

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

August 21, 2024 - 8:00 AM

The Monterey Peninsula Airport District holds regular meetings at the Airport Board Room, with in-person attendance. Members of the public may attend the Board Meeting in person and request to speak to the Board when the Chair calls for public comment. In general, in person or emailed comments are preferred. Remote comments are allowed for Board meetings which take place in the Board Room, as outlined below.

The Monterey Peninsula Airport District will continue to broadcast the Board Meetings via Zoom video conference for viewing by the public. To view the Board meeting via Zoom video conference, please visit www.zoom.us/join and enter the following Meeting ID: **831 7098 4092**. If you do not have access to the internet, you may listen telephonically by calling (253) 215-8782 and entering the same Meeting ID.

Pursuant to Resolution 1862, members of the public may provide comments remotely for Board Meetings which are held in the Board Room. In the event that remote participation technology is unexpectedly not available, such as during an internet service outage, electrical outage, or other technological issue that prevents remote participation by the public, the meeting will not be continued or cancelled. Remote participation is provided as a courtesy and members of the public who rely upon remote participation to provide public comment do so at their own risk. 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.

Members of the public are encouraged to provide written public comment by sending an email to info@montereyairport.com and include the following subject line: "Public Comment Item # (insert the agenda item number relevant to your comment)." Written comments should be received by 7:00 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.

A. CALL TO ORDER/ROLL CALL

Chair Leffel called to order the Regular Meeting of the Monterey Peninsula Airport District Board of Directors at 8:01 AM. Directors Chorbajian, Gaglioti, Pick and Miller were present. The following staff were present: Executive Director La Pier, District Counsel Huber, Deputy Executive Director Morello, Controller Wilson, and Acting Board Secretary Adams. Deputy Executive Director Robare was absent.

B. PLEDGE OF ALLEGIANCE

Director Gaglioti led the Pledge of Allegiance.

C. COMMUNICATIONS/ANNOUNCEMENTS/INFORMATIONAL ITEMS

Executive Director La Pier announced that the launch of the Sun Country Airlines service to and from Minneapolis, MN on August 8, 2024, was successful. He acknowledged Staff for orchestrating an impressive launch celebration with Sun Country and the community during the inaugural flights.

Chair Leffel reported that Jack Van Valkenburgh acknowledged the Monterey Peninsula Airport District Board during his opening remarks at the Motorlux event held at the Monterey Jet Center last week and thanked the Airport for their support.

D. PUBLIC COMMENTS ON NON-AGENDA ITEMS

Uwe Grobecker, a member of the public, took issue with one of the staff responses on the July Monterey Airport Noise Comment Report.

E. CONSENT AGENDA - ACTION ITEMS

- Approve 1. Minutes of the Regular Meeting of the Monterey Peninsula Airport District Board of Directors of July 17, 2024
- Approve 2. Minutes of the Budget & Finance Committee of the Monterey Peninsula Airport District Board of Directors of August 12, 2024
- Approve 3. Minutes of the Air Carrier Service – Marketing – Community Relations Committee Meeting of the Monterey Peninsula Airport District of August 13, 2024
- Approve 4. Minutes of the Airport Property Development & Leases Committee Meeting of the Monterey Peninsula Airport District of August 14, 2024
- Approve 5. Amendment to Employment Agreement for Executive Director

Director Pick pulled Item E.3.

Director Chorbajian motioned to approve Items E.1, E.2, E.4, and E.5. Director Pick seconded the motion. The motion was approved unanimously by a roll call vote of 5-0.

F. DEFERRED CONSENT AGENDA - ACTION ITEMS

Director Pick requested an edit to the Minutes of the Air Carrier Service – Marketing – Community Relations Committee Meeting Minutes to add that the Directors thanked the public for attending and voicing their concerns and encouraged them to continue the dialog with the Committee.

Director Leffel requested an edit to the Minutes of the Air Carrier Service – Marketing – Community Relations Committee Meeting Minutes to add that the committee members discussed better communication from Allegiant Airlines during long flight delays so that the airport tenants that service passengers can be made aware of the circumstances.

Director Miller motioned to approve Item E.3 with the edits requested. Director Chorbajian seconded the motion. The motion passed unanimously by a roll call vote of 5-0.

G. REGULAR AGENDA - ACTION ITEMS

- Presentation 1. Replacement Terminal Design Update by HOK

Executive Director La Pier introduced Item G.1. He reported staff has been working with the architect to further refine the design of the replacement terminal. He introduced Bart van Vliet and Alan Bright from HOK who attended the meeting by videoconference.

Mr. van Vliet and Mr. Bright presented a slide show of renderings of the airport replacement terminal design that highlighted passenger circulation, proposed color schemes, seating areas, and flooring schemes.

Uwe Grobecker, a member of the public, asked how to protect the wood elements of the design from the salt air.

Mr. van Vliet answered questions from Directors.

Executive Director La Pier gave an overview of design changes that have occurred since the last presentation.

Mr. van Vliet and Executive Director La Pier received comments from Directors about their individual preferences in specific design element areas.

A break was taken from 9:14 AM to 9:19 AM. When the Board reconvened Director Pick was absent.

Receive 2. Report on Firm Selection Process for Investment Banking / Underwriting Services and Introduction of Adam Aranda with Barclays Capital Inc.

Mark Wilson, Controller, reviewed the process of selecting a firm to join the airport's Team of Finance to perform investment banking/underwriting services. He announced Barclay's Capital, Inc. had been chosen and introduced Adam Aranda, Barclays Capital, Inc., who attended the meeting by videoconference. Mr. Aranda introduced his team members.

Director Gaglioti reported the Finance Committee had an extensive discussion with Mr. Aranda.

There was no Public Comment.

Receive 3. Update to Noise Information Related to Overflight Presented by Monterey Fly Safe Coalition

It was determined by consensus that the Board would consider Item G.4 prior to receiving Item G.3.

Adopt 4. Resolution No. 1885, A Resolution Approving the Bid for Runway 28L-10R Improvement Project and Authorizing Execution of a Contract with Granite Rock Company

Dan Johanson, Monterey Peninsula Airport District Planning Manager, introduced Item G.4 for consideration. Director Pick rejoined the meeting during his introduction. Mr. Johanson noted the bid was considered within estimates and the engineer of record recommended Granite Rock be awarded the contract.

No Public Comment.

Mr. Johanson answered questions. Directors discussed the project.

Director Chorbajian motioned to adopt Resolution No. 1885, A Resolution Approving the Bid for Runway 28L-10R Improvement Project and Authorizing Execution of a Contract with Granite Rock Company. Director Miller seconded the motion. The motion was approved unanimously by a roll call vote of 5-0.

RESOLUTION NO. 1885

A RESOLUTION APPROVING THE BID FOR RUNWAY 28L-10R IMPROVEMENT PROJECT AND AUTHORIZING EXECUTION OF A CONTRACT WITH GRANITE ROCK COMPANY

WHEREAS, June 21, 2024 Resolution No. 1848 Approving the FY24 Capital Improvement Budget and July 20, 2022 Resolution No. 1827 Approving the 2022-2028 Airport Capital Improvement Plan (ACIP), which both included the Runway 28L-10R Improvement Project, were adopted; and

WHEREAS, May 15, 2024, the Board adopted Resolution No. 1874 Authorizing a Professional Services Agreement with Tartaglia Engineering to prepare design and bid specifications for Runway 28L-10R Improvement Project; and

WHEREAS, The Federal Aviation Administration (FAA) has programmed the Runway 28L-10R Improvement Project under the Fiscal Year 2024 Airport Improvement Program (AIP); and

WHEREAS, representatives of the Federal Aviation Administration (FAA) approved the Specifications and Invitation for Bids; and

WHEREAS, Invitation for Bids was published in the Monterey Herald on June 14 and June 21, 2024 and a mandatory pre-bid meeting was held on June 26, 2024. Sealed bid proposals were received on July 11, 2024 at 1:00 p.m. PDT and publicly opened; and

WHEREAS, after considering the bids received for the performance of the Runway 28L-10R Improvement Project it is in the best interest of the Airport to accept the lowest responsive and responsible bid from Granite Rock Company.

NOW THEREFORE BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE MONTEREY PENINSULA AIRPORT DISTRICT: That MPAD contract with the firm Granite Rock Company for the Runway 28L-10R Improvement Project in the not-to-exceed amount of \$2,506,000.00, and authorize the Executive Director, or his designee, to execute said contract.

BE IT FURTHER RESOLVED THAT: execution of said contract is conditioned upon receipt of a grant from the FAA in compliance with the grant application and budget as submitted to the FAA.

PASSED AND ADOPTED BY THE BOARD OF DIRECTORS OF THE MONTEREY PENINSULA AIRPORT DISTRICT: This 21st day of August 2024, by the following roll call vote:

AYES:	DIRECTORS:	Chorbajian, Gaglioti, Pick, Miller, & Leffel
NOES:	DIRECTORS:	None
ABSTAIN:	DIRECTORS:	None
ABSENT:	DIRECTORS:	None

Receive 3. Update to Noise Information Related to Overflight Presented by Monterey Fly Safe Coalition

Scott Huber, District Counsel, presented a slide show that represented his research on the overflight information provided to him by Monterey Fly Safe Coalition members.

Directors discussed the findings and directed District Counsel Huber to present this information at the September 10, 2024, Air Carrier Service – Marketing – Community Relations Committee meeting. It was noted that, in addition, it will appear in the Board meeting recording for today's meeting.

Adopt 5. Resolution No. 1886, A Resolution Authorizing a Professional Services Agreement with Kimley Horn and Associates Inc. to Provide Program Management for Runway 28L-10R Improvement Project Construction Observation Services

Deputy Executive Director Morello introduced Item G.5 and noted this is in tangent with Resolution No. 1885. She stated the Independent Fee Estimate (IFE) was within 2% of the proposal.

No Public Comment.

Director Pick motioned to adopt Resolution No. 1886, A Resolution Authorizing a Professional Services Agreement with Kimley Horn and Associates Inc. to Provide Program Management for Runway 28L-10R Improvement Project Construction Observation Services. Director Miller seconded the motion. The motion passed unanimously by a roll call vote of 5-0.

RESOLUTION NO. 1886

A RESOLUTION AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT WITH KIMLEY HORN AND ASSOCIATES, INC. TO PROVIDE PROGRAM MANAGEMENT FOR RUNWAY 28L-10R IMPROVEMENT PROJECT CONSTRUCTION OBSERVATION SERVICES

WHEREAS, the Monterey Peninsula Airport District (MPAD) has previously submitted an Airport Capital Improvement Program (ACIP) for FY 2022- 2028; and

WHEREAS, Resolution No. 1848 Approving the FY24 Capital Improvement Budget was adopted on June 21, 2024 and contained project 2023-02 Runway 28L-10R Treatment; and

WHEREAS, representatives of the Federal Aviation Administration (FAA) have programmed Airport Improvement Program funds in Federal Fiscal Year 2024 based on bids and professional service fees; and

WHEREAS, Kimley Horn and Associates Inc. will develop and implement a client communication process and will provide on-site construction observation services related to this Project.

NOW THEREFORE BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE MONTEREY PENINSULA AIRPORT DISTRICT: That MPAD contract with the firm of Kimley Horn and Associates Inc., for Program Management for the Runway 10R-28L Improvement Project Construction Observation Services, in an amount not-to-exceed \$249,010.00.

BE IT FURTHER RESOLVED THAT: execution of said contract is conditioned upon receipt of a grant from the FAA in compliance with the grant application and budget as submitted to the FAA.

PASSED AND ADOPTED BY THE BOARD OF DIRECTORS OF THE MONTEREY PENINSULA AIRPORT DISTRICT: This 21st day of August 2024, by the following roll call vote:

AYES:	DIRECTORS:	Chorbajian, Gaglioti, Pick, Miller, & Leffel
NOES:	DIRECTORS:	None
ABSTAIN:	DIRECTORS:	None
ABSENT:	DIRECTORS:	None

Approve 6. Amendment to the Professional Services Agreement with Tartaglia Engineering to Provide Construction Support Services for the Runway 28L-10R Improvement Project

Deputy Executive Director Morello introduced Item G.6 and gave an overview of the scope of work included in this Amendment to the Professional Services Agreement with Tartaglia Engineering.

No Public Comment.

Director Pick motioned to approve the Amendment to the Professional Services Agreement with Tartaglia Engineering to provide construction support services for the Runway 28L-10R Improvement Project. Director Gaglioti seconded the motion. The motion was approved by a roll call vote of 5-0.

Adopt 7. Resolution No. 1887, A Resolution Accepting the Guaranteed Maximum Price from OTTO Construction for the Safety Enhancement Program (SEP) Taxiway A Relocation – Phase D3 Terminal Complex Landside Improvements Circulation Elements

Deputy Executive Director Morello introduced Item G.7 and reminded Directors that OTTO Construction was approved on June 20, 2024, as the Construction Manager-at-Risk (CMAR) on the Terminal Complex Landside Improvements Project.

Deputy Executive Director Morello and Executive Director La Pier answered questions from Directors.

No Public Comment.

Director Miller motioned to approve Resolution No. 1887, A Resolution Accepting the Guaranteed Maximum Price from OTTO Construction for the Safety Enhancement Program (SEP) Taxiway A Relocation – Phase D3 Terminal Complex Landside Improvements Circulation Elements. Director Gaglioti seconded the motion. The motion was unanimously approved by a roll call vote of 5-0.

RESOLUTION NO. 1887

A RESOLUTION ACCEPTING THE GUARANTEED MAXIMUM PRICE FROM OTTO CONSTRUCTION FOR THE SAFETY ENHANCEMENT PROGRAM (SEP) TAXIWAY A RELOCATION - PHASE D3 TERMINAL COMPLEX LANDSIDE IMPROVEMENTS CIRCULATION ELEMENTS

WHEREAS, November 26, 2018, the Board of Directors (BOD) approved Resolution No. 1730 certifying Final Environmental Impact Report (EIR) (SCH 2015121105), and Resolution No. 1731, approving Alternative 1 as the Airport Master Plan Project for Monterey Regional Airport; and

WHEREAS, September 11, 2019, the BOD adopted Resolution No. 1761 Authorizing a Professional Services Agreement with Kimley-Horn and Associates, Inc. (KHA) to Provide Project Management Services Related to the Development of Airport Capital Improvement Projects; and

WHEREAS, April 20, 2022, the BOD approved Resolution No. 1819 and certified the Revised Addendum to FEIR for the Minor Project Modifications and approved Resolution No. 1820 the Minor Project Modifications to the MRY Master Plan; and

WHEREAS, on June 20, 2024, Resolution No. 1880, Approving the FY25 Capital Improvement Program (CIP) Budget and July 22, 2022, Resolution No. 1827, Approving the 2022 -2028 Airport Capital Improvement Plan (ACIP), which both included the Safety Enhancement Project (SEP) Phase D3 Landside Improvements were adopted; and

WHEREAS, on September 12, 2018, the District adopted Resolution 1724, A Resolution of the Monterey Peninsula Airport District Authorizing Alternative Project Delivery Methods for Acquisition of Capital Projects and Construction at the Monterey Regional Airport; and

WHEREAS, representatives of the Federal Aviation Administration (FAA) have indicated a willingness to fund the Terminal Facility Landside Improvements project and have approved the alternative delivery method of Construction Manager-At-Risk (CMAR); and

WHEREAS, on June 20, 2024, Resolution No 1882 Authorizing a Professional Service Agreement with Otto Construction as the Construction Manager-at-Risk was adopted; and

WHEREAS, a grant application was submitted to the FAA upon receipt of the Guaranteed Maximum Price (GMP) for the Landside Circulation Elements using Airport Improvement Program (AIP) FAA-FY2024 funds for the improvements.

NOW THEREFORE BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE MONTEREY PENINSULA AIRPORT DISTRICT: That MPAD accepts the Guaranteed Maximum Price from Otto Construction for the Landside Improvements Circulation Elements and authorize the Executive Director, or his designee, to issue a Notice-to-Proceed for the construction services in connection with the New Terminal Facility – Landside Improvements project at the Monterey Regional Airport for a not-to-exceed cost of \$16,919,500.

BE IT FURTHER RESOLVED THAT: execution of said contract amendment is conditioned upon receipt of a grant from the FAA in compliance with the grant application and budget as submitted to the FAA.

PASSED AND ADOPTED BY THE BOARD OF DIRECTORS OF THE MONTEREY PENINSULA AIRPORT DISTRICT: This 21st day of August 2024, by the following roll call vote:

AYES:	DIRECTORS: Chorbajian, Gaglioti, Pick, Miller, & Leffel
NOES:	DIRECTORS: None
ABSTAIN:	DIRECTORS: None
ABSENT:	DIRECTORS: None

Approve 8. Amendment to the Professional Services Agreement with Kimley-Horn and Associates, Inc. to Provide Project Management in Support of the Safety Enhancement Program (SEP) Taxiway A Relocation – Phase D3 Terminal Complex Landside Improvements

Deputy Executive Director Morello reminded the Directors that Kimley-Horn and Associates, Inc. is the Safety Enhancement Program (SEP) Project Manager, and this amendment supports the Safety Enhancement Program (SEP) Taxiway A Relocation – Phase D3 Terminal Complex Landside Improvements Project.

No Public Comment.

Director Pick motioned to approve the Amendment to the Professional Services Agreement with Kimley-Horn and Associates, Inc. to Provide Project Management in Support of the Safety Enhancement Program (SEP) Taxiway A Relocation – Phase D3 Terminal Complex Landside Improvements. Director Gaglioti seconded the motion. The motion was unanimously approved by a roll call vote of 5-0.

Adopt 9. Resolution No. 1888, A Resolution Adopting a Freeze on Meeting Stipends at the Current Level

Chair Leffel introduced Item G.8 by reviewing the recent history related to setting the amount of the Board Stipend and her recommendation to adopt a freeze on the increases allowed.

No Public Comment.

District Counsel Huber answered questions from Directors.

Director Pick motioned to approve Resolution No. 1888, A Resolution Adopting a Freeze on Meeting Stipends at the Current Level. Director Gaglioti seconded the motion. The motion was unanimously approved by a roll call vote of 5-0.

RESOLUTION NO. 1888

A RESOLUTION ADOPTING A FREEZE ON MEETING STIPENDS AT THE CURRENT LEVEL

WHEREAS, Public Utilities Code section 22407, as amended on August 20, 2018, authorizes Special Districts to increase the meeting stipend amount from \$100 per meeting by five percent per year; and

WHEREAS, the Board of Directors passed Ordinance No. 925 authorizing modifications to the meeting stipend consistent with Public Utilities Code section 22407; and

WHEREAS, the Board of Directors previously passed Resolution 1743 to adjust the amount of compensation per meeting, which is currently set at \$127.63 per meeting; and

WHEREAS, the Board of Directors believes that the current amount of compensation should remain frozen at the current level.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE MONTEREY PENINSULA AIRPORT DISTRICT that the Board authorizes a freeze on the meeting stipend at the amount of \$127.63 per meeting, until this resolution is superseded or withdrawn by the Board of Directors.

ADOPTED BY THE BOARD OF DIRECTORS OF THE MONTEREY PENINSULA AIRPORT DISTRICT: This 21st day of August 2024, by the following roll call vote:

AYES:	DIRECTORS:	Chorbajian, Gaglioti, Pick, Miller, & Leffel
NOES:	DIRECTORS:	None
ABSTAIN:	DIRECTORS:	None
ABSENT:	DIRECTORS:	None

H. CLOSED SESSION

- PENDING LITIGATION.** Pursuant to Gov. Code 54956.9(a), the Board will meet with the Executive Director and General Counsel related to pending litigation: ACCO-Wilson, Inc., v. Mill Construction Company, et al., Monterey County Superior Court, Case No. 24CV000921.
- PENDING LITIGATION.** Pursuant to Gov. Code 54956.9(a), the Board will meet with the Executive Director and General Counsel related to pending litigation: Collins Electrical Co., Inc., v. Mill Construction Company, et al., Monterey County Superior Court, Case No. 24CV02304.

3. **PENDING LITIGATION.** Pursuant to Gov. Code 54956.9(a), the Board will meet with the Executive Director and General Counsel related to pending litigation: Mill Construction Company v. BlueScope Construction Inc., et al., Monterey County Superior Court, Case No. 24CV001770.
4. **PENDING LITIGATION.** Pursuant to Gov. Code 54956.9(a), the Board will meet with the Executive Director and General Counsel related to pending litigation: Patibanda v. Foster, et al., Monterey County Superior Court, Case No. 24CV002782.
5. **POTENTIAL LITIGATION.** Pursuant to Gov. Code 54957.6(b)(4), the Board will meet with the Executive Director and General Counsel related to potential initiation of litigation: one case.
6. **EMPLOYMENT.** Pursuant to Gov. Code section 54957(b), the Board will meet with District Counsel to consider the appointment/employment related to the following position: Executive Director.

Directors entered Closed Session at 10:49 AM.

I. RECONVENE TO OPEN SESSION

Directors reconvened to Open Session at 11:59 AM. There was no reportable action.

District Counsel Huber stated Directors Pick and Gaglioti had excused themselves from the meeting at 11:55 AM.

J. BOARD REPORTS AND ACCEPTANCE OF DEPARTMENT REPORTS

- a. The Board receives Department Reports which do not require any action by the board.
- b. Board Member questions (if any) for Standing Committees.
- c. Ad-Hoc Committee Reports:
 - i. Local Jurisdiction Liaison Director Leffel & Miller
- d. Liaison/Representatives Reports:
 - i. Local Agency Formation Commission Director Leffel
 - ii. Regional Taxi Authority Director Pick
 - iii. Transportation Agency for Monterey County Director Miller
 - iv. Special Districts Association Liaison Director Gaglioti
 - v. Association of Monterey Bay Area Governments Director Leffel
- e. Board Member reports for conferences and events approved to attend at Monterey Peninsula Airport District expense (per AB 1234 and the Director Remuneration & Business Expense Reimbursement Policy).

Executive Director La Pier answered a question regarding the Police Report.

Chair Leffel answered questions regarding the Air Service Committee meeting.

Chair Leffel reported LAFCO was cancelled in August.

Director Miller reported TAMC did not meet in July and the next meeting is August 28, 2024.

Chair Leffel reported she did not attend the AMBAG meeting this month.

K. PENDING REQUESTS FOR FUTURE AGENDA ITEMS

None.

L. DISCUSSION OF FUTURE AGENDAS

None.

M. ADJOURNMENT

The meeting adjourned at 12:02 PM.

*Approved at the
Meeting of September 18, 2024*



Mary Ann Leffel, Chair

ATTEST



*Michael La Pier
District Secretary*