

SAN DIEGO COUNTY REGIONAL AIRPORT AUTHORITY



BOARD MEMBERS

DAVID ALVAREZ
LAURIE BERMAN*
BRUCE R. BOLAND
GREG COX
JIM DESMOND
COL. JOHN FARNAM*
ROBERT H. GLEASON
LLOYD B. HUBBS
PAUL ROBINSON
MARY SESSOM
TOM SMISEK

* EX OFFICIO BOARD MEMBERS

PRESIDENT/CEO
THELLA F. BOWENS

Revised 6/21/13 **DRAFT** **SPECIAL BOARD**

AGENDA

Thursday, July 11, 2013
9:00 A.M.

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

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

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

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

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

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

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

CALL TO ORDER:

PLEDGE OF ALLEGIANCE:

ROLL CALL:

PRESENTATION:

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

STANDING BOARD COMMITTEES

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

ADVISORY COMMITTEES

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

LIAISONS

- **AIRPORT LAND USE COMPATIBILITY PLAN FOR SAN DIEGO INTERNATIONAL AIRPORT:**
Liaison: Robinson
- **CALTRANS:**
Liaison: Berman
- **INTER-GOVERNMENTAL AFFAIRS:**
Liaison: Cox

- **MILITARY AFFAIRS:**
Liaisons: Boland
- **PORT:**
Liaisons: Boland, Cox, Gleason (Primary), Smisek

BOARD REPRESENTATIVES (EXTERNAL)

- **SANDAG TRANSPORTATION COMMITTEE:**
Representatives: Hubbs, Smisek (Primary)
- **WORLD TRADE CENTER:**
Representatives: Alvarez, Gleason (Primary)

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.***

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CONSENT AGENDA (Items 1-16):

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

1. APPROVAL OF MINUTES:

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

RECOMMENDATION: Approve the minutes of the May 23, 2013, special meeting, and the June 6, 2013 regular meeting.

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

The Board is requested to accept the reports.

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

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

3. AWARDED CONTRACTS, APPROVED CHANGE ORDERS FROM MAY 13, 2013 THROUGH JUNE 9, 2013 AND REAL PROPERTY AGREEMENTS GRANTED AND ACCEPTED FROM MAY 13, 2013 THROUGH JUNE 9, 2013:

The Board is requested to receive the report.

RECOMMENDATION: Receive the report.

(Procurement: Jana Vargas, Director)

4. JULY 2013 LEGISLATIVE REPORT:

The Board is requested to approve the report.

RECOMMENDATION: Adopt Resolution No. 2013-____, approving the July 2013 Legislative Report.

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

5. GRANT A GAS LINE EASEMENT TO SAN DIEGO GAS & ELECTRIC:

The Board is requested to grant a gas line easement.

RECOMMENDATION: Adopt Resolution No. 2013-____, authorizing the President/CEO to negotiate and execute a gas line easement with San Diego Gas & Electric in support of the "Green Build" Terminal 2 West Expansion.

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

CLAIMS

6. AUTHORIZE THE REJECTION OF THE CLAIM OF LUCITA GARCIA:

The Board is requested to reject the claim.

RECOMMENDATION: Adopt Resolution No. 2013-____, authorizing the rejection of the claim of Lucita Garcia.

(Legal: Breton Lobner, General Counsel)

7. AUTHORIZE THE REJECTION OF THE CLAIM OF ALICIA ESTER YEPÍZ:

The Board is requested to reject the claim.

RECOMMENDATION: Adopt Resolution No. 2013-____, authorizing the rejection of the claim of Alicia Ester Yepiz.

(Legal: Breton Lobner, General Counsel)

8. AUTHORIZE THE REJECTION OF THE CLAIM OF WAYNE BECK:

The Board is requested to reject the claim.

RECOMMENDATION: Adopt Resolution No. 2013-____, authorizing the rejection of the claim of Wayne Beck.

(Legal: Breton Lobner, General Counsel)

9. AUTHORIZE THE REJECTION OF THE CLAIM OF KATHRYN BURKE:

The Board is requested to reject the claim.

RECOMMENDATION: Adopt Resolution No. 2013-____, authorizing the rejection of the claim of Kathryn Burke.

(Legal: Breton Lobner, General Counsel)

COMMITTEE RECOMMENDATIONS

CONTRACTS AND AGREEMENTS

10. APPROVE AND AUTHORIZE THE PRESIDENT/CEO TO EXECUTE AN AMENDMENT TO THE AUSTIN-SUNDT JOINT VENTURE AGREEMENT, FOR REVISIONS TO THE PROJECT DESCRIPTION, CONSTRUCTION BUDGET, AND COMPLETION DATE:

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

RECOMMENDATION: Adopt Resolution No. 2013-____, approving and authorizing the President/CEO to execute an amendment to the Austin-Sundt Joint Venture Agreement, Construction Manager-At-Risk, for revisions to the project description, construction budget, and completion date.

(Airport Design & Construction: Robert Bolton, Director)

11. APPROVE AND AUTHORIZE AN INCREASE IN THE PRESIDENT/CEO'S CHANGE ORDER AUTHORITY FROM \$172,426 TO \$400,810, AND INCREASE THE CONTRACT DURATION FROM 150 TO 275 CALENDAR DAYS FOR WASHINGTON STREET ACCESS IMPROVEMENTS:

The Board is requested to approve and authorize an increase in the President/CEO's change order authority and increase the contract duration.

RECOMMENDATION: Adopt Resolution No. 2013-____, authorizing an increase in the President/CEO's change order authority from \$172,426 to \$400,810, and increase the contract duration from 150 to 275 calendar days, for Project No. 104124, Washington Street Access Improvements, at San Diego International Airport.

(Facilities Development: Iraj Ghaemi, Director)

12. APPROVE AND AUTHORIZE AN INCREASE IN THE PRESIDENT/CEO'S CHANGE ORDER AUTHORITY FROM \$150,953 TO \$472,724 FOR RECONSTRUCTION OF LOT 8/SAN PARK HARBOR DRIVE:

The Board is requested to approve and authorize an increase in the President/CEO's change order authority.

RECOMMENDATION: Adopt Resolution No. 2013-____, approving and authorizing an increase in the President/CEO's change order authority from \$150,953 to \$472,724, for Project No. 104127, Reconstruction of Lot 8/San Park Harbor Drive, at San Diego International Airport.

(Facilities Development: Iraj Ghaemi, Director)

13. AWARD A CONTRACT TO (TO BE DETERMINED) FOR QUIETER HOME PROGRAM PHASE 7, GROUP 2 (33 EAST SIDE AND 35 WEST SIDE, HISTORIC AND NON-HISTORIC UNITS ON FOUR SINGLE AND MULTI-FAMILY RESIDENTIAL PROPERTIES):

The Board is requested to award a contract.

RECOMMENDATION: Adopt Resolution No. 2013-____, awarding a contract to (TO BE DETERMINED) in the amount of \$_____, for Phase 7, Group 2, Project No. 380702, of the San Diego County Regional Airport Authority's Quieter Home Program.

(Noise Mitigation: Dan Frazee, Director)

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

14. APPROVE AND AUTHORIZE THE PRESIDENT/CEO TO EXECUTE A PEST CONTROL SERVICES AGREEMENT:

The Board is requested to approve the agreement.

RECOMMENDATION: Adopt Resolution No. 2013-____, approving and authorizing the President/CEO to execute an agreement with Cartwright Termite & Pest Control, Inc., for a term of three years, with the option for two one-year extensions to be exercised at the discretion of the President/CEO, for a total not-to-exceed \$2,800,000 for pest control services and \$2,200,000 for remediation services for 5 years, to provide pest control and remediation services, at San Diego International Airport.

(Development: Bryan Enarson, Vice President)

15. APPROVE AND AUTHORIZE THE PRESIDENT/CEO TO EXECUTE A LANDSCAPING MAINTENANCE AGREEMENT:

The Board is requested to approve the agreement.

RECOMMENDATION: Adopt Resolution No. 2013-____, approving and authorizing the President/CEO to execute a landscape maintenance agreement with Aztec Landscaping, for a term of three years, with the option for two one-year extensions to be exercised at the discretion of the President/CEO, in an amount not-to-exceed \$2,175,000, for 5 years, to provide landscape maintenance services, at San Diego International Airport.

(Development: Bryan Enarson, Vice President)

16. APPROVE AND AUTHORIZE THE PRESIDENT/CEO TO EXECUTE AN AMENDMENT TO THE DEMATTEI WONG ARCHITECTURE, INC., ON-CALL CONSULTANT SERVICES AGREEMENT, TO INCREASE THE CONTRACT AMOUNT AND ADD AN OPTION FOR A LUMP SUM BASIS OF COMPENSATION:

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

RECOMMENDATION: Adopt Resolution No. 2013-____, approving and authorizing the President/CEO to execute an amendment to the Demattei Wong Architecture, Inc. On-Call Rental Car Center Development Architect and Engineering Consultant Services Agreement, increasing the contract amount by \$12,000,000 for a revised maximum not-to-exceed dollar amount of \$22,000,000; and adding an option for a lump-sum basis of compensation.

(Airport Design & Construction: Robert Bolton, Director)

PUBLIC HEARINGS:

OLD BUSINESS:

NEW BUSINESS:

17. CONSENT TO ASSIGNMENT OF CONCESSION LEASE FROM PROJECT HORIZON, INC. TO INMOTION ENTERTAINMENT GROUP, LLC:

The Board is requested to consent to the assignment.

RECOMMENDATION: Adopt Resolution No. 2013-____, consenting to an assignment agreement between Project Horizon, Inc. and Inmotion Entertainment, LLC, and authorizing the President/CEO to execute the consent agreement.

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

18. APPROVE AND AUTHORIZE THE PRESIDENT/CEO TO EXECUTE A SOLE SOURCE AGREEMENT WITH SIEMENS INDUSTRY, INC., FOR OPERATION AND MAINTENANCE OF TERMINAL 2 WEST INLINE BAGGAGE HANDLING SYSTEM:

The Board is requested to approve the agreement.

RECOMMENDATION: Adopt Resolution No. 2013-____, approving and authorizing the President/CEO to execute a sole source agreement with Siemens Industry, Inc., for a term of one year, for an amount not-to-exceed \$1,310,691.00, in support of the operation and maintenance for the inline baggage handling system, Terminal 2 West, at San Diego International Airport.

(Development: Bryan Enarson, Vice President)

19. APPROVAL OF AMENDED AND RESTATED SAN DIEGO COUNTY REGIONAL AIRPORT AUTHORITY RETIREMENT PLAN AND TRUST OF 2013:

The Board is requested to approve the plan.

RECOMMENDATION: Provide direction to staff.

(Legal: Breton Lobner, General Counsel)

20. APPROVAL OF A MEMORANDUM OF UNDERSTANDING BETWEEN THE SAN DIEGO COUNTY REGIONAL AIRPORT AUTHORITY AND THE SAN DIEGO UNIFIED PORT DISTRICT REGARDING POLICE SERVICES COSTS:

The Board is requested to approve a Memorandum of Understanding.

RECOMMENDATION: Adopt Resolution No. 2013-____, approving the Memorandum of Understanding between the San Diego County Regional Airport Authority and the San Diego Unified Port District regarding police services costs.

(Finance: Vernon Evans, Vice President/Treasurer)

CLOSED SESSION:

21. PUBLIC EMPLOYMENT – EMPLOYMENT TERMS, EVALUATION AND CONDITIONS:

Cal. Gov. Code § 54954.5(c) and §54957 (b).

Title: President/Chief Executive Officer

Subjects:

(1) Review and possible action on current and future contract terms.

(2) Public employee performance evaluation

22. PUBLIC EMPLOYEE PERFORMANCE EVALUATION:

Cal. Gov. Code §54957

Title: General Counsel

23. PUBLIC EMPLOYEE PERFORMANCE EVALUATION:

Cal. Gov. Code §54957

Title: Chief Auditor

24. CONFERENCE WITH LABOR NEGOTIATORS:

Labor negotiations pursuant to Cal. Gov. Code §54957.6:

Authority Designated Negotiators: Thella F. Bowens, President/CEO; and
Jeff Lindeman, Senior Director, Organizational Performance & Development
Employee Organization: Teamsters 911

25. CONFERENCE WITH REAL PROPERTY NEGOTIATORS:

Real property negotiations pursuant to Cal. Gov. Code §54954.5(b) and §54956.8:

Property: Salt Plant – 17 acre parcel located at 1470 Bay Boulevard, San Diego

Agency Negotiators: Vernon D. Evans, Vice President, Finance/Treasurer

Negotiating Parties: United States Fish and Wildlife Service, GGTW, LLC
(current tenant) and/or other interested parties

Under Negotiation: Sale – terms and conditions

26. CONFERENCE WITH REAL PROPERTY NEGOTIATORS:

Real property negotiations pursuant to Cal. Gov. Code §§ 54954.5(b) and 54956.8.

Property: Landmark Aviation.

Agency negotiator: Vernon D. Evans, Eric Podnieks and Troy Leech.

Negotiating parties: Landmark Aviation (current tenant).

Under negotiation: Amendment of terms of Lease regarding site development.

27. CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION:

(Cal. Gov. Code Section 54956.9(A))

Diego Concession Group, Inc. v. San Diego County Regional Airport Authority
S.D.S.C Case No. 37-2012-00088083-CU-BT-CTL

28. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION:

Initiation of litigation pursuant to subdivision (c) of §54956.9: (3 cases)

29. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION:

Significant exposure to litigation pursuant to Cal. Gov. Code §54956.9(b):

Kelly Lancaster, David Boenitz, Mary Erickson and Richard Gilb, et al v. SDCERS,
San Diego Sup. Court Case No. 37-2011-G0096238-CU-PO-CT

Number of cases: 1

30. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION:

Significant exposure to litigation (Cal. Gov. Code §§ 54956.9 (b) and 54954.5)

Number of potential cases: 1

Re: Investigative Order No. R9-2012-0009 by the California Regional Water
Quality Control Board regarding submission of technical reports pertaining to an
investigation of bay sediments at the Downtown Anchorage Area in San Diego

REPORT ON CLOSED SESSION:

NON-AGENDA PUBLIC COMMENT:

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GENERAL COUNSEL REPORT:

BUSINESS AND TRAVEL EXPENSE REIMBURSEMENT REPORTS FOR BOARD MEMBERS, PRESIDENT/CEO, CHIEF AUDITOR AND GENERAL COUNSEL WHEN ATTENDING CONFERENCES, MEETINGS, AND TRAINING AT THE EXPENSE OF THE AUTHORITY:

BOARD COMMENT:

ADJOURNMENT:

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

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

Additional Meeting Information

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

UPCOMING MEETING SCHEDULE

<i>Date</i>	<i>Day</i>	<i>Time</i>	<i>Meeting Type</i>	<i>Location</i>
August 1	Thursday	9:00 a.m.	Regular	Board Room
September 12	Thursday	9:00 a.m.	Special	Board Room
October 3	Thursday	9:00 a.m.	Regular	Board Room