

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

December 16, 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](http://www.zoom.us/join) and enter the following Meeting ID: **895 8295 7333**. 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](mailto: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 be read aloud into the record by District Counsel.
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.

### **A. CALL TO ORDER/ROLL CALL**

*Chair Leffel called to order the Regular Meeting of the Board of Directors at 9:05 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 requested a moment of silence in observance of the Pledge of Allegiance.*

### **C. COMMUNICATIONS/ANNOUNCEMENTS/INFORMATIONAL ITEMS**

*Executive Director La Pier stated that Monterey Regional Airport won Carmel Chamber of Commerce's Award of Excellence in the "Professional Services: Large" category. He noted that the Airport has won that award twice in the past three years.*

*Director Sabo stated that for the past couple of years he has encouraged maintenance facilities to move operations to Monterey. He noted that he met with Monterey Jet Center and the maintenance operator, and they are interested. He added that the operation would be primarily for general aviation aircraft.*

### **D. PUBLIC COMMENTS ON NON-AGENDA ITEMS**

*None.*

**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 Regular Meeting of November 18, 2020
- Approve      2. Minutes of the Committee Meeting of the Air Carrier Service, Marketing and Community Relations Committee of December 10, 2020
- Approve      3. Minutes of the Committee Meeting of the Airport Property Development and Leases Committee of December 10, 2020
- Approve      4. Minutes of the Committee Meeting of the Budget and Finance Committee of December 11, 2020
- Adopt        5. Ordinance No. 927, An Ordinance of the Monterey Peninsula Airport District Repealing Ordinance No. 796

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

**ORDINANCE NO. 927**

**AN ORDINANCE OF THE MONTEREY PENINSULA AIRPORT DISTRICT  
REPEALING ORDINANCE NO. 796**

NOW, THEREFORE,      the Board of Directors of the Monterey Peninsula Airport District DO  
ORDAIN as follows:

SECTION 1: Repeal of Ordinance No. 796. Ordinance No. 796 is hereby repealed in its entirety and it shall no further force or effect.

SECTION 2: Status of Ordinance Nos. 230 and 620. Ordinance Nos. 230 and 620 were repealed by Ordinance No. 796. Those ordinances shall remain repealed, notwithstanding the repeal of Ordinance No. 796.

This ordinance shall take effect on the 30th day after its adoption.

**PASSED AND ADOPTED BY THE BOARD OF DIRECTORS OF THE MONTEREY PENINSULA AIRPORT DISTRICT:** This 16th day of December 2020 by the following roll call vote:

<b>AYES:</b>	<b>DIRECTORS:</b>	Cursio, Miller, Sabo, Sawhney, Chair Leffel
<b>NOES:</b>	<b>DIRECTORS:</b>	None
<b>ABSTAIN:</b>	<b>DIRECTORS:</b>	None
<b>ABSENT:</b>	<b>DIRECTORS:</b>	None

**F. DEFERRED CONSENT AGENDA - ACTION ITEMS**

*None.*

**G. REGULAR AGENDA - ACTION ITEMS**

Adopt 1. Resolution No. 1787, A Resolution Declaring the Results of the Monterey Peninsula Airport District General Election Held November 3, 2020

*Executive Director La Pier introduced and presented Item G.1. He stated that the District has received the certified election results for Directors Leffel, Sabo and Sawhney.*

*Chair Leffel stated that she is grateful to continue to serve as a member of the Monterey Peninsula Airport District's Board of Directors, to provide service to the District and the community. She thanked her fellow Board members for their help and support with her campaign.*

*No public comments.*

*Director Cursio moved to adopt Resolution No. 1787. Director Sawhney seconded the motion. The motion passed unanimously by a roll call vote of 5-0.*

**RESOLUTION NO. 1787**

**A RESOLUTION DECLARING THE RESULTS OF THE MONTEREY PENINSULA AIRPORT DISTRICT GENERAL ELECTION HELD NOVEMBER 3, 2020**

**WHEREAS**, a General Election was held on November 3, 2020, in the County of Monterey, State of California, in accordance with the Monterey Peninsula Airport District Act as amended, for the election of three offices, which offices shall be for a full term of four (4) years until each of their successors has been elected and has qualified for such office: Monterey Peninsula Airport District, District 1 Director; Monterey Peninsula Airport District, District 3 Director; and Monterey Peninsula Airport District, District 5 Director; and

**WHEREAS**, for the office of Monterey Peninsula Airport District, District 1 Director, the only qualified nominee (candidate) was Lisa Anne Sawhney for the open position and so there were insufficient nominees to cause an election on November 3, 2020; and

**WHEREAS**, for the office of Monterey Peninsula Airport District, District 5 Director, the only qualified nominee (candidate) was William "Bill" Sabo for the open position and so there were insufficient nominees to cause an election on November 3, 2020; and

**WHEREAS**, for the office of Monterey Peninsula Airport District, District 3 Director, there were two nominees for the office and, as such, the office appeared on the General Election ballot; and

**WHEREAS**, pursuant to the Elections Code, upon the completion of the canvass, and prior to the installation of officers, the Board of Directors is required to adopt a resolution reciting the fact that the election was held and declaring the results of the election; and

**WHEREAS**, the Monterey Peninsula Airport District desires to declare the results of the November 3, 2020 General Election; and

**WHEREAS**, Claudio Valenzuela, Registrar of Voters, County of Monterey, State of California, certified the appointments of Lisa Anne Sawhney as Monterey Peninsula Airport District, District 1 Director, and William "Bill" Sabo as Monterey Peninsula Airport District, District 5 Director, each to serve for a term of four (4) years, and has provided individual Certificates of Appointment in Lieu of Election and Oath of Office for each nominee as described in his letters to the Monterey Peninsula Airport District dated November 23, 2020, attached hereto as Exhibit "A"; and

**WHEREAS**, Claudio Valenzuela, Registrar of Voters, County of Monterey, State of California, certified the election of Mary Ann Leffel as Monterey Peninsula Airport District, District 3 Director to serve for a term of four (4) years, and has provided a Certificate of Election and Oath of Office for the nominee as described in his letter to the Monterey Peninsula Airport District dated December 1, 2020, attached hereto as Exhibit "B".

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE MONTEREY PENINSULA AIRPORT DISTRICT** that the District Secretary is hereby authorized and directed to enter upon the records of the District a statement of the results of said election as follows: Lisa Anne Sawhney as Monterey Peninsula Airport District, District 1 Director, and William "Bill" Sabo as Monterey Peninsula Airport District, District 5 Director, each being duly qualified persons and having duly filed Nomination Papers, and having been appointed in lieu of an election to serve a term of four (4) years each, and that each said person hereinabove declared appointed shall be given the Oath of Office to be administered by the District Secretary or his or her appointee.

**BE IT FURTHER RESOLVED BY THE BOARD OF DIRECTORS OF THE MONTEREY PENINSULA AIRPORT DISTRICT** that the District Secretary is hereby authorized and directed to enter upon the records of the District a statement of the results of said election as follows: Mary Ann Leffel as Monterey Peninsula Airport District, District 3 Director, being a duly qualified person and having duly filed Nomination Papers, and having been certified as elected to the said office to serve for a term of four (4) years, and that the said person hereinabove declared elected shall be given the Oath of Office to be administered by the District Secretary or his or her appointee.

**ADOPTED BY THE BOARD OF DIRECTORS OF THE MONTEREY PENINSULA AIRPORT DISTRICT:** This 16th day of December 2020 by the following roll call vote:

<b>AYES:</b>	<b>DIRECTORS:</b>	Cursio, Miller, Sabo, Sawhney, Chair Leffel
<b>NOES:</b>	<b>DIRECTORS:</b>	None
<b>ABSTAIN:</b>	<b>DIRECTORS:</b>	None
<b>ABSENT:</b>	<b>DIRECTORS:</b>	None

Presentation 2. Fiscal Year 2020 Audit Report by Brandon Young, Partner, LSL CPAs and Advisors

*Chair Leffel introduced Item G.2.*

*Brandon Young, Partner, LSL CPAs and Advisors, introduced himself and gave a brief overview of the relationship between the Airport and LSL. He noted the delay in the delivery of the final Fiscal Year 2020 Audit Report due to the CARES Act funding. He added that the entire audit was conducted remotely, explained the audit process, and thanked staff for another successful year. He briefly reviewed each of the auditor's letters and discussed the findings, noting that they did not have any recommendations for improvement.*

*The Board thanked Mr. Young for the hard work of him and his team.*

*No public comments.*

Approve 3. Monterey Airpark Associates Lease Extension and Presentation by Matthew Wright, General Manager, Monterey Fuel Company

*Chair Leffel introduced Item G.3.*

*Matthew Wright, General Manager, Monterey Fuel Company, started by congratulating the Board on the election results and added that he was thrilled to introduce an exciting project. He stated that for the*

first time in twenty-three years, Monterey Jet Center will undergo an extensive remodel. He briefly explained the last twenty-three years of service that has been provided by Monterey Jet Center and noted that this remodel would improve on that level of service. He shared detailed plans with the Board for the proposed remodel.

No public comments.

Director Cursio moved to approve the Monterey Airpark Associates Lease Extension.

Director Sabo requested clarification on the motion, and Chair Leffel responded that the motion was to approve the Lease Extension to accommodate the plans laid out by Mr. Wright.

Director Sawhney seconded the motion. The motion passed unanimously by a roll call vote of 5-0.

Adopt 4. Resolution No. 1788, A Resolution of the Monterey Peninsula Airport District Adopting the Rules and Regulations

and

Adopt Resolution No. 1789, A Resolution of the Monterey Peninsula Airport District Approving the Minimum Standards

District Counsel Huber presented Item G.4. He stated that per the direction given at the November Board meeting, he had conversations with Director Sabo to revise the Rules and Regulations. Huber described the revisions that were made and noted that the documents were presented to the Lease Committee. He added that no changes were made to the Minimum Standards since they were presented to the Board at the November meeting.

Director Miller stated that the Lease Committee recommends adoption of the Rules and Regulations and the Minimum Standards.

Director Sabo recommended that the Board amend the Rules and Regulations to make the Ad-Hoc Committee, in the appeals process, consider the appellants documents and evidence and make a recommendation to the Board for a final hearing.

Public Comment: Mike Dawson, member of the public, suggested that the Board address appeals during Closed Session.

District Counsel Huber explained that there is a split amongst his colleagues about whether or not it is appropriate to have the appeal itself in Closed Session.

Director Cursio moved to adopt Resolution No. 1788.

Director Sabo stated that he had an amendment to the document and would like to amend Section 10.3, paragraph 12, on page 54 of the Rules and Regulation to add: "The Ad-Hoc Board Committee will consider the appellants documents and evidence and prepare a recommendation for a final hearing of the Board of Directors." Further, he recommended that all other references to Committee in that section be stricken.

Director Cursio did not accept the amendment to his motion.

Director Miller seconded the original motion made by Director Cursio. The motion passed by a roll call vote of 4-1. Director Sabo voted no.

**RESOLUTION NO. 1788**

**A RESOLUTION OF THE MONTEREY PENINSULA AIRPORT DISTRICT  
APPROVING THE RULES AND REGULATIONS**

**WHEREAS**, the Monterey Peninsula Airport District ("District") operates the Monterey Regional Airport ("Airport") to provide aviation and transportation services to the general public; and

**WHEREAS**, the general public and operators at the Airport need clearly defined and uniform standards to outline best practices and acceptable practices at the Airport; and

**WHEREAS**, the Rules and Regulations are guidelines for acceptable conduct for anyone on the airfield which outline proper conduct within various areas of the Airport; and

**WHEREAS**, it is the desire of the District to have a uniform set of standards for members of the public and Airport patrons to utilize in determination of acceptable practices at the Airport.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE MONTEREY PENINSULA AIRPORT DISTRICT** that the Rules and Regulations are approved and enforceable on Airport property.

**ADOPTED BY THE BOARD OF DIRECTORS OF THE MONTEREY PENINSULA AIRPORT DISTRICT:** This 16th day of December 2020 by the following roll call vote:

<b>AYES:</b>	<b>DIRECTORS:</b>	Cursio, Miller, Sawhney, Chair Leffel
<b>NOES:</b>	<b>DIRECTORS:</b>	Sabo
<b>ABSTAIN:</b>	<b>DIRECTORS:</b>	None
<b>ABSENT:</b>	<b>DIRECTORS:</b>	None

*Director Sawhney moved to adopt Resolution No. 1789. Director Cursio seconded the motion. The motion passed unanimously by a roll call vote of 5-0.*

**RESOLUTION NO. 1789**

**A RESOLUTION OF THE MONTEREY PENINSULA AIRPORT DISTRICT  
APPROVING THE MINIMUM STANDARDS**

**WHEREAS**, the Monterey Peninsula Airport District ("District") operates the Monterey Regional Airport ("Airport") to provide aviation and transportation services to the general public; and

**WHEREAS**, the general public and operators at the Airport need clearly defined and uniform standards to outline best practices and acceptable practices at the Airport; and

**WHEREAS**, the Minimum Standards designate the acceptable conduct of parties engaged in commercial activities on the airport; and

**WHEREAS**, it is the desire of the District to have a uniform set of standards for members of the public and Airport patrons to utilize in determination of acceptable practices at the Airport.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE MONTEREY PENINSULA AIRPORT DISTRICT** that the Minimum Standards are approved and enforceable on Airport property.

**ADOPTED BY THE BOARD OF DIRECTORS OF THE MONTEREY PENINSULA AIRPORT DISTRICT:** This 16th day of December 2020 by the following roll call vote:

<b>AYES:</b>	<b>DIRECTORS:</b>	Cursio, Miller, Sabo, Sawhney, Chair Leffel
<b>NOES:</b>	<b>DIRECTORS:</b>	None
<b>ABSTAIN:</b>	<b>DIRECTORS:</b>	None
<b>ABSENT:</b>	<b>DIRECTORS:</b>	None

A break was taken from 11:02 AM until 11:10 AM.

Approve 5. Creation of a Full-time Superintendent of Field Operations Position

Executive Director La Pier presented Item G.5. He stated that with the recent resignation of one Operations Supervisor and the earlier elimination of the Executive Assistant position that supported the Operations Department, Staff has reexamined the effectiveness of the Department and considered the need to improve its efficiency. He briefly discussed the additional duties that the Operations Department has taken on in the past two years, adding to the necessity of this proposed position. He added that the position would provide better coordination and oversight of the Operations and Maintenance Departments.

The Board expressed their support of the new position.

Director Sabo asked Executive Director La Pier to provide a brief description of the organizational structure of the Operations Department.

No public comments.

Director Miller moved to approve the creation of a Full-time Superintendent of Field Operations position. Director Cursio 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    |

The Board discussed the Committee and Department reports.

A break was taken from 11:55 AM until 12:05 PM.

**I. CLOSED SESSION**

The Board entered into Closed Session at 12:05 PM.

1. **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.
2. **EXISTING LITIGATION** [Government Code section 54956.9(a)]. The Board will meet with the Executive Director and District Counsel to discuss existing litigation: Doug Mackenzie and Alice Angell Green v. Monterey Peninsula Airport District, et al., Monterey County Superior Court, Case No. 20CV002933.
3. **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 Existing Phase 1 Hangars, Existing Phase 2 Hangars and Existing Phase 2B Hangars at 1204 Airport Road, Monterey, CA 93940.

**J. RECONVENE TO OPEN SESSION**

The Board returned to Open Session at 1:45 PM.

Chair Leffel stated that no reportable action was taken during Closed Session.

**K. PENDING REQUESTS FOR FUTURE AGENDA ITEMS**

None.

**L. DISCUSSION OF FUTURE AGENDAS**

- Ceremonial Swearing In of Elected Board Members (Huber)
- Navy Flying Club Status Update from Executive Director La Pier (Sabo)
- Briefing on Request to Lower Minimum Descent Height from Executive Director La Pier (Sabo)

**M. ADJOURNMENT**

The meeting adjourned at 1:53 PM.

Minutes Approved at the  
Meeting of January 20, 2021



Gary Cursio, Chair

ATTEST



Michael La Pier, AAE  
District Secretary