

SAN BERNARDINO INTERNATIONAL AIRPORT AUTHORITY

REGULAR MEETING COMMISSION ACTIONS

WEDNESDAY, SEPTEMBER 23, 2020

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

MAIN AUDITORIUM – Norton Regional Event Center (Via Teleconference)

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

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| Mayor Frank J. Navarro, President | Present (via Zoom) |
| Councilmember Jack R. Woods (alt) | Present (in person, closed session only) |

City of Loma Linda

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| Councilmember Rhodes Rigsby | Present (in person) |
| Mayor Phillip Dupper (alt) | Absent |

County of San Bernardino

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| Supervisor Dawn Rowe | Present (via Zoom) |
| Supervisor Curt Hagman (alt) | Absent |

City of San Bernardino

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| Mayor John Valdivia | Present (via Zoom) |
| Mayor Pro Tem Theodore Sanchez | Present (via Zoom) |
| Councilmember Henry Nickel (alt) | Absent |

City of Highland

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| Mayor Pro Tem Penny Lilburn | Present (via Zoom) |
| Mayor Larry McCallon (alt) | Present (via Zoom, closed session only) |

Staff Members and Others Present

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| Michael Burrows, Executive Director | Scott Huber, Counsel, Cole Huber, LLP |
| Mark Gibbs, Director of Aviation | Mark Cousineau, Director of Finance |
| Catherine Pritchett, Director of Administration | Jennifer Farris, Assistant Secretary of the Commission |
| Nikolas Persson, Airport Manager | |

The Regular Meeting of the San Bernardino International Airport Authority was called to order by President Frank Navarro at approximately 3:03 p.m. on Wednesday, September 23, 2020 via web /teleconference. Members of the Commission joined via web/teleconference utilizing the Zoom Meeting platform, pursuant to Executive Order N-29-20 issued by Governor Gavin Newsom on March 17, 2020 which allows elected officials to attend public meetings via teleconference. Staff Members and presenters attended in person in the Main Auditorium of the Norton Regional Event Center, 1601 East Third Street, San Bernardino, California while enforcing social distancing protocols.

A. CALL TO ORDER / ROLL CALL

Roll call was duly noted and recorded by voice. Members of the Commission and staff joined Councilmember Rhodes Rigsby in the Pledge of Allegiance.

Prior to recessing to closed session, Ms. Jennifer Farris, Assistant Secretary to the Commission, announced that the opportunity was given for members of the public to submit public comments via email by 1:00 p.m. prior to commencement of today's meeting and that none were received.

Additionally, there were no public comments submitted in person at the meeting.

B. CLOSED SESSION PUBLIC COMMENT

There was no closed session public comment.

C. CLOSED SESSION

President Frank Navarro recessed to closed session at 3:04 p.m. Mr. Scott Huber, Legal Counsel, Cole Huber, LLP, read the closed session items as posted on the Agenda.

Commission Members participated in closed session via Zoom meeting.

- 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.*
- b. 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.*

- 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. Keely Bosler, in her official capacity as the Director of the State of California Department of Finance; Oscar Valdez, in his official capacity as the County of San Bernardino Auditor – Controller/Treasurer/Tax Collector; and DOES 1 through 50, inclusive, Sacramento County Superior Court Case No. 34-2018-80003028.*
- d. Conference with Legal Counsel pursuant to Government Code section 54956.9(d)(2), regarding significant exposure to litigation –
 - 1. Center for Community Action, et al v. FAA, et al. Court of Appeals Docket # 20-70272 (consolidated with No. 20-70464); and
 - 2. State of California, et al v. FAA, et al Court of Appeals Docket # 20-70464
- e. Conference with Legal Counsel pursuant to Government Code section 54956.9(d)(4), regarding potential initiation of litigation – one case.

D. REPORT ON CLOSED SESSION

President Frank Navarro reconvened the meeting at 3:41 p.m. President Navarro asked Mr. Scott Huber, Legal Counsel, Cole Huber, LLP, if there were any reportable items. Mr. Huber stated that there was no reportable action taken regarding Items A-D, and for Item E, there was unanimous vote to authorize the commencement of litigation. Mr. Huber affirmed that once litigation is filed, any interested party can be informed on the subject matter of the litigation.

E. ITEMS TO BE ADDED OR DELETED

There were no items to be added or deleted.

F. CONFLICT OF INTEREST DISCLOSURE

- 1. President Frank Navarro stated Commission members should note the item(s) listed which might require member abstentions.

There were no conflicts noted.

G. INFORMATIONAL ITEMS

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

2. Informational Items
 - a. Executive Director's Report
 - b. Report on wildfire response effect
 - c. Report on the Technical Advisory Committee
 - d. Report on status of Runway Repair Project
- 2a. Mr. Burrows, reported that the Federal Aviation Administration (FAA) has transferred preapproved CARES Act funding to SBIAA in the amount of \$69,000 to cover COVID-19 staffing expenses.
- 2b. Mr. Nikolas Persson, Airport Manager, provided a brief report on the wildfire response efforts. Mr. Persson also informed the Commission, that on Wednesday, September 23, 2020, over 100 Mexican firefighters landed at the SBD Airport to help combat the wildfires in California. President Frank Navarro asked Mr. Burrows to arrange to meet with the leaders of the Firefighters Mexico crew at the conclusion of the wildfire response efforts.
- 2d. Mr. Mark Gibbs, Director of Aviation, provided a brief report on the Runway Repair Project.

H. COMMISSION CONSENT ITEMS

Let the record reflect that all votes were done by roll call with each Commissioner's name and vote stated by voice in compliance with teleconference protocols.

3. Register of Demands – September 23, 2020
4. Receive and file Treasurer's Report for July 31, 2020 for the San Bernardino International Airport Authority (SBIAA)
5. Approve the declaration of sixteen (16) out of service decommissioned airport vehicles and other equipment as surplus property for the purpose of disposal
6. Approve the purchase of an Alamo Industrial 15' Rotary Mower Deck in an amount not to exceed \$42,250.80
7. Approve a three-year licensing contract with ProDigiQ, Inc. for the Notice of Violation software module in the amount of \$44,800 and extend licensing contract on four existing modules

8. Approve a contract extension with C&A Janitorial Services to provide janitorial services for four (4) buildings owned by the San Bernardino International Airport Authority (SBIAA)
9. Approve Meeting Minutes: August 26, 2020

ACTION: Approve Agenda Item Nos. 3-9

RESULT: **ADOPTED [UNANIMOUSLY]**
MOTION/SECOND: Valdivia / Sanchez
AYES: Lilburn, Navarro, Rigsby, Rowe, Sanchez, and Valdivia.
NAYS: None.
ABSTENTIONS: None.
ABSENT: None.

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| I. <u>COMMISSION ACTION ITEMS</u> |
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Let the record reflect that all votes were done by roll call with each Commissioner's name and vote stated by voice in compliance with teleconference protocols.

10. Consider and adopt Resolution No. 2020-03 of the San Bernardino International Airport Authority (SBIAA) amending its Conflict of Interest Code and authorizing submission of the amended Conflict of Interest Code and 2020 local agency biennial notice to the County of San Bernardino

Ms. Jennifer Farris, Assistant Secretary to the Commission, provided a brief report on Agenda Item No. 10.

ACTION: Consider and adopt Resolution No. 2020-03 of the San Bernardino International Airport Authority (SBIAA) amending its Conflict of Interest Code; and authorizing submission of the amended Conflict of Interest Code and 2020 Local Agency Biennial Notice to the County of San Bernardino.

RESULT: **ADOPTED [UNANIMOUSLY]**
MOTION/SECOND: Lilburn / Valdivia
AYES: Lilburn, Navarro, Rigsby, Rowe, Sanchez, and Valdivia.
NAYS: None.
ABSTENTIONS: None.
ABSENT: None.

11. Approve Resolution 2020-04 of the San Bernardino International Airport Authority (SBIAA) designating a treasurer of the SBIAA

Mr. Michael Burrows, Executive Director, provided a brief update on Agenda Item No. 11.

ACTION: Approve the appointment of Mark W. Cousineau, CPA, Inland Valley Development Agency (IVDA) Director of Finance as the Treasurer of the San Bernardino International Airport Authority (SBIAA).

RESULT: **ADOPTED [UNANIMOUSLY]**
MOTION/SECOND: Valdivia / Rigsby
AYES: Lilburn, Navarro, Rigsby, Rowe, Sanchez, and Valdivia.
NAYS: None.
ABSTENTIONS: None.
ABSENT: None.

12. Consider and discuss a report on the Airport Capital Improvement Plan (ACIP)

Mr. Mark Gibbs, Director of Aviation, provided a brief report on Agenda Item No. 12.

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

ACTION: Consider and discuss a report on the Airport Capital Improvement Plan (ACIP) for SBD International Airport.

13. Review Status of the Action Plan for the San Bernardino International Airport Authority (SBIAA) through December 31, 2020

Mr. Michael Burrows, Executive Director, referenced a PowerPoint presentation entitled "September, 2020 –SBIAA Focal Areas (as contained on pages 075-077 in the Agenda Packet) and provided a brief report on Agenda Item No. 13.

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 December 31, 2020.

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| J. ADDED AND DEFERRED ITEMS |
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There were no added or deferred items.

K. OPEN SESSION PUBLIC COMMENT

At the beginning of the meeting, Ms. Jennifer Farris, Assistant Secretary to the Commission announced that the opportunity was given for members of the public to submit public comments via email by 1:00 p.m. prior to commencement of today's meeting and that none were received.

Additionally, there were no public comments submitted in person at the meeting.

L. COMMISSION MEMBER COMMENT

There was no Commission member comment.

M. ADJOURNMENT

There being no further business before the Commission, President Frank Navarro declared the meeting adjourned at 4:02 p.m.

Approved at a Regular Meeting of the San Bernardino International Airport Authority on Wednesday, October 28, 2020.



Jennifer Farris
Assistant Secretary of the Commission

