases of this contract, with expenditures totaling \$7,700 in Fiscal Year 2021 (FY21), is included within the ADP-related expenditures previously identified for FY21; 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 meeting this 4th day of February, 2021 by the following vote:

AYES: BOARD MEMBERS:

NOES: BOARD MEMBERS:

ABSENT: BOARD MEMBERS:

ATTEST:

TONY R. RUSSELL

DIRECTOR, CORPORATE SERVICES/
AUTHORITY CLERK

APPROVED AS TO FORM:

AMY GONZALEZ
GENERAL COUNSEL

STAFF REPORT

Meeting Date: **APRIL 1, 2021**

Subject:

Approve and Authorize the President/CEO to execute a Fifth Amendment to the Agreement with Devaney Pate Morris & Cameron LLP

Recommendation:

Adopt Resolution No. 2021-0032, approving and authorizing the President/CEO to execute a Fifth Amendment to the Agreement with Devaney Pate Morris & Cameron LLP for professional legal services extending the term for one year.

Background/Justification:

On September 6, 2013, the Authority released a Request for Proposals (“RFP”) to obtain the legal services of one or more qualified firms to assist the General Counsel with general legal issues. Seven law firms submitted timely proposals in response to the RFP. An evaluation panel, comprised of four attorneys from the Office of the General Counsel, reviewed the proposals submitted and selected a short list of six firms for interviews. On February 4 and 5, 2014, the evaluation panel, with a representative from the Procurement Department in attendance to facilitate the interviews, reviewed the written proposals and documents submitted and interviewed representatives from the six firms. The lawyers from the law firm of Stutz Artiano Shinoff & Holtz APC (“Stutz”) that participated in the interview included Leslie Devaney, William Pate, Jeffrey Morris and Christina Cameron. The decision of the evaluation panel to recommend award to the Stutz firm was based upon the resumes and response to interview questions provided by these attorneys. At the conclusion of the interviews, the evaluation panel ranked the firms and concluded that the best and most responsive proposer was the Stutz firm and recommended an award for general legal services to Stutz Artiano Shinoff & Holtz APC.

On April 3, 2014, the Board awarded an Agreement for Legal Services to Stutz Artiano Shinoff & Holtz APC for a term of three years with two one-year options to renew at the discretion of the General Counsel and the President/CEO with a maximum compensation amount of \$300,000.

On May 1, 2014, the Authority entered into a Legal Services Agreement with the Stutz Firm which lists attorneys Devaney, Pate, Morris and Cameron as individuals approved to provide legal services. On April 1, 2016, Devaney, Pate, Morris and Cameron formed a new law firm. On April 21, 2016, the Board authorized the assignment of the Legal Services Agreement to Devaney Pate Morris & Cameron LLP (“Devaney Pate”) [Resolution No. 2016-0031]. Devaney Pate is handling the pending litigation entitled *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, hereinafter the "Litigation"]. On February 17, 2017, the President/CEO exercised the first option to extend the term. On July 11, 2018, the parties entered into a Second Amendment extending the term by one additional year and increasing the not-to-exceed amount of compensation by \$200,000 for a total not-to-exceed amount of \$500,000. [Resolution No. 2018-0045]. The parties entered into a Third Amendment increasing the term by one year resulting in a termination date of April 30, 2020 to allow Devaney Pate to continue to represent the Authority in the Litigation. The parties entered into a Fourth Amendment increasing the term by one year resulting in a termination date of April 30, 2021 to allow Devaney Pate to continue representing the Authority in the Litigation. [Resolution No. 2020-0030]. The General Counsel recommends that the legal services contract be amended to increase the term by one year to allow Devaney Pate to continue representing the Authority in the ongoing Litigation.

Fiscal Impact:

Adequate funding for the Devaney Pate Morris & Cameron LLP agreement is included in the adopted FY 2022 and conceptually approved FY 2023 Operating Expense Budgets within the Contractual Services line item.

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. 2021-0032

A RESOLUTION OF THE BOARD OF THE SAN DIEGO COUNTY REGIONAL AIRPORT AUTHORITY APPROVING AND AUTHORIZING THE PRESIDENT/CEO TO EXECUTE A FIFTH AMENDMENT TO THE AGREEMENT WITH DEVANEY PATE MORRIS AND CAMERON LLP FOR PROFESSIONAL LEGAL SERVICES EXTENDING THE TERM FOR ONE YEAR

WHEREAS, the Authority and Devaney Pate Morris & Cameron LLP (“Law Firm”) are parties to a Legal Services Agreement; and

WHEREAS, Law Firm is representing the Authority in the litigation entitled 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]; and

WHEREAS, the General Counsel recommends that the Legal Services Agreement be amended to increase the term by one year to allow Law Firm to continue representing the Authority in this ongoing litigation; and

WHEREAS, due to the Law Firm’s knowledge of and involvement in the litigation, the General Counsel believes it is in the best interest of the Authority to continue to retain Law Firm to handle this matter.

NOW, THEREFORE, BE IT RESOLVED that the Board hereby approves and authorizes the President/CEO to execute a fifth amendment to the Legal Services Agreement with Devaney Pate Morris & Cameron LLP extending the term by one year; 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 meeting this 1st day of April 2021, 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: **APRIL 1, 2021**

Subject:

Approve and Authorize the President/CEO to Execute Two On-Call Architectural Consulting Services Agreements at San Diego International Airport

Recommendation:

Adopt Resolution No. 2021-0033, approving and authorizing the President/CEO to negotiate and execute an On-Call Architectural Consulting Services Agreement with Corgan Associates for a term of three years, with the option for two one-year extensions at the sole discretion of the President/CEO, in an amount not-to-exceed \$10,000,000 in support of the Airport Development and Capital Improvement Programs at San Diego International Airport.

Adopt Resolution No. 2021-0034, approving and authorizing the President/CEO to negotiate and execute an On-Call Architectural Consulting Services Agreement with PGAL, Inc., for a term of three years, with the option for two one-year extensions at the sole discretion of the President/CEO, in an amount of not-to-exceed \$10,000,000, in support of the Airport Development 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 the Airport Development Program and the Capital Improvement Program. Authority staff (“staff”) utilizes architecture firms to provide on-call planning, design, and construction administration support for these programs. Tasks typically include the design of terminal and building facilities, conveyances, fire suppression systems, baggage screening systems, passenger boarding bridges, structural systems, security screening systems, renewable energy systems, electrical and plumbing systems, aircraft gates, lighting systems, access control systems, and wayfinding and signage.

In 2017, the Authority procured two on-call architectural consulting firms to provide architectural services. The firms were issued two contracts, each worth up to \$10,000,000. Staff, however, were authorized to spend up to \$10,000,000 in the aggregate between the two firms.

In the middle of 2020, staff determined that the \$10,000,000 authorized would likely be expended by the middle of 2021. At that time, staff proceeded with the preparation of a Request for Qualifications (“RFQ”) to obtain Statements of Qualifications (“SOQs”) from qualified firms to provide On-Call Architectural Consulting 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 two firms would be contracted for a duration of three years with two one-year extensions with each contract valued at an amount not to exceed \$10,000,000 and a total authorization of up to \$10,000,000 in the aggregate between the two firms. In addition, the RFQ anticipated that detailed scopes of services will be negotiated with the consultant and task authorizations will be issued to the consultants throughout the duration of the contract.

The Authority also established an Evaluation Panel ("Panel") for the RFQ. The Panel included key representatives from the Revenue Generation & Partnership Development, Airside & Terminal Operations, and Airport Design & Construction departments.

The RFQ was issued on November 20, 2020 and the Authority received six SOQs from prospective consulting firms ("Respondents") on December 29, 2020. The Panel conducted a thorough review of the SOQs and invited the four (4) highest-ranked Respondents, listed in alphabetical order below, to interview.

1. Corgan Associates ("Corgan")
2. Fentress Architects ("Fentress")
3. PGAL, Inc. ("PGAL")
4. Stantec Architecture, Inc. ("Stantec")

The Respondents were interviewed on February 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	Panelist 5	Total	Rank
Corgan	1	1	1	1	2	6	1
Fentress	4	4	4	4	4	20	4
PGAL	2	2	2	2	1	9	2
Stantec	3	3	3	3	3	15	3

Combined Scores	Project Team Qualifications & Organization	Project Management Qualifications	Key Personnel Qualifications	Work Plan & Approach/Methodology	Inclusionary Approach & Outreach	Total
Corgan	559	1320	1058	1100	100	4137
Fentress	453	810	736	725	100	2824
PGAL	519	1260	966	1075	100	3920
Stantec	532	960	874	875	100	3341

The top ranked firms were Corgan and PGAL.

Corgan has over 60 years of experience in aviation design across the nation and around the world. Their experience ranges from the design of new terminals to expansion and renovation projects, cargo facilities, administrative buildings, and other airport facilities. Their project manager and deputy project manager have over 60 years of aviation experience combined and their subconsultant team brings a depth of aviation knowledge, experience delivering on-call services contracts, and proximity to San Diego.

PGAL, Inc., is a nationally ranked aviation architectural firm that has worked at 20 different airports over the past decade. Through their San Diego office, they have been successfully delivering SDIA projects for the past four years under the existing on-call agreement with the Authority. PGAL’s subconsultant team has a national level of aviation experience and a successful track record at SDIA and in working with PGAL. The PGAL team has worked on over 30 on-call contracts with a total construction value exceeding \$12.9 billion.

Next Steps:

Staff recommends that the Board authorize the President/CEO to negotiate and execute agreements with the two top-ranked firms, Corgan Associates and PGAL, Inc., for a term of three years, with the option for two one-year extensions at the sole discretion of the President/CEO, in an amount not-to-exceed \$10,000,000 for each agreement. The total aggregate spending authorization between the two agreements will be capped at a maximum of \$10,000,000.

As part of the negotiations with each of the top ranked firms, staff will negotiate appropriate billing rates for the firms and their 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 Architectural Consulting Services Agreement are included within the approved FY2021-FY2025 Capital Program Budget and the adopted FY2021 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 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:

The Authority has the following inclusionary programs/policy: a Disadvantaged Business Enterprise (DBE) Program, an Airport Concession Disadvantaged Business Enterprise (ACDBE) Program and Policy 5.12. These programs/policies 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/policies named above can be used in any single contracting opportunity.

This contract utilizes federal funds; therefore, DBE participation will go towards the Authority's overall DBE goal. No preferences were applied to the award of the On-Call Architectural Consulting Services Agreements with Corgan Associates and PGAL, Inc. However, both Corgan Associates and PGAL, Inc submitted an Inclusionary Outreach Plan and have committed to cultivating partnerships and maximizing opportunities for small, local, and veteran owned small businesses.

Prepared by:

BOB BOLTON
DIRECTOR: AIRPORT DESIGN & CONSTRUCTION

RESOLUTION NO. 2021-0033

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 ARCHITECTURAL CONSULTING SERVICES AGREEMENT WITH CORGAN ASSOCIATES FOR A TERM OF THREE YEARS, WITH THE OPTION FOR TWO ONE-YEAR EXTENSIONS AT THE SOLE DISCRETION OF THE PRESIDENT/CEO, IN AN AMOUNT NOT-TO-EXCEED \$10,000,000, IN SUPPORT OF THE AIRPORT DEVELOPMENT 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 the Airport Development and Capital Improvement Programs; and

WHEREAS, Authority staff (“Staff”) utilizes architecture firms to provide on-call planning, design, and construction administration support for these programs; and

WHEREAS, in 2017, the Authority procured two on-call architectural consulting firms to provide architectural services; and

WHEREAS, the firms were issued two contracts, each worth up to \$10,000,000; and

WHEREAS, Staff, however, were authorized to spend up to \$10,000,000 in the aggregate between the two firms; and

WHEREAS, in the middle of 2020, staff determined that the \$10,000,000 authorized would likely be expended by the middle of 2021; and

WHEREAS, at that time, staff proceeded with the preparation of a Request for Qualifications (“RFQ”) to obtain Statements of Qualifications (“SOQs”) from qualified firms to provide On-Call Architectural Consulting Services for the Authority; and

WHEREAS, the RFQ anticipated that two firms would be contracted for a duration of three years with two one-year extensions with each contract valued at an amount not to exceed \$10,000,000 and a total authorization of up to \$10,000,000 in the aggregate between the two firms; and

WHEREAS, the RFQ anticipated that detailed scopes of services will be negotiated with the consultant and task authorizations will be issued to the consultants throughout the duration of the contract; and

WHEREAS, the RFQ evaluated the Consultant's project team qualifications and organization, project management, key personnel, work plan and approach/methodology, and inclusionary approach and outreach; and

WHEREAS, the Authority established an RFQ Evaluation Panel ("Panel") that included key representatives from the Revenue Generation & Partnership Development, Airside & Terminal Operations, and Airport Design & Construction departments; and

WHEREAS, the RFQ was issued on November 20, 2020 and the Authority received six SOQs from prospective consulting firms ("Respondents") on December 29, 2020; and

WHEREAS, the Panel conducted a thorough review of the SOQs and invited the four (4) highest-ranked Respondents; and

WHEREAS, the Respondents were interviewed on February 22, 2021 and were asked to provide responses to a specific list of questions which targeted the evaluation criteria presented in the RFQ; and

WHEREAS, the Panel then ranked and scored the short-listed Respondents; and

WHEREAS, the Panel determined the two most qualified firms to perform the requested architectural services were Corgan Associates and PGAL, Inc.; and

WHEREAS, the Panel recommends that the Authority proceed with negotiating and executing agreements with both Corgan Associates and PGAL, Inc.

NOW, THEREFORE, BE IT RESOLVED that the Board hereby approves and authorizes the President/CEO to negotiate and execute an On-Call Architectural Consulting Services Agreement with Corgan Associates, for a term of three years, with the option for two one-year extensions at the sole discretion of the President/CEO, in an amount not-to-exceed \$10,000,000, in support of the Airport Development and Capital Improvement Programs at San Diego International Airport; and

BE IT FURTHER RESOLVED that the total aggregate spending between the agreements with Corgan Associates and PGAL, Inc., will be capped at a maximum of \$10,000,000; 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 meeting this 1st day of April, 2021, 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

RESOLUTION NO. 2021-0034

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 ARCHITECTURAL CONSULTING SERVICES AGREEMENT WITH PGAL, INC. FOR A TERM OF THREE YEARS, WITH THE OPTION FOR TWO ONE-YEAR EXTENSIONS AT THE SOLE DISCRETION OF THE PRESIDENT/CEO, IN AN AMOUNT NOT-TO-EXCEED \$10,000,000, IN SUPPORT OF THE AIRPORT DEVELOPMENT 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 the Airport Development and Capital Improvement Programs; and

WHEREAS, Authority staff (“Staff”) utilizes architecture firms to provide on-call planning, design, and construction administration support for these programs; and

WHEREAS, in 2017, the Authority procured two on-call architectural consulting firms to provide architectural services; and

WHEREAS, the firms were issued two contracts, each worth up to \$10,000,000; and

WHEREAS, Staff, were authorized to spend up to \$10,000,000 in the aggregate between the two firms; and

WHEREAS, in the middle of 2020, staff determined that the \$10,000,000 authorized would likely be expended by the middle of 2021; and

WHEREAS, at that time, staff proceeded with the preparation of a Request for Qualifications (“RFQ”) to obtain Statements of Qualifications (“SOQs”) from qualified firms to provide On-Call Architectural Consulting Services for the Authority; and

WHEREAS, the RFQ anticipated that two firms would be contracted for a duration of three years with two one-year extensions with each contract valued at an amount not to exceed \$10,000,000 and a total authorization of up to \$10,000,000 in the aggregate between the two firms; and

WHEREAS, the RFQ anticipated that detailed scopes of services will be negotiated with the consultant and task authorizations will be issued to the consultants throughout the duration of the contract; and

WHEREAS, the RFQ evaluated the Consultant's project team qualifications and organization, project management, key personnel, work plan and approach/methodology, and inclusionary approach and outreach; and

WHEREAS, the Authority established an RFQ Evaluation Panel ("Panel") that included key representatives from the Revenue Generation & Partnership Development, Airside & Terminal Operations, and Airport Design & Construction departments; and

WHEREAS, the RFQ was issued on November 20, 2020 and the Authority received six SOQs from prospective consulting firms ("Respondents") on December 29, 2020; and

WHEREAS, the Panel conducted a thorough review of the SOQs and invited the four (4) highest-ranked Respondents; and

WHEREAS, the Respondents were interviewed on February 22, 2021 and were asked to provide responses to a specific list of questions which targeted the evaluation criteria presented in the RFQ; and

WHEREAS, the Panel then ranked and scored the short-listed Respondents; and

WHEREAS, the Panel determined the two most qualified firms to perform the requested architectural services were Corgan Associates and PGAL, Inc.; and

WHEREAS, the Panel recommends that the Authority proceed with negotiating and executing agreements with both Corgan Associates and PGAL, Inc.

NOW, THEREFORE, BE IT RESOLVED that the Board hereby approves and authorizes the President/CEO to negotiate and execute an On-Call Architectural Consulting Services Agreement with PGAL, Inc., for a term of three years, with the option for two one-year extensions at the sole discretion of the President/CEO, in an amount not-to-exceed \$10,000,000, in support of the Airport Development and Capital Improvement Programs at San Diego International Airport; and

BE IT FURTHER RESOLVED that the total aggregate spending between the agreements with PGAL, Inc., and Corgan Associates will be capped at a maximum of \$10,000,000; 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 meeting this 1st day of April, 2021, 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: **APRIL 1, 2021**

Subject:

Approve and Authorize the President/CEO to Execute two On-Call Engineering Consulting Services Agreements at San Diego International Airport

Recommendation:

Adopt Resolution No. 2021-0035, approving and authorizing the President/CEO to negotiate and execute an On-Call Engineering Consulting Services Agreement with C&S Engineers, Inc., for a term of three years, with the option for two one-year extensions at the sole discretion of the President/CEO, in an amount not-to-exceed \$10,000,000 in support of the Airport Development and Capital Improvement Programs at San Diego International Airport.

Adopt Resolution No. 2021-0036, approving and authorizing the President/CEO to negotiate and execute an On-Call Engineering Consulting Services Agreement with HNTB Corporation, for a term of three years, with the option for two one-year extensions at the sole discretion of the President/CEO, in an amount not-to-exceed \$10,000,000 in support of the Airport Development 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 Airport Development Program (“ADP”) and Capital Improvement Program. Authority staff (“staff”) utilizes on-call engineering consulting services to provide planning, design, and construction administration support for these programs. Tasks typically include the design of airside aprons, taxiways, runway areas, landside roads, parking lots, storm water systems, security and blast walls, and utilities.

In the middle of 2020, staff determined that the existing on-call engineering consulting services agreements, procured in 2017, did not provide all of the appropriate engineering 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 Engineering Consulting 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 two firms would be contracted for a duration of three years with two one-year extensions with each contract valued at an amount not to exceed \$10,000,000 and a total authorization of up to \$10,000,000 in the aggregate between the two firms. In addition, the RFQ anticipated that detailed scopes of services will be negotiated with the consultant and task authorizations will be issued to the consultants 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 January 15, 2021 and the Authority received three SOQs from prospective consulting firms ("Respondents") on February 12, 2021. The Panel conducted a thorough review of the SOQs and invited all three of the Respondents, listed in alphabetical order below, to interview.

1. C&S Engineers, Inc. ("C&S")
2. HNTB Corporation ("HNTB")
3. Stantec ("Stantec")

The Respondents were interviewed on March 2, 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	Panelist 5	Total	Rank
C&S	1	1	2	1	2	7	1
HNTB	2	2	1	2	3	10	2
Stantec	3	3	3	3	1	13	3

Combined Scores	Project Team Quals & Org.	Project Management	Key Personnel	Work Plan & Approach/ Method.	Inclusionary Approach/ Outreach	Total
C&S	1075	1075	860	1075	200	4285
HNTB	1100	1025	900	1075	175	4275
Stantec	975	975	780	950	135	3815

The top ranked firms were C&S and HNTB.

The C&S team has worked on projects at SDIA for 23 years and combines local staff with national subject matter experts to deliver on each project. C&S recently provided design and construction administration services for the Hydrant Fueling Infrastructure project, completed design documents on the West Refueler Loading Facility and Solid and Liquid Waste Disposal Facility projects, provided construction support, record drawings, and project closeout on the Airport Support Facilities Project, and is on the design team completing the ADP Airfield Improvements design documents.

HNTB is comprised of over 5,000 staff with significant aviation project experience within California including projects at SDIA, Los Angeles International (LAX), San Francisco International (SFO), Long Beach (LGB), Van Nuys (VNY), Oakland International (OAK), San Jose International (SJC), Brown Field (SDM) and McCarran International (LAS) Airports. The majority of HNTB's key delivery and project management staff is based in downtown San Diego and is supported by a national team of aviation design experts. The HNTB team has also coordinated with, and designed projects for, many of the public agencies in the region, including the City of San Diego, the San Diego Metropolitan Transit System, the San Diego Association of Governments, the North County Transit District, and the California Department of Transportation.

Next Steps:

Staff recommends that the Board authorize the President/CEO to negotiate and execute agreements with the two top-ranked firms, C&S Engineers, Inc. and HNTB Corporation, for a term of three years, with the option for two one-year extensions at the sole discretion of the President/CEO, in an amount not-to-exceed \$10,000,000 for each agreement. The total aggregate spending authorization between the two agreements will be capped at a maximum of \$10,000,000.

As part of the negotiations with each of the top ranked firms, staff will negotiate appropriate billing rates for the firms and their 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 Engineering Consulting Services Agreement are included within the approved FY2021-FY2025 Capital Program Budget and the adopted FY2021 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 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:

The Authority has the following inclusionary programs/policy: a Disadvantaged Business Enterprise (DBE) Program, an Airport Concession Disadvantaged Business Enterprise (ACDBE) Program and Policy 5.12. These programs/policies 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/policies named above can be used in any single contracting opportunity.

This contract utilizes federal funds; therefore, DBE participation will go towards the Authority's overall DBE goal. No preferences were applied to the award of the On-Call Engineering Consulting Services Agreements with C&S Engineers, Inc. and HNTB Corporation. However, both C&S Engineers, Inc., and HNTB Corporation submitted an Inclusionary Outreach Plan that delineates on their commitment and methods to maximize opportunities for small, disadvantaged, local, and veteran owned small businesses.

Prepared by:

BOB BOLTON
DIRECTOR: AIRPORT DESIGN & CONSTRUCTION

RESOLUTION NO. 2021-0035

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 ENGINEERING CONSULTING SERVICES AGREEMENT WITH C&S ENGINEERS, INC., FOR A TERM OF THREE YEARS, WITH THE OPTION FOR TWO ONE-YEAR EXTENSIONS AT THE SOLE DISCRETION OF THE PRESIDENT/CEO, IN AN AMOUNT NOT-TO-EXCEED \$10,000,000, IN SUPPORT OF THE AIRPORT DEVELOPMENT 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 the Airport Development and Capital Improvement Programs; and

WHEREAS, Authority staff (“Staff”) utilizes on-call engineering consulting firms to provide planning, design, and construction administration support for these programs; and

WHEREAS, in the middle of 2020, staff determined that the existing on-call engineering consulting services agreements, procured in 2017, did not provide all of the appropriate engineering disciplines required for upcoming projects and that new agreements were required; and

WHEREAS, staff proceeded with the preparation of a Request for Qualifications (“RFQ”) to obtain Statements of Qualifications (“SOQ”) from qualified firms to provide On-Call Engineering Consulting Services for the Authority; and

WHEREAS, the RFQ anticipated that two firms would be contracted for a duration of three years with two one-year extensions with each contract valued at an amount not to exceed \$10,000,000 and a total authorization of up to \$10,000,000 in the aggregate between the two firms; and

WHEREAS, the RFQ anticipated that detailed scopes of services will be negotiated with the consultant and task authorizations will be issued to the consultants throughout the duration of the contract; and

WHEREAS, the RFQ evaluated the Consultant's project team qualifications and organization, project management, key personnel, work plan and approach/methodology, and inclusionary approach and outreach; and

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

WHEREAS, the RFQ was issued on January 15, 2021 and the Authority received three SOQs from prospective consulting firms ("Respondents") on February 12, 2020; and

WHEREAS, the Panel conducted a thorough review of the SOQs and invited all three (3) of the Respondents to interview; and

WHEREAS, the Respondents were interviewed on March 2, 2021 and were asked to provide responses to a specific list of questions which targeted the evaluation criteria presented in the RFQ; and

WHEREAS, the Panel then ranked and scored the Respondents; and

WHEREAS, the Panel determined the two most qualified firms to perform the requested engineering services were C&S Engineers, Inc., and HNTB Corporation; and

WHEREAS, the Panel recommends that the Authority proceed with negotiating and executing agreements with both C&S Engineers, Inc., and HNTB Corporation.

NOW, THEREFORE, BE IT RESOLVED that the Board hereby approves and authorizes the President/CEO to negotiate and execute an On-Call Engineering Consulting Services Agreement with C&S Engineers, Inc., for a term of three years, with the option for two one-year extensions at the sole discretion of the President/CEO, in an amount not-to-exceed \$10,000,000, in support of the Airport Development and Capital Improvement Programs at San Diego International Airport; and

BE IT FURTHER RESOLVED that the total aggregate spending between the agreements with C&S Engineers, Inc., and HNTB Corporation will be capped at a maximum of \$10,000,000; 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 meeting this 1st day of April 2021, 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

RESOLUTION NO. 2021-0036

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 ENGINEERING CONSULTING SERVICES AGREEMENT WITH HNTB CORPORATION FOR A TERM OF THREE YEARS, WITH THE OPTION FOR TWO ONE-YEAR EXTENSIONS AT THE SOLE DISCRETION OF THE PRESIDENT/CEO, IN AN AMOUNT NOT-TO-EXCEED \$10,000,000, IN SUPPORT OF THE AIRPORT DEVELOPMENT 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 the Airport Development and Capital Improvement Programs; and

WHEREAS, Authority staff (“Staff”) utilizes on-call engineering consulting firms to provide planning, design, and construction administration support for these programs; and

WHEREAS, in the middle of 2020, staff determined that the existing on-call engineering consulting services agreements, procured in 2017, did not provide all of the appropriate engineering disciplines required for upcoming projects and that new agreements were required; and

WHEREAS, staff proceeded with the preparation of a Request for Qualifications (“RFQ”) to obtain Statements of Qualifications (“SOQ”) from qualified firms to provide On-Call Engineering Consulting Services for the Authority; and

WHEREAS, the RFQ anticipated that two firms would be contracted for a duration of three years with two one-year extensions with each contract valued at an amount not to exceed \$10,000,000 and a total authorization of up to \$10,000,000 in the aggregate between the two firms; and

WHEREAS, the RFQ anticipated that detailed scopes of services will be negotiated with the consultant and task authorizations will be issued to the consultants throughout the duration of the contract; and

WHEREAS, the RFQ evaluated the Consultant's project team qualifications and organization, project management, key personnel, work plan and approach/methodology, and inclusionary approach and outreach; and

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

WHEREAS, the RFQ was issued on January 15, 2021 and the Authority received three SOQs from prospective consulting firms ("Respondents") on February 12, 2020; and

WHEREAS, the Panel conducted a thorough review of the SOQs and invited all three (3) of the Respondents to interview; and

WHEREAS, the Respondents were interviewed on March 2, 2021 and were asked to provide responses to a specific list of questions which targeted the evaluation criteria presented in the RFQ; and

WHEREAS, the Panel then ranked and scored the Respondents; and

WHEREAS, the Panel determined the two most qualified firms to perform the requested engineering services were C&S Engineers, Inc., and HNTB Corporation; and

WHEREAS, the Panel recommends that the Authority proceed with negotiating and executing agreements with both C&S Engineers, Inc., and HNTB Corporation.

NOW, THEREFORE, BE IT RESOLVED that the Board hereby approves and authorizes the President/CEO to negotiate and execute an On-Call Engineering Consulting Services Agreement with HNTB Corporation, for a term of three years, with the option for two one-year extensions at the sole discretion of the President/CEO, in an amount not-to-exceed \$10,000,000, in support of the Airport Development and Capital Improvement Programs at San Diego International Airport; and

BE IT FURTHER RESOLVED that the total aggregate spending between the agreements with C&S Engineers, Inc., and HNTB Corporation will be capped at a maximum of \$10,000,000; 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 meeting this 1st day of April 2021, 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: **APRIL 1, 2021**

Subject:

Adopt an Addendum to the Environmental Impact Report for the Airport Development Program for San Diego International Airport

Recommendation:

Adopt Resolution No. 2021-0037, adopting an Addendum to the Environmental Impact Report for the Airport Development Program for San Diego International Airport.

Background/Justification:

In January 2020, the Airport Authority Board certified the Final Environmental Impact Report (EIR) for the Airport Development Plan (now referred to as the "Airport Development Program"), which identified the facilities needed at the San Diego International Airport to meet the San Diego region's air travel demand through 2035 (Resolution #2020-0001). The EIR identified the potential direct and indirect environmental effects associated with implementing the Airport Development Program, as required under the California Environmental Quality Act (CEQA).

The EIR assumed that temporary construction offices, meeting spaces, and worker parking would occur solely on Airport property. Since the EIR's certification, the Airport Authority has identified the need for expanded temporary construction facilities, which will occur off-site on Harbor Island. Specifically, temporary construction offices, comprising approximately 75,000 square feet total in two single-story modular buildings, would be located in proximity to the construction site on a parcel located at the intersection of North Harbor Drive and Liberator Way, which is on State tidelands managed by the Port of San Diego. No grading or other ground disturbance would occur on the site, which is currently vacant, and the existing asphalt would remain.

Vehicle parking for construction staff would be located at existing paved surface parking lots on Harbor Island, located at the intersection of Harbor Island Drive directly east of the entrance to the Sheraton Hotel and near the intersection of Liberator Way and North Harbor Drive, which are also on State tidelands managed by the Port of San Diego. The vehicle parking would occupy up to approximately 1,500 parked vehicles total at three designated parking areas and no physical changes would be made to the site. Traffic demand management strategies, such as shuttle bus service to transport construction workers to the temporary construction offices and the on-airport construction site, would be implemented to reduce construction traffic impacts, set forth in accordance with Mitigation Measure MM-TR-Con-1 in the Final EIR.

Per State CEQA Guidelines, an Addendum to the Airport Development Program EIR has been prepared to determine if there are any substantial changes in circumstances or new information indicating that there would be new significant impacts or a substantial increase in the severity of any previously-disclosed significant impacts, which would require major revisions to the previously-certified Final EIR. As such, it has been

Page 2 of 2

determined that implementation of the proposed temporary construction offices and vehicle parking is adequately addressed by the Final EIR, and none of the conditions warranting preparation of a supplemental or subsequent EIR exist.

The Addendum to the Airport Development Program Final EIR was posted on the San Diego International Airport's website on March 22, 2021 and is accessible at www.san.org/plan.

Fiscal Impact:

There is no fiscal impact from the Airport Authority Board's adoption of the Addendum for the Airport Development Program EIR.

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 involves adopting an Addendum for the Final Environmental Impact Report for the Airport Development Program (State Clearinghouse #2017011053), in accordance with the California Environmental Quality Act ("CEQA") Cal. Pub. Res. Code §15164.
- 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:

BRENDAN REED
DIRECTOR, PLANNING & ENVIRONMENTAL AFFAIRS

RESOLUTION NO. 2021-0037

A RESOLUTION OF THE BOARD OF THE
SAN DIEGO COUNTY REGIONAL AIRPORT
AUTHORITY, ADOPTING AN ADDENDUM TO THE
ENVIRONMENTAL IMPACT REPORT FOR THE
AIRPORT DEVELOPMENT PROGRAM FOR SAN
DIEGO INTERNATIONAL AIRPORT

WHEREAS, the Airport Authority Board certified the Final Environmental Impact Report (EIR) for the Airport Development Plan (now referred to as the “Airport Development Program”) in January 2020, which identified the facilities needed at the San Diego International Airport to meet the San Diego region’s air travel demand through 2035 (Resolution #2020-0001); and

WHEREAS, the EIR identified the potential direct and indirect environmental effects associated with implementing the Airport Development Program, as required under the California Environmental Quality Act (CEQA); and

WHEREAS, since the EIR’s certification, the Airport Authority has identified the need for expanded temporary construction facilities, which will occur off-site on Harbor Island; and

WHEREAS, the proposed facilities will include temporary construction offices at the intersection of North Harbor Drive and Liberator Way, comprising approximately 75,000 square feet total in two single-story modular buildings, and vehicle parking at the intersection of Harbor Island Drive directly east of the entrance to the Sheraton Hotel and near the intersection of Liberator Way and North Harbor Drive, comprising up to approximately 1,500 parked vehicles total at three designated parking areas; and

WHEREAS, the above-mentioned parcels are on State tidelands managed by the Port of San Diego and are currently vacant and paved; and

WHEREAS, an Addendum to the Airport Development Program EIR has been prepared to determine if there are any substantial changes in circumstances or new information indicating that there would be new significant impacts or a substantial increase in the severity of any previously-disclosed significant impacts, which would require major revisions to the previously-certified Final EIR; and

WHEREAS, it has been determined that implementation of the proposed temporary construction offices and vehicle parking is adequately addressed by the Final EIR, and none of the conditions warranting preparation of a supplemental or subsequent EIR exist.

NOW, THEREFORE, BE IT RESOLVED that the Board hereby adopts an Addendum to the Environmental Impact Report for the Airport Development Program for San Diego International Airport; and

BE IT FURTHER RESOLVED that the Board finds that this action is in accordance with the California Environmental Quality Act ("CEQA") Cal. Pub. Res. Code §15164; 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 meeting this 1st day of April, 2021, 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 13

AUTHORIZE THE PRESIDENT/CEO TO ENTER INTO TIDELAND USE PERMITS WITH THE SAN DIEGO UNIFIED PORT DISTRICT AND SUBLEASES WITH HERTZ CORPORATION AND/OR AVIS RENT A CAR FOR PARCELS LOCATED ON HARBOR ISLAND TO ACCOMMODATE TERMINAL DEVELOPMENT EFFORTS:

Materials for this item will be provided before the meeting

ITEM 14

AUTHORIZE THE PRESIDENT/CEO TO ENTER INTO A 20 YEAR LEASE WITH THE SAN DIEGO UNIFIED PORT DISTRICT TO ACCOMMODATE GROUND TRANSPORTATION SHUTTLE BUS OPERATIONS:

Materials for this item will be provided before the meeting

ITEM 15

**APPROVE CREATION OF AN AD HOC
COMMITTEE ON DIVERSITY, EQUITY, AND
INCLUSION:**

**There are no materials for
this item**