

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

June 21, 2023 - 9:00 AM

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 will return 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 regular meeting of the Monterey Peninsula Airport District Board of Directors at 9:00 AM. Directors Pick, Leffel, Sabo and Miller were 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 Sabo led the Pledge of Allegiance.

C. COMMUNICATIONS/ANNOUNCEMENTS/INFORMATIONAL ITEMS

Director Sabo announced he is resigning effective July 1, 2023 because he is moving out of the District.

Executive Director La Pier reported we've reached agreement with the Pebble Beach Community Services District to use our command vehicle during various events, including at the U.S. Women's Open and in return they will be upgrading the equipment through a use agreement.

Director Miller reminded the board that the Salinas Valley Chamber of Commerce and Peninsula Chamber of Commerce Combined Rodeo Mixer is being held on the Airport observation deck tomorrow evening.

D. PUBLIC COMMENTS ON NON-AGENDA ITEMS

None.

E. CONSENT AGENDA - ACTION ITEMS

- Approve 1. Minutes of the Regular Board Meeting of May 17, 2023
- Approve 2. Minutes of the Special Board Meeting of May 31, 2023
- Approve 3. Minutes of the Air Carrier Service – Marketing – Community Relations Committee Meeting of June 7, 2023
- Approve 4. The Monterey Peninsula Airport District (MPAD) Mission and Vision Statement as Created During the Special Strategic Plan Workshop Meeting of the MPAD Board of Directors on November 4, 2022

Chair Sawhney pulled Item E.1. Director Leffel moved to approve Items E.2 – E.4. Director Pick seconded. The motion passed unanimously with a roll call vote of 5-0.

F. DEFERRED CONSENT AGENDA - ACTION ITEMS

Chair Sawhney referred to the Minutes of the Regular Board Meeting of May 17, 2023 on page 2, paragraph 3, where it says that District Counsel Huber clarified that nothing (in the Governance Manual) that changes the Executive Director's relationship with the board can be modified during the contract period. Chair Sawhney stated the discussion was not at that point in the meeting. She asked Counsel Huber if the sentence looked correct to him. Counsel Huber answered yes but he said it later in the meeting.

Director Pick moved to approve the Minutes of the Regular Board Meeting of May 17, 2023 with the addition of the word "later" before the word "clarified". The motion passed unanimously with a roll call vote of 5-0, with Director Leffel approving under protest.

G. REGULAR AGENDA - ACTION ITEMS

- Introduction 1. Introduce New Del Rey Oaks Police Chief, Chris Bourquin

Executive Director La Pier introduced Del Rey Oaks Police Chief Chris Bourquin. Chief Bourquin apprised the board of his background and stated he was appointed Chief in April 2023 when Chief Hoyne left for the Sheriff's department. Directors complimented Chief Bourquin.

- Presentation 2. Public Relations & Advertising Consultant Quarterly Report, Chris Chidlaw

Executive Director La Pier tabled Item G.1 due to Mr. Chidlaw being unexpectedly called out of town.

- Adopt 3. Resolution No. 1845, A Resolution Authorizing and Approving the Rates and Charges at the Monterey Regional Airport for Fiscal Year 2024

Executive Director La Pier introduced Item G.3. Controller Wilson indicated there was one change to the Rates and Charges schedule since the Finance Workshop.

Director Pick asked if all rates and charges were reviewed. Executive Director La Pier answered yes; our practice going forward will be to attempt to keep all of our rates and charges within market range. Director Leffel commented, for the record, that typically we would have addressed raising rates sooner

but there were 2-1/2 years of COVID travel restrictions where we gave assistance to those we could, based on the FAA's guidelines, and why we didn't raise rates sooner.

Controller Wilson noted the change on the Rates and Charges schedule is the line-item "Hangar Rental NE Box Hangars" and under the "Unit of Measure per Month" column the parenthetical will read "includes electricity" which is a correction to the packet that says, "electricity not included".

Director Leffel motioned to approve Resolution No. 1845, A Resolution Authorizing and Approving the Rates and Charges at the Monterey Regional Airport for Fiscal Year 2024. Director Miller seconded.

Director Sabo made an alternate motion to approve the Rates and Charges with changes to the Commercial Aviation rates and charges to limit increases for FY 2024 to no greater than 10% and increase terminal space rental charges for airlines to a maximum of 15%. Director Sabo distributed a schedule that annotated his proposed rates for particular items.

Director Miller asked if there was a recommendation from the Finance Committee on this resolution. Director Sabo stated he expressed his concern and the committee had a substantial discussion, although he did not present his proposal. Executive Director La Pier added it was a split recommendation from the Finance Committee.

Chair Sawhney asked for staff perspective. Director Pick made a Point of Order. He asked for a second before discussion on the alternate motion. The alternate motion failed for lack of a second.

Directors discussed Item G.3.

Matt Pasztalaniec, a member of the public and an Airport hangar tenant, asked if Annex A NE Hangar Rent would still increase in graduated steps. Executive Director La Pier answered that is the intent. Mr. Pasztalaniec thanked staff and the board for working with the tenants to find an agreeable solution.

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

RESOLUTION NO. 1845

A RESOLUTION AUTHORIZING AND APPROVING THE RATES AND CHARGES AT THE MONTEREY REGIONAL AIRPORT FOR FISCAL YEAR 2024

WHEREAS, periodic adjustment of rates and fees is appropriate in order to achieve the District's goal of recovering the cost of operating and maintaining the Airport and these rates and fees are collected from rents, fees and charges paid by tenants and users of Airport facilities in fair proportion to their respective use, and

WHEREAS, the District has set its airside rates in accordance with the airfield residual cost recovery methodology, and

WHEREAS, the District has set its terminal area rental rates in accordance with the terminal compensatory cost recovery methodology,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE MONTEREY PENINSULA AIRPORT DISTRICT, the following rate and fee schedule (SEE ANNEX A) shall be implemented effective July 1, 2023.

1.0 Aviation & Aviation Related Rates and Fees.

1.1 Landing Fees.

1.1.1 Air Carriers. Provided a signed agreement between an air carrier and the District exists and except as exempted from landing fees by the provisions of Section 1.1.5 of this Resolution, there shall be paid to the District a landing fee for all air carrier operations (including unscheduled charter operations) landing at the Airport (SEE ANNEX A). The landing fee is assessed per thousand pounds of certificated gross landing weight. Air carriers operating without a signed agreement will pay a landing fee equal to two (2) times the established rate.

1.1.2 Freight Forwarding/Cargo Carriers. Except as exempted from landing fees by the provisions of Section 1.1.5 of this Resolution, there shall be paid to the District a landing fee for all freight forwarding/cargo carrier operations (including unscheduled charter operations) landing at the Airport (SEE ANNEX A). The landing fee is assessed per thousand pounds of certificated gross landing weight or per landing.

1.1.3 General Aviation Aircraft. Except as exempted from landing fees by the provisions of Sections 1.1.3.1 and 1.1.5 of this Resolution, there shall be paid to the District a landing fee for all general aviation aircraft operations involving aircraft having a certificated gross landing weight of six thousand pounds (6,000 lbs.) or greater landing at the Airport (SEE ANNEX A). The landing fee is assessed per thousand pounds of certificated gross landing weight.

1.1.3.1 Based Aircraft Exemption. All general aviation aircraft based at Monterey Regional Airport shall be exempt from the landing fees set forth in Section 1.1.3 of this Resolution. General aviation aircraft based at the Airport shall be deemed to include general aviation aircraft for which monthly hangar rentals or tie-down fees are being paid to the District or to a fixed base operator holding a valid lease or rental agreement with the District for the conduct of fixed base operations at the Airport. In addition, general aviation aircraft owned or leased by such a fixed base operator shall be deemed to be general aviation aircraft based at the Airport.

1.1.4 Helicopters. Except as exempted from landing fees by the provisions of Sections 1.1.4.1 or 1.1.5 of this Resolution, there shall be paid to the District a landing fee for all helicopter operations landing at the Airport (SEE ANNEX A). The landing fee for helicopters is assessed per landing.

1.1.4.1 Based Helicopter Exemption. All helicopters based at Monterey Regional Airport shall be exempt from the landing fees set forth in Section 1.1.4 of this Resolution. Helicopters based at the Airport shall be deemed to include helicopters for which monthly hangar rentals or tie-down fees are being paid to the District or to a fixed base operator holding a valid lease or rental agreement with the District for the conduct of fixed base operations at the Airport. In addition, helicopters owned or leased by such a fixed base operator shall be deemed to be helicopters based at the Airport.

1.1.5 General Exemptions. Aircraft landing at the Airport due to mechanical failure or other in-flight emergency shall be exempt from the landing fees set forth in this Resolution. Military aircraft

or aircraft operated by the state or federal government shall be exempt from the landing fees set forth in this Resolution. Medical emergency/medical evacuation aircraft shall be exempt from the landing fees set forth in this Resolution.

1.2 Remain-Over-Night (RON) Fee.

1.2.1 Air Carriers. Provided a signed agreement between an air carrier and the District exists, there shall be paid to the District a RON fee for all air carrier aircraft (including unscheduled charter aircraft) that remain over night at the Airport (SEE ANNEX A). The RON fee is assessed per thousand pounds of certificated gross landing weight.

1.2.2 Freight Forwarding / Cargo Carriers. There shall be paid to the District a RON fee for all freight forwarding/cargo carrier aircraft (including unscheduled charter aircraft) that remain overnight at the Airport (SEE ANNEX A). The RON fee is assessed per thousand pounds of certificated gross landing weight.

1.3 Apron Fee.

1.3.1 Air Carriers. Provided a signed agreement between an air carrier and the District exists, there shall be paid to the District an apron fee for all air carrier aircraft (including unscheduled charter aircraft) that park on the terminal ramp at the Airport (SEE ANNEX A). The apron fee is assessed per thousand pounds of certificated gross landing weight. Air carriers operating without a signed agreement will pay a landing fee equal to two (2) times the established rate.

1.3.2 Freight Forwarding / Cargo Carriers. There shall be paid to the District an apron fee for all freight forwarding/cargo carrier aircraft (including unscheduled charter aircraft) that park on the terminal ramp at the Airport (SEE ANNEX A). The apron fee is assessed per thousand pounds of certificated gross landing weight.

1.4 Gate Fee. Provided a signed agreement between an air carrier and the District exists, there shall be paid to the District a gate fee for non-scheduled (including charter) air carrier aircraft that use the Airport terminal facilities (SEE ANNEX A). The gate fee is assessed per thousand pounds of certificated gross landing weight. Air carriers operating without a signed agreement will pay a landing fee equal to two (2) times the established rate.

1.5 Hangar Rentals. There shall be paid to the District rents for District owned and maintained aircraft hangars (SEE ANNEX A). The hangar rent is assessed by type and location of hangar, except as may otherwise be provided in a contractual agreement between the District (lessor) and a lessee.

1.6 Aircraft Tie-downs. There shall be paid to the District rents for District owned and maintained aircraft tie-down spaces (SEE ANNEX A). The tie-down rent is assessed by aircraft type and location of tie-down, except as may otherwise be provided in a contractual agreement between the District (lessor) and a lessee.

1.7 Fuel Dispensing / Fuel Flowage Fees. There shall be paid to the District a fuel dispensing or fuel flowage fee for each gallon of fuel dispensed at the Airport (SEE ANNEX A). The fuel dispensing or flowage fee is assessed by number of gallons dispensed and by type of fuel.

1.8 Aircraft Parking Fee – Special Events. There shall be paid to the District an aircraft parking fee for Special Events during which any aircraft is parked on any surface at the Airport (SEE ANNEX A). The aircraft parking fee is assessed on a per aircraft, per day (or any portion thereof) basis, for any aircraft that are parked during any Special Event. FY 24 Special Events are the AT&T Pebble Beach National Pro-Am, Car Week/Concours D'Elegance, Hook & Eye, and the Women's LPGA U.S. Open.

1.9 Car Auction Parking Fee – Special Events. There shall be paid to the District a car auction parking fee for Special Events during which cars are parked, presented, and auctioned off at the Airport (SEE ANNEX A). The car auction parking fee is assessed on a per car, per day (or any portion thereof) basis, for any cars that are sold at auction during any Special Event.

2.0 Terminal Area Rents.

2.1 Terminal Building and Adjacent Area Rentals. There shall be paid to the District rents for space in and around the Airport terminal (SEE ANNEX A). These rents are paid by square foot (sq. ft.) or space basis (per month) except as may otherwise be provided in a contractual agreement between the District (lessor) and a lessee.

2.2 Concessionaires. There shall be paid to the District fees for the use of space and the conduct of business in and around the Airport terminal. These fees may be assessed by square foot (sq. ft.) or space basis (per month) or may be assessed as a percentage of gross receipts, or a combination provided in a contractual agreement between the District (lessor) and a lessee or concessionaire.

3.0 Non-Aviation Rents. There shall be paid to the District rents for non-aviation space and facilities on the Airport (SEE ANNEX A). These rents are assessed on a square foot (sq. ft.) or space basis (per month) except as may otherwise be provided in a contractual agreement between the District (lessor) and a lessee.

4.0 Other Fees.

4.1 Miscellaneous Fees. There shall be paid to the District fees for AOA badges, parking permits, SIDA badges, law enforcement activities (reports, incidents and services). These fees are assessed on each activity or service provided by the District to a tenant, tenant-employee, and lessee.

4.2 Tenant Event Support / Tenant Repair & Maintenance Fees. There shall be paid to the District fees for law enforcement support or tenant repair, maintenance services and event fees. These fees will be charged on a per hour rate and due at the completion of law enforcement support or tenant repair & maintenance services, and event fees.

4.3 Airport Events / Filming / Photography - Basic Use Fees. There shall be paid to the District fees for special on property events, motion picture filming or television recording and photography events. These fees will be charged on a per day rate and due in advance when the Facilities Use and License Agreement is executed, and before special on property events, motion picture filming or television recording and photography events occur.

4.4 Late Payment and Credit Card Payment Fees. There shall be paid to the District fees for late tenant or lessee and credit cards payments. These fees will be charged on a percentage of tenant or lessee invoices and are due upon contract terms with the District.

4.5 Notice of Violation Fees. There shall be paid to the District for Rules and Regulations Violations as described in Article 9 and 10. These fees will be assessed on a per incident basis and will escalate from continued or reoccurring violations.

4.6 Business License Fees. There shall be paid to the District a Business License fee for all tenants operating a business on District property. The Business License fee shall be assessed annually on January 1 of each calendar year and prorated for new businesses if implemented after January 1.

5.0 Future Rate Adjustments. The District may implement changes in rates and charges from time-to-time through the adoption of future rates and charges resolutions. During the period following the adoption of this Resolution and until the effective date of a subsequent rates and charges resolution, District leases and rental agreements may provide for adjustments to rates and charges based on changes in consumer price or other indices.

6.0 Severability. If any provision, clause, sentence or paragraph of this Resolution or the application thereof to any person or circumstance shall be held invalid, such invalidity shall not affect the other provisions of this Resolution which can be given effect without the invalid provision or application and to this end, the provisions of this Resolution are declared severable.

7.0 Effective Date. This Resolution shall take effect on July 1, 2023.

PASSED AND ADOPTED BY THE BOARD OF DIRECTORS OF THE MONTEREY PENINSULA AIRPORT DISTRICT: This 21st day of June 2023, by the following roll call vote:

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

Adopt 4. Resolution No. 1846, A Resolution Authorizing and Approving the Fiscal Year 2024 Salary Schedule, Listing Salary Ranges for the Monterey Peninsula Airport District

Executive Director La Pier introduced Item G.4 stating this item was covered during the Finance Workshop.

Director Pick moved to approve Resolution No. 1846, A Resolution Authorizing and Approving the Fiscal Year 2024 Salary Schedule, Listing Salary Ranges for the Monterey Peninsula Airport District. Director Leffel seconded.

Directors discussed the job descriptions.

Director Pick amended his motion to approve Resolution 1846 and the job descriptions. Director Leffel seconded the amended motion.

No public comment.

The motion passed unanimously with a roll call vote of 5-0.

RESOLUTION NO. 1846

A RESOLUTION AUTHORIZING AND APPROVING THE FISCAL YEAR 2024 SALARY SCHEDULE LISTING SALARY RANGES FOR THE MONTEREY PENINSULA AIRPORT DISTRICT

WHEREAS, the District recognizes the need to add a Deputy Executive Director Operations & Maintenance, Financial Analyst, and additional Maintenance Worker positions to support changes in business requirements and increased business activity; and

WHEREAS, the District also recognizes the need to fill a vacant Project Manager and Maintenance Worker position left unfilled during Fiscal 2023; and

WHEREAS, for Fiscal Year 2024 the previously approved salary ranges are adequate to meet currently approved positions therefore no changes are recommended: and

WHEREAS, for the Financial Analyst position the salary range has been added to the FY 2024 Salary Schedule; and

BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE MONTEREY PENINSULA AIRPORT DISTRICT: That the compensation of all employees of the Monterey Peninsula Airport District as set forth and prescribed in the FY 2024 Salary Schedule Listing Salary Ranges is hereby approved and adopted. A copy of said schedule is attached hereto and made a part of by reference as though the same were set forth in full herein.

AND BE IT FURTHER RESOLVED: That there be filed in the office of said District, said Salary Schedule in accordance with and designated "Monterey Peninsula Airport District Fiscal Year 2024 Salary Schedule" listing salary ranges.

PASSED AND ADOPTED BY THE BOARD OF DIRECTORS OF THE MONTEREY PENINSULA AIRPORT DISTRICT: This 21st day of June 2023 by the following roll call vote:

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

Adopt 5. Resolution No. 1847, A Resolution Authorizing and Approving the Operating Budget of the Monterey Peninsula Airport District for Fiscal Year 2024

Executive Director La Pier introduced Item G.5. Controller Wilson enumerated small changes made since the Budget Workshop which included an increase in the Social Media budget to subscribe to a social listening software, the addition of cyber liability insurance, and a small increase to our estimate for the police contract, which is still being negotiated.

No public comment.

Controller Wilson answered questions about cyber liability insurance and credit card breaches. He noted that although we accept credit cards, we do not maintain credit card data. He clarified that the total increase in insurance year over year includes increases in insurance renewal rates in addition to adding the new cyber liability insurance.

Director Pick moved to approve Resolution No. 1847, A Resolution Authorizing and Approving the Operating Budget of the Monterey Peninsula Airport District for Fiscal Year 2024. Director Leffel seconded. The motion passed unanimously by a roll call vote of 5-0.

RESOLUTION NO. 1847

A RESOLUTION AUTHORIZING AND APPROVING THE OPERATING BUDGET OF THE MONTEREY PENINSULA AIRPORT DISTRICT FOR FISCAL YEAR 2024

WHEREAS, the estimates submitted to the Board of Directors of the Monterey Peninsula Airport District entitled "Monterey Peninsula Airport District, County of Monterey, State of California, Budget - Fiscal Year 2024," and now on file in the offices of the District, are hereby approved and adopted as the budget of the District for the Fiscal Year 2024, and

WHEREAS, the District's Fiscal Year 2024 revenues are projected to be sufficient to fund expenses, capital expenditures and debt service, and

WHEREAS, the available revenues of the District for the Fiscal Year 2024 are hereby appropriated as set forth and segregated in the operating and capital budgets, and

WHEREAS, all annual salaries, compensations, allowances and operating expenses for the Fiscal Year 2024 as set forth in the operating 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 2024 are identified and shall be payable in such time, form and manner as prescribed by contract or covenant, are hereby approved, and

WHEREAS, all motions and resolutions and parts of motions and resolutions insofar as they are in conflict with this resolution are hereby repealed.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE MONTEREY PENINSULA AIRPORT DISTRICT, the Operating Plan presented in the Budget for Fiscal Year 2024 is hereby established and designated as in the Budget and shall take effect on July 1, 2023.

PASSED AND ADOPTED BY THE BOARD OF DIRECTORS OF THE MONTEREY PENINSULA AIRPORT DISTRICT: This 21st day of June 2023 by the following roll call vote:

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

Adopt 6. Resolution No. 1848, A Resolution Authorizing and Approving the Capital Budget of the Monterey Peninsula Airport District for Fiscal Year 2024

Deputy Executive Director Morello recapped the projects represented on the Fiscal Year 2024 Capital Improvement Budget. She referred to carry over Project Number 2022-01, Safety Enhancement Project (SEP) Phase C1/C2/C3 - ARFF Design/Construction/Demo/Airfield Access and stated the \$400k in District funds will cover items that are not eligible for the grant such as the actual LEED certification and some miscellaneous items. She remarked that it is not anticipated we will spend the entire amount. Controller Wilson added that \$500k in District funds was included in the FY 2023 budget for this project. It was unintentionally omitted in the Budget Workshop version of the FY 2024 Capital Budget. The \$400k is now included and is a reduction of the amount approved last year.

Director Pick moved to approve Resolution No. 1848, A Resolution Authorizing and Approving the Capital Budget of the Monterey Peninsula Airport District for Fiscal Year 2024. Director Miller seconded. The motion passed by a roll call vote of 4-1 with Director Sabo voting no.

RESOLUTION NO. 1848

A RESOLUTION AUTHORIZING AND APPROVING THE CAPITAL BUDGET OF THE MONTEREY PENINSULA AIRPORT DISTRICT FOR FISCAL YEAR 2024

WHEREAS, the estimates submitted to the Board of Directors of the Monterey Peninsula Airport District entitled "Monterey Peninsula Airport District, County of Monterey, State of California, Budget - Fiscal Year 2024" and now on file in the offices of the District are hereby approved and adopted as the capital budget of the District for the Fiscal Year 2024, and

WHEREAS, it is the desire of the Board of Directors to adopt the "Fiscal Year 2024 Capital Budget" to include capital expenditures identified impacting the Capital Improvement Program (CIP) Budget; and

WHEREAS, The Districts Fiscal Year 2024 revenues or cash reserves are projected to be sufficient to fund capital expenditures: and

WHEREAS, the available revenues of the District for the Fiscal Year 2024 are hereby appropriated as set forth and segregated in the operating budget and may fund the capital budget, and

WHEREAS, all capital expenditures for the Fiscal Year 2024, as set forth in the District 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.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE MONTEREY PENINSULA AIRPORT DISTRICT, that the Capital Plan for the Fiscal Year 2024 District Capital Budget is hereby established and designated as in the Capital Budget and shall take effect on July 1, 2023.

PASSED AND ADOPTED BY THE BOARD OF DIRECTORS OF THE MONTEREY PENINSULA AIRPORT DISTRICT: This 21st day of June 2023 by the following roll call vote:

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

A break was taken from 10:40 AM to 10:50 AM.

Adopt 7. Resolution No. 1849, A Resolution Approving the Bid for the Commercial Apron Construction and Authorizing Execution of a Contract with Graniterock Vanguard, JV

Deputy Executive Director Morello introduced Item G.7 reporting that three (3) proposals were received at the bid submittal deadline. The proposals were opened in a public forum and bid amounts were read aloud as outlined in the proposal documents. C&S Engineers, Inc. reviewed the proposals for consistency, completeness, and accuracy of the documents received and requirements requested in the Notice to Bidders dated February 2023. Deputy Executive Director Morello stated Graniterock Vanguard, JV was the lowest responsible bidder at a not to exceed cost of \$41,046,883.83 and Vanguard will provide a sustainable concrete with less carbon emissions.

No public comment.

Staff answered questions about making provisions for lighting, electrical, and a utility corridor, and air conditioning for the airplanes, which would be provided through jet bridges. Deputy Executive Director Morello answered questions about the FAA grant.

Director Pick moved to approve Resolution No. 1849, A Resolution Approving the Bid for the Commercial Apron Construction and Authorizing Execution of a Contract with Graniterock Vanguard, JV. Director Miller seconded. The motion passed unanimously by a roll call vote of 5-0.

RESOLUTION NO. 1849

A RESOLUTION APPROVING THE BID FOR THE COMMERCIAL APRON CONSTRUCTION AND AUTHORIZING EXECUTION OF A CONTRACT WITH GRANITEROCK VANGUARD, JV

WHEREAS, On November 26, 2018 the Board of Directors of the Monterey Peninsula Airport District (MPAD) 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, On 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, The FY23 Adopted Capital Improvement Budget contains Project 2023-01 Safety Enhancement Program (SEP) Phase B2 Commercial Apron Construction and the approved Airport Capital Improvement Program (ACIP) for FY 2022-2028 includes this SEP project phase; and

WHEREAS, The work and services to be performed under this proposed agreement with Graniterock Vanguard, JV is consistent with, and covered by, the Final EIR for the Airport Master Plan Project; and

WHEREAS, The Federal Aviation Administration (FAA) has programmed the Commercial Apron Construction under the Airport Improvement Program (AIP) with Discretionary and Entitlement Funds; 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 February 7 and February 17, 2023 and a mandatory pre-bid meeting was held on February 28, 2023. Sealed bid proposals were received on April 4, 2023 at 1:00 p.m. PDT and publicly opened; and

WHEREAS, after considering the bids received for the performance of the Commercial Apron Construction it is in the best interest of the Airport to accept the lowest responsive and responsible bid of Graniterock Vanguard, JV.

NOW THEREFORE BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE MONTEREY PENINSULA AIRPORT DISTRICT: That MPAD contract with the firm Graniterock Vanguard, JV for the Commercial Apron Construction, in the amount not-to-exceed for Bid Schedule A of \$23,806,714.00 and in the amount not-to-exceed for Bid Schedule B of \$17,240,169.83, with a contract total amount of \$41,046,883.83, 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 June 2023, by the following roll call vote:

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

- Approve 8. Amendment to the Professional Services Agreement with C&S Engineers Inc. to Provide Design Support Services for the Safety Enhancement Program (SEP) Taxiway A Relocation – Phase B2 Commercial Apron Construction Observations

Executive Director La Pier introduced Item G.8 and remarked that C&S Engineers designed the ramp and this amendment to their services agreement is for them to support their design through the construction phase of the commercial apron construction. Deputy Executive Director Morello reviewed additional details.

Director Leffel moved to approve the amendment to the professional services agreement with C&S Engineers Inc. to provide design support services for the Safety Enhancement Program (SEP) Taxiway A Relocation – Phase B2 Commercial Apron Construction Observations. Director Pick seconded. The motion passed unanimously by a roll call vote of 5-0.

- Approve 9. Amendment to the Professional Services Agreement with Kimley-Horn and Associates, Inc. to Provide Project Management Services in Support of the Safety Enhancement Program (SEP) Taxiway A Relocation – Phase B2 Commercial Apron Construction Observations

Deputy Executive Director Morello introduced Item G.9 saying Kimley-Horn and Associates will provide project management services for the commercial apron construction project and will be on site to observe and report daily. The bid is within 1% of the independent fee estimate.

No public comment.

Director Leffel moved to approve the amendment to the professional services agreement with Kimley-Horn and Associates, Inc. to provide project management services in support of the Safety Enhancement Program (SEP) Taxiway A Relocation – Phase B2 Commercial Apron Construction Observations. Director Miller seconded. The motion passed unanimously by a roll call vote of 5-0.

- Adopt 10. Resolution No. 1850, A Resolution Ratifying the Emergency Authorization and Allowing Expenditure of Funds for the Purchase of an EV Maintenance Truck

Executive Director La Pier introduced Item G.10 and stated the funds to purchase an electric vehicle truck were in the FY 2024 Budget. The oldest maintenance truck recently expired so the need for a truck is now. Staff recommends the board allow the expenditure of funds immediately.

Director Pick moved to adopt Resolution No. 1850, A Resolution Ratifying the Emergency Authorization and Allowing Expenditure of Funds for the Purchase of an EV Maintenance Truck. Director Leffel seconded.

Staff answered questions regarding possible grant funding, the warranty available on the vehicle that has been sourced, and what means are available to the airport to charge the vehicle.

No public comment.

The motion passed unanimously by a roll call vote of 5-0.

- Action 11. Governance Manual Modifications

District Counsel Huber reviewed the proposed modifications to the Governance Manual. They included modification to the amount of time members of the public may address the board for each item, ensuring

backup material is included in board agendas, a time limit for board meetings, committee and liaison reports being done in writing, and memorialization of the Agenda Action Item Procedure.

Director Sabo objected to the time limit on board meetings and to the written committee report. He also requested modifications be made to assure the Board Chair and Executive Director review the agenda prior to publication and that any director can place an item on the agenda with concurrence of one other director. He distributed his suggested edits which included a handwritten modification to his original suggestion. Director Sabo's suggested additions are to page 11 to add that "any member of the committee may add an item to the agenda prior to the publication deadline", and on page 23 to add "The Board Chair and the Executive Director will review the planned agenda prior to publication", and the addition of the sentence "Any Director may place an item on the agenda with the verbal concurrence of at least one other Director".

Directors discussed the proposed modifications. Director Leffel proposed changes to page 26 to reflect actual practice of staff preparing attendance reports.

Director Pick moved to adopt the modifications to the Governance Manual as recommended by the staff report, Director Sabo's suggestions in his typed handout as edited by hand to say, "The Board Chair and Executive Director will review the planned agenda prior to publication", and the page 26 edit to take out "Directors must" and replace it with "attendance reports must be prepared".

Director Leffel seconded.

Executive Director La Pier asked to consider clarification to page 22, Item 8 A, where it says "must be approved by the Chair" so that it is explicit that the Chair can add to the agenda. District Counsel Huber suggested adding a sentence that says, "The Chair may place an item on the agenda which item has not previously been approved by the board".

Director Pick amended his motion to include the page 22 clarification as suggested by District Counsel Huber. Director Leffel seconded the amended motion.

Director Sabo objected to the suggested time limit to board meetings. Chair Sawhney explained her reason for being in favor of the time limit described in Item 3 of the staff report. District Counsel read from the staff report that "any item shall be continued to the next meeting unless a majority of the board directs otherwise", which gives the board the latitude to continue. Director Sabo stated concern about a majority cutting off debate. District Counsel Huber explained a board member can always move to end debate. Once seconded it requires an immediate vote with no discussion. Director Miller moved to end debate. Director Pick seconded. The motion to end debate carried by a roll call vote of 4-1 with Director Sabo voting no.

The amended motion to approve modifications to the Governance Manual passed by a roll call vote of 4-1 with Director Sabo voting no.

RESOLUTION NO. 1850

A RESOLUTION RATIFYING THE EMERGENCY AUTHORIZATION AND ALLOWING EXPENDITURE OF FUNDS FOR THE PURCHASE OF AN EV MAINTENANCE TRUCK

WHEREAS, the maintenance department 2003 Ford Ranger transmission has failed and the vehicle is no longer usable; and

WHEREAS, with the inoperability of the current truck, staff found a Ford F150 Lightning XLT EV

through Car Max with only 5,000 miles that is available for purchase and EV trucks are very difficult to locate and usually are not in the dealership for very long, and

WHEREAS, the FY23 CIP budget Project 2022-03 Vehicle Replacement will be increased by \$80,000 for a total of \$163,000; and

WHEREAS, the FY23 Project 2020-14 will be decreased by \$80,000 for a total project budget of \$270,000; and

WHEREAS, with the combined changes to the two projects listed above there is no change to the total FY23 CIP budget; and

WHEREAS, the emergency authorization requires the approval of the Board of Directors of the Monterey Peninsula Airport District.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE MONTEREY PENINSULA AIRPORT DISTRICT: The Board of Directors of the Monterey Peninsula Airport District does hereby ratify, authorize, and approve the expenditure estimate of \$80,000 for the purchase of a Ford F150 Lightning XLT EV.

PASSED AND ADOPTED BY THE BOARD OF DIRECTORS OF THE MONTEREY PENINSULA AIRPORT DISTRICT: This 21st day of June 2023 by the following roll call vote:

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

Presentation 12. Drone and Balloon Update

Chair Sawhney suggested Closed Session come prior to Item G. 12 and Item G.13 since one Director must leave at 2:00 PM. The board concurred.

I. CLOSED SESSION

- 1. POTENTIAL LITIGATION.** 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.
- 2. REAL PROPERTY NEGOTIATIONS.** 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.
- 3. QUARTERLY GOAL UPDATE.** Pursuant to Gov. Code section 54957(b)], the Board will meet with the Executive Director and District Counsel to consider the quarterly goal update related to the following position: Executive Director.

District Counsel Huber stated Chair Sawhney would recuse herself from Item I.2. The board entered Closed Session at 12:29 PM.

J. RECONVENE TO OPEN SESSION

The board reconvened to Open Session at 2:05 PM. District Counsel reported that Chair Sawhney was excused from discussion for Items I.1 and I.2, Director Leffel left the meeting at 12:45 PM, and Director Pick left the meeting at 2:00 PM. There was no reportable action taken in Closed Session.

Presentation 12. Drone and Balloon Update

Director Miller recommended this item be tabled until there is a full board present. The board concurred.

Discuss 13. Current Police Services Contract

Item G.13 was covered in previous discussions.

H. BOARD COMMITTEE REPORTS AND ACCEPTANCE OF DEPARTMENT REPORTS

Standing Committees:

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

b. Ad-Hoc Committees:

- | | |
|-------------------------------|--------------------------|
| i. Local Jurisdiction Liaison | Director Sawney & Leffel |
|-------------------------------|--------------------------|

c. Liaison/Representatives:

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

Director Sabo reiterated a prior suggestion to include in the Operations "Cancellations and Delays" report a notation of where a commercial flight cancellation or delay originates.

K. PENDING REQUESTS FOR FUTURE AGENDA ITEMS

- Receive Report on Emergency Procedures and Preparedness
- Consider Revision to Board Governance Manual – Board Chair Review of Agendas Prior to Posting
- Consider Revision to District Contracting Procedures – RFPs to Stipulate that Proprietary Cost Data is to be Submitted Separately from the Main Proposal Document
- Consider Revision to Board Governance Manual – All RFPs for Services or Capital Projects to be Posted Prominently on the Website and Remain Posted until Awarded or Withdrawn

The pending request to "Consider Revision to Board Governance Manual – Board Chair Review of Agendas Prior to Posting" was disposed of during Item G.11.


L. DISCUSSION OF FUTURE AGENDAS

None.

M. ADJOURNMENT

The meeting adjourned at 2:13 PM.

*Approved at the
Meeting of July 19, 2023*



Mary Ann Leffel, Chair Pro Tem

ATTEST



*Michael La Pier, AAE
District Secretary*