



ORANGE COUNTY AIRPORT COMMISSION
AIRPORT COMMISSION HEARING ROOM
3160 AIRWAY AVENUE
COSTA MESA, CA 92626

JOHN WAYNE
AIRPORT
ORANGE COUNTY

**MINUTES OF REGULAR MEETING
JULY 5, 2023**

COMMISSIONERS PRESENT: Susan Dvorak, Chair, Fifth District
P. Alberto Sandoval, Commissioner, First District
Sal Tinajero, Commissioner, Second District
Bruce Junor, Commissioner, Third District

COMMISSIONERS ABSENT: Brendan O'Reilly, Vice Chair, Fourth District

AIRPORT STAFF PRESENT: Charlene Reynolds, Airport Director
Mark Sanchez, Deputy County Counsel
Kim Kitko, Deputy Airport Director, Business Development
Eric Freed, Deputy Airport Director, Public Affairs
Nick Gaskins, Access and Noise Office Manager
Sheryl Bisogno, Real Property Agent, Business Development
Elizabeth Gallegos, ASR Manager

CALL TO ORDER: Chair Dvorak called the meeting to order.

PLEDGE OF ALLEGIANCE: Commissioner Junor led the assembly in the Pledge of Allegiance.

1. APPROVAL OF MINUTES: On Commissioner Junor's motion and Commissioner Sandoval's second, the Regular Meeting Minutes of June 7, 2023, were approved by a unanimous vote.

2. APPROVE AMENDMENT NO. 4 TO CONTRACT FOR TRAFFIC SIGNAL MAINTENANCE SERVICES (ASR 23-000323) AGENDA ITEM #6

Recommended Action: Authorize the County Procurement Officer or Deputized designee to execute Amendment No. 4 to renew the contract with Bear Electrical Solutions, Inc. for Traffic Signal Maintenance Services, effective October 1, 2023, through September 30, 2024, in an amount not to exceed \$325,000, for a cumulative total amount not to exceed \$1,625,000.

Chair Dvorak requested Agenda Item No. 6 be moved up.

O.C. Public Works Infrastructure Traffic & Development Support Manager Denis Bilodeau discussed the recommended action, which includes the routine maintenance and 24/7 support of 10 traffic signals at John Wayne Airport (JWA). Denis answered questions from the Airport Commission regarding the contract total, the cumulative contract amount, and JWA's costs.

Airport Director Charlene Reynolds stated that JWA is one of many County Departments that utilize this contract.

The following is the action taken by the Orange County Airport Commission: On Commissioner Sandoval's motion and Commissioner Tinajero's second, Agenda Item No. 6 was approved by a unanimous vote.

APPROVE OTHER DENIED

Unanimous (1) Sandoval: Y (2) Tinajero: Y (3) Junor: Y (4) O'Reilly: X (5) Dvorak: Y
Vote Key: Y=Yes; N=No; A=Abstain; X=Excused

3. RETROACTIVE PAYMENT TO TYCO FIRE SECURITY US MANAGEMENT INC. DBA JOHNSON CONTROLS FIRE PROTECTION LP (ASR 23-00457) AGENDA ITEM #2

Recommended Action: Approve Purchase Order for retroactive payment to TYCO Fire Security U.S. Management Inc, dba Johnson Controls Fire Protection L.P., in the amount of \$22,554 for fire alarm system maintenance and repair at John Wayne Airport, for the time frame of July 1, 2021, through June 30, 2022.

O.C. Public Works Senior Maintenance Manager John Wayne Airport Amer Moujtahed discussed the recommended action with the Airport Commission. Amer responded to questions from the Commission asking what items required correcting, the contract terms, and the overspent amount.

Airport Director Charlene Reynolds responded to the Commission's comments regarding proper contract management and discussed the contract overrun.

Public Comment: Newport Beach resident Jim Mosher addressed his concerns to the Commission regarding some irregularities in the Agenda Staff Report and the invoice submitted and asked why this low-dollar item is coming to the Airport Commission and Board of Supervisors for approval. Mosher discussed why he believes that the contractor is partly responsible for the contract overrun and suggested that the Airport Commission decline this item.

Deputy County Counsel Mark Sanchez responded to the public comment and discussed why the County is required to pay the invoice.

The following is the action taken by the Orange County Airport Commission: On Commissioner Tinajero's motion and Chair Dvorak's second, Agenda Item No. 2 was approved by a unanimous vote.

APPROVE OTHER DENIED

Unanimous (1) Sandoval: Y (2) Tinajero: Y (3) Junor: Y (4) O'Reilly: X (5) Dvorak: Y
Vote Key: Y=Yes; N=No; A=Abstain; X=Excused

4. APPROVE CONTRACTS FOR ON-CALL POWER GENERATION AND DISTRIBUTION ENGINEERING (ASR 23-000482) AGENDA ITEM #3

Recommended Action: Authorize the Director of O.C. Public Works or designee to execute contracts for On-Call Power Generation and Distribution Engineering Services with R.G. Vanderweil Engineers LLP and Burns & McDonnell Engineering Company, Inc. for a three-year term commencing upon Board of Supervisors' approval or execution of all necessary signatures, whichever occurs later, in an amount not to exceed \$4,500,000 each, for a total amount not to exceed \$9,000,000, with the option to renew for two additional years upon Board of Supervisors' approval.

O.C. Public Works Facilities Maintenance & CUF Project Manager Charlene Del Mundo discussed the recommended action with the Airport Commission. Charlene responded to questions from the Airport Commission regarding the contract amounts, terms, and the work that will be performed by the two vendors, Vanderweil Engineers LLP and Burns & McDonnell Engineering Company, Inc. Charlene also responded to questions regarding whether the vendors have previously worked at John Wayne Airport, the number of Request for Proposal (RFP) responses received, and the evaluation ranking summary.

The following is the action taken by the Orange County Airport Commission: On Commissioner Tinajero's motion and Chair Dvorak's second, Agenda Item No. 3 was approved by a unanimous vote.

APPROVE OTHER DENIED

Unanimous (1) Sandoval: Y (2) Tinajero: Y (3) Junor: Y (4) O'Reilly: X (5) Dvorak: Y
Vote Key: Y=Yes; N=No; A=Abstain; X=Excused

5. APPROVE AMENDMENT NO. 1 TO RENEW CONTRACT FOR LANDSCAPE MAINTENANCE SERVICES (ASR 23-000485) AGENDA ITEM #4

Recommended Action: Authorize the County Procurement Officer or Deputized designee to execute Amendment No. 1 to renew the contract with Master Landscape & Maintenance, Inc. for Landscape Maintenance Services at John Wayne Airport, effective September 11, 2023, through September 10, 2025, in an amount not to exceed \$1,150,000 for a cumulative total amount not to exceed \$2,866,018.

O.C. Public Works Senior Maintenance Manager John Wayne Airport Amer Moujtahed discussed the recommended action with the Airport Commission. Amer responded to questions from the Airport Commission regarding the cumulative contract amount, the contract term, and the services covered.

The following is the action taken by the Orange County Airport Commission: On Commissioner Sandoval's motion and Commissioner Tinajero's second, Agenda Item No. 4 was approved by a unanimous vote.

APPROVE OTHER DENIED

Unanimous (1) Sandoval: **Y** (2) Tinajero: **Y** (3) Junor: **Y** (4) O'Reilly: **X** (5) Dvorak: **Y**
Vote Key: Y=Yes; N=No; A=Abstain; X=Excused

6. APPROVE AMENDMENT NO. 1 FOR FACILITY SECURITY SERVICES, EQUIPMENT AND SOFTWARE (ASR 23-000559) AGENDA ITEM #5

Recommended Action: Authorize the County Procurement Officer or Deputized designee to execute Amendment No. 1 to the contract with Johnson Controls Fire Protection L.P. for Facility Security Systems, Equipment and Software with Related Services, to increase the amount not to exceed \$600,000, for a cumulative total amount not to exceed \$1,200,000, effective upon Board of Supervisors approval.; and make CEQA findings.

O.C. Public Works Senior Maintenance Manager John Wayne Airport Amer Moujtahed discussed the recommended action with the Airport Commission. Amer responded to questions from the Airport Commission regarding the original contract term, the new contract amount, and why it doubled from the original contract amount.

The Airport Commission requested O.C. Public Works staff provide them with more information in the future and for Agenda Staff Reports to include more details.

Public Comment: Newport Beach resident Jim Mosher questioned how estimates from last year could have significantly increased for the new contract amount to be doubled.

Airport Director Charlene Reynolds stated that Maintenance and Facilities began reporting to O.C. Public Works in July 2022. Since then, it was determined that there was a need for additional maintenance to keep items operational. This higher contract amount will allow funding to be budgeted and available for use if and when needed.

The following is the action taken by the Orange County Airport Commission: On Chair Dvorak's motion and Commissioner Tinajero's second, Agenda Item No. 5 was approved by a unanimous vote.

APPROVE OTHER DENIED

Unanimous (1) Sandoval: **Y** (2) Tinajero: **Y** (3) Junor: **Y** (4) O'Reilly: **X** (5) Dvorak: **Y**
Vote Key: Y=Yes; N=No; A=Abstain; X=Excused

7. JOHN WAYNE AIRPORT CAPACITY ALLOCATIONS FOR 2024 PLAN YEAR (ASR 23-000565)

Recommended Action: Authorize the Airport Director to allocate Class A and Class E Average Daily Departures and Seat Capacity to Qualified Commercial Passenger and Commercial Cargo Air Carriers and Passenger Capacity to Qualified Commuter Passenger Air Carriers for the 2024 Plan Year (January 1, 2024, through December 31, 2024), as reflected on Attachments A and B, and in a manner consistent with the terms of the Phase 2 Commercial Airline Access Plan and Regulation; Authorize the Airport Director to withdraw Seat Capacity during the 2024 Plan Year if it becomes necessary to ensure compliance with the 11.8 million annual passenger limitation at John Wayne Airport, consistent with the requirements set forth in Section 6 of the Phase 2 Commercial Airline Access Plan and Regulation; Authorize the Airport Director to allocate or reallocate any additional Regular or Supplemental Average Daily Departures and any necessary associated Seat Capacity, which may become available during the 2024 Plan Year, in a manner consistent with the terms of the Phase 2 Commercial Airline Access Plan and Regulation; Authorize the Airport Director to allocate additional Supplemental Seat Capacity to Qualified Commercial Passenger Air Carriers during the 2024 Plan Year if it is determined that such allocations can be made without jeopardy to the 11.8 million annual passenger limitation of the Phase 2 Commercial Airline Access Plan and Regulation; Authorize the Airport Director to waive Section 5.1.1 of the Phase 2 Commercial Airline Access Plan and Regulation and allocate up to 30 Remain Overnight positions for Commercial Air Carrier use during the 2024 Plan Year, pursuant to Section 5.1.1, as reflected in Attachment A, and provide authority to withdraw the additional three Remain Overnight positions for safety or operational purposes, as required; Authorize the Airport Director to allocate Passenger Capacity and Remain Overnight positions and authorize the Airport Director to allocate any additional Supplemental Passenger Capacity and Remain Overnight positions to Qualified Commuter Carriers during the 2024 Plan Year if it is determined that such allocations can be made without jeopardy to the 11.8 million annual passenger limitation; Find that the County retains and reaffirms its sole and exclusive discretion to require mandatory withdrawals of operational capacity in any form if the County determines such action to be appropriate to ensure continued compliance with the 11.8 million annual passenger limitation or for any other reason, consistent with the requirements set forth in Section 6 of the Phase 2 Commercial Airline Access Plan and Regulation.

Access and Noise Manager Nick Gaskins presented the recommended action to the Airport Commission. Nick discussed capacity constraints, the plan year 2024 timeline, the types of capacity allocated, seat capacity overview, calculating the million annual passengers (MAP), and the plan year 2024 recommendations. Nick responded to questions from the Airport Commission regarding the allocations given to the Airlines, the possibility of redistributing more allocations to Class E aircraft in the future, Commercial Cargo Class A ADDs, commuter carriers, the waitlist, Remain Overnight Allocations, and the request to waive Access Plan Section 5.1.1.

Public Comment: Newport Beach resident Jim Mosher shared how the Agenda Staff Report could be improved by adding more detail and transparency regarding the Class A and E allocations requested and awarded. Mosher also questioned the load factor being the reason why no permanent or supplemental Class A ADDs were allocated.

Nick Gaskins responded to the public comment and discussed the Million Annual Passengers (MAP) and why the Airport decided to reduce Class E allocations by 10% and withhold five County-controlled Class A ADDs. Nick also discussed the passenger increase over the last year.

The following is the action taken by the Orange County Airport Commission: On Commissioner Tinajero's motion and Commissioner Sandoval's second, Agenda Item No. 7 was approved by a 3-0. Chair Dvorak abstained.

APPROVE OTHER DENIED

Unanimous (1) Sandoval: Y (2) Tinajero: Y (3) Junor: Y (4) O'Reilly: X (5) Dvorak: A
Vote Key: Y=Yes; N=No; A=Abstain; X=Excused

- 8. APPROVE LEASE WITH TRANSPORTATION SECURITY ADMINISTRATION (ASR 23-000557)**
Recommended Action: Approve and execute a U.S. Government Lease for Real Property with The Transportation Security Administration for security services support offices, effective October 1, 2023, through September 30, 2033; Authorize the Airport Director or designee to extend the Lease with The Transportation Security Administration for two additional five-year terms at a negotiated and agreed rental rate with the County of Orange; and make CEQA findings.

Deputy Airport Director of Business Development Kim Kitko discussed the recommended action with the Airport Commission. Kim discussed where the TSA offices in the lease are located and responded to the Commission's questions regarding the rate the TSA will pay.

The following is the action taken by the Orange County Airport Commission: On Commissioner Tinajero's motion and Commissioner Junor's second, Agenda Item No. 8 was approved by a unanimous vote.

APPROVE OTHER DENIED

Unanimous (1) Sandoval: **Y** (2) Tinajero: **Y** (3) Junor: **Y** (4) O'Reilly: **X** (5) Dvorak: **Y**
Vote Key: Y=Yes; N=No; A=Abstain; X=Excused

- 9. SUMMARY OF RELEVANT ACTIONS BY THE BOARD OF SUPERVISORS (Board)** Airport Director Charlene Reynolds stated that on June 6, 2023, the Board Approved as Recommended, the Contract for Parking and Revenue Control System Maintenance and Repair with SKIDATA, Inc. On June 27, 2023, the Board Approved as Recommended Amendment One for Wireless Public Internet Access Agreement with Boingo Wireless and the Peer-to-Peer Vehicle Sharing License with Turo Inc.

10. ADDITIONAL BUSINESS

- A. PUBLIC COMMENTS – None
- B. AIRPORT DIRECTOR COMMENTS – Airport Director Charlene Reynolds shared with the Commission that all-electric Vehicle takeoff and landing aircraft (eVTOLs) are on their way, with the FAA certifying its first flying car for use in 2025.
- C. AIRPORT COMMISSION COMMENTS – Chair Dvorak thanked Airport staff that have been working on the Fly Friendly Program.

- 11. ADJOURNMENT OF PUBLIC MEETING** The meeting adjourned at 6:47 pm.