

MINUTES OF THE REGULAR MEETING OF THE MONTEREY PENINSULA AIRPORT DISTRICT BOARD OF DIRECTORS

October 11, 2017 - 10:00 AM - Board Room

A. CALL TO ORDER/ROLL CALL

Director Nelson called to order the Regular Meeting of the Board of Directors at 10:05 am. Directors Miller and Sabo were present. The following District Officers were present: Executive Director La Pier, District Counsel Huber, Acting District Secretary Porter and Deputy Executive Director Bergholz. Directors Leffel and Searle were not present due to medically excused absences.

B. PLEDGE OF ALLEGIANCE

Director Miller led the Pledge of Allegiance.

C. COMMUNICATIONS/ANNOUNCEMENTS/INFORMATIONAL ITEMS

Director Miller stated that he will provide reports for the ACI-NA Annual Conference and Exhibition and the CSDA Annual Conference and Exhibitor Showcase at the November Regular Meeting. He also expressed an interest in attending the ACI-NA/AAAE 2018 Airport Board & Commissioners Conference from May 6 through May 8, 2018 in Las Vegas, NV.

D. PUBLIC COMMENTS

None.

E. CONSENT AGENDA - ACTION ITEMS

(10:15AM - 10:30AM Estimated)

(The Consent Agenda consists of those items which are routine and for which a staff recommendation has been prepared. A Board member, member of the audience or staff may request that an item be placed on the deferred consent agenda for further discussion. One motion will cover all items on the Consent Agenda. The motion to approve will authorize the action or recommendation indicated.)

- Approve 1. Minutes of the Committee Meeting of the Airport Property Development and Leases Committee of September 6, 2017
- Approve 2. Minutes of the Committee Meeting of the Air Carrier Service, Marketing and Community Relations Committee of September 6, 2017
- Approve 3. Minutes of the Committee Meeting of the Budget and Finance Committee of September 11, 2017
- Approve 4. Minutes of the Regular Meeting of September 13, 2017

F. DEFERRED CONSENT AGENDA - ACTION ITEMS

Director Sabo moved to approve Consent Agenda Items 1 through 4. Director Miller seconded the motion. The motion passed unanimously.

G. REGULAR AGENDA - ACTION ITEMS

(10:30AM - 11:30AM Estimated)

- Adopt 1. Resolution No. 1695, A Resolution Approving Submission of FY 2018-2023 Airport Capital Improvement Plan (ACIP); Approve Submittal to FAA; Authorize the Executive Director to Execute All Supporting Documents

Chris Morello, Senior Planning Manager, presented Item G.1, providing additional information on the annual submittal of the five-year ACIP to the FAA for FAA funding.

Director Miller moved to adopt Resolution No. 1695. Chair Nelson seconded the motion. The motion passed by a roll call vote of 3-0.

RESOLUTION NO. 1695

A RESOLUTION APPROVING SUBMISSION OF THE FY 2018-2023 AIRPORT CAPITAL IMPROVEMENT PLAN (ACIP); APPROVE SUBMITTAL TO THE FAA, AUTHORIZE THE EXECUTIVE DIRECTOR TO EXECUTE ALL SUPPORTING DOCUMENTS

WHEREAS, the Monterey Peninsula Airport District owns and operates the Monterey Regional Airport; and

WHEREAS, regular Board meeting updates have included review of the draft Master Plan and future Monterey Regional Airport projects and the priorities for same; and

WHEREAS, the Monterey Peninsula Airport District has compiled a list of capital improvement projects in the Airport Capital Improvement Plan (ACIP) that will best serve current and future airport users while maintaining airport facilities; and

WHEREAS, the Federal Aviation Administration (FAA) and the California Department of Transportation may provide funds for qualified ACIP projects;

NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE MONTEREY PENINSULA AIRPORT DISTRICT THAT: the Executive Director of the District, or his designee, is authorized and directed, for and on behalf of the Monterey Peninsula Airport District, to submit the attached FY 2018-2023 ACIP to the FAA and funding application(s) in support thereof, and to execute and submit all future documents necessary to implement such ACIP and application(s), including grant agreements and any amendments thereto, and that the District Secretary or Acting District Secretary is authorized to affix thereto the official seal of said District. Such grant agreements and amendments executed by the Executive Director are hereby approved, as though set forth in full.

ADOPTED BY THE BOARD OF DIRECTORS OF THE MONTEREY PENINSULA AIRPORT DISTRICT: This 11th day of October, 2017 by the following roll call vote:

AYES:	DIRECTORS:	Miller, Sabo, Chair Nelson
NOES:	DIRECTORS:	None
ABSTAIN:	DIRECTORS:	None
ABSENT:	DIRECTORS:	Leffel, Searle

Adopt 2. Ordinance No. 923, An Ordinance Regulating Open Entry Taxicab System at the Monterey Regional Airport

Ken Griggs, Operations Manager, presented Item G.2, explaining to the Board that this was the second reading of Ordinance No. 923, which was previously passed to print by the Board at the October Regular Meeting.

Director Miller moved to adopt Ordinance No. 923. Chair Nelson seconded the motion. The motion passed by a roll call vote of 3-0.

ORDINANCE NO. 923

AN ORDINANCE REGULATING OPEN ENTRY TAXICAB SYSTEM AT THE MONTEREY REGIONAL AIRPORT

THE BOARD OF DIRECTORS OF MONTEREY PENINSULA AIRPORT DISTRICT DO ORDAIN AS FOLLOWS:

SECTION 1. Definitions. Unless specifically defined otherwise herein, or unless a different meaning is apparent from the context, the following words or phrases have the meanings set forth below. Words or phrases that are not defined in this ordinance, but that are defined in the California Penal Code, have the meanings set forth therein.

“Airport” means the Monterey Regional Airport and all lands owned or operated by the Monterey Peninsula Airport District (“District”) for airport purposes or activities. “Airport” includes all improvements, facilities and appurtenances.

“Taxicab” means a motor vehicle carrying or conveying passengers for hire or commercial purposes and operating in conformity with the requirements of any unexpired and unexpired agreement, contract, license, permit or other written authorization issued by the District for such activity, but does not include other commercial passenger vehicles as defined in Ordinance 916.

“District” means the Monterey Peninsula Airport District.

“Fiscal Year” means a year commencing on July 1 and ending on the following June 30.

“Executive Director” means the Executive Director of the airport and District.

“Person” shall include the singular and the plural and shall also mean and include any individual, firm, company, corporation, association, joint stock association, club, partnership, joint venture, society or any other form of association or organization, public or private or body politic and includes any trustee, receiver, committee, assignee or other representative or employee thereof.

“Solicitation” means initiating or engaging in a conversation regarding ground transportation services with any person on the airport for the purpose of seeking passengers or customers for a taxicab operator; employing, inducing, arranging for or allowing any person to initiate or engage in a conversation regarding taxicab services with any other person on the airport for the purpose of seeking passengers or customers for a taxicab operator; engaging in any conduct or activity intended to or apparently intended to ask, implore or persuade a passenger or potential passenger to alter his or her previously chosen mode of ground transportation or taxicab operator, delivering literature on the airport discussing or describing ground transportation services to be provided by a taxicab operator to any person on the airport; or offering ground transportation services provided by a taxicab operator to any

person while on the airport. "Solicitation" does not include actions by employees of any airline in arranging for transportation for any passenger of such airline, or such persons contracted to the Airport/District to assist passengers and taxicab operator.

"Terminal Building" means all buildings and structures located within the airport and open to the public for the purpose of flight ticket purchase, public lobby, waiting, baggage check-in and those other services related to public air travel.

SECTION 2. Operation of Taxicabs. Operation of taxicabs at the airport is regulated as follows:

2.1. Permission Required. It is unlawful for any person to use any taxicab to pick up or drop off any passenger for hire or for any other commercial purpose at the airport except as provided in the adopted Rules and Regulations for taxicab services on the Airport.

2.2. Solicitation Prohibited. It is unlawful for any taxicab operator to engage in solicitation at the airport.

SECTION 3. Rules and Regulations.

3.1 The District shall adopt, by resolution, Rules and Regulations (Rules) for the operation of taxicabs on Airport property. Said Rules shall be enforced by Airport Police and Operations staff, and shall have the force of law and are incorporated herein as initially adopted or as periodically amended.

3.2 The Rules shall include requirements for pick up and drop off of Airport passengers, a requirement that taxicabs comply with the mandates of Airport Police and Operations staff, a fee structure imposed for violation of the Rules and a requirement for the maintenance of proper taxicab identification and electronic sensing devices as mandated and any other Rule established for the orderly management of taxi service.

3.3 A condition of continued permission to access Airport property by a taxicab of taxi company will be compliance with all Rules promulgated by the Directors and said Rules will be administered by the Executive Director.

SECTION 4. Insurance. Except as may otherwise be provided in the agreement, contract, license, permit or other written authorization for a taxicab to operate at the airport, there shall be maintained in full force and effect, at no cost to the District, for each taxicab operating at the airport comprehensive form automobile liability insurance and workers compensation insurance where applicable. The minimum terms and limits for such policies shall be as determined by the Executive Director, or such other increased limits as may be required by the Regional Taxi Authority ("Authority") for those operators over which that Authority has regulatory control. Each such policy of insurance shall be issued by an insurance organization authorized by the California Insurance Commissioner to transact the business of insurance within the State of California or by an insurer expressly approved in writing by the Executive Director. Each applicant for an agreement, contract, license, permit or other written authorization to operate a taxicab at the airport shall furnish appropriate certificates of insurance meeting the satisfaction of the General Manager upon application and each holder of an agreement, contract, license, permit or other written authorization to operate a taxicab at the airport shall furnish a substitute certificate of insurance meeting the satisfaction of the Executive Director no later than 30 days prior to any policy expiration date.

SECTION 5. Penalties. Each person who violates any provision of this ordinance or the Rules as promulgated by the District is guilty of an infraction and upon conviction thereof shall be punishable by:

- (a) a fine not to exceed two Hundred Fifty Dollars (\$250) for a first violation within any one-year period;
- (b) a fine not exceeding Five Hundred Dollars (\$500) for a second violation within any one-year period; or
- (c) a fine not exceeding (\$1000) for each additional violation within any one-year period.
- (d) Three (3) or more violations in any one-year period will result in the loss of Airport privileges for the taxicab operator or company.

SECTION 6. Severability. This ordinance shall supplement and be in addition to the other regulatory codes, statutes and ordinances heretofore or hereafter enacted by the District, the State of California or any other legal entity or agency having jurisdiction. This ordinance shall not be interpreted or construed to permit any activity where or when it is otherwise restricted by other applicable laws. Nothing in this ordinance is intended to make punishable any act or acts which are prohibited by any law of the state or federal government. Nothing in this ordinance shall authorize the maintenance of any public or private nuisance. If any provision, clause, sentence or paragraph of this ordinance or the application thereof to any person or circumstance shall be held invalid, such invalidity shall not affect the other provisions of this ordinance which can be given effect without the invalid provision or application and to this end, the provisions of this ordinance are declared to be severable.

SECTION 7. Effective Date. This ordinance shall take effect thirty (30) days from and after the date of its adoption.

ADOPTED BY THE BOARD OF DIRECTORS OF THE MONTEREY PENINSULA AIRPORT DISTRICT: This 11th day of October, 2017, by the following roll call vote:

AYES:	DIRECTORS:	Miller, Sabo, Chair Nelson
NOES:	DIRECTORS:	None
ABSTAIN:	DIRECTORS:	None
ABSENT:	DIRECTORS:	Leffel, Searle

Adopt 3. Resolution No. 1696, A Resolution Ratifying a Successor Memorandum of Understanding (MOU), Covering the Period July 1, 2017 Through June 30, 2020, Between the Monterey Peninsula Airport District and the Monterey Airport Administrative Assistants Association and Authorizing the Members of the District's Negotiations Team to Execute the MOU

Michael La Pier presented Item G.3.

Director Miller moved to Adopt Resolution No. 1696. Director Sabo seconded the motion. The motion passed by a roll call vote of 3-0.

RESOLUTION NO. 1696

A RESOLUTION RATIFYING A SUCCESSOR MEMORANDUM OF UNDERSTANDING (MOU), COVERING THE PERIOD JULY 1, 2017 THROUGH JUNE 30, 2020, BETWEEN THE MONTEREY PENINSULA AIRPORT DISTRICT AND THE MONTEREY AIRPORT ADMINISTRATIVE

**ASSISTANTS ASSOCIATION AND AUTHORIZING THE MEMBERS OF THE DISTRICT'S
NEGOTIATIONS TEAM TO EXECUTE THE MOU**

WHEREAS, the Monterey Peninsula Airport District and Administrative Assistants Association, represented by UPEC Local 792 have negotiated in good faith over wages, hours and other terms and conditions of employment as required by Government Code 3500 et. seq.; and,

WHEREAS, the Parties have reached an overall tentative agreement, which has been jointly drafted into a successor MOU document reflecting all agreed upon changes to such wages hours and working conditions as are acceptable to all parties; now

THEREFORE BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE MONTEREY PENINSULA AIRPORT DISTRICT: That the overall tentative agreement reached between the Administrative Assistants Association and the District is hereby ratified, and further, that the members of the District's negotiations team are hereby authorized to execute the final draft of the Agreement.

PASSED AND ADOPTED BY THE BOARD OF DIRECTORS OF THE MONTEREY PENINSULA AIRPORT DISTRICT: This 11th day of October, 2017, by the following roll call vote:

AYES:	DIRECTORS:	Miller, Sabo, Chair Nelson
NOES:	DIRECTORS:	None
ABSTAIN:	DIRECTORS:	None
ABSENT:	DIRECTORS:	Leffel, Searle

Adopt 4. Resolution No. 1697, A Resolution Ratifying a Successor Memorandum of Understanding (MOU), Covering the Period July 1, 2017 Through June 30, 2020, Between the Monterey Peninsula Airport District and the Monterey Airport Police Officers Association and Authorizing the Members of the District's Negotiations Team to Execute the MOU

Michael La Pier presented Item G.4.

Director Miller moved to Adopt Resolution No. 1697. Director Sabo seconded the motion. The motion passed by a roll call vote of 3-0.

RESOLUTION NO. 1697

**A RESOLUTION RATIFYING A SUCCESSOR MEMORANDUM OF UNDERSTANDING (MOU),
COVERING THE PERIOD JULY 1, 2017 THROUGH JUNE 30, 2020, BETWEEN THE MONTEREY
PENINSULA AIRPORT DISTRICT AND THE MONTEREY AIRPORT POLICE OFFICERS
ASSOCIATION AND AUTHORIZING THE MEMBERS OF THE DISTRICT'S NEGOTIATIONS TEAM
TO EXECUTE THE MOU**

WHEREAS, the Monterey Peninsula Airport District and Police Officers Association have negotiated in good faith over wages, hours and other terms and conditions of employment as required by Government Code 3500 et. seq.; and,

WHEREAS, the Parties have reached an overall tentative agreement, which has been jointly drafted into a successor MOU document reflecting all agreed upon changes to such wages hours and working conditions as are acceptable to all parties; now

THEREFORE BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE MONTEREY PENINSULA AIRPORT DISTRICT: That the overall tentative agreement reached between the Police Officers Association and the District is hereby ratified, and further, that the members of the District's negotiations team are hereby authorized to execute the final draft of the Agreement.

PASSED AND ADOPTED BY THE BOARD OF DIRECTORS OF THE MONTEREY PENINSULA AIRPORT DISTRICT: This 11th day of October, 2017, by the following roll call vote:

AYES:	DIRECTORS:	Miller, Sabo, Chair Nelson
NOES:	DIRECTORS:	None
ABSTAIN:	DIRECTORS:	None
ABSENT:	DIRECTORS:	Leffel, Searle

Adopt 5. Resolution No. 1698, A Resolution Authorizing and Approving changes to Fiscal Year 2018 Salary Schedule, Listing Salary Ranges for the Monterey Peninsula Airport District

Michael La Pier presented Item G.5.

RESOLUTION NO. 1698

A RESOLUTION AMENDING AND APPROVING THE FISCAL YEAR 2018 SALARY SCHEDULE LISTING POSITION AND SALARY RANGES

WHEREAS, the Monterey Peninsula Airport District and the Monterey Peninsula Airport District Administrative Assistants' Association and Peace Officers' Association have executed agreements, entitled "*Agreement Between Monterey Peninsula Airport District and Monterey Peninsula Airport District Administrative Assistants' Association*" and "*Agreement Between Monterey Peninsula Airport District and Monterey Peninsula Airport District Peace Officers' Association*" that commence July 1, 2017 and conclude June 30, 2020, and

WHEREAS, the Agreements provides for an adjustment of salaries paid to the employees in the Administrative Assistants and Police Officers' Associations, effective October 11, 2017 for Fiscal Year 2018, and

WHEREAS, the Agreements are executed by removing salary steps and increasing the salary ranges of the affected employees,

BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE MONTEREY PENINSULA AIRPORT DISTRICT: The compensation of all employees of the Monterey Peninsula Airport District as set forth and prescribed in the Fiscal Year 2018 Salary Schedule, Listing Position and Salary Ranges is hereby approved and adopted. A copy of said schedule is attached hereto and made a part thereof by reference as though the same were set forth in full herein.

AND BE IT FURTHER RESOLVED: That there be filed in the office of said District, said Salary Range and Schedule in accordance with public law and designated "Monterey Peninsula Airport District Fiscal Year 2018 Salary Schedule", listing positions and salary ranges.

PASSED AND ADOPTED BY THE BOARD OF DIRECTORS OF THE MONTEREY PENINSULA AIRPORT DISTRICT: This 11th day of October, 2017, by the following roll call vote:

AYES:	DIRECTORS:	Miller, Sabo, Chair Nelson
NOES:	DIRECTORS:	None
ABSTAIN:	DIRECTORS:	None
ABSENT:	DIRECTORS:	Leffel, Searle

Director Miller moved to Adopt Resolution No. 1698. Director Sabo seconded the motion. The motion passed by a roll call vote of 3-0.

Presentation 6. General Aviation Support by Michael La Pier

Michael La Pier presented Item G.6, providing an update to the Board on General Aviation support in regards to facilities and fueling options.

H. ACCEPTANCE OF DEPARTMENT REPORTS (11:30AM - 12:00PM Estimated)

(The board receives department reports which do not require any action by the board)

I. BOARD COMMITTEE REPORTS (12:00PM - 12:15PM Estimated)

(Report on meetings attended by Board Members at Monterey Peninsula Airport District's expense - AB1234)

- a. Standing Committees:
 - i. Local Jurisdiction Liaison Directors Miller & Nelson
 - ii. Budget and Finance Directors Leffel & Sabo
 - iii. Air Service, Marketing and Community Relations Directors Miller & Nelson
 - iv. Airport Property Development and Leases Directors Leffel & Nelson

- b. Ad-Hoc Committees:

- c. Liaison/Representatives:
 - i. Local Agency Formation Commission Director Leffel Alt: Searle
 - ii. Regional Taxi Authority Director Leffel Alt: La Pier
 - iii. Transportation Agency for Monterey County Director Sabo Alt: Nelson
 - iv. Water Management District (Policy Advisory) Director Searle Alt: Leffel
 - v. Special Districts Association Liaison Director Miller Alt: Leffel

J. CLOSED SESSION

- 1. **REAL PROPERTY NEGOTIATIONS** (Government Code Section 54956.8) The Board will meet with Real Property Negotiators, Executive Director and District Counsel, regarding the properties identified as 2801 Monterey-Salinas Highway, Monterey, CA 93940.

2. **ANTICIPATED LITIGATION** (Government Code section 54956.9(d)(2)) the Board will meet with the Executive Director and District Counsel regarding anticipated litigation – one case.

K. RECONVENE TO OPEN SESSION

Chair Nelson reported that no action was taken during Closed Session.

L. PENDING REQUESTS FOR FUTURE AGENDA ITEMS

M. DISCUSSION OF FUTURE AGENDAS

No new items added.

N. ADJOURNMENT

The meeting adjourned at 2:36pm.

Minutes Approved at the Regular
Meeting of November 8, 2017



Matthew Nelson, Chair

ATTEST



Michael La Pier, AAE
District Secretary