

NORMAN Y. MINETA
SAN JOSE INTERNATIONAL AIRPORT
COMMISSION MEETING

Minutes of April 7, 2008

1. CALL TO ORDER AND ROLL CALL

The meeting was originally called to order by Commissioner Rolayne Edwards in the absence of the Chair and Vice Chair. Commission Vice-Chair Sukhdev Singh Baniwal arrived at approximately 6:08 p.m at which time there was a motion and approval to start the meeting over. Vice Chair Baniwal called the meeting to order at 6:08 PM in the Neil Armstrong Conference Room on the 6th floor of the Norman Y. Mineta San José International Airport Office, 1732 North First Street, San José, California. Commissioners Sukhdev Singh Baniwal, Rolayne Edwards, Don Simpson, and Frank Sweeney were in attendance. Commissioner John Salah arrived at approximately 6:20 p.m. and was absent for the vote on the Consent Calendar. Commissioners Catherine Tompkison-Graham and Daniel Biesterveld were absent.

2. ORDERS OF THE DAY

There were no other Orders of the Day.

3. CEREMONIAL ITEMS

There were no Ceremonial Items

4. CONSENT CALENDAR

NOTICE TO THE PUBLIC: The Consent Calendar is acted upon at this point in the agenda. There will be no separate discussion of items listed under this Section as these items are considered to be routine and will be adopted by one motion. If a member of the Airport Commission, staff, or public requests discussion on a particular item, that item will be removed from the Consent Calendar and considered separately.

- a. Minutes for approval:
 - March 3, 2008 Regular Meeting
- b. Items filed for public record and correspondence
- c. Noise Complaint and Curfew Summary:
- d. Future Airport Commission Meetings:
 - April 7, 2008 Regular Meeting
 - April 17, 2008 Rules
 - May 5, 2008 Regular Meeting
 - May 15, 2008 Rules
 - June 2, 2008 Regular Meeting
 - June 19, 2008 Rules
 - July 7, 2008 Regular Meeting
 - July 17, 2008 Rules

- August 4, 2008 Regular Meeting
- August 21, 2008 Rules

Upon motion by Commissioner Simpson and second by Commissioner Sweeney, the Consent Calendar was approved. (4-0, 3 absent)

End of Consent

5. GENERAL BUSINESS

- a. Discussion and possible action on the Council/Commission Rules of Conduct. **The Commission directed staff to provide them with current copies of the Resolution of the Airport Commission of the City of San Jose Adopting Rules and Regulations for the Conduct of Business in order to compare it to the recently approved City Council Rules of Conduct. This item will be agendized again at a future meeting. No date has been determined. Action: No action was taken.**
- b. Discussion and possible action on a status report on the design and construction of the Automated Inline Baggage Screening System for the Terminal Area Improvement Program (TAIP) **Jim Webb gave an update on securing federal funding for the Automated Inline Baggage Screening System for the TAIP. Action: No action was taken.**
- c. Discussion and possible action on the California State Senate Bill 87, which revised the method in which property taxes were valued and assessed by County Assessors for fractionally owned, non-certified aircraft in California. **Jim Webb gave an update on Santa Clara County's plan to implement SB 87. The County Assessor's office is not yet collecting the new tax. They are still in the process of collecting data. The City would get approximately 1/3 of 1% of the funds. Public Comment: Steve Frost asked if the tax will be based on the aircraft being in San Jose or if the Owner is in San Jose. Jim Webb will make attempts to find out that answer. Action: No action was taken.**
- d. Discussion and possible action on the San Jose State University Airport Internship Program (Curfew Fines Program). **Frank Kirkbride gave an update on the Curfew Fines Program. There is approximately \$24,000 remaining in the fund and he estimated that it would take approximately 5 years to raise enough funds to consider additional stakeholder outreach for suggestions on using these funds. Don Simpson made a suggestion to put the Internship Program out for "Project Sale" to find other ways to fund the program. Action: No action was taken.**
- e. Discussion and possible action on the Downtown High Rise/Building Height/Airport Obstruction Study. **Dave Maas gave a brief update on the Downtown High Rise/Building Height/Airport Obstruction Study.**

Public Comment: Walter Windus, Airport Land Use Commission Chair, asked 3 technical questions regarding OEI (One Engine Inoperative). Ron Blake, Airport Land Use Commission Member, asked if the Developers wanting to build High Rise buildings near the arena of a certain height would be compensated for any loss since they are no longer permitted to build as high as they originally wanted. The City Attorney's Office has advised Council about this subject but it is an attorney/client issue that can not be shared.

Action: No action was taken.

- f. Discussion and possible action on the Santa Clara Board of Supervisors recommendation to study the financial benefits and legal obligations of phasing out operations at the Reid-Hillview Airport. **Jim Webb gave an update on the Santa Clara County Board of Supervisors' decision regarding Reid-Hillview Airport (RHV).** City and Staff are currently taking a "wait and see" attitude since the County has only asked to see what the legal options are and are not actively taking steps to close the Airport. Commissioner Sweeney made a motion and handed out a resolution for approval asking that the San Jose Airport Commission recommend that Mayor Chuck Reed, in written correspondence to the Santa Clara Board of Supervisors, reiterate the City of San Jose's policy and ongoing opposition to closing RHV Airport and urge the county to cease all efforts to close the airport. The recommendation is made on the basis that RHV is a federally designated relief airport to the City of San Jose, it is a vital element of transportation in San Jose, and in February 1996 the City of San Jose passed Resolution No. 66446 for the reasons listed above. Commission Simpson seconded the motion.

Public Comment:

Carl Honaker stated that while the County does own the property the City does have jurisdiction over zoning.

John Blair, former Commissioner, authored the original memo in 1996 and stated that the City of San Jose has always recognized the importance of RHV to San Jose International. He hopes the City continues to take a strong position with respect to the County as to the importance of RHV Airport and should the vote to keep RHV open fail, he hopes that the City will consider taking over the operation of RHV.

Ron Blake stated that Supervisor McHugh attended the County Airports Commission and mentioned that he had already asked the Mayor what uses would be acceptable for the City for the airport property.

Action: The motion was approved. (5-0, 2 Absent)

- g. Discussion and possible action on proposed revision to the Airline Air Service Promotional Fee-Waiver Incentive Program. **Ed Nelson gave an update of the Airline Air Service Promotional Fee-Waiver Incentive Program which will go to the City Council in May.**

Action: Commissioner Sweeney made a motion to support the revised program and recommend it to the City Council. Commissioner Salah seconded the motion. The motion was approved. (5-0, 2 absent)

6. STANDING ITEMS

- a. Security
Security Items for January and February 2008 were included in the Commission Packet.
- b. Airport Incidents
John Aitken had no incidents to report.
- c. Capital Projects
There were no updates given for Capital Projects
- d. Regional Aviation Issues
Carl Honaker stated that the Wings of History Air Museum located in San Martin, CA will be having its annual open house on May 10, 2008. Also, AOPA is still coming to San Jose. Reid-Hillview will try to accommodate 10,000 visiting pilots during the first week of November.
- e. Commission Liaison Reports
Commissioners Sweeney and Salah toured Atlantic Aviation with Tim Murray.

Commissioner Sweeney stated that on March 15th, John Montgomery Art, a large glider wing, was dedicated near Evergreen Valley College.

Commissioners Sweeney and Simpson took a tour of the North Concourse with AAPOC. Commissioner Simpson stated that AAPOC is currently pursuing artists.

Ron Blake reported on the Airport Land Use Commission. The ALUC adopted a new fee schedule increasing fees to cover actual costs of looking at projects. The City requested additional time to review the new comprehensive land use plan that was adopted for Reid-Hillview. Also an alternate is needed to attend the ALUC meetings should Ron not be available.

As indicated below, Airport Commissioners may give status reports of their activities and meetings as assigned liaisons under Item 1 below but may not engage in discussions of specific matters unless a specific topic is agendaized under Item 2 below.

- 1. Liaison Reports on activities and meetings with community and private organizations, public entities and officials, and other interested parties assigned.*
- 2. Specific Reports and Topics for Discussion*

7. ANNOUNCEMENTS

- a. Update on City Council Action on the Specialized Aeronautical Services Operator (SASO) Agreement. **John Aitken gave an update on the agreement. Atlantic**

Aviation is currently reviewing the agreement and the plan is to sit down with them the week of April 21st to go over their comments. He anticipates execution of a contract in mid-May and everything to be underway in June.

8. PUBLIC COMMENT

(NOTE: Individuals wishing to address the Commission on items which are not listed on the printed agenda will be heard after all matters on the printed agenda have been considered. If a matter is not listed on the printed agenda, the Commission may listen to the matter, and refer it to the Director or place it on a future agenda, but will not be able to discuss or take any action on this matter. Persons wishing to address the Commission are requested to fill out a "Citizen's Request to Speak" card, which are available on the table by the entrance. The Commission Chair may limit your time to speak.)

There was no public comment.

9. ADJOURNMENT

Commissioner Simpson moved to adjourn the meeting. Commissioner Sweeney seconded the motion. The meeting was adjourned at 7:45 p.m.