

Minutes of the Airport Commission Meeting of
January 18, 2000

CALENDAR SECTION	AGENDA ITEM	TITLE	RESOLUTION NUMBER	PAGE
A.		CALL TO ORDER:		5
B.		ROLL CALL:		5
C.		ADOPTION OF MINUTES:		
		Regular meeting of December 21, 1999	00-0001	5-6
D.		ITEMS INITIATED BY COMMISSIONERS:		6
E.		PUBLIC HEARING:		
	1.	Proposed Modification to Section 1.7.1J to the Rules and Regulations	00-0002	6
F.		POLICY:		
	2.	Resolution (1) Strongly Urging Airlines Operating at the Airport to Utilize a Card Check Majority Procedure for the Determination of the Desires of their Safety/Security Employees at the Airport Respecting Union Representation; and (2) Stating the Airport Commission's Intention to Adopt at the Next Commission Meeting an Airport Rule Requiring that All Employers Providing Goods and/or Services in Public Areas of the Airport Utilize Such a Card Check Majority Procedure with Respect to their Airport Operations	00-0003	6-7
G.		ITEMS RELATING TO MASTER PLAN PROJECTS:		
	3.	Modification No. 19 to Contract 5500E - International Terminal General Construction - Tutor-Saliba/ Perini/Buckley, A Joint Venture	00-0004	7-8
	4.	Modification No. 9 to Contract 5510E - Boarding Area A General Construction - Hensel Phelps Construction Company	00-0005	8-9
	5.	Modification No. 4 to Contract 5905A - Inbound and Outbound Ramps and Structures - Myers/ Kulchin-Condon, A Joint Venture	00-0006	9
H.		ITEMS RELATING TO ADMINISTRATION, OPERATIONS & MAINTENANCE:		

6.	Authorization to Issue a Request for Proposals For the North Terminal Bookstore Lease	00-0007	9-10
7.	Authorization to Conduct a Pre-Proposal Conference - North Terminal Concourse Executive Writing Instruments Lease	00-0008	10
8.	Authorization to Conduct a Pre-Proposal Conference - North Terminal Concourse Packaged Gourmet Tea Lease, a Disadvantaged Business Enterprise Set-Aside	00-0009	10
9.	Authorization to Receive Bids - North Terminal Concourse Newsstand Lease, a Disadvantaged Business Enterprise Set-Aside	00-0010	10-11
10.	Authorization to Conduct a Pre-Proposal Conference - North Terminal Concourse Specialty Store Lease	00-0011	11
11.	General Liability Policy of the Airport's Owner Controlled Insurance Program - \$2 million	00-0012	11-12
12.	Modification No. 1 to Professional Service Contract - New International Terminal Food and Beverage Program - Pacific Gateway Partnership	00-0013	12-14
13.	Authorization to Issue a Request for Proposals for Offshore Runway Construction Concepts	00-0014	14-15

I. CONSENT CALENDAR OF ROUTINE ADMINISTRATIVE MATTERS:

14.	Modification No. 2 to Contract 5511 - Boarding Area A Aircraft Apron - John T. Warren and Associates, Inc.	00-0015	15
15.	Modification No. 1 to Contract 5905.4 - Materials Testing and Special Inspection Services - Terratech, Inc.	00-0016	15
16.	Award Contract 4222 - Runway Rubber Removal for 1999-2000 - Cyclone Surface Cleaning, Inc.	00-0017	15-16
17.	Modification No. 4 to Contract 3728 - Runway Reconfiguration Feasibility Study - URS		

	Greiner	00-0018	16
18.	Modification No. 1 to Professional Legal Service Agreement - Sheppard, Mullin, Richter & Hampton	00-0019	16
19.	Modification No. 1 to Professional Services Contract with Reputation Management LLP	00-0020	16-17
20.	Authorization to Extend Contract 3883 - The San Francisco Conservation Corps Master Contract for Maintenance, Landscape and Installation Services	00-0021	17
21.	Authorization to Delete Indemnification Requirement for Patent Rights, Copyright or Trademark from the Professional Services Contract with the Regents of the University of California (Bodega Marine Laboratory) for Herring and Oyster Habitat Studies	00-0022	17-18
22.	Authorization to Issue Request for Proposals for As-needed Specialty Offset Printing Services	00-0023	18
23.	Bid Call - Contract 4156 - As-needed Electrical Repair for Year 2000	00-0024	18
24.	Bid Call - Contract 3054 - Utility Tunnels Waterproofing and Drainage Improvement	00-0025	18
25.	Bid Call - Contract 4265 - West Field Cargo Facility Fire Protection Improvement	00-0026	18
26.	Bid Call - Vehicle Traffic Counts Contract	00-0027	19
27.	Reimbursement to Independent Holding, LLC for Alterations to Leased Premises at 1828 El Camino Real, Burlingame	00-0028	19
28.	Reimbursement to Skywest Airlines for the Purchase of a Disabled Passenger Lift	00-0029	19
29.	Consent to Assignment of New International Terminal Golf Shop Lease - Golf on the Avenue, Inc. to Pacific Golf Partners, LLC	00-0030	19

J.

NEW BUSINESS

	Airport Community Roundtable	19-23
K.	CORRESPONDENCE:	23
L.	CLOSED SESSION:	
	Potential Litigation	5
M.	ADJOURNMENT:	23

AIRPORT COMMISSION MEETING MINUTES

January 18, 2000

A. CALL TO ORDER:

The regular meeting of the Airport Commission was called to order at 9:07 AM in Room 400, City Hall, San Francisco, CA.

* * *

B. ROLL CALL:

Present: Hon. Henry E. Berman, President
Hon. Larry Mazzola, Vice President
Hon. Linda S. Crayton
Hon. Caryl Ito

Absent: Hon. Michael S. Strunsky

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L. CLOSED SESSION:

Discussion and vote pursuant to Sunshine Ordinance Section 67.11 on whether to conduct a Closed Session.

The Airport Commission will go into closed session in accordance with Government Code Section 54956.9(b)(1) to confer with legal counsel regarding potential litigation.

The Airport Commission voted unanimously to go into closed session. The Commission recessed its public meeting at 9:08 AM and began the closed session.

Discussion and vote pursuant to Brown Act Section 54957.1 and Sunshine Ordinance Section 67.12 on whether to disclose action taken or discussions held in Closed Session.

The public meeting was reconvened at 9:35 AM. The Commission determined that it was not in the public interest to disclose the nature of the closed session and voted unanimously not to disclose it.

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C. ADOPTION OF MINUTES:

The minutes of the regular meeting of December 21, 1999 were adopted unanimously.

No. 00-0001

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D. ITEMS INITIATED BY COMMISSIONERS:

There were no items initiated by Commissioners.

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E. PUBLIC HEARING

The Public Hearing was convened at 9:37 AM and concluded at 9:40 AM, there being no requests from the public to speak.

Item No. 1 was adopted unanimously.

1. Proposed Modification to Section 1.7.1J to the Rules and Regulations

No. 00-0002	Resolution approving the proposed modification to the Rules and Regulations pertaining to Section 1.7.1J, Safety and Security, "Quality Standards Program".
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Mr. John Martin, Airport Director explained that in December the Commission approved the Quality Standards Program. This resolution expands that program to include the employees of airlines and concessionaires that require issuance of an Airport badge to access the airfield operations area, or employees that are directly involved in passenger and facility security.

October 1, 2000 will be the effective date for the additional employees and tenants who will be subject to this requirement. The third party contractors subject to the Quality Standards Program approved by the Commission in December are subject to the requirements on April 1, 2000.

This action will further improve Airport security. The FAA recently put out proposed rules on a similar program that appears to be modeled after the program approved by the Commission.

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F. POLICY:

Item No. 2 was adopted unanimously.

2. Resolution Strongly Urging Airlines Operating at the Airport to Utilize a Card Check Majority Procedure for the Determination of Employee Desires Respecting Union Representation; and Intention to Adopt at the Next Airport Commission Meeting an Airport Rule Requiring that Third Party Service Vendors Utilize Such

a Card Check Majority

No. 00-0003

Mr. Martin explained that this action is in the Airport's proprietary interest in maintaining labor peace.

A correction of the title was read: "Resolution (1) Strongly Urging Airlines Operating at the Airport to Utilize a Card Check Majority Procedure for the Determination of the Desires of their Safety/ Security Employees at the Airport Respecting Union Representation; and (2) Stating the Airport Commission's Intention to Adopt at the Next Commission Meeting an Airport Rule Requiring that All Employers Providing Goods and/or Services in Public Areas of the Airport Utilize Such a Card Check Majority Procedure with Respect to their Airport Operations."

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G. ITEMS RELATING TO MASTER PLAN PROJECTS:

Item Nos. 3 through 5 were adopted unanimously.

3. Modification No. 19 to Contract No. 5500E - International Terminal General Construction -Tutor-Saliba/Perini/Buckley, A Joint Venture -\$7,977,924

No. 00-0004

Resolution approving Modification No. 19 to Contract No. 5500E, International Terminal General Construction with Tutor-Saliba/Perini/Buckley, A Joint Venture, in the amount of \$7,977,924 for work related to transferred scope, design changes to facilitate construction, unanticipated conditions and change impact mitigation. Funding source is budget transfers, current budget, and Program Reserve.

Mr. Tom Kardos, Deputy Director, Bureau of Design and Construction explained that this modification is a compilation of negotiated changes comprising scope transfers, changes triggered by the concessions and airline-initiated revisions, design drawing coordination issues and unanticipated site conditions.

As detailed in the information before the Commission, the funding sources are the Airport's Capital Improvement Program budget, transfers from other contracts and Master Plan Program Reserve.

All of the changes have been reviewed and approved by the Master Plan Technical Advisory Board. The costs have been included in the cost forecasts presented to the Commission as part of our quarterly reports. This Commission

action formalizes those forecasted changes.

The MBE/WBE subcontractor participation goals, which is a 10.3% combined goal, remain unchanged for the modified contract. Current performance for the contract is 18% MBE and 6% WBE.

Commissioner Crayton did not understand the meaning of "transferred scope."

Mr. Kardos responded that it is work associated with the Art Enrichment Program and deals with future installation of art work in the new International Terminal as well as the preparation of the Aviation Archive.

These are scopes that are incorporated in the overall Master Plan Program but for convenience or practicality purposes have been transferred into the base contract and deducted from the successor contract. This is primarily an accommodation of schedule and interface coordination.

Commissioner Berman asked if this is in the overall program budget.

Mr. Kardos responded that it is.

Commissioner Ito noted that M/WBE participation continues to be met at a higher level than the initial contract. She assumed that there is no other opportunity to bring in other subs for this contract.

Mr. Kardos responded that this is the tail end of the contract.

4. Modification No. 9 to Contract No. 5510E - Boarding Area A General Construction
Hensel Phelps Construction Company
\$3,566,610

No. 00-0005

Resolution approving Modification No. 9 to Contract No. 5510E, Boarding Area A General Construction with Hensel Phelps Construction Company., Inc. in the amount of \$3,566,610 for work related to transferred scope from other projects, design changes to facilitate construction, and unanticipated conditions. Funding sources are budget transfers from other contracts, non-Master Plan Capital Improvement Funds and contract contingency.

Mr. Kardos explained that this modification is a compilation of negotiated changes comprising scope transfers, design drawing coordination issues and unanticipated site conditions.

As detailed in the information before the Commission, the funding sources are the Airport's Capital Improvement Program budget, transfers from other contracts, and contract contingency.

All of the changes have been reviewed and approved by the Master Plan Technical Advisory Board. The costs have been included in the cost forecasts presented to the Commission previously in our quarterly reports.

The MBE/WBE goals of 12.3% / 2.2% respectively remain unchanged for the modified contract. The current performance of the contract is slightly better than the stated goals.

5. Modification No. 4 to Contract No. 5905A - Inbound and Outbound Ramps and Structures - Myers/Kulchin-Condon, A Joint Venture - \$2,354,562

No. 00-0006	Resolution approving Modification No. 4 to Contract No. 5905A, Inbound and Outbound Ramps and Structures, with Myers/Kulchin-Condon, A Joint Venture, in the amount of \$2,354,562 for additional Roadway Excavation. The Modification is funded from Project No. 5905 with no impact to the Master Plan Baseline Budget or Schedule.
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Mr. Kardos explained that this modification covers equitable compensation to the Myers/Kulchin-Condon joint venture for the difference in cost between the excavation volume spelled out in the bid documents and the actual volume. The cost settlement was negotiated in accordance with the terms of the contract and has been reviewed and approved by the Airport's in-house audit staff and the Master Plan Technical Advisory Board. The costs have been included in the cost forecasts presented to the Commission as part of the Quarterly Report.

The base contracts MBE/WBE subcontracting goals of 14% / 3% respectively remain unchanged for the modified contract.

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H. ITEMS RELATING TO ADMINISTRATION, OPERATIONS & MAINTENANCE:

Item Nos. 6 through 10 were called together. Item Nos. 6 through 13 were adopted unanimously.

6. Authorization to Issue a Request for Proposals for the North Terminal Bookstore Lease

No. 00-0007	Resolution authorizing staff to issue a Request for Proposals for the North Terminal Bookstore
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Lease.

Mr. Bob Rhoades, Deputy Director, Business explained that Books, Inc., the current lessee, generated just over \$7.3 million in gross revenues for the 12 month period ending October 1999. Their lease expires on July 6, 2000.

This opportunity is a five year lease. The operator must own or operate a focused book store, meaning that 75% of the gross sales must come from the sale of books. Proposers must have a facility within the nine Bay Area Counties that generates a minimum of \$3 million in gross revenues as a focused book store.

7. Authorization to Conduct a Pre-Proposal Conference - North Terminal Concourse Executive Writing Instruments Lease

No. 00-0008 Resolution authorizing staff to conduct a pre-proposal conference for the North Terminal Concourse Executive Writing Instruments Lease.

Mr. Rhoades explained that this is a five year lease. Completion of the connector between the North Terminal and Boarding Area G will provide an opportunity for some retail facilities. This lease is slated for that vicinity.

8. Authorization to Conduct a Pre-Proposal Conference for the North Terminal Concourse Packaged Gourmet Tea Lease, a Disadvantaged Business Enterprise Set-Aside

No. 00-0009 Resolution authorizing staff to conduct a pre-proposal conference for the North Terminal Concourse Packaged Gourmet Tea Lease.

Mr. Rhoades explained that this is a Disadvantaged Business Enterprise set aside with a local preference. It will be located next to the Fine Writing Instruments lease. The term is for five years as well.

9. Authorization to Receive Bids for the North Terminal Concourse Newsstand Lease, a Disadvantaged Business Enterprise Set-Aside

No. 00-0010 Resolution approving recommended revised lease specifications, authorizing staff to receive bids and approving holdover of Aarons' Concessions, Inc.'s North Terminal Newsstand Lease.

Mr. Rhoades explained that this is a Disadvantaged Business Enterprise set aside as well. The pre-proposal conference was held on November 3, 1999 with

15 companies attending. As a result of the pre-bid, staff recommends that the minimum be reduced from \$250,000 to \$150,000, allow the limited sale of toys and other souvenirs, and reimburse the tenant one half of the cost of the \$150 per sq. ft. for improvements.

10. Authorization to Conduct a Pre-Proposal Conference for the North Terminal Concourse Specialty Store Lease

No. 00-0011 Resolution authorizing staff to conduct a pre-proposal conference for the North Terminal Concourse Specialty Store Lease.

Mr. Rhoades explained that authorization is being sought to conduct a pre-proposal conference for the North Terminal Specialty Store Lease. This lease will sell either leather goods or gadgets such as found in Brookstone or Sharper Image. The term will be five years.

11. General Liability Policy of the Airport's Owner Controlled Insurance Program \$2 million

No. 00-0012 Resolution authorizing the payment of \$2 million in additional premiums to Lloyd's of London to maintain the Airport's Owner Controlled Insurance Program's General Liability Policy.

Mr. Marcus Perro, Deputy Director for Finance explained that the Owner Controlled Insurance Program provides insurance for Builders Risk, Worker's Compensation, and General Liability for over 1,500 contractors and subcontractors who have worked on the Airport construction program.

The Airport has kept its Builder's Risk losses to a minimum, and its Workers Compensation below the national average. The General Liability losses have been higher than we would like, primarily due to the catastrophic injury claims and the \$10,000 deductible. Lloyd's of London, our policy underwriters, have included a trigger clause which allows them to ask for additional insurance premiums in the event that our claims are 50% of our premiums, in exchange for the \$10,000 deductible.

For the last two policy years, beginning in 1998, our claims have exceeded the 50% threshold. We have participated in negotiations with our insurance broker, J & H Marsh McClennan and Merriwether and Williams, a joint venture firm, to keep insurance premiums to a minimum. However, Lloyds of London has requested the \$2 million additional premium payment to compensate for losses under the General Liability Insurance.

Commission authorization is requested to pay Lloyds of London from OCIP funds already set aside. This represents the negotiated value of the insurance premium increase as a result of the General Liability claims losses.

Mr. Perro explained that this \$2 million covers the previous four years of the insurance premium. The premium will be renegotiated in November 2001.

12. Modification No. 1 to Professional Services Contract for the New International Terminal Food and Beverage Program - Pacific Gateway Partnership - \$3,222,660

No. 00-0013	Resolution approving Modification No. 1 to Professional Services Contract for the New International Terminal Food and Beverage Program with Pacific Gateway Partnership to extend the term to December 31, 2000 and increase the contract by \$3,222,660.
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Mr. Rhoades explained that in December 1998 the Commission approved the engagement of Pacific Gateway Partnership (PGP) to provide tenant outreach, leasing and management services for the new International Terminal food and beverage program.

Phase 1 of the program was for the outreach itself. Phase 2 involves the training, construction of the facilities, and setting up the management services for transition to Airport staff.

The term of the original contract was to conclude on May 15, 2000, however, the facilities will not be completed until June or July. There are a number of administrative matters that need to be handled to insure a smooth transition from PGP to Airport staff. This modification extends the contract to December 31, 2000.

The modification amount is \$927,200 which includes further management of the street pricing program, the operations manual as well as the salaries and overhead in order to continue with the staff on site.

The PGP staff consists of eight employees of which 62.5% are minority or women employees.

Commissioner Crayton asked when this contract began.

Mr. Rhoades responded that it was approved in December 1998 and the contract began in January 1999.

Commissioner Ito asked for background information on Schwager/Ponce and the services that would be directed to the Asian Pacific community and the

businesses being brought in.

Mr. Bob Weinberg, President of PGP, responded that Schwager/Ponce is a local WBE construction coordination firm.

We have 16 operators with 18 spaces that all must open on a set date. It is typical in this business to monitor and work with tenants to make sure that their construction proceeds and their plan reviews are done appropriately. This is typical in the shopping center industry.

When you move from a single operator to multiple tenants, construction coordination must be done independently.

Commissioner Ito said that her concern is that the staffing patterns be reflective of the consumers and that they have the experience and sensitivity to work with the complexity of the DBEs and the new businesses we have encouraged to do business at the Airport.

She asked for an update.

Mr. Weinberg agreed that it is extremely important. They have achieved 94% DBE participation in this program, a percentage achieved largely through very aggressive outreach into the communities and San Francisco restaurateurs. Their function is to work with those restaurants and they must be sensitive to that. It is fair to say that the relationship with the restaurateurs is excellent.

Mr. Martin added that a report will be provided to the Commission.

This is now a combined effort between PGP and Airport staff. Airport staff will take on the role entirely in the next year or so.

Ms. Leslie Abbott, International Federation of Professional and Technical Engineers, Local 21 said that they have been opposed to this contract from the beginning, not only because of its impact on their members, but also because of its exorbitant and unnecessary cost to the Airport and taxpayers.

About one year ago, Jim Ilnicki, former Director of Human Resources described the in-house concession staff as having a legendary reputation. They have 50% involvement of businesses that are small, women-owned, minority-owned and local and they have great relationships with the tenants.

About a year and a half ago a move was made to bring in an outside consultant to do precisely the same work as the existing in-house staff with the tenant space in the new International Terminal.

Pacific Gateway Partnership has over spent its original contract of \$2.3 million. The Commission is now being asked to consider a six month extension for an

additional \$927,200, bringing the total to \$3.2 million.

For that amount the Airport could have hired 20 senior Property Managers for 18 food and beverage facilities for the same two year period.

It is unclear to her, looking at the agenda item, what the function is now. It is her understanding that these tenants are already in place. The marketing and the operations manual cited in the agenda item have never been done for any tenant previously. She does not understand what the money is for.

Further, according to this item, it is possible that in the next few weeks the Commission will be asked to approve another extension for PGP to do on-going management of these 18 tenants.

It would be a big mistake to install PGP in a long-term capacity, to continue to overspend the Airport's money to do the work that has been so effectively done by in-house staff, and to threaten the jobs of the Civil Service staff that have served the Airport ably for so long.

She pointed out that the top three people in the in-house concession staff are all women of color.

While she doubted that the Commission was prepared to deny the six month extension before them today, she strongly urged the Commission to deny PGP's on-going management contract extension anticipated to be brought before them within the next few weeks.

13. Authorization to Issue a Request for Proposals for Offshore Runway Construction Concepts

No. 00-0014	Resolution authorizing Issuance of a Request for Proposals for Offshore Runway Construction Concepts in an amount not to exceed \$1,500,000 for up to six Consultants.
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Ms. Peg Divine, Deputy Director, Airfield Development explained that SFO is seeking a broad range of feasible design and construction input for the off-shore runway construction concepts.

They want an open process that will encourage the engineering and construction community to engage their creativity, experience and talent to submit their best ideas and concepts.

Staff recommends issuing a Request for Proposals to qualified teams. A blue ribbon panel of nationally recognized experts in off-shore oil construction, floating structures, marine structures, runways, pre-stressed concrete and soil

engineering has been put in place to evaluate the concepts. Construction concepts will be evaluated based on construction schedule, design life, construction cost, life cycle cost and minimization of environmental impacts.

Advertisement for this contract has been posted on the Purchaser's website and has been sent to the National Society of Black Engineers, Asian American Architects and Engineers, the Society of Women Engineers, National Association of Filipino Engineers, and Hispanic Architects and Engineers.

There is an addendum coming out today and another addendum coming out on Friday or Monday on the RFQ that leads up to the RFP process.

Ms. Divine said that the Statement of Qualifications (SOQ) will be due on January 28. The teams to receive the RFPs will be selected on or about February 9th. The RFPs and soils report will be issued on February 15. Proposals will be due on February 29.

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I. CONSENT CALENDAR OF ROUTINE ADMINISTRATIVE MATTERS:

Item Nos. 14 through 29 were adopted unanimously.

14. Modification No. 2 to Contract No. 5511 - Boarding Area A Aircraft Apron - John T. Warren and Associates, Inc. - \$435,000

No. 00-0015

Resolution authorizing Modification No. 2 to Contract No. 5511 of Professional Services Agreement with John T. Warren and Associates, Inc. in the amount of \$435,000.

Funding for this Modification will come from the project contingency with no impact on the Master Plan Baseline Budget.

15. Modification No. 1 to Contract No. 5905.4 - Materials Testing and Special Inspection Services - Terratech, Inc. - \$206,240

No. 00-0016

Resolution approving Modification No. 1 to Contract No. 5905.4, Materials Testing and Special Inspection Services for additional services.

16. Award of Contract No. 4222 - Runway Rubber Removal for 1999-2000 - Cyclone Surface Cleaning Inc. - \$203,000

No. 00-0017 Resolution awarding Contract No. 4222, Runway Rubber Removal, 1999 - 2000, to the lowest responsive, responsible bidder, Cyclone Surface Cleaning, Inc., in the amount of \$203,000.

17. Modification No. 4 to Contract No. 3728 - Runway Reconfiguration Feasibility Study - URS Greiner - \$200,000

No. 00-0018 Resolution approving Modification No. 4 to Contract No. 3728, Runway Reconfiguration Feasibility Study with URS Greiner Woodward Clyde in an amount not to exceed \$200,000 to a new contract total of \$1,906,000.

Commissioner Ito asked Ms. Divine if she is comparing notes with the various teams.

Ms. Divine responded that they are comparing notes and sharing information. Staff meets regularly to compare scopes and make sure that information is shared between consultants.

18. Modification No. 1 to Professional Legal Services Agreement - Sheppard, Mullin, Richter & Hampton - \$200,000

No. 00-0019 Resolution approving Modification No. 1 to Professional Legal Services Agreement with Sheppard, Mullin, Richter & Hampton to increase compensation by the amount of \$200,000; all other terms and conditions of the contract to remain in full force and effect.

19. Modification No. 1 to Professional Services Contract with Reputation Management LLP - \$77,790

No. 00-0020 Resolution approving Modification No. 1 to Professional Services Contract with Reputation Management LLP in an amount not to exceed \$77,790 for Ethnic and Media Outreach in conjunction with ongoing Public Relations efforts for opening the New International Terminal.

Commissioner Crayton asked who the principles are in this contract.

Mr. Peter Nardoza, Deputy Director, Public Affairs responded that the prime contractor is Reputation Management. Their primary subcontractor is The Allen Group. This particular modification speaks to Mr. Noah Griffin.

Commissioner Ito noted that the additional scope includes a comprehensive ethnic media list. She assumed that Airport staff already had that resource. She was concerned that we were duplicating work that should already have been done in-house.

Mr. Nardoza responded that we are not necessarily duplicating it, but insuring that community newspapers throughout the Bay Area are included. He wanted to insure they captured the smaller newspapers in the East Bay and North Bay, etc.

Commissioner Ito recalled that the original contract was about \$500,000. She asked if there was a budgeting plan spelling out how much will be spent to reach the ethnic media. One of the issues being raised is that we aren't doing enough to reach the various ethnic communities. She wants a clearer understanding of where our funds are being directed and that the contractors have the sufficient staff to do the work that we expect.

Mr. Nardoza responded that approximately 20% of the overall contract will go to outreach ethnic minority newspapers and other minority media. The Airport has already conducted a successful half day community/ethnic newspaper briefing and tour. We will be doing a number of things like that.

20. Authorization to Extend Contract No. 3883 - The San Francisco Conservation Corps Master Contract for Maintenance, Landscape and Installation Services - \$250,000

No. 00-0021	Resolution extending the Master Contract with the San Francisco Conservation Corps for maintenance services, landscape services and installation services.
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Commissioner Mazzola noted that a statement is contained in this item regarding the Labor Union and Carpenter's Union agreement to do this. He asked if we had anything in writing.

Mr. Ernie Eavis, Deputy Director, Facilities Operations and Maintenance believed that it is in writing. He will check the file.

21. Authorization to Delete Indemnification Requirement for Patent Rights, Copyright or Trademark Infringement from the Professional Services Contract with the Regents of the University of California (Bodega Marine Laboratory) for Herring and Oyster Habitat Studies

No. 00-0022 Resolution authorizing the Director to delete Indemnification Requirement for Patent Rights, Copyright or Trademark Infringement in a Professional Services Contract with the University of California to Perform Herring and Oyster Habitat Studies.

22. Authorization to Issue a Request for Proposals for As-Needed Specialty Offset Printing Services

No. 00-0023 Resolution authorizing staff to issue a Request for Proposals for As-Needed Specialty Offset Printing Services.

23. Bid Call - Contract No. 4156 - As-Needed Electrical for Year 2000

No. 00-0024 Resolution approving the scope, budget, and schedule for Contract No. 4156, As-Needed Electrical, Year 2000, and authorizing the Director to call for bids when ready.

24. Bid Call - Contract No. 3054 - Utility Tunnels Waterproofing and Drainage Improvement

No. 00-0025 Resolution approving the scope, budget, and schedule for Contract No. 3054, Utility Tunnels Waterproofing and Drainage Improvement, and authorizing the Director to call for bids when ready.

25. Bid Call - Contract No. 4265 - West Field Cargo Facility Fire Protection Improvement

No. 00-0026 Resolution approving the scope, budget, and schedule for Contract No. 4265, West Field Cargo Facility Fire Protection Improvement, and authorizing the Director to call for bids when ready.

26. Bid Call - Vehicle Traffic Counts Contract

No. 00-0027 Resolution to issue request for bids for vehicle traffic counts contract for FY 2000/2001 with options for four additional years.

27. Reimbursement to Independent Holding, LLC for Alterations to Leased Premises at 1828 El Camino Real, Burlingame - \$50,000

No. 00-0028 Resolution approving payment not to exceed \$50,000 to Independent Holding, LLC for alterations to the Leased Premises at 1828 El Camino Real, Burlingame, to accommodate the International Services group and other functions.

28. Reimbursement to Skywest Airlines for the Purchase of a Disabled Passenger Lift

No. 00-0029 Resolution approving the reimbursement to Skywest Airlines for the purchase of a disabled passenger lift, at a cost not to exceed \$25,000.

29. Consent to Assignment of New International Terminal Golf Shop Lease Golf on the Avenue, Inc. to Pacific Golf Partners, LLC

No. 00-0030 Resolution approving consent of the New International Terminal Golf Shop Lease from Golf on the Avenue, Inc. to Pacific Golf Partners, LLC.

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J. NEW BUSINESS:

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 three (3) minutes. Please fill out a "Request to Speak" form located on the table inside the entrance to Room 400 and submit it to the Commission Secretary.

Mr. Timothy Treacy said that the issue he wanted to discuss was a letter addressed to him from Commissioner Berman, dated December 27, 1999. The subject of the letter was his removal as the Board of Supervisors representative on the Airport Community Roundtable. His replacement was to be Supervisor Barbara Kaufman.

Commissioner Berman's letter avoided specifically stating that he is making the appointment for the Board of Supervisors seat.

The letter never appeared on the Commission's agenda, nor did it appear on the Airport Community Roundtable agenda. Roundtable Chair Mary Griffin did not receive a letter

regarding this matter.

He wrote to Mr. Martin seeking information but he has not yet received a reply.

The immediate effect of being removed from the Roundtable is that they are denied an opportunity in that forum to raise any questions about Roundtable matters that have the effect of endorsing noise shifts to their neighborhood.

They are now denied access to information provided to members of the Roundtable which will make it difficult to continue to monitor events.

The seat was created on the Roundtable in response to noise problems San Francisco residents were experiencing at the time. An agreement was reached between Airport Director Turpen, Roundtable Chair Roger Chinn, the Board of Supervisors and the Mayor to create this seat specifically for the Board.

In 1997 Mr. Martin attempted to get them removed by approaching then Board President Kaufman to replace their representative with one of her aids. That didn't work out and members of their group were reappointed by Board President Kaufman. Subsequently, Board President Ammiano appointed an alternate.

Board President Ammiano was not notified of this action.

It is disturbing because in spite of all of the assurances of working together and promises of good faith, it raises the question of what is the fundamental concern. It appears to them that they are asking the right questions and that they will, in fact, be subjected to a noise shift if this reconfiguration goes through.

This is an attempt to foreclose them from raising any further questions or having any effective involvement in this process.

Mr. Martin said that the Roundtable was created almost 20 years ago and has had only elected officials from San Mateo County Cities and the County itself serving on the Roundtable. San Francisco previously had never had an elected representative sitting on the Roundtable. For many years the other members of the Roundtable expressed their desire to have a member of the San Francisco Board of Supervisors devote the same level of attention to the Roundtable as San Mateo County and Cities.

A number of the Cities in San Mateo County have noise committees similar to the San Francisco Noise Committee. Some of those Noise Committee representatives attend Roundtable meetings and he encouraged Mr. Treacy and members of the San Francisco Noise Committee to do the same. He is happy to provide them with advance copies of the Roundtable agendas so that they have full information.

Last Friday he signed a letter addressed to Mr. Treacy responding to his questions. In that letter he committed to having an Airport staff person, Mr. Roger Chinn, attend all of the San Francisco Noise Committee meetings so that the Airport can devote the

resources necessary to answer any questions.

He thinks it is appropriate that San Francisco have an elected representative on the Roundtable and is grateful that Supervisor Kaufman is willing to give her time to serve on the Roundtable. It shows the attention that San Francisco and its elected officials are devoting to the concerns regarding noise and that the Board of Supervisors takes this issue seriously, along with the runway problems and other issues that are all tied into the Roundtable discussions.

With respect to Supervisor Kaufman's appointment, Deputy City Attorney Ted Lakey advised on the proper way to make the appointment. That is the person that Mr. Treacy should contact regarding this issue.

Mr. Treacy said that he has attempted to contact Mr. Lakey who has declined to respond to him.

Mr. Treacy said that while the cities in San Mateo County are represented by elected officials, there is no requirement in the MOU that the original signees be elected officials. That amendment was adopted later for the cities that subsequently joined.

He has no objection if Mr. Martin wants to put Supervisor Kaufman on as the representative of the City of San Francisco. That is the seat that is appointed by the Mayor and currently filled by an Mayoral aid. That aid represents the Mayor and not the citizens of San Francisco. This seat was created in 1989 specifically to have a representative of the residential areas of San Francisco on the Roundtable.

They will no longer have a voice. They are allowed to speak at Roundtable meetings when and if the Chair of the Roundtable allows them to do so.

While Mr. Martin claims that they will be provided with the agenda. However, the important material is the correspondence file and other information that is distributed to members of the Roundtable.

This breach of faith is designed to silence them.

Commissioner Berman suggested that he and the Director meet with Mr. Treacy.

Mr. Martin said that he could not imagine anyone who would better represent the broad interests of San Francisco residents than an elected member of the Board of Supervisors and former President of the Board.

Commissioner Ito said that Supervisor Kaufman has been accessible to all communities. She is more than available on these kinds of issues. She encouraged Mr. Treacy to establish a close relationship with her.

Commissioner Mazzola suggested that the MOU be amended to create a seat for Supervisor Kaufman so that she did not have to take Mr. Treacy's seat.

Mr. Martin said that he thought it very unlikely that San Mateo County representatives would agree.

The other Roundtable members have the broad interests of the community in mind. They have residents who work at the Airport and understand its economic importance while still recognizing the noise issue. That is why it is important that Roundtable members be elected representatives who can consider the broad interests. That is why the Roundtable has resisted San Mateo County communities from having members of noise committees with only one issue of concern. That is why the Roundtable is so enthusiastic about having an elected member of the Board who has the broader perspective.

The Roundtable Chair has always allowed members of the public to ask questions. He is sure that she will continue to welcome Mr. Treacy's attendance and participation.

He said that he would be happy to discuss this with Mr. Treacy.

Mr. Treacy said that there has been no discussion at the Roundtable about this matter. It doesn't make a difference if he sits there. It is important to have someone representing the residential interests of Western, Southern and Central San Francisco. If Mr. Martin wants to put Supervisor Kaufman on as some sort of representative, they have no problem with that.

They fought hard to get their seat in 1989.

Commissioner Crayton suggested going ahead with a meeting with Mr. Martin and
Commissioner
Berman.

Mr. Dan Liebertson, Secretary of the Miraloma Park Improvement Club said that he and his Board stand behind Mr. Treacy 100%.

This is a consummate act of bad faith. He has attended Airport and Roundtable meetings and Mr. Treacy's technical expertise, experience and dedication in the matters of the Airport and noise is unparalleled among our citizens. It is not matched by Supervisor Kaufman, however able she may be. In spite of the fact that she is an elected official she does not have the technical depth, expertise and history that Mr. Treacy brings to his assignment as liaison from the Board of Supervisors.

He asked Commissioner Berman to rescind his December 27 letter and reappoint Mr. Treacy to the position. He is the legitimate and technically strongest person who can ask the questions that the Airport and the Roundtable obviously do not want to answer.

It is clear to them that there will be a shift in noise by the runway reconfiguration.

Commissioner Crayton asked how many years Mr. Treacy has served on the Roundtable.

Mr. Treacy responded that he has been the representative for three years.

Mr. Martin said that he cannot imagine that a citizen would say that he is better able to serve on the MTC, the Golden Gate Bridge District, or ABAG than members of the Board. Board members are publicly elected officials.

He welcomes the Noise Committee's participation. Staff resources will be provided and their attendance at the Roundtable meetings will be welcomed.

He would welcome a meeting with Mr. Treacy.

Commissioner Crayton said that the Commission has heard and understands Mr. Treacy's concerns and the concerns of the Miraloma Park Improvement Club. She wants this to work for everyone. Supervisor Kaufman is more than qualified. Mr. Treacy can share his concerns with Supervisor Kaufman.

Mr. Martin said that we need to make sure that citizen groups are heard from at the Roundtable and the Airport Commission and that all questions are answered and addressed in some way. That is the bottom line.

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K. CORRESPONDENCE:

There was no discussion by the Commission.

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L. ADJOURNMENT:

There being no further calendared business before the Commission, the meeting adjourned at 10:30 AM.

Jean Caramatti
Commission Secretary