SAN FRANCISCO AIRPORT COMMISSION



CALENDAR

September 22, 2015 Special Meeting 9:00 A.M.

Room 400 - City Hall #1 Dr. Carlton B. Goodlett Place (400 Van Ness Avenue) City and County of San Francisco

EDWIN M. LEE, MAYOR

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SAN FRANCISCO INTERNATIONAL AIRPORT SAN FRANCISCO, CALIFORNIA 94128

AIRPORT COMMISSION CALENDAR

Tuesday, September 22, 2015 Special Meeting

ORDER OF BUSINESS

- A. CALL TO ORDER
- B. ROLL CALL
- C. ADOPTION OF MINUTES
- D. ITEMS INITIATED BY COMMISSIONERS
- E. ITEMS RELATING TO ADMINISTRATION, OPERATIONS & MAINTENANCE
- F. CONSENT CALENDAR OF ROUTINE ADMINISTRATIVE MATTERS
- G. NEW BUSINESS
- H. CORRESPONDENCE
- I. CLOSED SESSION
- J. ADJOURNMENT

ABOUT THE MEETING

Each agenda action item and certain discussion items are supported by documents which may include written communications to members of the Airport Commission, staff reports, resolutions, and/or consultant reports. Agenda documents may be obtained by calling the Commission Secretary at 650-821-5042. The Commission Secretary has a limited number of copies at the Commission meeting. If a copy is unavailable at the meeting, the requested document(s) will be mailed, emailed, or faxed the same day.

Any materials distributed to members of the Airport Commission within 72 hours of the meeting or after the agenda packet has been delivered to the members are available for inspection at the Airport Commission Office at San Francisco International Airport, 5th Floor, International Terminal, G side during regular business hours.

Members of the public who wish to address the Commission are asked to fill out a "Request to Speak" form, located next to the speakers microphone. Please submit the form to the Commission Secretary. For items on the agenda, speakers will be called after the discussion by the Commission but before the vote. Each speaker is allowed one opportunity per calendar item to address the Commission for a period of up to two (2) minutes. For items not on the agenda, but within the Airport Commission's jurisdiction, speakers will be called under "New Business," the public comment portion of the calendar. Again, speakers will be given up to two (2) minutes.

All cell phones, pagers or other similar sound-producing devices must be turned off during Commission meetings; "silent mode" is prohibited as the device may interfere with the recording system. The Chair may order the removal of any person responsible for the use of a cell phone, pager, or other similar electronic device.

DISABILITY ACCESS

The Airport Commission's meeting room, Room 400, Fourth Floor, City Hall is wheelchair accessible. The closest accessible BART Station is Civic Center, three blocks from City Hall. Accessible MUNI lines serving this location are #5 Fulton, #21 Hayes, #42 Downtown Loop, #47 Van Ness and #49 City College lines and the Metro stations at Van Ness and Market and at Civic Center. For more information about MUNI accessible services, call 415-923-6142. There is accessible parking across the street from City Hall at Polk (Dr. Carlton B. Goodlett Place) and McAllister.

For American Sign Language interpreters or use of a reader during a meeting, please contact the Commission Secretary at 650-821-5042 at least two business days before a meeting. Assisted listening devices are available upon request. See the Commission Secretary at the meeting for assistance. A driver's license or other photo I.D. is required in order to check out the device. Large print copies of the agenda can be made available by contacting the Commission Secretary's Office at least two business days in advance of need.

In order to assist the City's efforts to accommodate persons with severe allergies, environmental illnesses, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products. Please help the City accommodate these individuals.

KNOW YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils and City and County agencies exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For more information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code), to receive a free copy of the Ordinance, or to report a violation of the Ordinance, contact the Sunshine Ordinance Task Force by telephone at 415-554-7724, by facsimile at 415-544-5163, or by e-mail at SOTF@sfgov.org. The Sunshine Ordinance Task Force Office is located in City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102-4689. Copies of the Ordinance can also be obtained from the San Francisco Public Library and on the City's website at http://www.sfgov.org/sunshine/.

LOBBYIST ORDINANCE

Individuals that influence or attempt to influence local policy or administrative action may be required by the San Francisco Lobbyist Ordinance (San Francisco Campaign and Government Conduct Code Sections 2.100-2.160) to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the Ethics Commission at 25 Van Ness Avenue, Suite 220, San Francisco, CA 94102, phone 415-252-3100, FAX 415-252-3113 and website: http://www.sfgov.org/ethics/.

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) PROCEDURES

CEQA Appeal Rights under Chapter 31 of the San Francisco Administrative Code: If the Commission's action on a project constitutes the Approval Action for that project (as defined in S.F. Administrative Code Chapter 31, as amended, Board of Supervisors Ordinance Number 161-13), then the CEQA determination prepared in support of that Approval Action is thereafter subject to appeal within the time frame specified in S.F. Administrative Code Section 31.16. This appeal is separate from and in addition to an appeal of an action on a project. Typically, an appeal must be filed within 30 calendar days of the Approval Action for a project that has received an exemption or negative declaration pursuant to CEQA. For information on filing an appeal under Chapter 31, contact the Clerk of the Board of Supervisors at City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102, or call (415) 554-5184. If the Planning Department's Environmental Review Officer has deemed a project to be exempt from further environmental review, an exemption determination has been prepared and can be obtained on-line at http://www.sf-planning.org/index.aspx?page=3447. Under CEQA, in a later court challenge, a litigant may be limited to raising only those issues previously raised at a hearing on the project or in written correspondence delivered to the Board of Supervisors, Planning Commission, Planning Department or other City board, commission or department at, or prior to, such hearing, or as part of the appeal hearing process on the CEQA decision.

AIRPORT COMMISSION CALENDAR Tuesday, September 22, 2015 Special Meeting

ORDER OF BUSINESS

The Commission meeting will convene at 9:00 AM and immediately go into closed session. The public portion of the meeting will reconvene at 9:30 AM.

- A. CALL TO ORDER:
 B. ROLL CALL:
 C. ADOPTION OF MINUTES: Regular meeting of September 1, 2015.
 D. ITEMS INITIATED BY COMMISSIONERS:
- E. ACTION ITEMS RELATING TO ADMINISTRATION, OPERATIONS & MAINTENANCE:
 - 1. Four (4) Resolutions Authorizing the Execution of the following Agreements with Hyatt Corporation:
 - Hotel Management Agreement (Contract No. 50006) for a Term of Ten Years and Compensation Not to Exceed \$19,945,420;
 - <u>Technical Services Agreement (Contract No. 50006.A) with Compensation Not to Exceed \$425,000;</u>
 - Pre-Opening Services Agreement (Contract No. 50006.B); and
 - Cash Management and Lockbox Agreement (Contract No. 50006.C);
 and related actions

Four (4) Resolutions authorizing the Execution of the following Agreements with Hyatt Corporation: (a) Hotel Management Agreement (Contract No. 50006) for a term of ten years and compensation not-to-exceed \$19,945,420; (b) Technical Services Agreement (Contract No. 50006.A) with compensation not-to-exceed \$425,000; (c) Pre-Opening Services Agreement (Contract No. 50006B); and Cash Management and Lockbox Agreement (Contract No. 50006C); and related actions.

The Hotel Project is an activity within the scope of the San Francisco International Airport Master Plan Program approved by the Airport Commission on November 3, 1992. The Master Plan EIR prepared for the Master Plan Program, including addenda thereto, adequately described this activity and its potential environmental effects for the purposes of CEQA.

2. Approval of Eighteenth Supplemental Bond Resolution Designating a Proposed On-Airport Hotel as a "Special Facility" and Authorizing up to \$243 Million Principal Amount of Airport Capital Plan Bonds and \$225 Million Principal Amount of Hotel Special Facility Bonds to Finance or Refinance the On-Airport Hotel; Approving the Form of Trust Agreement; and Related Matters

Resolution approving the Eighteenth Supplemental Bond Resolution designating the proposed On-Airport Hotel as a "Special Facility" and authorizing the issuance of up to \$243 million principal amount of Airport Capital Plan Bonds and \$225 million principal amount of Hotel Special Facility Bonds to pay construction costs and other expenses associated with the proposed On-Airport Hotel; approve the Form of Trust Agreement; and approve certain other related matters.

The Hotel project is an activity within the scope of the San Francisco International Airport Master Plan Program approved by the Airport Commission on November 3, 1992. The Master Plan Environmental Impact Report (EIR) prepared for the Master Plan Program, including the addenda thereto, adequately described this activity and its potential environmental effects for the purposes of California Environmental Quality Act (CEQA).

3. Award of Professional Services Contract No. 10401.41
Program Management Support Services for the Airport's Capital
Improvement Program
CIP Partners JV
\$2,787,660

Resolution awarding Professional Services Contract No. 10401.41, Program Management Support Services for the Airport's Capital Improvement Program (CIP), to CIP Partners JV, in an amount not to exceed \$2,787,660 for the first year of services. Since the CIP will be a multi-year, phased program, Staff estimates that the total contract amount will be \$9 Million with a total contract duration of five years.

4. <u>Authorization to Accept Proposals for the Terminal 3 Retail Marketplace</u> Lease

Resolution approving the revised lease specifications, minimum qualifications and proposal requirements, and authorizing staff to accept proposals for the Terminal 3 Retail Marketplace Lease.

F. CONSENT CALENDAR OF ROUTINE ADMINISTRATIVE MATTERS:

Action Items. All matters listed under the Consent Calendar are considered to be routine in nature and will be considered and acted upon by a single vote of the Commission. There will be no separate discussion of these items unless a member of the Commission or the public so requests, in which event the matter will be discussed before a vote is taken.

5. <u>Modification No. 14 to Contract No. 9048A</u> <u>Design-Build Services for the Terminal 3 East Improvements Project</u> Hensel Phelps Construction Company - \$9,171,000

Resolution approving Modification No. 14 to Contract No. 9048A, Design-Build Services for the Terminal 3 East Improvements Project, with Hensel Phelps Construction Company, to increase the total contract amount by \$9,171,000, for a new total contract amount not to exceed \$223,921,000.

6. <u>Award of Two Contracts to Keenology Corporation dba CIPPlanner Corp.</u>

Contract No. 9225

<u>Design and Implement a Contract Monitoring and Compliance System</u> \$1,258,309, and

<u>Contract No. 9225M for the Three Year System Maintenance</u> \$207,594

Resolution awarding Contract No. 9225 to design and implement a Contract Monitoring and Compliance System in the not to exceed amount of \$1,258,309; and Contract No. 9225M to Keenology Corporation dba CIPPlanner Corporation for the three year system maintenance in the not to exceed amount of \$207,594 for a total amount not to exceed \$1,465,903, for a maximum term of 18 months and three years, respectively.

7. <u>Authorization to Issue a Request for Qualifications/Proposals for</u> Contract No. 9034.66

<u>Design-Build Services for the Demolition of the Terminal 2 Air Traffic Control Tower Project</u>

Resolution authorizing the Director to issue a Request for Qualifications/ Proposals for Contract No. 9034.66, Design-Build Services for the Demolition of the Terminal 2 Air Traffic Control Tower Project.

8. Authorization to Issue a Request for Qualifications/Proposals for Contract No. 9350A.66 - Design-Build Services for the REACH - Customer Hospitality, Boarding Area A & G Project

Resolution authorizing the Director to issue a Request for Qualifications/Proposals for Contract No. 9350A.66, Desigh-Build Services for the REACH - Customer Hospitality, Boarding Areas A & G Project.

9. <u>Authorization to Re-Issue a Request for Proposals for Contract No.</u> 50000R

<u>Development of the SFO Zero Waste Management Plan and to Negotiate with the Highest Ranked Proposer</u>

Resolution authorizing re-issuance of a Request for Proposals for Contract No. 50000R for development of the SFO Zero Waste Management Plan and authorize Staff to conduct negotiations with the highest ranked proposer.

10. Modification No. 4 to Contract No. 9108

Noise Insulation Consulting Services to Exercise the Second of Two One-Year Options and Increase the Not to Exceed Contract Amount C.Kell-Smith & Associates, Inc. - \$330,000

Resolution approving Modification No. 4 to Contract No. 9108 with C. Kell-Smith & Associates, Inc. for Noise Insulation Consulting Services to exercise the second of two one-year options and increase the not-to-exceed amount of by \$330,000, for a new total contract not to exceed amount of \$1,400,000.

11. <u>Authorization to Seek a Finding from the Board of Supervisors that the</u> Proposed Airport Shoreline Protection Project is Fiscally Responsible

Resolution authorizing the Airport Director to seek a finding from the Board of Supervisors that the proposed Airport Shoreline Protection Project is fiscally responsible under San Francisco Administrative Code Chapter 29.

12. Approval of a Lease Agreement with the U. S. Government for Space in the International Terminal for Use by the U. S. Federal Bureau of Investigation

Resolution approving a Lease Agreement between the U. S. Government and the San Francisco International Airport for office space in the International Terminal to be occupied by the U. S. Federal Bureau of Investigation, and directing the Commission Secretary to forward the Lease to the Board of Supervisors for approval.

G. NEW BUSINESS:

Discussion only. This is the "Public Comment" section of the calendar. Individuals may address the Commission on any topic within the jurisdiction of the Airport Commission for a period of up to two (2) minutes. Please fill out a "Request to Speak" form located on the table next to the speaker's microphone and submit it to the Commission Secretary.

H. CORRESPONDENCE:

I. CLOSED SESSION:

CONFERENCE WITH LEGAL COUNSEL

- (a) Public comment on all matters pertaining to this agenda item.
- (b) Discussion and vote in open session pursuant to the Brown Act (California Government Code §54956.9) and the Sunshine Ordinance (San Francisco Administrative Code §67.10(d)) on whether to invoke the attorney-client privilege and conduct a closed session to confer with legal counsel. ACTION ITEM.
- (c) [PROSPECTIVE CLOSED SESSION]

CONFERENCE WITH LEGAL COUNSEL – LITIGATION.

- (i) Pending litigation as defendant (Government Code §54956.9, Administrative Code §67.8(a)(3)): *JRI, Inc.* v. *The City and County of San Francisco,* et al., California Superior Court, County of Alameda Case No. HG10520625, filed June 17, 2010 (served October 5, 2012). Discussion of proposed settlement and resolution recommending approval by the Board of Supervisors. ACTION ITEM.
- (ii) Pending litigation as defendant ((Government Code §54956.9, Administrative Code §67.8(a)(3)): A.J. California Mini Bus, Inc., d/b/a Airport Express v. The Airport Commission, et al., United States District Court, Northern District of California Case No. 15-CV-03218-LB (served July 15, 2015). DISCUSSION ONLY.
- (iii) Potential litigation (Government Code §54956.9(b), Administrative Code §67.10(d)(2) and (e)(3)): Notices of Government Claim received concerning noise claims associated with SERFR ONE Area Navigation (RNAV) Standard Terminal Arrival Route (STAR). DISCUSSION ONLY.
- (iv) Potential litigation (Government Code §54956.9(b), Administrative Code §67.10(d)(4)): One matter as plaintiff, unspecified to protect settlement posture. DISCUSSION ONLY.
- (v) Potential litigation (Government Code §54956.9(b), Administrative Code §67.10(d)(2) and (e)(3)): One matter as defendant, concerning the notice of protest of contract award to Request For Proposals No. 50006 for branded hotel operator. DISCUSSION ONLY

There are no other planned agenda items for the closed session. In the event of any urgent matter requiring immediate action which has come to the attention of the Airport Commission after the agenda was issued and which is an item appropriately addressed in closed session, the Airport Commission may discuss and vote whether to conduct a closed session under the Brown Act (Government Code §54954.2(b)(2) and §54954.5) and the Sunshine Ordinance (Administrative Code §67.11).

(d) [RECONVENE IN OPEN SESSION]

- (i) [IF APPLICABLE] Report on action taken in closed session required by the Brown Act (Government Code §54957.1(a)) and the Sunshine Ordinance (San Francisco Administrative Code §67.12(b)).
- (ii) Discussion and vote whether to disclose any or all discussions held in closed session (San Francisco Administrative Code §67.12(a)). ACTION ITEM.

J. ADJOURNMENT: