

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

August 12, 2020 - 9:00 AM

## SPECIAL AND URGENT NOTICE ELIMINATING IN-PERSON PUBLIC PARTICIPATION AT MONTEREY PENINSULA AIRPORT DISTRICT BOARD MEETINGS

Due to the directives contained in the Governor's Declarations of Emergency for the State of California (Executive Orders N-25-20 and N-29-20), and the Governor's and County Public Health Officer's recent order related to public assemblies, the Board of Directors of the Monterey Peninsula Airport District is required to limit in-person attendance at the upcoming Board meeting. Members of the public may utilize alternative measures established by the Monterey Peninsula Airport District to listen to Board meeting and/or to communicate your opinions to the Board Members.

To participate in the Board meeting via Zoom video conference, please visit [www.zoom.us/join](https://www.zoom.us/join) and enter the following Meeting ID: 810 1281 3962. If you do not have access to the internet, you may also participate telephonically by calling (253) 215-8782 and entering the same Meeting ID. Members of the public who wish to provide comment on an item on the agenda may do so during the meeting prior to the item being considered by the Board, as outlined below.

**REMOTE PUBLIC COMMENTS** To make a public comment, the following options are available:

1. Before the Meeting via Email: Written comments can be emailed to [info@montereyairport.com](mailto:info@montereyairport.com). Include the following subject line: "Public Comment Item # (insert the agenda item number relevant to your comment)." Written comments must be received by 8:00 AM on the day of the meeting. All submitted comments will be provided to the Board for consideration and will be compiled as part of the record. The written comments will not be read aloud into the record but will be part of the administrative record.
2. During the Meeting via Oral Comments: When the Chair calls for public comment, attendees can queue to speak with the "Raise Hand" feature. On the Zoom application, click the "Raise Hand" button. On the phone, press \*9. The Secretary to the Board will call speaker names and unmute speaker microphones. You will have up to 3 minutes to provide your oral comments, pursuant to Board policy. Please do not use the chat or Q&A features, if available, to put a comment on record. These resources are for tech support only and any comments made there will not be included in the administrative record.

### A. CALL TO ORDER/ROLL CALL

*Chair Leffel called to order the Regular Meeting of the Board of Directors at 9:07 AM. Directors Cursio, Miller and Sabo were present. Director Sawhney arrived at 9:30 AM. The following District Officers were present: Executive Director La Pier, District Counsel Huber, Acting District Secretary Auker, Deputy Executive Director Bergholz and Deputy Director Morello.*

### B. PLEDGE OF ALLEGIANCE

*Chair Leffel led the Pledge of Allegiance.*

### C. COMMUNICATIONS/ANNOUNCEMENTS/INFORMATIONAL ITEMS

*None.*

### D. PUBLIC COMMENTS

*Public comments received via email prior to the start of the meeting are included as Attachment "A".*

*Ken Rutherford, resident of Del Rey Oaks, stated that he appreciated the opportunity to speak and that he was simply requesting that the Board, in the spirit and intent of the Brown Act, make all the meetings of the Board and all the Committee and Special Meetings recorded and have them available to the public on the website. He stated that these are public meetings and the timing of the meetings is when many people are working and unable to attend but he noted that there is interest from the public and those around him. He added that making what is said at these meetings available is very important and*

it should not require much added work or resources from staff, especially during this time of Zoom meetings. He stated that he is also discouraged by those who were currently in the Board Room for the meeting not wearing masks when they are in close contact. He added that he hopes from here on out that they will stay properly distanced, and noted that the County is doing a good job of encouraging people to wear masks when they are in the office, so to see the Chair not having a mask when someone is at her computer is disheartening when we are all making an effort.

Kimberley Shirley, resident of Del Rey Oaks, thanked everyone for allowing her comment. She stated that she would like to comment on some concerns that some of their residents have that they are sharing with each other about low flying aircraft and aircraft that are making turns sooner than they are supposedly allowed. She stated that these issues are affecting the health and welfare of these residents and they are very concerned. She noted that she understands that the airport can not control the aircraft after they leave the airport, but in the executive summary of the noise exposure map in 2008, regular pilot briefings are mentioned, so she is wondering if those do occur to disseminate pilot information and public concerns. She also stated that because that document is 12 years old, she wonders when the airports next opportunity will be to look at noise. She added that it seems like the perfect time for public education and outreach and noted that their mayor in Del Rey Oaks has brought up the idea of a community roundtable for the airport and she strongly urges the airport to consider this opportunity so the jurisdictions can be brought together and there can be an opportunity for communication. She stated that they would like to hear from the airport and she knows there are also residents who have had problems with some of the nighttime construction, so it would be great to be briefed on when that will happen and how long it will last. She added that it would be the neighborly thing to do, she would honestly like to hear that and she would like to hear more communication from the airport directly to Del Rey Oaks and she strongly encourages that community roundtable opportunity.

Douglas Mackenzie, resident of Del Rey Oaks, thanked the Board for the opportunity to address them. He stated that he had two matters that he would like to discuss that are not on the agenda. First, he stated that he filed a public records act request a couple weeks ago requesting a recording of a meeting and the response he received was that the meeting was not recorded. He noted that he could see in that moment that the meeting is being recorded and under the Brown Act, any such meeting recording needs to be kept for 30 days. He stated that he is upset about that and it makes him suspicious. He stated that the second matter regards Director Sabo and added that he noticed on the elections website that he does not list a residence and his mailing address is 10 Harris Court, which is in District 2. He stated that on the face of it he does not see that he is eligible to run for his position.

Wayne Marien, resident of Del Rey Oaks, thanked the Board for the opportunity to say a few words. He stated that he would like to read a complaint that he filed with the FAA regarding a low flying aircraft, so the Board is up to speed on what is happening in Del Rey Oaks. He read: "At 6:30 PM on June 26, 2020 a very low flying prop aircraft flew fast over our house in a northerly direction. Of course, it was impossible to get an ID number or visual contact because of the speed. We thought we were about to experience a crashing aircraft. This is the lowest and loudest and scariest that we have experienced in eight years of living in Del Rey Oaks. The low flying aircraft have followed this take off pattern in the past and this was the very lowest." He added that he would also like to read again a regulation that refers to this low flying aircraft, and it is 14CFR Part 91 Section 91.119B. He read: "Over congested areas, over any congested area of a city, town or settlement or any open air assembly of persons, an altitude of one thousand feet above the highest obstacle within a horizontal radius of two thousand feet of the aircraft." He reiterated that this was a scary situation and he hopes the airport does some self-regulation with these low flying aircraft that they are experiencing. He added that they seem to be getting more and more of these smaller aircraft flying over Del Rey Oaks at a low altitude.

## **E. CONSENT AGENDA - ACTION ITEMS**

(The Consent Agenda consists of those items which are routine and for which a staff recommendation has been prepared. A Board member, member of the audience or staff may request that an item be placed on the deferred consent agenda for further discussion. One motion will cover all items on the Consent Agenda. The motion to approve will authorize the action or recommendation indicated.)

- Approve      1. Minutes of the Committee Meeting of the Air Carrier Service, Marketing and Community Relations Committee of July 10, 2020
- Approve      2. Minutes of the Committee Meeting of the Budget and Finance Committee of July 13, 2020
- Approve      3. Minutes of the Committee Meeting of the Airport Property Development and Leases Committee of July 13, 2020
- Approve      4. Minutes of the Regular Meeting of July 15, 2020
- Approve      5. Minutes of the Special Meeting of July 30, 2020

*Public Comment:* Douglas Mackenzie, resident of Del Rey Oaks, requested to pull Item E.5 from the Consent Agenda.

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

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

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

Consent Agenda Item E.5, Minutes of the Special Meeting of July 30, 2020, was pulled.

*Public Comment:* Douglas Mackenzie, resident of Del Rey Oaks, stated that he would like to make a comment related to the matter of the agreement to engage the services of a law firm to commence litigation against the manufacturer of PFAS to recover the costs to clean up PFAS at the airport. He commented that he checked the Water Board's website and he has not seen any orders, so he is surprised and curious about the timing.

Director Cursio moved to approve the Minutes of the Special Meeting of July 30, 2020. Director Miller seconded the motion. The motion passed unanimously by a roll call vote of 5-0.

## **G. REGULAR AGENDA - ACTION ITEMS**

- Adopt      1. Resolution No. 1781, A Resolution of the Monterey Peninsula Airport District to Approve and Certify the Addendum to Final Environmental Impact Report, the Mitigation Monitoring and Reporting Program, and Related CEQA Findings and Statement of Overriding Considerations, for the Minor Project Modifications to the Approved Monterey Regional Airport Master Plan

District Counsel Huber introduced Item G.1 and G.2. He stated that the Monterey Peninsula Airport District (District) certified the Airport Master Plan (AMP) Environmental Impact Report (EIR) on November 26, 2018 and since then, the Airport has determined that minor changes and modifications to the approved AMP are beneficial. He noted that the minor changes to the approved AMP that are part of the Project are discussed in Section 4 of the Addendum and added that these minor changes to

the approved AMP reduce short term program construction-related vehicle trips, reduce short term program operational vehicle trips, and reduce construction and operational air quality emissions and greenhouse gasses.

Judi Krauss, Coffman Associates, presented Items G.1 and G.2. She discussed the AMP objectives, AMP short-term projects, details of the EIR addendum, proposed project modifications, comparison of phasing for short-term project components, and details of the revised environmental evaluation. She finished the presentation with a sequence of addendum certification and project approval agenda item protocols for each of the proposed resolutions.

Chair Leffel opened the Item up for public comment.

Public Comment: Jean Rasch, member of the public, thanked the Board for the opportunity to comment and gave her best personal regards to Chair Leffel and noted that she looks forward to their positive interactions over the next few months. She stated that the purpose of the CEQA is to increase knowledge to the public and engagement by the public and increase transparency for the broad better outcome of projects of all regards. She stated that she disagrees that the proposed changes to the certified EIR are minor and she thinks there are some concerns that might benefit from more dialogue with the community and she would encourage the Board to reach for an amendment that would require an EIR so that there can be more engagement. She added that this is additionally a hard time with COVID, and she has only had thirty-six hours to review the document and she thinks the mayor of Del Rey Oaks has had about two days, and that is not ample enough. She highlighted the following three areas that she is concerned about: 1.) She thinks the continuing access via Airport Road is a significant effect and it has an impact and it would fail under the Section 15.162 and 15.164 CEQA guidelines. She stated that it has new impacts on the program that was supported in 2018 and it would fail the threshold of 4.16-1 as it conflicts with applicable plans for transportation circulation and it is against the CONA neighborhood plan and the Monterey General plan. 2.) She is concerned that there are significant environmental changes on page 2784, the removal of 565 coastal live oaks concerns her personally. She noted that she sees they will be taken from the soil deposition area and she thinks they could have discussion about reworking that and finding a different area for soil deposition. She added that fails the threshold 4.4-2 and will have an adverse effect on a sensitive natural community, even with the offsets in the plan. 3.) She stated that she is concerned about the ARFF decisions, noting that she appreciates Ms. Krauss's explanation, and it did help, but there is no discussion about the 1.3-1.5 million in fees that they are coming from Monterey and she would like to see some figures on how that offset would be coming to the budget of the District.

Public Comment: Hans Uslar, City Manager of Monterey, thanked the Board for allowing him to speak on behalf of the City of Monterey. He stated that their city has been supportive and collaborative partners with the Airport District for many decades and their business model is based on collaboration, not on confrontation, however, Monterey is always ready and willing to go the extra mile when they feel the interest of their neighbors and businesses are affected. He stated that their counsel and staff's inputs appear sometimes not to be appropriately recognized, so that is when they are always willing to continue a collaborative discussion with whoever else they need to enter with into. He added that today the Board has to make the decision with how to process this agenda item and added that the City of Monterey submitted to staff their objections to the proposed modifications to the Airport Master Plan and the addendum to the Environmental Impact Report certified for the Airport Master Plan. He stated that their attorney sent the Airport a letter the day before detailing their concerns and he wanted to emphasize that he understands how challenging this is to review and respond to letters from CEQA attorneys with less than 24 hours before Board meetings. He noted that on August 7, 2020 the city learned of the release of the proposed addendum to the Master Plan EIR that reports to analyze the environmental impacts of the project modifications, basically just two days before the District's August 12, 2020 meeting to consider the addendum and just the day before, their office received a letter from the Airport District notifying them of the meeting held on this day. He stated that their impression is that the process is



intentionally designed to discourage and to constrain any meaningful public review process and the District's Board is now being rushed into making a decision with meaningful consideration of any comments on the addendum. He added that he understands that as little as ten minutes ago, they received a response from the Airport's attorney in response to their letter from yesterday afternoon, so that is a clear indication how rushed the process is right now and their hope and objective is to ask the Board to delay this decision and acknowledge their two main concerns that they still have. He stated that those concerns are that there are still significant traffic impacts and that the project will require the city to build a new fire station.

Public Comment: Kimberley Shirley, resident of Del Rey Oaks, stated that she was very happy to see that the Northside Access Road was taken off of the short-term project plan. She noted that she finds it interesting that Ms. Krauss neglected to say that the Northside Access Road has been moved to the long-term project plan. She added that would seem to occur in the long-term plan, which would be ten years from now, but still their impression was that the Airport would take that completely off the plan. She reiterated that Ms. Leffel had come to their city council meeting on March 27, 2020 and she stated that she would like to quote her. She quoted: "There will be no road through Del Rey Oaks that I could possibly imagine why we would need a road through Del Rey Oaks." She also quoted: "No plan in anything now in our twenty year document that will include a road through Del Rey Oaks." She noted that clearly what was stated at the council meeting is in contradiction to the amended Master Plan because the road was moved into the long-term projects, which is within the twenty year span. She added that she was not sure if, as the president of the Board, she was ignorant to the plans moving forward or if she was just not willing to share the truth with them, but they are disappointed by this. She stated that she knows that one of the Master Plan objectives is to produce revenue, and that is what they see the Northside as being, so what happens when the Northside Road is there is the Airport wins and gets all the positives and Del Rey Oaks gets all the negatives from the additional traffic and decades of construction. She stated that she is disappointed, and they feel deceived.

Public Comment: Douglas Mackenzie, resident of Del Rey Oaks, noted that his comment was in regard to the ARFF building. He stated that as far as he can tell from looking at the maps, the ARFF building is one of the locations where PFAS were found in the groundwater at very high levels. He added that he noticed in the presentation that was not mentioned and he finds that curious.

Public Comment: Ken Rutherford, resident of Del Rey Oaks, stated that he would also ask that the pause button be pushed here and that there does seem to be some significant issues being raised with this new amendment. He added that he is primarily concerned with a lot of the contradictions that he seems to see in the amendment with some of the comments made by Chair Leffel on March 27, 2020 to the residents of Del Rey Oaks and he would like to be able to take the time to carefully review this, those comments and the plans previously submitted to carefully study this and to see. He noted that he agrees that these are not insignificant changes and he thinks there is also some new information that the airport has received regarding the groundwater contamination. He also added that one thing that had just been brought up a moment ago was the comments that there would be a looped service road around the airport and that contradicts what Chair Leffel said with respect to the service road on the North side. He added that there was also consideration of the ARFF building being relocated on the South side and not using the Airport Road but utilizing some other access through Monterey. He added that there were also discussions at the last meeting with respect to jurisdiction changes that the airport is suggesting will occur with the City of Monterey, taking in this new property that the airport has acquired, he is just wondering, will the ARFF also be providing fire and emergency services to the parcels that the airport is proposing they take over from the City of Monterey.

Public Comment: Mike Brassfield, resident of CONA, stated that a lot of his comments would reflect what Jean Rasch and Hans Uslar had said. He added that one of the things he has noted about the airport over the years is that the staff works on projects and then the Board is rushed to meet FAA mandates on time, which leads to the situation that they are seeing right now, where they are asked to

make modifications to a plan that started in 2015. He stated that it was highly advised at that time that new access be given if there were to be any changes to the North side, and they are seeing those suggested here, and that access would be through Del Rey Gardens. He noted that the airport bought property to ensure that access. He added that this Board is used to certain brevity and shortcuts and he suggests that the Board be careful of their shortcuts.

Public Comment: Frederica, member of the public, thanked the Board for the opportunity to speak. She stated that she would like to piggy-back on Mr. Usler's comments as far as the lack of timing on this report. She noted that the Del Rey Oaks officials were not specifically notified about this report, even though it effects all of the residents of Del Rey Oaks, where some of the residents of Monterey will not be affected as much as those living near the airport. She added that, as being good neighbors, they would have thought that there would have been more timely notice for everyone to review and have input and it was only by a handful of persons who are monitoring the agendas and meetings that it was know that there was going to be discussion on this road through Del Rey Oaks. She stated that even though it is not in the short-term, it still has not been removed from the long-term and that was a misrepresentation from what they heard at their March 27, 2020 meeting with Ms. Leffel. She added that being good neighbors is communicating and being open and transparent with your neighbors as far as your plans and your intent and they would hope that they could have that dialogue to be more transparent with the effects that it has on Del Rey Oaks.

Public Comment: Ande Flower, Principal Planner for the City of Monterey, stated that she would also like to acknowledge support from the City of Hans Usler's comments and would like to continue to state that they have great concerns for traffic analysis, as stated in their letter. She requested that the Board take this into consideration and delay their decision until things are adequately addressed.

Public Comment: Richard Rucello, president of the Casanova Oak Knoll Neighborhood Association, stated that he agrees with Mr. Usler and Ms. Rasch that this is a major change to the EIR and CEQA should require an amendment, not an addendum. He added that they need more analysis of the economic changes in moving the fire department and the additional staff that the airport would need to hire that is different from their contract. He added that the Stone Creek Shopping Center is also not listed as a n access point and the difference in the construction costs is also not stated, and the legality of the prohibition of the Airport accessing 218 is not discussed. He asked if it is legal for Del Rey Oaks to prohibit the airport's access to 218. He stated that for those reasons, more analysis is needed and a larger period of time for the public to participate is needed.

Public Comment: Andrea Renny, City Traffic Engineer for the City of Monterey, thanked the Board for the opportunity to speak. She stated that they are aware and have been participating in the process, but as noted in their comments in their letters, some of the traffic issues that they have brought up have still not been addressed. She noted that there are some inconsistencies with some of the CalTrans plans and TAMC plans and she would also like to point out that the assumption that a new site that the city would pick for a fire station that would be exempt and that they would have no impacts seem to be speculation and not substantial evidence. She added that they would also like to point out that the attorney letter they received from the airport claims that the Northside Road would require a general plan amendment from the City of Del Rey Oaks, but the letter also states that the District is exempt from local plans and policies, so they would like to see their comments addressed and more time to actually provide feedback.

A break was taken from 10:12 AM to 10:17 AM.

The Board provided comments on the proposed resolutions.

Director Cursio moved to adopt Resolution No. 1781. Director Miller seconded the motion.

*Director Sabo commented on the motion, stating that he would like to make it clear to the public, as well as staff and consultants, that he was very concerned with comments suggesting that, as a District, they were participating in a "bait and switch operation" to defeat the public. He noted that it is important for all members of the public to know that the Board members are elected officials and they have a responsibility to their constituents as well as to their neighbors and the objectives of the airport. He added that the Airport provides a vital service to the community and is a vital public agency that serves the entire region, and all of the Board's comments and concerns are aimed at balancing the needs of the constituency as well as the needs of the Airport. He stated that he wanted to assure the Airport's neighbors that their concerns have been heard and moving forward, he is convinced that the issue of traffic on Airport Road has been addressed and traffic has and will be reduced. He noted that he respects everyone's opinions, but the Board cannot overlook the data that has been provided. He also stated that the current fire operation is a share capability with the City of Monterey, but the Airport does not need the shared capability with the City of Monterey, the only need is for the ARFF station to serve the Airport and if the shared services does not work well with the Airport's neighbors, then the Board needs to continue to protect the Airport with fire suppression and EMS services. Finally, he stated that moving forward, he is convinced that this addendum to the project is appropriate and the modifications to the Airport Master Plan are consistent with the FAA's mandate regarding Del Rey Gardens Road and the proposal to use Airport Road is appropriate, it is consistent with what has been done in the past, and in consideration of the Airport's neighbors, traffic has been reduced. Director Miller echoed similar comments to those made by Director Sabo.*

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

#### **RESOLUTION NO. 1781**

#### **A RESOLUTION OF THE MONTEREY PENINSULA AIRPORT DISTRICT TO APPROVE AND CERTIFY THE ADDENDUM TO THE FINAL ENVIRONMENTAL IMPACT REPORT, THE MITIGATION MONITORING AND REPORTING PROGRAM (UPDATED AUGUST 2020), AND RELATED CEQA FINDINGS AND STATEMENT OF OVERRIDING CONSIDERATIONS, FOR THE MINOR PROJECT MODIFICATIONS TO THE APPROVED MONTEREY REGIONAL AIRPORT MASTER PLAN**

**WHEREAS**, on November 26, 2018, by Resolution No. 1730 the Monterey Peninsula Airport District (District) Board certified Monterey Regional Airport Master Plan (AMP) Final Environmental Impact Report (SCH#2015121105) (AMP EIR) as complete and adequate in that it addresses all environmental effects of the Proposed Project, Alternative 1, and the other alternatives and fully complied with the requirements of the California Environmental Quality Act (Public Resources Code Section 21000 *et seq.*) (CEQA), and adopted related CEQA Findings for Unavoidable and Significant Impacts, a Statement of Overriding Considerations, and a Mitigation Monitoring and Reporting Plan (collectively "CEQA Findings"); and

**WHEREAS**, also on November 26, 2018, by Resolution No. 1731 the District Board approved the AMP EIR's Environmentally Superior Alternative (Alternative 1) as the Monterey Regional AMP; and

**WHEREAS**, the District has identified minor modifications (Project) to the Monterey Regional AMP, which are described and depicted in Section 4 of the Addendum to the AMP EIR; and

**WHEREAS**, in compliance with CEQA and the State CEQA Guidelines (14 Cal Code Regs. 15000 *et seq.*), District staff has evaluated the environmental ramifications of the Project modifications to the approved AMP; and

**WHEREAS**, District staff, with the assistance of its environmental consultant (Coffman Associates), has prepared an Addendum dated August 2020 to the previously certified AMP EIR in

accordance with State CEQA Guidelines Section 15164 to address the potential environmental impacts associated with the Project; and

**WHEREAS**, the Addendum concludes the previously certified AMP EIR addresses all impacts associated with implementation of the Project; and

**WHEREAS**, the Addendum concludes that any potential environmental impacts associated with the Project modifications to the approved AMP were identified within the scope of the previously certified AMP EIR, and that the environmental ramifications associated with the Project minor modifications to the approved AMP are the same as, comparable to, or less than those identified in the previously certified AMP EIR. Relatedly, none of the triggering parameters calling for preparation of a subsequent or supplemental EIR pursuant to State CEQA Guidelines Sections 15162 and 15163 have occurred; and

**WHEREAS**, the Addendum further finds that no new or substantially more severe environmental effects would result from the Project modifications; and

**WHEREAS**, the Addendum concludes that no new information has been presented regarding the Project's environmental effects that give rise to any new or more severe environmental effects than were previously identified in the certified AMP EIR; and

**WHEREAS**, on August 7, 2020, the District provided notice of the public meeting on approval of the minor modifications of the Project to the approved AMP scheduled for August 12, 2020, in accordance with the Ralph M. Brown Act, Government Code Section 54950, *et seq.*; and

**WHEREAS**, on August 7, 2020, District staff provided to the District Board copies of the entire Agenda packet for the August 12, 2020 Board public meeting. The materials included (1) the proposed Addendum to the AMP EIR, together with all appendices and documents incorporated therein directly and by reference, (2) the District Board Report and attachments to it, and (3) the full AMP EIR and District Board Report for the public meeting held on November 26, 2018, relating to the approved AMP, including the CEQA Findings for Unavoidable and Significant Impacts, the Statement of Overriding Considerations, and the Mitigation Monitoring and Reporting Program (updated August 2020) attached therewith; and

**WHEREAS**, the District Board members have reviewed and considered all such materials identified immediately above; and

**WHEREAS**, in accordance with CEQA Guidelines Sections 15162 and 15164, the District Board analyzed the potential impacts of the Project and determined that the Addendum to the AMP EIR is the appropriate environmental review document for the Project, and that the Addendum and Mitigation Monitoring and Reporting Program (MMRP) (updated August 2020), CEQA Findings for Unavoidable and Significant Impacts, and the Statement of Overriding Considerations for the Project were prepared in compliance with the provisions of the CEQA; and

**WHEREAS**, the District Board considered the Addendum for the Project modifications, along with the previously certified AMP EIR, and, based on its independent judgment and analysis, agrees with the conclusions reached in the Addendum; and

**WHEREAS**, the full record of proceedings on which this decision on the Addendum is based includes, but is not limited to, the full AMP EIR and District Board Report for the public meeting held on November 26, 2018, relating to the approved AMP, including the CEQA Findings for Unavoidable and Significant Impacts, the Statement of Overriding Considerations, the MMRP (updated August 2020), and the Addendum and related District Board Report; and



**WHEREAS**, on August 12, 2020, the District Board held a noticed public meeting and considered all information related to the CEQA analysis for the Project, including reports and attachments prepared or presented by staff, all public comment and oral and written testimony, and the full record of proceedings on the Project to date.

**NOW THEREFORE BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE MONTEREY PENINSULA AIRPORT DISTRICT THAT:**

1. The above recitals are true and correct, and are incorporated in full herein by reference.
2. The Addendum to the AMP EIR, the CEQA Findings for Unavoidable and Significant Impacts, the Statement of Overriding Considerations, and MMRP (updated August 2020) for the Project, were prepared and processed by the District in accordance with CEQA and the CEQA Guidelines. The District Board finds the proposed Addendum to the AMP EIR, the CEQA Findings for Unavoidable and Significant Impacts, the Statement of Overriding Considerations, and the MMRP (updated August 2020) for the Project and approved AMP, are competent, comprehensive and have been completed in compliance with CEQA and the CEQA Guidelines.
3. The District Board independently reviewed the proposed Addendum to the AMP EIR, the CEQA Findings for Unavoidable and Significant Impacts, the Statement of Overriding Considerations, and the related MMRP (updated August 2020) for the Project and approved AMP, and exercised overall control and direction over the preparation of those materials. Pursuant to CEQA Guidelines Section 15090(a)(3), the Addendum to the AMP EIR, the CEQA Findings for Unavoidable and Significant Impacts, the Statement of Overriding Considerations, and the MMRP (updated August 2020) for the Project and approved AMP reflect the independent judgment and analysis of the District.
4. Based on substantial evidence in the record, the District Board hereby certifies, approves and adopts the Addendum to the previously certified AMP EIR prepared pursuant to State CEQA Guidelines Section 15164, as described herein. The District Board also finds that preparation of a subsequent or supplemental EIR pursuant to State CEQA Guidelines Sections 15162 and 15163 is not required for the reasons set forth above and further substantiated in the Addendum.
5. Based on substantial evidence in the record, and pursuant to CEQA Guidelines Section 15091, the District Board hereby affirms, ratifies, incorporates by reference and adopts the CEQA Findings for Unavoidable Significant Impacts approved by Board Resolution No. 1730 relating to approval of the AMP EIR (which Findings are found at the link on page 2 of the Staff Report for the August 12, 2020, District Board meeting regarding the Addendum). For reasons shown in the Addendum, the previously adopted CEQA Findings for Unavoidable Significant Impacts overstate the environmental ramifications of the approved AMP as revised by the Project modifications in certain respects. However, as the Project modifications do not increase the environmental ramifications of the approved AMP, revision to the CEQA Findings for Unavoidable Significant Impacts is not required. The District Board finds, concludes and determines that such CEQA Findings for Unavoidable Significant Impacts remain valid and applicable to the current Project and the related Addendum to the AMP EIR, although the environmental impacts have been lessened or postponed in some respects compared to the those identified in the AMP EIR. The unavoidable effects of the identified impact items are deemed acceptable when balanced against the overriding benefits of the approved AMP as modified by the Project as set forth in the Statement of Overriding Considerations discussed below.
6. Based on substantial evidence in the record, and pursuant to Public Resources Code Section 21081.6 and CEQA Guidelines Section 15097, the District Board hereby affirms, ratifies, incorporates by reference and adopts the MMRP (updated August 2020) for the Addendum and AMP EIR (which updated MMRP is found at Attachment B of the Staff Report for the August 12, 2020, District Board meeting regarding the Addendum). The District Board adopts and incorporates as conditions to

approval of the Project, which shall be fully enforceable, all of the mitigation measures discussed in the MMRP (updated August 2020) and directs that all such mitigation measures be implemented at a time and in a manner consistent with the approved AMP as modified by the Project and as stated in the MMRP (updated August 2020).

7. Based on substantial evidence in the record, and pursuant to CEQA Guidelines Section 15093(b), the District Board hereby affirms, ratifies, incorporates by reference and adopts the Statement of Overriding Considerations approved by Board Resolution No. 1730 relating to approval of the AMP EIR and the Addendum (which Statement is found at the link on page 2 of the Staff Report for the August 12, 2020, District Board meeting regarding the Addendum). The District Board finds, concludes and determines that such Statement of Overriding Considerations remains valid and applicable to the Project and the related Addendum to the AMP EIR. Further, based on substantial evidence in the record, the District Board finds, concludes and determines that the unavoidable potentially significant adverse environmental impacts of the Project (as lessened compared to those of the approved AMP) are acceptable in light of the various economic, social and technological benefits discussed in the Statement of Overriding Considerations approved by Board Resolution No. 1730.

8. Staff is hereby directed to file a Notice of Determination in accordance with CEQA within five working days of these approvals.

9. The custodian of the documents or other materials that constitute the record of proceedings upon which this decision is based is Chris Morello, Deputy Director of Strategy and Development, Monterey Peninsula Airport, 200 Fred Kane Drive, Suite 200, Monterey, CA 93940.

**PASSED AND ADOPTED BY THE BOARD OF DIRECTORS OF THE MONTEREY PENINSULA AIRPORT DISTRICT:** This 12th day of August 2020, by the following roll call vote:

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

Adopt 2. Resolution No. 1782, A Resolution of the Monterey Peninsula Airport District to Approve the Minor Project Modifications to the Monterey Regional Airport Master Plan

*No additional information was presented.*

*Chair Leffel opened the Item up for public comment.*

*Public Comment:* Ken Rutherford, resident of Del Rey Oaks, stated that he would like to incorporate a lot of Kimberley Shirley's comments that were previously made regarding the planned road through Del Rey Oaks and the comments that were made by the Chair at their March 27, 2020 Del Rey Oaks City Council meeting. He also wanted to quote her at another point in that meeting, where she said "I am about as honest as they come, sometimes even to a fault, and there is nothing on anyone's mind that they are going to make a road through DRO. Period, end of story." He stated that it seems now that there was either dishonesty there or just a lack of information from the Chair when she spoke to us and the residents of Del Rey Oaks, because it appears that the project has just been shifted from short-term to long-term. He added that he thinks their mayor even questioned the Chair about any intentions ever of putting a road through Del Rey Oaks and the Chair said as long as she is on the Board, it is not going to happen, but she can not tie the hands of future Board members, but that there was nothing in any plans that she was aware of that would indicate a road being put through Del Rey Oaks providing access to the Airport. He noted that unfortunately, their neighbors, CONA, seem at odds with Del Rey Oaks,

*and it is a shame because it would be nice for them to work together on a solution that would be beneficial to the Airport and to the residents of CONA and to Del Rey Oaks. He stated that he thinks there could be solutions, that the Airport has purchased property on Highway 68 and that is why he was asking whether the ARFF would be providing services there, because you would have to cross the runway to access those properties to provide service so he thinks it would be short-sided not to consider a South side location for the ARFF that would service the Airport directly and exclusively, but also to the land and the parcels that have been purchased. He stated that he is concerned about the long-term project and why the Northside Road through Del Rey Oaks is still considered after the statements made by the Airport and by the Board, and if there is concern about a comment made by someone about a "bait and switch", to please understand and go back and watch the March 27, 2020 Del Rey Oaks meeting, that it is available for anyone to see, to look at this project, to look at what has been told to the public, both CONA and the Del Rey Oaks residents, and the Board will understand why they are concerned, because there seems to be a shift based on what is needed at the time.*

*Public Comment: Kimberley Shirley, resident of Del Rey Oaks, stated that she wanted to reiterate things that Mr. Rutherford has already spoken to. She stated that it was mentioned that the FAA asked the Airport to take out the access road from the short-term projects because it was against their (Del Rey Oaks) general plan, and because that is the case she finds it odd that it was moved to the long-term projects. She stated that it seems like they are not planning on changing their general plan and it seems like it would be beneficial for the Airport to just take it out altogether and to find a solution for access to the North side that would both benefit Del Rey Oaks and also Monterey and Casanova, since they are both interested in not having additional traffic going through their neighborhoods. She asked that, if the Board can, as they go forward with these projects, that they think about using Highway 68 or some other route.*

*Public Comment: Douglas Mackenzie, resident of Del Rey Oaks, stated that he would once again like to address the PFAS, commonly known as forever chemicals because they do not degrade in the environment. He also wondered if Ms. Krauss would link him to FAA comments regarding PFAS, because he commented and he did not receive anything from anybody.*

*Director Cursio moved to adopt Resolution No. 1782. Director Sawhney seconded the motion. The motion passed unanimously by a roll call vote of 5-0.*

## **RESOLUTION NO. 1782**

### **A RESOLUTION OF THE MONTEREY PENINSULA AIRPORT DISTRICT TO APPROVE MINOR PROJECT MODIFICATIONS TO THE MONTEREY REGIONAL AIRPORT MASTER PLAN**

**WHEREAS**, on November 26, 2018, by Resolution No. 1730 the Monterey Peninsula Airport District (District) Board certified Monterey Regional Airport Master Plan (AMP) Final Environmental Impact Report (SCH#2015121105) (AMP EIR) as complete and adequate in that it addresses all environmental effects of the Proposed Project, Alternative 1, and the other alternatives and fully complied with the requirements of the California Environmental Quality Act (Public Resources Code Section 21000 *et seq.*) (CEQA), and adopted related CEQA Findings for Unavoidable and Significant Impacts, a Statement of Overriding Considerations, and a Mitigation Monitoring and Reporting Plan (collectively "CEQA Findings"); and

**WHEREAS**, also on November 26, 2018, by Resolution No. 1731 the District Board approved the AMP EIR's Environmentally Superior Alternative (Alternative 1) as the Monterey Regional AMP; and

**WHEREAS**, the District has identified minor modifications (Project) to the Monterey Regional AMP; and

**WHEREAS**, an Addendum to the certified AMP EIR has been prepared by the District, as the Lead Agency, pursuant to the requirements of CEQA and the State CEQA Guidelines (14 Cal Code Regs. 15000 *et seq.*) to address the potential environmental impacts associated with the proposed Project; and

**WHEREAS**, the Addendum concludes that any potential environmental impacts associated with the Project's proposed minor modifications to the approved AMP were identified within the scope of the previously certified AMP EIR, and that the environmental ramifications associated with the proposed minor modifications are the same as, comparable to, or less than those identified in the previously certified AMP EIR. Relatedly, none of the triggering parameters calling for preparation of a subsequent or supplemental EIR pursuant to State CEQA Guidelines Section 15162 and 15163 have occurred; and

**WHEREAS**, on August 7, 2020, the District provided notice of the public meeting on approval of the minor modifications of the Project to the approved AMP scheduled for August 12, 2020, in accordance with the Ralph M. Brown Act, Government Code Section 54950, *et seq.*; and

**WHEREAS**, on August 12, 2020, this Board independently considered the merits of the Addendum, and approved and certified the Addendum to the AMP EIR (SCH 2015121105), which includes related CEQA Findings for Unavoidable and Significant Impacts, a Statement of Overriding Considerations and a Mitigation Monitoring and Reporting Plan (MMRP) (updated August 2020);

**NOW, THEREFORE, IT BE RESOLVED BY THE BOARD OF DIRECTORS OF THE MONTEREY PENINSULA AIRPORT DISTRICT** that the District, as the proprietor of the Airport:

1. Approves the minor modification of the Project to the approved AMP, as described and depicted in Section 4 of the Addendum to the AMP EIR (SCH#2015121105).
2. Adopts and incorporates as conditions to this approval of the Project all of the mitigation measures discussed in the Mitigation Monitoring and Reporting Program (MMRP) (updated August 2020) related to the Addendum and the AMP EIR, and directs that all such mitigation measures be implemented at a time and in a manner consistent with the approved AMP as modified by the Project and as stated in the MMRP (updated August 2020).
3. Adopts and incorporates as conditions to this approval of the Project that (A) short term program Project construction traffic shall access both sides of the Airport only from the south side via Olmsted Road and Highway 68, (B) heavy truck trips for the delivery of heavy materials and equipment, earth removal, and construction debris removal during the short term Project program construction phase shall use only Olmsted Road and Highway 68 to access the Airport, and (C) month-to-month leases for the leased landscaping storage and other operations on the approximately one acre of the proposed Airport north side soils stockpile areas shall be terminated before occupancy of any of the relocated general aviation hangars on the north side during the short term program. Project conditions (A) and (B) above, as well as mitigation measure TR/mm-9 of the MMRP (updated August 2020), shall be included as required obligations in all applicable construction contracts with vendors for the short term program and shall be enforced by the Airport Operations and Security Departments]. Project condition (C) above shall be enforced by the Airport Finance & Administration Department.

**PASSED AND ADOPTED BY THE BOARD OF DIRECTORS OF THE MONTEREY PENINSULA AIRPORT DISTRICT:** This 12th day of August 2020, by the following roll call vote:

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

Adopt 3. Resolution No. 1783, A Resolution Authorizing a Professional Services Agreement with PFM Financial Advisors LLC to Provide Financial Services Related to the Development of Airport Capital Improvement Projects

*Executive Director La Pier presented Item G.3, giving background on the work that has already been done and stating that the next phase of work will be focused on identifying and analyzing alternative financing approaches and potential supplemental revenue opportunities for the Airport as they relate to the financing of the Terminal Building. He added that the first part of this next phase will be largely exploratory to see what options might be available and determine whether those options are feasible and meet the objectives of the Airport.*

*Director Sabo asked that the Chair suspend the vote on this proposed resolution and defer it to another meeting time when the consultants can be present to answer questions about their proposal. He requested to pull the item from the Agenda for future consideration.*

*The Board chose to move forward with consideration of adoption of the resolution.*

*Director Cursio moved to adopt Resolution No. 1783. Director Miller seconded the motion. The motion passed by a roll call vote of 4-1. Director Sabo voted no.*

### **RESOLUTION NO. 1783**

#### **A RESOLUTION AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT WITH PFM FINANCIAL ADVISORS LLC TO PROVIDE FINANCIAL SERVICES RELATED TO THE DEVELOPMENT OF AIRPORT CAPITAL IMPROVEMENT PROJECTS**

**WHEREAS**, on September 11, 2019 the Board adopted Resolution No. 1762 approving Phase 1 Due Diligence and Preliminary Financial Analysis with PFM Financial Advisors LLC to identify the specific financial data and information required to provide adequate financial evaluations and funding scenarios for the proposed development of the adopted Airport Master Plan Short Term Improvement Projects; and

**WHEREAS**, on March 1, 2019 the District provided notice of solicitation requesting Statements of Qualifications (SOQs) from qualified firms (or Project Team of Firms) interested in providing professional Program Management Services (PM) for the 2018 Airport Master Plan Short Term Improvement Projects; and

**WHEREAS**, based upon review of the experience and qualification data received in response to the SOQs, PFM Financial Advisors LLC was considered qualified to assist with the financial plan development for the Airport.

**NOW THEREFORE BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE MONTEREY PENINSULA AIRPORT DISTRICT:** Authorize the Executive Director to execute a contract to complete Phase 2, Identifying and Analyzing Alternative Financing Approaches and potential supplemental revenue opportunities for the Airport as they relate to the financing of the Terminal Building with the firm of PFM Financial Advisors LLC in an amount not-to-exceed \$136,500.00.

**PASSED AND ADOPTED BY THE BOARD OF DIRECTORS OF THE MONTEREY PENINSULA AIRPORT DISTRICT:** This 12th day of August 2020, by the following roll call vote:

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

**ABSENT: DIRECTORS: None**

Adopt 4. Resolution No. 1784, A Resolution Authorizing the Service Agreement between the Monterey Peninsula Airport District and Intersystems USA Inc.

*Deputy Director Morello presented Item G.4. She stated that the current Multiple User Flight Information Display System (MUFIDS) consists of multiple electronic components that are over 10 years old and are in need of replacement. She noted that the approved Fiscal Year 2021 Capital Improvement Budget included a Passenger Facility Charge (PFC) funded project for the MUFIDS replacement.*

*Director Sawhney moved to adopt Resolution No. 1784. Director Miller seconded the motion. The motion passed unanimously by a roll call vote of 5-0.*

#### **RESOLUTION NO. 1784**

##### **A RESOLUTION AUTHORIZING AND APPROVING THE SERVICE AGREEMENT BETWEEN THE MONTEREY PENINSULA AIRPORT DISTRICT AND INTERSYSTEMS USA INC.**

**WHEREAS**, in 2010 the Monterey Regional Airport installed an Airport Terminal wide Multi User Flight Information Display System (MUFIDS); and

**WHEREAS**, this system is in need of hardware upgrades to both the Digital Display Controllers and Video Screens; and

**WHEREAS**, the Approved Fiscal Year 2021 Capital Improvement Budget included a Passenger Facility Charge (PFC) funded project for the MUFIDS replacement.

**NOW THEREFORE BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE MONTEREY PENINSULA AIRPORT DISTRICT:** That MPAD approve the service agreement with Intersystems USA Inc. in an amount not-to-exceed \$85,000.00 and directs the Executive Director to execute the purchase order.

**PASSED AND ADOPTED BY THE BOARD OF DIRECTORS OF THE MONTEREY PENINSULA AIRPORT DISTRICT:** This 12th day of August 2020 by the following roll call vote:

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

*A break was taken from 12:19 PM to 12:33 PM.*

#### **H. BOARD COMMITTEE REPORTS AND ACCEPTANCE OF DEPARTMENT REPORTS**

*(Report on meetings attended by Board Members at Monterey Peninsula Airport District's expense - AB1234)*

*(The board receives department reports which do not require any action by the board)*

a. Standing Committees:

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



b. Ad-Hoc Committees:

i. Local Jurisdiction Liaison

Directors Leffel & Miller

c. Liaison/Representatives:

- i. Local Agency Formation Commission
- ii. Regional Taxi Authority
- iii. Transportation Agency for Monterey County
- iv. Special Districts Association Liaison
- v. Association of Monterey Bay Area Governments

Director Leffel	Alt: Sawhney
Director Cursio	Alt: Leffel
Director Sabo	Alt: Cursio
Director Miller	Alt: Leffel
E.D. La Pier	Alt: Sabo

*The Board briefly reviewed Committee and Department reports.*

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

- Minimum Standards and Rules and Regulations

*Chair Leffel noted that the Minimum Standards and Rules and Regulations should be presented to the full Board at the September meeting.*

**J. DISCUSSION OF FUTURE AGENDAS**

- Report from Staff on CARES Act Expenditures (Leffel)
- Discussion Regarding Changing Regular Board Meeting Dates from the Second Wednesday of Each Month to the Third Wednesday of Each Month (Sabo)

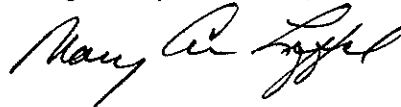
*The September Board Meeting was moved from the 9<sup>th</sup> to the 16<sup>th</sup>.*

*Chair Leffel scheduled a Special Meeting for Wednesday, August 26<sup>th</sup> at 1:00 PM.*

**K. ADJOURNMENT**

*The meeting adjourned at 2:03 PM.*

Minutes Approved at the  
Meeting of September 16, 2020



Mary Ann Leffel, Chair

ATTEST



Michael La Pier, AAE  
District Secretary

# **ATTACHMENT “A”**

Public Comments Received Via Email

**From:** [Anna Foglia](#)  
**To:** [Info](#)  
**Cc:** [conamonterey](#)  
**Subject:** Public comment for today's meeting regarding traffic on Airport Road and the EIR  
**Date:** Wednesday, August 12, 2020 8:18:33 AM

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My name is Anna Foglia and I own the home at 725 Airport Rd. in Monterey. I am just finding out about the decision to move expected traffic from 218 to Airport Rd.. This is a very quiet neighborhood, residential, people walking dogs, children playing, and completely inappropriate for heavy traffic expected by this work at the airport. 218, on the other hand, is more of a business road and won't directly impact the number of homes that will be impacted on Airport Road. I think I tolerate enough noise from the airport. I cannot tolerate this decision as well. Given the proper amount of time for me to review all the documents, I will be following up with letters to city and County officials and whoever else has jurisdiction over this decision or influence in the matter. Thank you, Anna Foglia

Sent from my iPhone