

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

March 11, 2020 - 9:00 AM - Board Room

A. CALL TO ORDER/ROLL CALL

Chair Leffel called to order the Regular Meeting of the Board of Directors at 9:02 AM. Directors Cursio, Miller, Sabo and Sawhney were present. The following District Officers were present: Executive Director La Pier, Acting District Secretary Auker and Deputy Director Morello. Deputy Executive Director Bergholz arrived at 9:26 AM. District Counsel Huber arrived at 9:36 AM.

B. PLEDGE OF ALLEGIANCE

Director Sawhney led the Pledge of Allegiance.

C. COMMUNICATIONS/ANNOUNCEMENTS/INFORMATIONAL ITEMS

Director Sabo mentioned that in January there was a comment card regarding TSA confiscated items being thrown away and he asked for an update on implementing a procedure to mail certain items back to passengers.

D. PUBLIC COMMENTS

Ken Rutherford, resident of Del Rey Oaks, stated a complaint about the small plane air traffic over the city of Del Rey Oaks. He noted that those planes are very noisy and do not seem to be following the voluntary noise abatement procedures. He added that the flight school agreement shows that the airport has some amount of control and noted that if the airport was not going to enforce the procedures that they take them off of their website and stop shifting blame onto the FAA.

Douglas Mackenzie, resident of Del Rey Oaks, seconded the comments made by Ken Rutherford and noted that he witnesses the same phenomenon. He stated that he heard that members of Del Rey Oaks' City Council were upset that citizens have spoken at the Airport's Board meetings and added that he thinks that is very troublesome.

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.)

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| Approve | 1. Minutes of the Committee Meeting of the Air Carrier Service, Marketing and Community Relations Committee of January 7, 2020 |
| Approve | 2. Minutes of the Committee Meeting of the Airport Property Development and Leases Committee of January 7, 2020 |
| Approve | 3. Minutes of the Committee Meeting of the Budget and Finance Committee of February 10, 2020 |
| Approve | 4. Minutes of the Regular Meeting of February 12, 2020 |

Adopt 5. Ordinance No. 926, An Ordinance to Adopt California Code of Regulations Title 24, 2019 Edition of the California Building Standards Code and Other Building Related Codes

Director Sabo pulled Item E.5 from the Consent Agenda, stating that he believes ordinances should have a standalone vote.

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

F. DEFERRED CONSENT AGENDA - ACTION ITEMS

Director Sabo reiterated that he believes ordinances should have a standalone vote.

Director Sabo moved to adopt Ordinance No. 926. Director Miller seconded the motion. The motion passed unanimously by a roll call vote of 5-0.

ORDINANCE NO. 926

AN ORDINANCE OF THE MONTEREY PENINSULA AIRPORT DISTRICT REPEALING IN ITS ENTIRETY ORDINANCE 921 AND ADOPTING BY REFERENCE THE 2019 CALIFORNIA BUILDING STANDARDS CODE, TITLE 24, AS ADOPTED BY THE CALIFORNIA BUILDING STANDARDS COMMISSION; AND THE 1997 UNIFORM CODE FOR THE ABATEMENT OF DANGEROUS BUILDINGS, THE 1997 UNIFORM HOUSING CODE, AND THE 2012 INTERNATIONAL PROPERTY MAINTENANCE CODE AS PUBLISHED BY THE INTERNATIONAL CONFERENCE OF BUILDING OFFICIALS, REGULATING THE ERECTION, CONSTRUCTION, ENLARGEMENT, ALTERNATION, REPAIR, MOVING, REMOVAL, DEMOLITION, CONVERSION, OCCUPANCY, EQUIPMENT, USE, HEIGHT, AREA, AND MAINTENANCE OF ALL BUILDINGS OR STRUCTURES IN THE MONTEREY PENINSULA AIRPORT; ADOPTING BY REFERENCE PART 9, CALIFORNIA FIRE CODE INCLUDING THE APPENDIX CHAPTERS OF THE CALIFORNIA CODE OF REGULATIONS TITLE 24, 2013 EDITION OF THE CALIFORNIA BUILDING STANDARDS; AND PROVIDING FOR PENALTIES FOR THE VIOLATION THEREOF

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

SECTION 1: Repeal. That Ordinance No. 921 entitled "An Ordinance of the Monterey Peninsula Airport District Repealing in its Entirety Ordinance No. 921 and Adopting by Reference the 2019 California Building Standards Code, Title 24, as Adopted by the California Building Standards Commission; and the 1997 Uniform Code for the Abatement of Dangerous Buildings, the 1997 Uniform Housing Code, and the 2012 International Property Maintenance Code as Published by the International Conference of Building Officials, Regulating the Erection, Construction, Enlargement, Alternation, Repair, Moving, Removal, Demolition, Conversion, Occupancy, Equipment, Use, Height, Area, and Maintenance of all Buildings or Structures in the Monterey Peninsula Airport; and Providing for Penalties for the Violation Thereof" and all other ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 2: Adoption. The Monterey Peninsula Airport District hereby adopts by reference the 2019 California Building Standards Code, Title 24, as adopted by the California Building Standards Commission, which includes the 2019 California Administrative Code, the 2019 California Building Code, the 2019 California Residential Code, the 2019 California Electrical Code, the 2019 California Mechanical Code, the 2019 California Plumbing Code, the 2019 California Energy Code, the 2019 California Historical Building Code, the 2019 California Fire Code, the 2019 California Existing Building

Code, the 2019 California Green Building Code, the 2019 California Referenced Standards Code, the 1997 Uniform Code for the Abatement of Dangerous Buildings, the 1997 Uniform Housing Code, and the 2012 International Property Maintenance Code. A true and correct copy of the 2019 California Building Code as adopted by this section shall be on file in the office of the Secretary of the Monterey Peninsula Airport District for examination and use by the Public.

SECTION 3: The California Fire Code, 2019 edition, including Appendix Chapters, is hereby adopted as the Fire Code of the Monterey Peninsula Airport District, regulating and governing the safeguarding of life and property from fire and explosion hazards arising from the storage, handling and use of hazardous substances, materials and devices, and from conditions hazardous to life or property in the occupancy of building and premises as herein provided; providing for the issuance of permits and collection of fees therefor; and each and all of the regulations, provisions, penalties, condition and terms of said Fire Code on file in the office of the Monterey Peninsula Airport District are hereby referred to, adopted, and made a part thereof, as if fully set out in this Chapter.

SECTION 4: That any person, firm or corporation violating any provision of the code adopted hereby or failing to comply therewith, or violating or failing to comply with any order made thereunder, or who shall build in violation of any detailed statement of specifications or plans submitted and approved thereunder, or any certificate or permit issued thereunder shall be deemed guilty of a misdemeanor or infraction, whichever may be charged, and, upon conviction thereof, shall be punishable by a fine not to exceed One Thousand Dollars (\$1,000) or by imprisonment in the county jail for not to exceed six (6) months, or both fine and imprisonment. Each separate day or portion thereof, during which any violation occurs or continues, shall be deemed to constitute a separate offense. The imposition of any one penalty for any violation shall not excuse the violation or permit it to continue and all such violations shall be corrected or remedied by the person, firm or corporation responsible for the violation within a reasonable time. The application of any penalties provided for above shall not be held to prevent the enforced removal of any violation of the code hereby adopted.

SECTION 5: Compliance with the California Environmental Quality Act. The Board of Directors finds that this Ordinance is not subject to the California Environmental Quality Act ("CEQA") pursuant to Sections 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) and 15060(c)(3) (the activity is not a project as defined in Section 15378) of the CEQA Guidelines because it has no potential for resulting in physical change to the environment, directly or indirectly.

SECTION 6: Severability. If any section provision, of this Ordinance or the application thereof to any person or circumstances is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction or preempted by state legislation, such decision or legislation shall not affect the validity of the remaining portions of this Ordinance. The Board of Directors hereby declares that it would have passed this Ordinance and each and every section, subsection, sentence, clause or phrase hereof not declared invalid or unconstitutional without regard to any such decision or preemptive legislation.

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 11th day of March 2020 by the following roll call vote:

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

G. REGULAR AGENDA - ACTION ITEMS

Presentation 1. Highway 68 Improvements Project by Debbie Hale and Rich Deal, Transportation Agency for Monterey County

Debbie Hale, Executive Director, Transportation Agency for Monterey County, presented Item G.1 and noted that Rich Deal, Principal Engineer, was sick and would not be in attendance. She discussed many aspects of the Highway 68 Improvements Project, including project goals, what's new with the project, and the Environmental Impact Report studies and timeline.

Public Comment: Mike Dawson, member of the public, asked how much time would be saved on a trip from Monterey to Salinas after the completion of the project.

The Board thanked Debbie Hale for her informative presentation.

Adopt 2. Resolution No. 1770, A Resolution Amending Resolution Nos. 1753 and 1755 and Approving the Amended Capital Budget of the Monterey Peninsula Airport District for Fiscal Year Ending June 30, 2020

Executive Director La Pier introduced Item G.2, stating that a couple projects were being added to the budget.

Chris Morello, Deputy Director of Strategy and Development, discussed in further detail the proposed changes that would be made to the budget with the adoption of Resolution No. 1770.

Director Cursio stated that the Item had been previously reviewed by Finance Committee, and they concurred with staff's recommendation.

Director Cursio moved to adopt Resolution No. 1770. Director Sawhney seconded the motion. The motion passed unanimously by a roll call vote of 5-0.

RESOLUTION NO. 1770

A RESOLUTION AMENDING RESOLUTION NOS. 1753 AND 1755 AND APPROVING THE AMENDED CAPITAL BUDGET OF THE MONTEREY PENINSULA AIRPORT DISTRICT FOR FISCAL YEAR ENDING JUNE 30, 2020

WHEREAS, Executive Staff recommends the Fiscal Year 2020 Capital Budget be amended to reflect material financial changes in District expected Capital Projects; and

WHEREAS, it is the desire of the Board of Directors to amend the "Fiscal Year 2020 Capital Budget" to reflect the inclusion of changes impacting the Capital Budget; and

WHEREAS, it is the desire of the Board of Directors to amend the "Fiscal Year 2020 Capital Budget" to include changes in capital expenditures identified since the approval of Resolution Nos. 1753 and 1755; and

WHEREAS, the revenues and expenditures of the District for the Fiscal Year 2020 are hereby appropriated as set forth and segregated in the amended Capital Budget; and

WHEREAS, all amended operating and capital expenditures for the Fiscal Year 2020 as set forth in the District Amended Capital Budget shall be payable in such time, form and manner as is prescribed

by the Monterey Peninsula Airport District Act and by Resolution No. 1424, a Resolution Establishing Fiscal Control Policies and Procedures for the Monterey Peninsula Airport District; and

WHEREAS, all debt service expenditures, interest and principal, for the Fiscal Year 2020 are identified and shall be payable in such time, form and manner as prescribed by contract or covenant, are hereby approved.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE MONTEREY PENINSULA AIRPORT DISTRICT, that the Fiscal Year 2020 District Capital Budget is increased by \$8,787,959 to a total amount of \$18,488,823 effective immediately.

PASSED AND ADOPTED BY THE BOARD OF DIRECTORS OF THE MONTEREY PENINSULA AIRPORT DISTRICT: This 11th day of March 2020 by the following roll call vote:

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

Adopt 3. Resolution No. 1771, A Resolution Authorizing a Professional Services Agreement with Tartaglia Engineering to Prepare Design and Bid Specifications for Northside General Aviation Apron Construction and Northeast Vehicle Service Road Improvement Projects

Executive Director La Pier introduced Item G.3, stating that the proposed resolution is in anticipation of a formal offer from the FAA for a 10 million dollar grant. He added that in order to receive that grant, the Airport had to go through a bid process and have an approve agreement.

Chris Morello, Deputy Director of Strategy and Development, elaborated on the procurement process.

Director Cursio stated that the Item had been previously reviewed by Finance Committee, and they concurred with staff's recommendation.

Director Miller moved to adopt Resolution No. 1770. Director Cursio seconded the motion. The motion passed unanimously by a roll call vote of 5-0.

RESOLUTION NO. 1771

A RESOLUTION AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT WITH TARTAGLIA ENGINEERING TO PREPARE DESIGN AND BID SPECIFICATIONS FOR NORTHSIDE GENERAL AVIATION APRON CONSTRUCTION AND NORTHEAST VEHICLE SERVICE ROAD IMPROVEMENT PROJECTS

WHEREAS, the Monterey Peninsula Airport District (MPAD) has previously submitted an Airport Capital Improvement Program (ACIP) for FY 2020 - 2025; and

WHEREAS, representatives of the Federal Aviation Administration (FAA) have indicated a willingness to fund the Northside General Aviation Apron and Northeast Vehicle Service Road Improvement Projects, based on actual bids in Federal Fiscal Year 2020; and

WHEREAS, procurement costs are anticipated to be received no later than June 30, 2020 and subsequent grant applications will be submitted soon thereafter to the FAA; and

WHEREAS in order to provide such documentation to the FAA, bid documents and preliminary engineering must occur;

NOW THEREFORE BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE MONTEREY PENINSULA AIRPORT DISTRICT: That MPAD contract with the firm of Tartaglia Engineering to prepare design and bid specifications for the Northside General Aviation Apron and Northeast Vehicle Service Road Improvement Projects, in an amount not-to-exceed \$553,492.00

PASSED AND ADOPTED BY THE BOARD OF DIRECTORS OF THE MONTEREY PENINSULA AIRPORT DISTRICT: This 11th day of March 2020, by the following roll call vote:

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

A break was taken from 10:45 AM to 10:55 AM.

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:

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|---|---------------------------|
| 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:

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

Executive Director La Pier stated that there was nothing to talk about in Closed Session.

- 1. 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.

J. RECONVENE TO OPEN SESSION

The Board did not move into Closed Session.

K. PENDING REQUESTS FOR FUTURE AGENDA ITEMS

- *Report on the Del Rey Oaks Police Services Contract at the end of its first year*
- *Status Update on District Fire Engines*
- *Status Update on PFAS Work Plan Implementation*

Executive Director La Pier gave a brief status update on the District's fire engines.

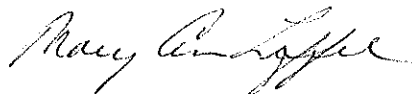
L. DISCUSSION OF FUTURE AGENDAS

No new items were discussed for future agendas.

M. ADJOURNMENT

The meeting adjourned at 11:51 AM.

Minutes Approved at the
Meeting of April 15, 2020



Mary Ann Leffel, Chair

ATTEST



Michael La Pier, AAE
District Secretary