

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

May 3, 2023 - 1:30 PM

THIS MEETING IS A CONTINUATION OF THE ADJOURNED APRIL 27, 2023 MEETING. PUBLIC COMMENTS HAVE ALREADY BEEN RECEIVED FOR ITEM C.1 DURING THE APRIL 27, 2023 BOARD MEETING. AS SUCH, PUBLIC COMMENT DURING THE MEETING WILL NOT BE RECEIVED FOR THAT ITEM. PUBLIC COMMENTS WILL BE RECEIVED FOR ALL OTHER LISTED ITEMS, AS THE BOARD HAS NOT HEARD COMMENTS ON THESE MATTERS.

NOTICE REGARDING A RETURN TO IN-PERSON PUBLIC PARTICIPATION AT MONTEREY PENINSULA AIRPORT DISTRICT BOARD MEETINGS

Due to the expiration of the COVID-19 California State of Emergency, the Monterey Peninsula Airport District has returned to holding 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, remote comments will not be allowed, except as outlined in the limited circumstances 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.

In the event that a Board Member utilizes the procedure outlined in AB 2449 to attend a meeting, only then will remote public comments be allowed. Under those circumstances, 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 who desire to make a public comment can send 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 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.

A. CALL TO ORDER/ROLL CALL

Chair Sawhney called to order the Adjourned Regular Meeting of the Monterey Peninsula Airport District Board of Directors and stated it was a continuation of the April 27, 2023 Rescheduled Regular Meeting. Directors Pick, Sabo, and Miller were present. Director Leffel was not yet in attendance. The following staff were present: Executive Director La Pier, District Counsel Huber, Acting Board Secretary Adams, Deputy Executive Director Morello, and Controller Wilson.

B. PLEDGE OF ALLEGIANCE

Director Miller led the Pledge of Allegiance.

C. CONTINUED/ADJOURNED REGULAR AGENDA - ACTION ITEMS

Direct 1. Provide Direction to Staff for Airport Fire & Related Emergency Services

District Counsel Huber stated all Public Comment has been received on Item C.1. There will be public comment on Item C.2 and Closed Session.

District Counsel Huber stated Chair Sawhney has been advised by personal counsel to recuse herself due to a conflict of interest. Chair Sawhney excused herself from the meeting at 1:37 PM and Chair Pro Tem Sabo began to Chair the meeting.

Director Leffel arrived at 1:39 PM.

District Counsel Huber reported on his meeting with City of Monterey's Attorney regarding the feasibility of responding off-airport from the south side. He stated the EA language says the Airport Fire & Related Emergency Services can only respond on Airport from the AARF facility; it is the station or the facility that is cited in the documentation. It is feasible to respond off-airport from a location on the south side because the truck was not included in the language. Director Miller expressed concern that even if the City of Monterey and the Airport agreed, a third party could disagree with that assessment. Director Leffel asked if it would be possible for Monterey Peninsula Airport District (MPAD) to be indemnified by the City of Monterey. District Counsel Huber answered yes.

Executive Director La Pier reported on the investigation into allegations made about Pro Tec Fire Services staffing and their loss of contract with the Burbank-Glendale-Pasadena Airport Authority, saying nothing untoward was found. He referred to the letter in the packet from Pro-Tec President Bill Hershman that explained the circumstances.

Executive Director La Pier reported on the logistics of City of Monterey responding off-airport saying the actual location for staging is yet to be determined, but the vehicle would be dispatched by radio from that location during the peak hours, rather than the AARF.

Director Leffel motioned to direct staff to try to work out an arrangement with the City of Monterey to try to come up with a solution. Director Miller seconded.

Director Sabo asked Director Leffel to amend her motion to direct staff to get the legal opinion endorsed by the City of Monterey that agrees that our understanding is acceptable to the City of Monterey and that they will indemnify us in the event that we are challenged on this as a violation of the terms of the settlement agreement. Director Leffel agreed to amend her motion.

Director Miller stated he thinks staff realize that is our desire and would not want to bind their hands so will not second the amended motion.

Director Sabo seconded the amended motion. Director Leffel clarified the new motion is to direct the staff to work with the City of Monterey to determine if we can come to an agreement on fire services and make sure that we have in the agreement indemnification from the City on anything we do going forward with this. The motion passed unanimously by a roll call vote of 4-0 with Chair Sawhney absent.

A break was taken from 2:27 PM to 2:35 PM.

Chair Sawhney returned at 2:35 PM and chaired the remainder of the meeting.

Discuss 2. Strategic Planning Report Review and More Efficient Board Meetings

Chair Sawhney reviewed some ideas for making future board meetings more efficient. Directors discussed the ideas. The board agreed to investigate memorializing the following:

- Limit Public Comment to 90 seconds if there are more than 15 people who want to comment.
- Practice agenda management with documents in the packet prior to the meeting to facilitate shorter meeting times and ensure the critical items are attended to.
- Limit board meetings to 5 hours, with a vote at 4 hours whether to continue one more hour or table the remainder of the meeting to a time certain.
- Include closed session in the above time limits.
- Have Directors give written reports for Committee and Liaison meetings instead of oral.

- *Memorialize the Agenda Item Action Procedure outlined on the podium as standard procedure.*

District Counsel Huber stated some items will have implications for the Governance Manual. He will investigate what is necessary to memorialize these processes and procedures and will bring an actionable item back to the board for consideration.

Chair Sawhney suggested we revisit the strategic plan at least twice a year. Directors discussed the idea.

No Public Comment.

Director Miller moved to adopt the revised mission and vision statement. Director Leffel seconded. District Counsel Huber stated this item would be added to a future agenda.

D. CONTINUED/ADJOURNED CLOSED SESSION AGENDA ITEMS

1. Pursuant to Government Code section 54956.8, the Board will meet with Real Property Negotiators, Executive Director and General Counsel, regarding a portion of the property commonly known as APN Number 013-221-020-000.

District Counsel Huber stated Chair Sawhney would not participate in Item D. 1, which is parameters for negotiation for the AARF agreement. Item E. 1 will be addressed first in order to accommodate Chair Sawhney.

No Public Comment.

Directors entered Closed Session at 3:29 PM.

E. ADDED CLOSED SESSION ITEM

1. Pursuant to Gov. Code 54957.6(b)(2), the Board will meet with the Executive Director and General Counsel related to potential exposure to litigation: one case.

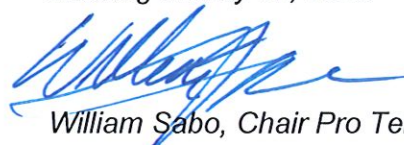
F. RETURN TO OPEN SESSION

Directors returned to Open Session at 5:11 PM. There was no reportable action.

G. ADJOURNMENT

The meeting adjourned at 5:11 PM.

*Approved at the
Meeting of May 17, 2023*



William Sabo, Chair Pro Tem

ATTEST

A handwritten signature in black ink, appearing to read "Michael La Pier". The signature is stylized with a large, looped initial "M" and a distinct "P" at the end.

Michael La Pier, AAE
District Secretary