

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

December 16, 2024 - 8:00 AM Pacific Time

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

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

Pursuant to Resolution 1862, members of the public may provide comments remotely for Board Meetings which are held in the Board Room. In the event that remote participation technology is unexpectedly not available, such as during an internet service outage, electrical outage, or other technological issue that prevents remote participation by the public, the meeting will not be continued or cancelled. Remote participation is provided as a courtesy and members of the public who rely upon remote participation to provide public comment do so at their own risk. When the Chair calls for public comment, attendees can queue to speak with the "Raise Hand" feature. On the Zoom application, click the "Raise Hand" button. On the phone, press *9. The Secretary to the Board will call speaker names and unmute speaker microphones. You will have up to 3 minutes to provide your oral comments, pursuant to Board policy.

Members of the public are encouraged to provide written public comment by sending an email to info@montereyairport.com and include the following subject line: "Public Comment Item # (insert the agenda item number relevant to your comment)." Written comments should be received by 7:00 AM on the day of the meeting. All submitted comments will be provided to the Board for consideration and will be compiled as part of the record.

A. CALL TO ORDER/ROLL CALL

Chair Leffel called to order the Special Meeting of the Monterey Peninsula Airport District Board of Directors at 8:04 AM. Directors Chorbajian, Pick, and Miller were present. Director Gaglioti was absent. The following staff were present: Executive Director La Pier, District Counsel Huber, Deputy Executive Director Morello, Deputy Executive Director Robare, Controller Wilson, and Acting Board Secretary Adams.

B. PLEDGE OF ALLEGIANCE

Director Chorbajian led the Pledge of Allegiance.

C. COMMUNICATIONS/ANNOUNCEMENTS/INFORMATIONAL ITEMS

Executive Director La Pier referred to the wind event in the area over the weekend, which caused damage to multiple older airplane hangars, and reported there was also damage to the Portuguese Hall from flying debris.

District Counsel Huber announced staff is asking the board to consider an addition to the agenda. He stated the following item came to the attention of the Airport staff subsequent to the posting of the agenda for this December 16, 2024 meeting. Pursuant to Government Code Section 54954.2, staff is requesting the Board take action to add this item to the agenda. The Action is to amend the agenda to add Item No. G.3, Adoption of Resolution No. 1894, A Resolution of the Monterey Peninsula Airport District Proclaiming the Existence of an Emergency Condition Due to Impacts from the Extreme Weather Events of December 14, 2024 and Delegating Decision Authority to the Executive Director.

Director Miller motioned to add Item No. G.3, as read by District Counsel Huber, to this December 16, 2024 meeting agenda. Director Chorbajian seconded the motion. The motion was unanimously approved by a roll call vote of 4-0 with Director Gaglioti absent.

Director Leffel reported that the Monterey Regional Airport was awarded Best in Class for Professional Services at the recent Carmel Chamber of Commerce Awards of Excellence Dinner event.

D. PUBLIC COMMENTS ON NON-AGENDA ITEMS

None.

E. CONSENT AGENDA - ACTION ITEMS

- Approve 1. Minutes of the Regular Meeting of the Monterey Peninsula Airport District Board of Directors of November 20, 2024
- Approve 2. Minutes of the Budget & Finance Committee of the Monterey Peninsula Airport District Board of Directors of December 9, 2024
- Approve 3. Minutes of the Air Carrier Service – Marketing – Community Relations Meeting of the Monterey Peninsula Airport District of December 10, 2024
- Approve 4. Requests by Director Leffel, Director Miller and Director Pick to Attend the SWAAAE Annual Airport Management Short Course on February 1-5, 2025 in Monterey, CA

No Public Comment.

Director Miller motioned to approve Consent Agenda Items E.1 – E.4. Director Pick seconded the motion. The motion passed unanimously by a roll call vote of 4-0 with Director Gaglioti absent.

F. DEFERRED CONSENT AGENDA - ACTION ITEMS

None.

G. REGULAR AGENDA - ACTION ITEMS

- Adopt 1. Resolution No. 1893, A Resolution Declaring the Results of the Monterey Peninsula Airport District General Election Held November 5, 2024, and Administer Oaths of Office

District Counsel Huber introduced Resolution No. 1893, noting corrections to the Staff Report only to read Mary Ann Leffel in District 3 and Jonathan Ahmadi in District 1.

Director Chorbajian motioned to adopt Resolution No. 1893, A Resolution Declaring the Results of the Monterey Peninsula Airport District General Election Held November 5, 2024. Director Pick seconded the motion. The motion passed unanimously by a roll call vote of 4-0 with Director Gaglioti absent.

The board thanked Director Chorbajian for her attendance, attention, and care and expressed appreciation for her stepping forth to fill the vacancy in District 1.

District Counsel Huber administered the Oath of Office to Directors Leffel and Ahmadi and Director Ahmadi was seated on the dais.

No Public Comment.

RESOLUTION NO. 1893

A RESOLUTION DECLARING THE RESULTS OF THE MONTEREY PENINSULA AIRPORT DISTRICT GENERAL ELECTION HELD NOVEMBER 5, 2024

WHEREAS, a General Election was held on November 5, 2024, in the County of Monterey, State of California, in accordance with the Monterey Peninsula Airport District Act as amended, for the election of three offices, which offices shall be for a full term of four (4) years until each of their successors has been elected and has qualified for such office: Monterey Peninsula Airport District, District 1 Director; Monterey Peninsula Airport District, District 2 Director; and Monterey Peninsula Airport District, District 3 Director; and

WHEREAS, for the office of Monterey Peninsula Airport District, District 2 Director, the only qualified nominee (candidate) was John Gaglioti for the open position and so there were insufficient nominees to cause an election on November 5, 2024; and

WHEREAS, for the office of Monterey Peninsula Airport District, District 1 Director, there were two nominees for the office and, as such, the office appeared on the November 5, 2024 General Election ballot; and

WHEREAS, for the office of Monterey Peninsula Airport District, District 3 Director, there were two nominees for the office and, as such, the office appeared on the November 5, 2024 General Election ballot; and

WHEREAS, pursuant to the Elections Code, upon the completion of the canvass, and prior to the installation of officers, the Board of Directors is required to adopt a resolution reciting the fact that the election was held and declaring the results of the election; and

WHEREAS, the Monterey Peninsula Airport District desires to declare the results of the November 5, 2024 General Election; and

WHEREAS, Gina Martinez, Registrar of Voters, County of Monterey, State of California, certified the appointment of John Gaglioti as Monterey Peninsula Airport District, District 2 Director to serve for a term of four (4) years, and has provided a Certificate of Appointment in Lieu of Election and Oath of Office as described in her letter to the Monterey Peninsula Airport District dated November 22, 2024, attached hereto as "Exhibit A"; and

WHEREAS, Gina Martinez, Registrar of Voters, County of Monterey, State of California, certified the election of Jonathan Ahmadi as Monterey Peninsula Airport District, District 1 Director to serve for a term of four (4) years, and has provided a Certificate of Election and Oath of Office for the nominee as described in her letter to the Monterey Peninsula Airport District dated December 3, 2024, attached hereto as "Exhibit B".

WHEREAS, Gina Martinez, Registrar of Voters, County of Monterey, State of California, certified Maryann Leffel as Monterey Peninsula Airport District, District 3 Director to serve for a term of four (4) years and has provided a Certificate of Election and Oath of Office for the nominee as described in her

letter to the Monterey Peninsula Airport District dated December 3, 2024 attached hereto as "Exhibit C".

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE MONTEREY PENINSULA AIRPORT DISTRICT that the District Secretary is hereby authorized and directed to enter upon the records of the District a statement of the results of said election as follows: John Gaglioti as Monterey Peninsula Airport District, District 2 Director, having been appointed in lieu of an election to serve a term of four (4) years, and that said person hereinabove declared appointed shall be given the Oath of Office to be administered by the District Secretary or his or her appointee.

BE IT FURTHER RESOLVED BY THE BOARD OF DIRECTORS OF THE MONTEREY PENINSULA AIRPORT DISTRICT that the District Secretary is hereby authorized and directed to enter upon the records of the District a statement of the results of said election as follows: Jonathan Ahmadi, as Monterey Peninsula Airport District, District 1 Director, and Maryann Leffel, as Monterey Peninsula Airport District, District 3 Director, each being a duly qualified person and having duly filed Nomination Papers, and having each been certified as elected to the said office to serve for a term of four (4) years, and that each of the said persons hereinabove declared elected shall be given the Oath of Office to be administered by the District Secretary or his or her appointee.

ADOPTED BY THE BOARD OF DIRECTORS OF THE MONTEREY PENINSULA AIRPORT DISTRICT: This 16th day of December 2024 by the following roll call vote:

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

Receive 2. Monterey Fuel Company General Aviation Hangar Project Update

Executive Director La Pier stated Matt Wright, Monterey Fuel Company, was expected to give the update, but has been detained. He reported on Mr. Wright's behalf. He noted the new hangars had their permanent power installed last week and the fuel farm has been installed and is being tested. The hangars on the airport remain completely full and the Monterey Jet Center maintains the wait list.

A presentation prepared by Monterey Fuel Co. was shown to the board. The presentation highlighted photographs of the corporate, box and "T" hangars, Del Monte Aviation's remodeled space, and the self-service multi-fuel fueling island.

Directors discussed unleaded fuels and Controller Wilson answered questions about the corporate hangar that is currently leased to the Monterey Jet Center on a month-to-month basis.

No Public Comment.

Adopt 3. Resolution No. 1894, A Resolution of the Monterey Peninsula Airport District Proclaiming the Existence of an Emergency Condition Due to Impacts from the Extreme Weather events of December 14, 2024 and Delegating Decision Authority to the Executive Director

District Counsel Huber explained that Public Contract Code Section 22050 provides that in a case of emergency, pursuant to a four-fifths vote of the board, a public entity may take immediate action to

procure necessary equipment and services without giving notice for bids to contracts. He further explained that on December 14, 2024, extreme wind, rain, and tornadic activity destroyed several hangar structures and caused other damage at the Monterey Regional Airport that necessitates cleanup and repair. Resolution 1894 suspends the bidding requirements and declares the existence of an emergency pursuant to Public Contract Code Section 22050.

Directors discussed Resolution No. 1894. District Counsel Huber answered questions and confirmed Resolution No. 1894 would be in place until rescinded. Deputy Executive Director Morello reported that vendors would be chosen from the Monterey Peninsula Airport District's annual registration of qualified contractors.

No Public Comment.

Director Miller motioned to approve Resolution No. 1894, A Resolution of the Monterey Peninsula Airport District Proclaiming the Existence of an Emergency Condition Due to Impacts from the Extreme Weather Events of December 14, 2024 and Delegating Decision Authority to the Executive Director. Director Ahmadi seconded the motion. The motion was approved unanimously by a roll call vote of 4/5th of the board, with Director Gaglioti absent.

RESOLUTION NO. 1894

A RESOLUTION OF THE MONTEREY PENINSULA AIRPORT DISTRICT PROCLAIMING THE EXISTENCE OF AN EMERGENCY CONDITION DUE TO IMPACTS FROM THE EXTREME WEATHER EVENTS OF DECEMBER 14, 2024 AND DELEGATING DECISION AUTHORITY TO THE EXECUTIVE DIRECTOR

WHEREAS, the Monterey Peninsula Airport District ("MPAD") is a governmental entity duly organized and existing as a California Special District pursuant to special legislation passed by the State of California. MPAD was established to own and operate the aviation facilities, hangars, fixed base operator facilities, and other aviation related properties (collectively, "Aviation Facilities") located at the Monterey Regional Airport, as described in the special legislation; and

WHEREAS, Public Contract Code Section 22050 provides as follows: "(a) (1) In the case of an emergency, a public agency, pursuant to a four-fifths vote of its governing body, may repair or replace a public facility, take any directly related and immediate action required by that emergency, and procure the necessary equipment, services, and supplies for those purposes, without giving notice for bids to let contracts. (2) Before a governing body takes any action pursuant to paragraph (1), it shall make a finding, based on substantial evidence set forth in the minutes of its meeting, that the emergency will not permit a delay resulting from a competitive solicitation for bids, and that the action is necessary to respond to the emergency;" and

WHEREAS, the Public Contract Code Section 1102 provides that "emergency," means a sudden, unexpected occurrence that poses a clear and imminent danger, requiring immediate action to prevent or mitigate the loss or impairment of life, health, property, or essential public services;" and

WHEREAS, on December 14, 2024, extreme wind, rain, and tornadic activity occurred in the Monterey region, as a powerful atmospheric river slammed the California coast, which brought heavy rainfall, gale-force winds in excess of 75 mph, downed trees and power lines, and leaving thousands without electricity; and

WHEREAS, the tornadic activity and extreme winds destroyed several hangar structures and caused other damage at the Monterey Regional Airport; and

WHEREAS, pursuant to FAA regulations, airport operators provide essential functions and services during times of calamity and emergency, which cannot cease operations without the express written authority of the FAA; and

WHEREAS, aviation, air travel, and aviation related services are deemed essential functions by the United States government.

WHEREAS, the Aviation Facilities at the Monterey Regional Airport must remain in good working order and repair, which may require infrastructure repair, construction and refurbishment; and

WHEREAS, the Board of the Monterey Peninsula Airport District does hereby find that the aforesaid conditions necessitate declaration of an emergency as defined in the Public Contract Code; and

WHEREAS, Section 20550 further provides that the Board of Directors, by a four-fifths vote delegate, by resolution may delegate nonelected agency officer, the authority to order any directly related and immediate action required by that emergency, and procure the necessary equipment, services, and supplies for those purposes, without giving notice for bids to let contracts pursuant to paragraph (1) of subdivision (a) thereof; and

WHEREAS, Section 20550 further provides for the nonelected agency officer to report the actions taken to repair the damage cause by the emergency and the Board of Directors to review such actions at each regular meeting until the need for such action is terminated; and

WHEREAS, when the Board of Directors reviews the emergency action, it shall terminate the action at the earliest possible date that conditions warrant so that the remainder of the emergency action may be completed by giving notice for bids to let contracts; and

WHEREAS, the adoption of this Resolution and action taken pursuant to it is exempt from CEQA as follows: CEQA Guidelines Section 15359 defines an emergency as "a sudden, unexpected occurrence, involving a clear and imminent danger, demanding immediate action to prevent or mitigate loss of, or damage to life, health, property, or essential public services. Emergency includes such occurrences as fire, flood, earthquake, or other soil or geologic movements, as well as such occurrences as riot, accident, or sabotage; and Public Resources Code Section 21080 (b)(4) exempts "specific actions necessary to prevent or mitigate an emergency. " Public Resources Code Section 21080 (b)(2) also exempts "emergency repairs to public service facilities necessary to maintain service. "

NOW, THEREFORE, BE IT RESOLVED by the Board of the Monterey Peninsula Airport District that:

1. The Recitals set out above are true and correct and are incorporated by reference as if fully set forth herein.

2. The Board declares the existence of an emergency pursuant to Public Contract Code Section 22050;
3. The Board further delegates such authority to the Executive Director, with direction to place a report and review of such action on upcoming agendas as required by Section 20050 and to take any and all other action necessary to implement this Resolution, including but not limited to filing a Notice of Exemption.

PASSED AND ADOPTED BY THE BOARD OF DIRECTORS OF THE MONTEREY PENINSULA AIRPORT DISTRICT: This 16th day of December 2024 by the following roll call vote:

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

H. BOARD REPORTS AND ACCEPTANCE OF DEPARTMENT REPORTS

- a. The Board receives Department Reports which do not require any action by the board
- b. Board Member questions (if any) for Standing Committees
- c. Ad-Hoc Committee Reports:

i. Personnel Committee	Director Miller & Pick
ii. Local Jurisdiction Liaison	Director Leffel & Miller
- d. Liaison/Representatives Reports:

i. Local Agency Formation Commission	Director Leffel
ii. Regional Taxi Authority	Director Pick
iii. Transportation Agency for Monterey County	Director Miller
iv. Special Districts Association Liaison	Director Gaglioti
v. Association of Monterey Bay Area Governments	Director Leffel
- e. Board Member reports for conferences and events approved to attend at Monterey Peninsula Airport District expense (per AB 1234 and the Director Remuneration & Business Expense Reimbursement Policy)

No Public Comment.

No questions from Board Members.

No Liaison/Representatives Reports.

I. CLOSED SESSION

1. **PENDING LITIGATION.** Pursuant to Gov. Code 54956.9(a), the Board will meet with the Executive Director and General Counsel related to pending litigation: Mill Construction Company v. BlueScope Construction Inc., et al., Monterey County Superior Court, Case No. 24CV001770.
2. **PENDING LITIGATION.** Pursuant to Gov. Code 54956.9(a), the Board will meet with the Executive Director and General Counsel related to pending litigation: Collins Electrical Co.,

Inc., v. Mill Construction Company, et al., Monterey County Superior Court, Case No. 24CV02304.

3. **PENDING LITIGATION.** Pursuant to Gov. Code 54956.9(a), the Board will meet with the Executive Director and General Counsel related to pending litigation: Patibanda v. Foster, et al., Monterey County Superior Court, Case No. 24CV002782.
4. **EMPLOYMENT.** Pursuant to Gov. Code section 54957(b), the Board will meet with District Counsel to consider the appointment/employment related to the following position: Executive Director.

The Board entered Closed Session at 8:37 AM.

J. RECONVENE TO OPEN SESSION

The Board reconvened to Open Session at 9:54 AM. District Counsel Huber stated there was no reportable action on Closed Session Items I.1 – I.4; direction was given.

Chair Leffel suggested reconsideration of Consent Agenda Item G.4 at the request of Director Ahmadi in order to include himself in those approved to attend the SWAAAE Annual Airport Management Short Course.

No Public Comment.

Director Pick motioned to reconsider Item G.4 to add Director Ahmadi's name to those approved to attend the SWAAAE Annual Airport Management Short Course on February 1-5, 2025 in Monterey, CA. Director Miller seconded the motion. The motion was unanimously approved by a roll call vote of 4-0 with Director Gaglioti absent.

Director Ahmadi made a motion to approve Item G.4 which now reads "Approve Requests by Director Leffel, Director Miller, Director Pick, and Director Ahmadi to Attend the SWAAAE Annual Airport Management Short Course on February 1-5, 2025 in Monterey, CA". Director Pick seconded the motion.

The motion was unanimously approved by a roll call vote of 4-0 with Director Gaglioti absent.

K. PENDING REQUESTS FOR FUTURE AGENDA ITEMS

None.

L. DISCUSSION OF FUTURE AGENDAS

None.

M. ADJOURNMENT

The meeting was adjourned at 9:56 AM.

*Approved at the
Meeting of January 15, 2025*



Carl Miller, Chair

ATTEST

A handwritten signature in black ink, appearing to read "Michael La Pier". The signature is stylized with a long horizontal stroke at the beginning and a large, looped flourish at the end.

Michael La Pier
District Secretary