

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

October 14, 2020 - 9:00 AM

SPECIAL AND URGENT NOTICE ELIMINATING IN-PERSON PUBLIC PARTICIPATION AT MONTEREY PENINSULA AIRPORT DISTRICT BOARD MEETINGS

Due to the directives contained in the Governor's Declarations of Emergency for the State of California (Executive Orders N-25-20 and N-29-20), and the Governor's and County Public Health Officer's recent order related to public assemblies, the Board of Directors of the Monterey Peninsula Airport District is required to limit in-person attendance at the upcoming Board meeting. Members of the public may utilize alternative measures established by the Monterey Peninsula Airport District to listen to Board meeting and/or to communicate your opinions to the Board Members.

To participate in the Board meeting via Zoom video conference, please visit www.zoom.us/join and enter the following Meeting ID: **862 7316 8743**. If you do not have access to the internet, you may also participate telephonically by calling (253) 215-8782 and entering the same Meeting ID. Members of the public who wish to provide comment on an item on the agenda may do so during the meeting prior to the item being considered by the Board, as outlined below.

REMOTE PUBLIC COMMENTS To make a public comment, the following options are available:

1. Before the Meeting via Email: Written comments can be emailed to info@montereyairport.com. Include the following subject line: "Public Comment Item # (insert the agenda item number relevant to your comment)." Written comments must be received by 8:00 AM on the day of the meeting. All submitted comments will be provided to the Board for consideration and will be compiled as part of the record. The written comments will not be read aloud into the record but will be part of the administrative record.
2. During the Meeting via Oral Comments: When the Chair calls for public comment, attendees can queue to speak with the "Raise Hand" feature. On the Zoom application, click the "Raise Hand" button. On the phone, press *9. The Secretary to the Board will call speaker names and unmute speaker microphones. You will have up to 3 minutes to provide your oral comments, pursuant to Board policy. Please do not use the chat or Q&A features, if available, to put a comment on record. These resources are for tech support only and any comments made there will not be included in the administrative record.

A. CALL TO ORDER/ROLL CALL

Chair Leffel called to order the Regular Meeting of the Board of Directors at 9:08 AM. Directors Cursio, Miller, Sabo and Sawhney were present. The following District Officers were present: Executive Director La Pier, District Counsel Huber, Acting District Secretary Auker, Deputy Executive Director Bergholz and Deputy Director Morello.

B. PLEDGE OF ALLEGIANCE

Chair Leffel led the Pledge of Allegiance.

C. COMMUNICATIONS/ANNOUNCEMENTS/INFORMATIONAL ITEMS

None.

D. PUBLIC COMMENTS

Mike Dawson, member of the public, asked when meetings would be held in person again.

E. CONSENT AGENDA - ACTION ITEMS

(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 Budget and Finance Committee of September 9, 2020
- Approve 2. Minutes of the Committee Meeting of the Air Carrier Service, Marketing and Community Relations Committee of September 11, 2020
- Approve 3. Minutes of the Regular Meeting of September 16, 2020

Director Cursio moved to approve Consent Agenda Items E.1 through E.3. Director Sawhney seconded the motion. The motion passed unanimously by a roll call vote of 5-0.

F. DEFERRED CONSENT AGENDA - ACTION ITEMS

None.

G. REGULAR AGENDA - ACTION ITEMS

- Adopt 1. Resolution No. 1786, A Resolution Authorizing the Service Agreement between the Monterey Peninsula Airport District and JM Electric

Deputy Director Morello presented Item G.1, stating that the approved Fiscal Year 2021 Capital Improvement Budget included a project for the installation/upgrade of Electric Vehicle DC Fast Charge Units identified for four (4) DCFC units with an approved District budget match of up-to \$31,250.00. The current EV charging stations here at the Airport are older Level 2 infrastructure and the warranty and maintenance agreements have expired. She compared the Airport's current charging stations to the technology of the new DC fast charging stations.

Public Comment: Mike Dawson, member of the public, asked if users would be responsible for paying for the charging of their vehicles and if they also had to pay for the parking lot fee as well. He asked if signage would be made to recommend restaurant validation.

Public Comment: Jean Rasch, member of the public, stated that she was glad the airport is taking this opportunity.

The Board discussed Item G.1.

Director Cursio moved to adopt Resolution No. 1786. Director Sawhney seconded the motion. The motion passed unanimously by a roll call vote of 5-0.

RESOLUTION NO. 1786

A RESOLUTION AUTHORIZING AND APPROVING THE SERVICE AGREEMENT BETWEEN THE MONTEREY PENINSULA AIRPORT DISTRICT AND JM ELECTRIC

WHEREAS, the current Electric Vehicle (EV) Charging stations are older Level 2 infrastructure and the warranty and maintenance agreements have expired; and

WHEREAS, funding is available through the California Electric Vehicle Infrastructure Project (CALeVIP) and Monterey Bay Air Resources District (MBARD) for the installation of four (4) EV DF Fast Charge units (Level 3); and

WHEREAS, the Approved Fiscal Year 2021 Capital Improvement Budget included a District only funded project for the Electric Vehicle DC Fast Charge upgrade.

NOW THEREFORE BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE MONTEREY PENINSULA AIRPORT DISTRICT: That Monterey Peninsula Airport District approves the service agreement with JM Electric in an amount not-to-exceed \$109,900.00 and directs the Executive Director to execute the purchase order.

PASSED AND ADOPTED BY THE BOARD OF DIRECTORS OF THE MONTEREY PENINSULA AIRPORT DISTRICT: This 14th day of October 2020 by the following roll call vote:

AYES:	DIRECTORS:	Cursio, Miller, Sabo, Sawhney, Chair Leffel
NOES:	DIRECTORS:	None
ABSTAIN:	DIRECTORS:	None
ABSENT:	DIRECTORS:	None

Approve 2. Tenant Rent Abatement

Chair Leffel introduced Item G.2, explaining that when the District received CARES Act funding, the Board directed staff to come up with a rent abatement plan, which ended on October 31, 2020. She noted that the Board needed to review and discuss a plan for moving forward.

Executive Director La Pier presented Item G.2. He discussed the number and revenue comparisons for all the tenants who had received rent abatements. He stated that tenant rent abatement was discussed by the Lease Committee and he shared the proposal that the Lease Committee had created.

Public Comment: Matthew Wright, Monterey Fuel Company General Manager, stated that Monterey Fuel Company, Monterey Jet Center, and Del Monte Aviation are all in a committed partnership to help the Airport grow, maintain fiscal responsibility, and complete projects. He stated that they are all appreciative of the initial 50% rent abatement and informed the Board of what that abatement has meant to their staff and customers. He shared that no layoffs were made, no hours were reduced, and compliance was maintained with the changing safety requirements. He added that they are appreciative and will not have a change in service, safety or commitment, regardless of the rent abatement percentage moving forward.

The Board discussed Item G.2 and decided to accept the rent abatement plan as outlined, which was 25% abatement for FBOs, 75% abatement for Tarpy's and all other abatements to be continued as they were initially granted. This abatement plan would extend until March 1, 2021.

Director Miller moved to approve the Tenant Rent Abatement plan as outlined. Director Cursio seconded the motion. The motion passed unanimously by a roll call vote of 5-0.

To accommodate consultants, the agenda was reordered to move Closed Session to this point, after Agenda Item G.2. The Board entered into Closed Session at 10:34 AM.

Discussion 3. Proposed Board Meeting Calendar

Chair Leffel introduced the Item and opened it up for discussion by the Board. Each Board member expressed their support for the proposed Board meeting calendar.

No public comments.

Director Sawhney moved to approve the Proposed Board Meeting Calendar. Director Sabo seconded the motion. The motion passed unanimously by a roll call vote of 5-0.

Approve 4. Recording and Broadcasting of Board Meetings

Chair Leffel presented Item G.4, stating that based on a request from a member of the public, the Board should consider posting it's Zoom video recordings to the District's website.

No public comments.

The Board discussed Item G.4.

Director Sabo suggested recording and posting the committee meetings as well, but withdrew that suggestion after District Counsel Huber stated that there may be some Brown Act complications with that.

Director Cursio moved to approve the proposal for Recording and Broadcasting of Board Meetings. Director Sawhney seconded the motion. The motion passed unanimously by a roll call vote of 5-0.

H. BOARD COMMITTEE REPORTS AND ACCEPTANCE OF DEPARTMENT REPORTS

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

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

a. Standing Committees:

- | | |
|---|---------------------------|
| i. Budget and Finance | Directors Cursio & Leffel |
| ii. Air Service, Marketing, Community Relations | Directors Sabo & Sawhney |
| iii. Airport Property Development and Leases | Directors Leffel & Miller |

b. Ad-Hoc Committees:

- | | |
|-------------------------------|---------------------------|
| i. Local Jurisdiction Liaison | Directors Leffel & Miller |
|-------------------------------|---------------------------|

c. Liaison/Representatives:

- | | | |
|---|-----------------|--------------|
| i. Local Agency Formation Commission | Director Leffel | Alt: Sawhney |
| ii. Regional Taxi Authority | Director Cursio | Alt: Leffel |
| iii. Transportation Agency for Monterey County | Director Sabo | Alt: Cursio |
| iv. Special Districts Association Liaison | Director Miller | Alt: Leffel |
| v. Association of Monterey Bay Area Governments | E.D. La Pier | Alt: Sabo |

I. CLOSED SESSION

To accommodate consultants, the agenda was reordered to move Closed Session after Agenda Item G.2, before Agenda Item G.3. The Board entered into Closed Session at 10:34 AM.

1. **POTENTIAL LITIGATION** [Government Code section 54956.9(d)(4)]. The Board will meet with the Executive Director and District Counsel to discuss potential initiation of litigation – one case.
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.

3. **EXISTING LITIGATION** [Government Code section 54956.9(a)]. The Board will meet with the Executive Director and District Counsel to discuss existing litigation: City of Monterey v. Monterey Peninsula Airport District, et al., Monterey County Superior Court, Case No. 20CV002445.
4. **REAL PROPERTY NEGOTIATIONS** [Government Code Section 54956.8]. The Board will meet with Real Property Negotiators, Executive Director and District Counsel, regarding the property identified as 200 Fred Kane Drive, #201, Monterey, CA 93940.
5. **ANNUAL EVALUATION** [Government Code Section 54957(b)]. The Board will meet with the Executive Director and District Counsel to consider the evaluation of employment related to the following position: Executive Director.

J. RECONVENE TO OPEN SESSION

The Board returned to Open Session at 1:19 PM.

District Counsel Huber stated that no reportable action was taken on Closed Session Items 1, 2 and 3. He stated that Closed Session Item 5 would be continued to a future date.

He stated that for Closed Session Item 4, the Board discussed the assignment of a lease agreement between the Monterey Peninsula Airport District and MRY Hospitality Group to Timothy Michael Wood DBA Woody's at the Airport and amendment to the lease and based on the direction in Closed Session, the Board would consider taking action to approve the assignment of the lease and the amendment in Open Session.

Chair Leffel introduced the item being considered. She opened the item up to a motion.

Director Miller moved to approve the assignment and the amendment of the lease. Director Cursio seconded the motion.

Director Sabo stated that he had an amendment to the original motion. He proposed to delete Items B and C on Exhibit A. Director Miller stated that he was not willing to modify his original motion. The proposed amendment died due to a lack of second.

No public comments.

The original motion passed by a roll call vote of 4-1. Director Sabo voted no.

K. PENDING REQUESTS FOR FUTURE AGENDA ITEMS

- Minimum Standards and Rules and Regulations

L. DISCUSSION OF FUTURE AGENDAS

- Strategic Planning Session / Goal Setting for Executive Director

M. ADJOURNMENT

The meeting adjourned at 2:13 PM.

Minutes Approved at the
Meeting of November 18, 2020


Mary Ann Leffel, Chair

ATTEST



Michael La Pier, AAE
District Secretary