

SAN BERNARDINO INTERNATIONAL AIRPORT AUTHORITY
REGULAR MEETING COMMISSION ACTIONS
WEDNESDAY, APRIL 25, 2018

3:00 P.M. (Closed Session, immediately followed by Open Session)

MAIN AUDITORIUM – Norton Regional Event Center
 1601 East Third Street, San Bernardino, CA



A regional joint powers authority dedicated to the reuse of Norton Air Force Base
 for the economic benefit of the East Valley

Commission Members

City of Colton

Mayor Richard A. DeLaRosa	Present
Councilmember Jack R. Woods (alt)	Present (In audience and closed session)

City of Loma Linda

Councilmember Ovidiu Popescu, Secretary	Present
Mayor pro tempore Phillip Dupper (alt)	Absent

County of San Bernardino

Supervisor James C. Ramos, Vice President	Present (arrived at 3:18pm)
Supervisor Curt Hagman (alt)	Absent

City of San Bernardino

Mayor R. Carey Davis, President	Present
Councilmember Fred Shorett	Present
Councilmember Virginia Marquez (alt)	Present (In audience and closed session)

City of Highland

Councilmember Penny Lilburn	Absent
Mayor Larry McCallon (alt)	Present

Staff Members and Others Present

Michael Burrows, Executive Director	Scott Huber, Legal Counsel, Cota Cole, LLP
William Garay, Director of Finance	Jim Harris, Manager of Capital Projects
Nikolas Persson, Airport Manager	Catherine Pritchett, Director of Administrative Services
Mark Dennis, IT Manager	Jennifer Farris, Assistant Secretary of the Commission
Amber Casarez, Marketing Coordinator	

The Regular Meeting of the San Bernardino International Airport Authority was called to order by President R. Carey Davis at approximately 3:05 p.m. on Wednesday, April 25, 2018 in the Main Auditorium of the Norton Regional Event Center, 1601 East Third Street, San Bernardino, California.

A. CALL TO ORDER / ROLL CALL

Roll call was duly noted and recorded.

Members of the Commission and the public joined Mayor Larry McCallon in the Pledge of Allegiance.

B. CLOSED SESSION PUBLIC COMMENT

There were no closed session public comments.

C. CLOSED SESSION

President R. Carey Davis recessed to closed session at 3:06 p.m. Mr. Scott Huber, Cota Cole, LLP, read the closed session items as posted on the Agenda.

- a. Conference with Legal Counsel pursuant to Government Code Section 54956.9(d)(1) – *Inland Valley Development Agency, the Successor Agency to the Inland Valley Development Agency, a joint powers authority/federal base reuse authority; San Bernardino International Airport Authority, a joint powers authority, v. Michael Cohen, in his official capacity as the Director of the State of California Department of Finance; DOES 1 through 50, inclusive, Sacramento County Superior Court Case No: 34-2016-80002374.*

Let the record reflect that Vice-President James C. Ramos was not present during the discussion of Closed Session Item C.b.

- b. Conference with Legal Counsel pursuant to Government Code Section 54956.9(d)(1) – *Inland Valley Development Agency, a joint powers authority/federal base reuse authority, and Inland Valley Development Agency as a Successor Agency, v. Oscar Valdez, in his official capacity as the County of San Bernardino Auditor – Controller/Treasurer/Tax Collector; Michael Cohen, in his official capacity as the Director of State of California Department of Finance; and DOES 1 through 50, inclusive, Sacramento County Superior Court Case No. 34-2016-80002502.*
- c. Conference with Legal Counsel pursuant to Government Code Section 54956.9(d)(1) – *Inland Valley Development Agency, the Successor Agency to the Inland Valley Development Agency, a joint powers authority/federal base reuse authority; San Bernardino International Airport Authority, a joint powers authority, v. Michael Cohen, in his official capacity as the Director of the State of California Department of Finance; DOES 1 through 50, inclusive, Sacramento County Superior Court Case No. 34-2016-80002615.*
- d. Conference with Real Property Negotiator Pursuant to Government Code Section 54956.8

Property: Hangar 795, San Bernardino International Airport

Negotiating Parties: William Garay, Director of Finance, on behalf of IVDA
Michael Burrows, Executive Director, on behalf of SBIAA

Under negotiations: Instructions will be given to the SBIAA negotiator concerning terms and price.

Let the record reflect that Vice-President James C. Ramos was not present during the discussion of Closed Session Item C.e.

- e. Conference with Real Property Negotiator Pursuant to Government Code Section 54956.8

Property: Former Norton Air Force Base Building 680

Negotiating Parties: Michael Burrows, Executive Director, on behalf of SBIAA
Dan Munsey, Assistant Chief, Division 6, on behalf of the San Bernardino County Fire Department

Under negotiations: Instructions will be given to the SBIAA negotiator concerning terms and price.

- f. Conference with Legal Counsel pursuant to Government Code Section 54956.9(d)(1) – *Southern California Edison Co., a California corporation, v. Prologis L.P., a Delaware limited partnership; San Bernardino International Airport Authority; and Does 1 to 200, inclusive; and all persons unknown claiming any title or interest in or to the property sought to be condemned herein; San Bernardino County Superior Court, Case No. CIVDS1724290*

- g. Conference with Legal Counsel pursuant to Government Code Section 54956.9(d)(1) – *San Bernardino International Airport Authority, a regional joint powers authority v. Stratus Aircraft Services, Inc., a California corporation, San Bernardino County Superior Court, Case No. UDFS1700755*

- h. Conference with Real Property Negotiator Pursuant to Government Code Section 54956.8

Property: Terminal Building 105 N. Leland Norton Way, San Bernardino

Negotiating Parties: Michael Burrows, Executive Director, on behalf of SBIAA
Andrea Miller, City Manager, City of San Bernardino

Under negotiations: Instructions will be given to the SBIAA negotiator concerning terms and price.

D. **REPORT ON CLOSED SESSION**

President R. Carey Davis reconvened the meeting at 4:29 p.m. President Davis asked Mr. Scott Huber, Cota Cole, LLP, if there were any reportable items. Mr. Scott Huber, stated that there were no reportable items and noted that Vice-President James C. Ramos was not present for the discussion on items C.b and C.e.

E. ITEMS TO BE ADDED OR DELETED

There were no items to be added or deleted.

F. CONFLICT OF INTEREST DISCLOSURE

1. President R. Carey Davis stated Commission members should note the item(s) listed which might require member abstentions.
Vice-President James C. Ramos noted a conflict on closed session items C.b. and C.e.
President Davis noted a conflict on Agenda Item No. 12

G. INFORMATIONAL ITEMS

Mr. Michael Burrows, Executive Director, presented the following informational items:

2. Informational Items
 - a. Executive Director's Report [PAGE#: 027]
 - b. Marketing Update [PAGE#: 028]
- 2a. Mr. Burrows, announced that the City of San Bernardino, State of the City Address will be held at the San Bernardino International Airport's Domestic Terminal on Friday, April 27, 2018 at 5:30 p.m.

H. COMMISSION CONSENT ITEMS

3. Register of Demands – April 25, 2018
4. Receive and file Treasurer's Report for February 28, 2018, for the San Bernardino International Airport Authority (SBIAA)
5. Reject all bids and authorize staff to re-bid the Ramp Joint Seal Replacement and Pavement Repair Project
6. Ratify the award of professional services in agreement with Benson Security Systems Inc. for fire protection and engineering services in an amount not to exceed \$65,000
7. Approve Amendment No. 3 to the project contract with Cordoba Corporation in an amount not to exceed \$25,000 for the 3rd Street Roadway and Infrastructure Improvements Project
8. Approve Amendment No. 1 to the agreement with Air Transport Business Development in an amount not to exceed \$30,000 for professional business development and sales marketing assistance with Luxivair SBD
9. Approve Meeting Minutes: March 28, 2018

ACTION: Approve Agenda Item Nos. 3-9

RESULT:	ADOPTED [UNANIMOUSLY]
MOTION/SECOND:	Ramos / Shorett
AYES:	Davis, DeLaRosa, McCallon, Popescu, Ramos, and Shorett.
NAYS:	None.
ABSTENTIONS:	None.
ABSENT:	None.

I. **COMMISSION ACTION ITEMS**

10. Consider and adopt proposed budget adjustments for Fiscal Year 2017-2018.

Mr. Michael Burrows, Executive Director, provided a summary of expenses and various budget adjustments, referencing the "Proposed Budget Adjustments Table," found on page 078 of the Agenda Packet.

ACTION: Consider and adopt budget adjustments reflected in the Proposed Budget Adjustment for Fiscal Year 2017-2018.

RESULT: **ADOPTED [UNANIMOUSLY]**
MOTION/SECOND: DeLaRosa / Ramos
AYES: Davis, DeLaRosa, McCallon Popescu, Ramos, and Shorett.
NAYS: None.
ABSTENTIONS: None.
ABSENT: None.

Mr. Scott Huber, Cota Cole, LLP, left the room and recused himself prior to the discussion of Agenda Item 11.

11. Approve Amendment No. 1 to the agreement with Cota Cole & Huber, LLP in an amount not to exceed \$75,000, for provision of general counsel services for the San Bernardino International Airport Authority (SBIAA)

Mr. Michael Burrows, Executive Director, informed commission members that Staff is recommending an adjustment with Cota Cole & Huber, LLP due to an increase in litigation legal services.

ACTION: Approve Amendment No. 1 to the Agreement with Cota Cole & Huber, LLP for provision of General Counsel and Litigation Legal Services for the San Bernardino International Airport Authority (SBIAA) in an increase not to exceed \$75,000; and authorize the Executive Director to execute all related documents.

RESULT: **ADOPTED [UNANIMOUSLY]**
MOTION/SECOND: Popescu / Shorett
AYES: Davis, DeLaRosa, McCallon, Popescu, Ramos, and Shorett.
NAYS: None.
ABSTENTIONS: None.
ABSENT: None.

Mr. Scott Huber returned to the meeting following the discussion of Agenda Item No. 11.

President R. Carey Davis was not present during the discussion of Agenda Item 12. Vice-President James C. Ramos ran the meeting from this point.

12. Approve Amendment No. 1 to the 10.2 acre ground lease with Unical Aviation Inc.

Mr. Michael Burrows, Executive Director, referenced an overhead map (also included on page 086 in the Agenda Packet) and provided a brief report on Agenda Item No. 12.

Mr. Burrows clarified a typographical error in the report, and confirmed that in the event that Unical Aviation Inc. does take down more acreage or elects to do more improvements, then at that point in time it may be appropriate to discuss an additional rent credit or offset. The report reflects there are no rent credits in the additional term because of the adjustments due to the lighter service treatment and reduced footprint.

ACTION: Approve Amendment No. 1 to the 10.2 acre ground lease with Unical Aviation Inc., modifying the number of acres, rental rate, scope of construction, and lease options for the ground lease of vacant land and ramp area located north of Taxiway A and east of the air traffic control tower; and authorize the Executive Director to execute all related documents subject to technical and conforming changes as approved by legal counsel.

RESULT:	ADOPTED
MOTION/SECOND:	Popescu / DeLaRosa
AYES:	DeLaRosa, McCallon, Popescu, Ramos, and Shorett.
NAYS:	None.
ABSTENTIONS:	Davis.
ABSENT:	None.

President Davis returned to the meeting following the discussion of Agenda Item No. 12.

13. Approve a loan agreement by and between the Inland Valley Development Agency (IVDA) and San Bernardino International Airport Authority (SBIAA) for completion of Hangar No. 795

Mr. Michael Burrows, Executive Director, informed the Commission that on April 17, 2018, the IVDA Board approved the Hangar No. 795 Project, subject to SBIAA's acceptance of the Loan Agreement and Promissory Note. The proposed loan agreement and promissory note will provide a bridge loan to the San Bernardino International Airport Authority (SBIAA) for completion of the Hangar No. 795 project.

ACTION: Approve a Loan Agreement by and between the Inland Valley Development Agency (IVDA) and San Bernardino International Airport Authority (SBIAA); and Authorize the Executive Director or designee to execute all related documents, which along with the promissory note was previously considered by IVDA at its April, 2018 meeting.

RESULT: **ADOPTED [UNANIMOUSLY]**
MOTION/SECOND: Shorett / McCallon
AYES: Davis, DeLaRosa, McCallon, Popescu, Ramos, and Shorett.
NAYS: None.
ABSTENTIONS: None.
ABSENT: None.

14. Review status of the Action Plan for the San Bernardino International Airport Authority (SBIAA) through June 30, 2018.

Mr. Michael Burrows, Executive Director, referenced a PowerPoint presentation entitled, "June, 2018 – Proposed Airport Focal Areas" (also included on pages 114-116 in the Agenda Packet) and provided a brief report on Agenda Item No. 14.

This item was for discussion purposes only, no formal action was taken.

ACTION: Review the Action Plan for the San Bernardino International Airport Authority through June 30, 2018.

J. ADDED AND DEFERRED ITEMS

There were no added or deferred items.

K. OPEN SESSION PUBLIC COMMENT

There was no open session public comment.

L. COMMISSION MEMBER COMMENT

There were no Commission member comments.

M. ADJOURNMENT

There being no further business before the Commission, President R. Carey Davis declared the meeting adjourned at 4:44 p.m.

Approved at a Regular Meeting of the San Bernardino International Airport Authority on Wednesday, May 23, 2018.



Jennifer Farris

Assistant Secretary of the Commission