

THIS AGENDA FOR THE MEETING WAS POSTED OUTSIDE ON THE BOARD OF AIRPORT COMMISSIONERS' BULLETIN BOARD AND THE FRONT DOOR OF THE DEPARTMENT OF AIRPORTS' ADMINISTRATION BUILDING LOBBY, #1 WORLD WAY, P.O. BOX 92216, LOS ANGELES, CALIFORNIA ON WEDNESDAY, FEBRUARY 12, 2003 AT 2:31 P.M. FOR PUBLIC REFERENCE.

MINUTES

OF THE MEETING OF THE BOARD OF AIRPORT COMMISSIONERS OF THE CITY OF LOS ANGELES CONVENED IN REGULAR SESSION IN CONCORDE ROOMS I AND II AND CLOSED SESSION IN THE BOARD ROOM AT THE AIRTEL PLAZA HOTEL AT VAN NUYS AIRPORT, 7277 VALJEAN AVENUE, VAN NUYS, CALIFORNIA 91406 ON TUESDAY, FEBRUARY 18, 2003 AT 8:30 A.M.

PRESENT: Commissioners Levine, Petersen, Vergara, Weil, Wong and President Stein

Lydia H. Kennard	Executive Director
Paul L. Green	Chief Operating Officer
Kim R. Day	Deputy Executive Director
Michael DiGirolamo	Deputy Executive Director
Paul A. Haney	Deputy Executive Director
Richard Janisse	Deputy Executive Director
Roger Johnson	Deputy Executive Director
Edward J. Ritchie	Deputy Executive Director
Eduardo A. Angeles	Managing Assistant City Attorney
Samson Mengistu	Commission Liaison
Sandra J. Miller	Secretary

ABSENT: Commissioner Llorens

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In addition to the above listed Executive staff, there were 16 staff members present.

Presentation for approval Minutes of the Regular Meeting of February 4, 2003.

APPROVED AS PRESENTED

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Discussion Items: 5, 6, 7, 12 and 16

Discussion begins on page 19

As a covered entity under Title II of the Americans with Disabilities Act, the City of Los Angeles does not discriminate on the basis of disability and, upon request, will provide reasonable accommodation to ensure equal access to its programs, services, and activities.

FEBRUARY 18, 2003

ITEM 1. RESOLUTION NO. 21967 – AUTHORIZE THE EXECUTIVE DIRECTOR TO JOIN THE COUNTY OF LOS ANGELES CONTRACT NUMBER 40856 WITH MOTOROLA, INC. FOR THE PURCHASE OF RADIO EQUIPMENT, PARTS, ACCESSORIES, AND SOFTWARE FOR AN AMOUNT NOT TO EXCEED \$500,000

RECOMMENDATION: Adoption of the Report requesting that the Board of Airport Commissioners approve the request that Los Angeles World Airports join the County of Los Angeles Contract Number 40856 with Motorola, Inc. for the purchase of radio equipment, parts, and software for an amount not to exceed \$500,000, and authorize the Executive Director to execute the Contract with County of Los Angeles Contract No. 40856 after approval as to form by the City Attorney. (Roger Johnson, 310-646-9640)

RECOMMENDATION APPROVED

Moved by:
Seconded by

Ayes:

Nays:

Discussion: See page 19

ITEM 2. RESOLUTION NO. 21968 – AUTHORIZE THE EXECUTIVE DIRECTOR TO JOIN THE CITY OF LOS ANGELES DEPARTMENT OF GENERAL SERVICES CONTRACT NO. 57000 WITH BURST COMMUNICATIONS, INC. TO PROVIDE AUDIO-VISUAL COMMUNICATIONS EQUIPMENT AND SUPPLIES FOR AN AMOUNT NOT TO EXCEED \$500,000

RECOMMENDATION: Adoption of the Report requesting that the Board of Airport Commissioners approve joining the City of Los Angeles, Department of General Services Contract No. 57000 with Burst Communications, Inc. to provide audio-visual communications equipment and supplies for an amount not to exceed \$500,000, and authorize the Executive Director to execute a Contract after approval as to form by the City Attorney. (Roger Johnson, 310-646-9640)

RECOMMENDATION APPROVED

Moved by:
Seconded by:

Ayes:

Nays:

Discussion: See page 19

ITEM 3. RESOLUTION NO. 21969 – APPROVE A LEGISLATIVE AFFAIRS CONSULTING SERVICES AGREEMENT WITH PATTON BOGGS, LLP TO ADDRESS AVIATION SAFETY AND SECURITY LEGISLATION, REGULATIONS, AND RELATED MATTERS ON AN AS-NEEDED BASIS

RECOMMENDATION: Adoption of the Report requesting that the Board of Airport Commissioners authorize the Executive Director to negotiate and execute an Agreement with Patton Boggs LLP to provide federal legislative and regulatory affairs consulting services on behalf of the City of Los Angeles for the benefit of Los Angeles World Airports. (Philip Depoian, 310-646-8158)

RECOMMENDATION APPROVED

Moved by: Commissioner Wong
Seconded by: Commissioner Weil

Ayes: Commissioners Levine, Petersen, Vergara, Weil, Wong and President Stein

Nays: None

Discussion: None

ITEM 4. RESOLUTION NO. – APPROVE AWARD OF A THREE-YEAR LEGAL SERVICES CONTRACT TO THE LAW FIRM OF HUNT, ORTMANN, BLASCO, PALFFY & ROSSELL TO PROVIDE THE CITY ATTORNEY AND LOS ANGELES WORLD AIRPORTS WITH LEGAL ADVICE AND SPECIALIZED LEGAL SERVICES PERTINENT TO CONSTRUCTION-RELATED LITIGATION AND OTHER RELATED MATTERS

RECOMMENDATION: Adoption of the Report requesting that the Board of Airport Commissioners approve the Award of a three-year legal services Contract to the law firm of Hunt, Ortmann, Blasco, Palffy & Rossell to provide the City Attorney and Los Angeles World Airports with legal advice and specialized legal services pertinent to on-going construction-related litigation and other related matters, for and amount not to exceed \$500,000, find that this work can be facilitated and performed more economically or feasibly by an independent contractor than by City employees, and authorize the Executive Director to execute the Contract with Hunt, Ortmann, Blasco, Palffy & Rossell upon approval as to form by the City Attorney. (Eduardo Angeles, 310-646-3260)

DEFERRED

Moved by:
Seconded by:

Ayes:

Nays:

Discussion: See page 19

ITEM 5. RESOLUTION NO. 21970 – APPROVE A REVISED COOPERATIVE AGREEMENT BETWEEN LOS ANGELES WORLD AIRPORTS AND THE STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION (CALTRANS) REGARDING CONSTRUCTION OF STATE ROUTE 138 IN THE CITY OF PALMDALE

RECOMMENDATION: Adoption of the Report requesting that the Board of Airport Commissioners approve the revised Cooperative Agreement with the State of California Department of Transportation (Caltrans) to grant an easement for the construction of State Route 138 in Palmdale, and authorize the Executive Director to execute the Cooperative Agreement with Caltrans upon approval as to form by the City Attorney. (Jim Ritchie, 310-417-2342)

RECOMMENDATION APPROVED

Moved by: Commissioner Petersen
Seconded by Commissioner Weil

Ayes: Commissioners Levine, Petersen, Vergara, Weil, Wong and President Stein

Nays: None

Discussion: See page 19

ITEM 6. RESOLUTION NO. 21971 – APPROVE THE FIRST AMENDMENT TO CONTRACT NO. DA-3496 WITH PETERSON-CHASE GENERAL ENGINEERING CONSTRUCTION, INC., TO PROVIDE A ONE-YEAR CONTRACT TIME EXTENSION TO COMPLETE CONSTRUCTION OF THE PROJECT ENTITLED “SIGNAGE AND WAYFINDING SYSTEM – LAX ENHANCEMENTS” AT LOS ANGELES INTERNATIONAL AIRPORT

RECOMMENDATION: Adoption of the Report requesting that the Board of Airport Commissioners approve the First Amendment to Contract No. DA-3496 with Peterson-Chase General Engineering Construction, Inc. to extend the term of the Contract to March 24, 2004, find that this work can be performed more economically or feasibly by an independent contractor than by City employees, and authorize the Executive Director to execute the First Amendment with Peterson-Chase General Engineering Construction, Inc. upon approval as to form by the City Attorney and upon approval by City Council. (Kim Day, 310-646-7393)

RECOMMENDATION APPROVED

Moved by: Commissioner Petersen
Seconded by: Commissioner Wong

Ayes: Commissioners Levine, Petersen, Vergara, Weil, Wong and President Stein

Nays: None

Discussion: See page 19

ITEM 7. BOARD ORDER NO. AO-4847 – APPROVE THE SECOND AMENDMENT TO CONCESSION AGREEMENT NO. LAA-7622 WITH DFS NORTH AMERICA FOR THE OPERATION OF A SPECIALTY RETAIL CONCESSION AT LOS ANGELES INTERNATIONAL AIRPORT

RECOMMENDATION: Adoption of the Report requesting that the Board of Airport Commissioners approve the Second Amendment to Concession Agreement No. LAA-7622 with DFS North America for specialty retail concessions in Terminal 1, Terminal 2, Terminal 5, and the Tom Bradley International Terminal at Los Angeles International Airport, to extend the term on a month-to-month basis, not to exceed one year, and authorize the Executive Director to execute the Second Amendment with DFS North America upon approval as to form by the City Attorney and upon approval by City Council. (Richard Janisse, 310-417-0693)

RECOMMENDATION APPROVED

Moved by: Commissioner Petersen
Seconded by: Commissioner Levine

Ayes: Commissioners Levine, Petersen, Vergara, Weil, Wong and President Stein

Nays: None

Discussion: See page 19

ITEM 8. BOARD ORDER NO. AO-4848- APPROVE THE SECOND AMENDMENT TO CONCESSION AGREEMENT NO. LAA-7466 WITH MCDONALD'S CORPORATION COVERING FOOD AND BEVERAGE CONCESSION IN TERMINAL 1, TERMINAL 5, TERMINAL 7 AND THE TOM BRADLEY INTERNATIONAL TERMINAL AT LOS ANGELES INTERNATIONAL AIRPORT

RECOMMENDATION: Adoption of the Report requesting that the Board of Airport Commissioners approve the Second Amendment to Concession Agreement No. LAA-7466 with McDonald's Corporation for food and beverage concessions in Terminal 1, Terminal 5, Terminal 7 and the Tom Bradley International Terminal at Los Angeles International Airport to primarily resolve auditing issues, and authorize the Executive Director to execute the Second Amendment with McDonald's Corporation upon approval as to form by the City Attorney. (Richard Janisse, 310-417-0693)

RECOMMENDATION APPROVED
AS AMENDED

Moved by:
Seconded by:

Ayes:

Nays:

Discussion: See page 21

ITEM 9. RESOLUTION NO. 21972 – APPROVE THE THIRD AMENDMENT TO CONTRACT NO. DA-3499 WITH DANIEL, MANN, JOHNSON, MENDENHALL, HOLMES & NARVER, INC. TO PROVIDE A THREE-YEAR TIME EXTENSION TO COMPLETE DESIGN AND CONSTRUCTION ADMINISTRATION SUPPORT SERVICES FOR PHASES ONE AND TWO OF THE PROJECT ENTITLED “FLYAWAY BUS TERMINAL” AT VAN NUYS AIRPORT

RECOMMENDATION: Adoption of the Report requesting that the Board of Airport Commissioners approve the Third Amendment to Contract No. DA-3499 with Daniel, Mann, Johnson, Mendenhall, Holmes & Narver, Inc. to extend the term of the Contract three years to March 22, 2006, find that this work can be performed more economically or feasibly by an independent contractor than by City employees, and authorize the Executive Director to execute the Third Amendment with Daniel, Mann, Johnson, Mendenhall, Holmes & Narver, Inc. after approval as to form by the City Attorney and approval by City Council. (Kim Day, 310-646-7393)

RECOMMENDATION APPROVED

Moved by:
Seconded by:

Ayes:

Nays:

Discussion: See page 19

ITEM 10. RESOLUTION NO. 21973 – APPROVE RESCISSION OF CONTRACT NO. DA-3547B WITH RISCO COMP INDUSTRIES, INC., ESTABLISH A MONTH-TO-MONTH AUTHORITY WITH LEE’S MAINTENANCE SERVICE, INC. UNDER THE SAME TERMS AND CONDITIONS OF CONTRACT NO. DA-3547B, APPROVE SPECIFICATIONS, AND AUTHORIZE THE EXECUTIVE DIRECTOR TO ADVERTISE THE REQUEST FOR BID PACKAGE FOR THE CLEANING OF PARKING LOTS, PARKING STRUCTURES, AND METERED PARKING AREAS AT LOS ANGELES INTERNATIONAL AIRPORT

RECOMMENDATION: Adoption of the Report requesting that the Board of Airport Commissioners approve rescission of Contract No. DA-3547B with RisComp Industries, Inc., establish a month-to-month authority with Lee’s Maintenance Service, Inc. under the same terms and conditions of Contract No. DA-3547B, approve specifications, authorize the Executive Director to advertise the request for bid package for the cleaning of parking lots, parking structures, and metered parking areas at Los Angeles International Airport for an amount not to exceed \$675,000, upon approval as to form by the City Attorney, find that this work can be performed more economically or feasibly by an independent contractor than by City employees, and further authorize the Executive Director to establish a month-to-month agreement not to exceed ten months. (Kim Day, 310-646-7393)

RECOMMENDATION APPROVED

Moved by:
Seconded by:

Ayes:

Nays:

Discussion: See page 19

ITEM 11. RESOLUTION NO. 21974 – APPROVE THE SPECIFICATIONS, ADVERTISEMENT, AND RELEASE OF A REQUEST FOR PROPOSALS (RFP) FOR ACCOUNTING AND AUDITING SERVICES FOR THE LOS ANGELES WORLD AIRPORTS

RECOMMENDATION: Adoption of the Report requesting that the Board of Airport Commissioners approve the specifications for accounting and auditing services for the purpose of conducting an annual independent audit and examination of Los Angeles World Airports financial statements, find that pursuant to Charter Section 1022, the audit work to be performed can be accomplished more economically and feasibly by an independent contractor than by City employees because of the independent nature of the work involved and by mandatory compliance requirements set forth by the Federal Aviation Administration, the Office of Management and Budget, and under the terms of the Master Trust Indenture, and authorize the Executive Director or her duly authorized representative to publish, advertise, and release a Request for Proposals for Accounting and Auditing Services. (Karen Sisson, 310-646-9118)

RECOMMENDATION APPROVED

Moved by:
Seconded by:

Ayes:

Nays:

Discussion: See page 19

ITEM 12. RESOLUTION NO. 21975 – AUTHORIZE THE EXECUTIVE DIRECTOR TO ADVERTISE AND ISSUE A REQUEST FOR PROPOSALS TO QUALIFIED FIRMS FOR CONSULTANT SERVICES TO PERFORM TWO SEPARATE AND COMPLETE FEDERAL AVIATION REGULATION (FAR) PART 161 STUDIES FOR FEDERAL AVIATION ADMINISTRATION APPROVAL OF THE NOISE CONTROL MEASURES TO PROHIBIT THE EAST DEPARTURE OF ALL AIRCRAFT FROM LOS ANGELES INTERNATIONAL AIRPORT (LAX) BETWEEN THE HOURS OF 12:00 MIDNIGHT AND 6:30 A.M. WHEN LAX IS OPERATING IN OVER-OCEAN OPERATIONS, OR WHEN IT REMAINS IN WESTERLY OPERATIONS DURING THESE HOURS, AND TO IMPLEMENT SEVEN NOISE CONTROL MEASURES IDENTIFIED AS REQUIRING A PART 161 STUDY IN THE NOISE COMPATIBILITY PROGRAM OF THE VAN NUYS AIRPORT PART 150 STUDY DATED AUGUST 2001

RECOMMENDATION: Adoption of the Report requesting that the Board of Airport Commissioners approve the advertisement of a Request for Proposals for consultant services to perform two separate and complete Federal Aviation Regulation (FAR) Part 161 Studies for Federal Aviation Administration (FAA) approval of the noise control measures to prohibit the east departure of all aircraft from Los Angeles International Airport (LAX) between the hours of 12:00 midnight and 6:30 a.m. when LAX is operating in over-ocean operations, or when it remains in westerly operations during these hours, and to implement seven noise control measures identified as requiring a Part 161 Study in the Noise Compatibility Program of the Van Nuys Airport Part 150 Study dated August 2001, find that this work can be performed more economically or feasibly by an independent contractor than by City employees, and authorize the Executive Director to advertise and issue a Request for Proposals to qualified firms consultant services to perform two separate and complete FAR Part 161 Studies for FAA approval. (Roger Johnson, 310-646-9640)

RECOMMENDATION APPROVED

Moved by: Commissioner Vergara
Seconded by: Commissioner Petersen

Ayes: Commissioners Levine, Petersen, Vergara, Weil, Wong and President Stein

Nays: None

Discussion: See pages 19 and 20

ITEM 13. RESOLUTION NO. 21976 – AUTHORIZATION TO PROVIDE FUNDS TO THE CITY OF ONTARIO FOR THE IMPLEMENTATION OF AN ELIGIBLE PART 150 SOUND MITIGATION PROJECT PURSUANT TO LOS ANGELES WORLD AIRPORTS PART 150 NOISE COMPATIBILITY PROGRAM AND LAND USE MITIGATION PROGRAM, AND ALLOCATION OF FUNDS

RECOMMENDATION: Adoption of the Report requesting that the Board of Airport Commissioners authorize the Executive Director to execute a Letter Agreement after its approval as to form by the City Attorney, and further authorize the Executive Director to release funds to the City of Ontario pursuant to said Agreement. (Roger Johnson, 310-646-9640)

RECOMMENDATION APPROVED

Moved by:
Seconded by:

Ayes:

Nays:

Discussion: See page 19

ITEM 14. RESOLUTION NO. – APPROVE FILING OF APPLICATION FOR THE SECOND AMENDMENT TO PASSENGER FACILITY CHARGE APPLICATION NO. 97-04-C-00-LAX AT LOS ANGELES INTERNATIONAL AIRPORT

RECOMMENDATION: Adoption of the Report requesting that the Board of Airport Commissioners approve the filing of the Application for the Second Amendment to Passenger Facility Charge (PFC) Application No. 97-04-C-00-LAX at Los Angeles International Airport (LAX) to extend authority to impose and use an additional \$335 million in PFC's for the purpose of funding a Noise Mitigation Project and Land Acquisition Project at LAX, and to increase to \$4.50 the amount collected per enplaned passenger. (Karen Sisson, 310-646-9118)

DEFERRED

Moved by:
Seconded by:

Ayes:

Nays:

Discussion: See page 19

ITEM 15. RESOLUTION NO. 21977 – APPROVE TO CHANGE A FUNDING SOURCE ALLOCATION FOR THE CONSTRUCTION CONTRACT FOR THE PROJECT ENTITLED “TAXIWAY N WESTERLY EXTENSION” AT ONTARIO INTERNATIONAL AIRPORT AND AMEND BOARD RESOLUTION NO. 21785

RECOMMENDATION: Adoption of the Report requesting that the Board of Airport Commissioners approve a change funding source from the 1996A Ontario Construction Fund (72Q) to the ONT Airport Revenue Fund in the amount of \$10,931,659 for the project entitled “Taxiway N Westerly Extension,” and amend Board Resolution No. 21785. (Karen Sisson, 310-646-9118)

RECOMMENDATION APPROVED

Moved by:
Seconded by:

Ayes:

Nays:

Discussion: See page 19

ITEM 16. RESOLUTION NO. 21978 – AUTHORIZE THE EXECUTIVE DIRECTOR TO PURCHASE LEASEHOLD ESTATE OF SRTP LIQUIDATION, INC. (FORMERLY SR TECHNICS AMERICA, INC.) AT PALMDALE REGIONAL AIRPORT

RECOMMENDATION: Adoption of the Report requesting that the Board of Airport Commissioners approve in concept the purchase of the leasehold estate of SRTP Liquidation, Inc. (formerly SR Technics America, Inc.) associated with Lease No. PIA-44 for a purchase price not-to-exceed \$3,000,000, plus closing costs, authorize the Executive Director to place a refundable good faith deposit of \$300,000 into an escrow account with an escrow agent as earnest money, and further authorize the Executive Director to negotiate a purchase agreement with SRTP Liquidation, Inc. (Richard Janisse, 310-417-0693)

RECOMMENDATION APPROVED
AS AMENDED

Moved by:

Ayes:

Nays:

Discussion: See page 20

ITEM 17. RESOLUTION NO. 21979 – APPROVE TRAVEL FOR A LOS ANGELES FIRE DEPARTMENT (LAFD) EMPLOYEE (BATTALION CHIEF MICHAEL REAGAN) TO ATTEND THE NATIONAL FIRE PROTECTION ASSOCIATION – TECHNICAL COMMITTEE MEETING ON AIRCRAFT RESCUE AND FIREFIGHTING IN PHOENIX, ARIZONA, FEBRUARY 24 THROUGH 26, 2003, AND AUTHORIZE THE EXECUTIVE DIRECTOR TO EXECUTE THE TRAVEL REQUEST AND PAY THE RELATED EXPENSES

RECOMMENDATION: Adoption of the Report requesting that the Board of Airport Commissioners approve the funding to send Battalion Chief Michael Reagan to attend the National Fire Protection Association – Technical Committee Meeting in Phoenix, Arizona, February 24 through 26, 2003, and authorize the Executive Director to execute the travel request and pay the related expenses. (Michael DiGirolamo, 310-646-3989)

RECOMMENDATION APPROVED

Moved by:
Seconded by:

Ayes:

Nays:

Discussion: See page 19

ITEM 18. RESOLUTION NO. – APPROVE TRAVEL EXPENSE STATEMENT FOR CITY OF LOS ANGELES DEPUTY MAYOR TROY EDWARDS COVERING TRIP TO TORONTO, CANADA TO MEET WITH TORONTO INTERNATIONAL AIRPORT OFFICIALS REGARDING AIRPORT SECURITY, PASSENGER AND BAGGAGE CHECK-IN FACILITIES, AND TOUR AIRPORT FACILITY, DECEMBER 2 AND 3, 2002

RECOMMENDATION: Adoption of the Travel Expense Statement for City of Los Angeles Deputy Troy Edwards covering trip to Toronto, Canada, December 2 and 3, 2002 with expenses of \$60.00 and airfare in the amount of \$1,891.75. (Regina Tennelle, 310-646-6250)

DEFERRED

Moved by:
Seconded by:

Ayes:

Nays:

Discussion:

CONSENT CALENDAR

President Stein requested a motion of approval for the following enumerated items that did not need amendments or further discussion: 1, 2, 4 deferred, 9, 10, 11, 13, 14 deferred, 15 and 17.

Motion of approval of the consent calendar was made by Commissioner Petersen, seconded by Commissioner Wong and it was unanimously adopted.

DISCUSSION ITEMS

ITEM 5. APPROVE A REVISED COOPERATIVE AGREEMENT BETWEEN LOS ANGELES WORLD AIRPORTS AND THE STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION (CALTRANS) REGARDING CONSTRUCTION OF STATE ROUTE 138 IN THE CITY OF PALMDALE

Jim Ritchie, Deputy Executive Director, briefed the Board on this item.

ITEM 6. APPROVE THE FIRST AMENDMENT TO CONTRACT NO. DA-3496 WITH PETERSON-CHASE GENERAL ENGINEERING CONSTRUCTION, INC., TO PROVIDE A ONE-YEAR CONTRACT TIME EXTENSION TO COMPLETE CONSTRUCTION OF THE PROJECT ENTITLED "SIGNAGE AND WAYFINDING SYSTEM – LAX ENHANCEMENTS" AT LOS ANGELES INTERNATIONAL AIRPORT

Kim Day, Deputy Executive Director, presented background information as well as the necessity to approve this item.

After discussion, the Board requested Deputy Executive Director Day to be mindful of any expenditure for this amendment and as well recommended the City Attorneys' office to review any costs under this amendment as to legality.

ITEM 7. APPROVE THE SECOND AMENDMENT TO CONCESSION AGREEMENT NO. LAA-7622 WITH DFS NORTH AMERICA FOR THE OPERATION OF A SPECIALTY RETAIL CONCESSION AT LOS ANGELES INTERNATIONAL AIRPORT

Richard Janisse, Deputy Executive Director, presented a board report and requested the Board make the following amendments: *extend the term on a month-to-month basis not to exceed six months with a 30 day cancellation clause at the sole discretion of either party; require DFS to pay the minimum annual guarantee per facility as provided in their original agreement and revise the fiscal impact statement to reflect -- no fiscal impact to Los Angeles World Airports' Revenue for 2003.*

President Stein requested Deputy Executive Director Janisse provide the Board with a written report covering the language and any difference in their agreements between DFS and Host gross sales' provisions.

Motion of approval of the amended board report, as noted by Mr. Janisse (see italic print above) was made by Commissioner Wong, seconded by Commissioner Vergara and unanimously adopted.

ITEM 12. AUTHORIZE THE EXECUTIVE DIRECTOR TO ADVERTISE AND ISSUE A REQUEST FOR PROPOSALS TO QUALIFIED FIRMS FOR CONSULTANT SERVICES TO PERFORM TWO SEPARATE AND COMPLETE FEDERAL AVIATION REGULATION (FAR) PART 161 STUDIES FOR FEDERAL AVIATION ADMINISTRATION APPROVAL OF THE NOISE

Cont'd.

LOS ANGELES INTERNATIONAL AIRPORT (LAX) BETWEEN THE HOURS OF 12:00 MIDNIGHT AND 6:30 A.M. WHEN LAX IS OPERATING IN OVER-OCEAN OPERATIONS, OR WHEN IT REMAINS IN WESTERLY OPERATIONS DURING THESE HOURS, AND TO IMPLEMENT SEVEN NOISE CONTROL MEASURES IDENTIFIED AS REQUIRING A PART 161 STUDY IN THE NOISE COMPATIBILITY PROGRAM OF THE VAN NUYS AIRPORT PART 150 STUDY DATED AUGUST 2001

The Board heard comments from a public official and community representatives.

Roger Johnson, Deputy Executive Director, briefed the Board on some aspects of the 161 Study.

President Stein requested a report on the following: 1) Stage II violators to the Fly Friendly Program at VNY; 2) the process to increase fines for violators; and 3) the process the Department undertakes to confirm an "emergency landing/take-off" violation was a legitimate occurrence.

ITEM 16. AUTHORIZE THE EXECUTIVE DIRECTOR TO PURCHASE LEASEHOLD ESTATE OF SRTP LIQUIDATION, INC. (FORMERLY SR TECHNICS AMERICA, INC.) AT PALMDALE REGIONAL AIRPORT

Richard Janisse, Deputy Executive Director, gave a brief overview of this item and advised the Board that approving this purchase would be a wise decision. Mr. Janisse further *recommended authorization for the Executive Director to develop an Exclusive Negotiating Agreement with SRTP subject to the City Attorney's approval.*

Wayne Walker, Republic Aerospace Corporation, requested the Board consider assigning the property to his company, since he believes the leasehold to be a valuable asset for the region, or approve the recommendation of LAWA to purchase the property so as to keep the property out of bankruptcy court.

Motion of approval of the amended board report, as noted by Mr. Janisse (see italic print above) was made by Commissioner Weil, seconded by Commissioner Wong and unanimously adopted.

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COMMENTS FROM THE PUBLIC

The Board received comments from the following: Don Schultz, VNHOA and VNY Citizens' Advisory Council; Don Dufford, Calif. Pilots; Gerald Silver, Homeowners of Encino; Coby King, VNY Citizens' Advisory Council; Larry Fenerhelm, Air Center Aviation; Dave Cartier, Van Nuys Hangar Assoc.; Elliot Sanders, VNYPROP Association; Robert L. Rodine, The Polaris Group; Anthony Molino, Midway Rent A Car; and Wayne Williams, SOHA.

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COMMISSION REQUESTS FOR CALENDARING OF FUTURE AGENDA ITEMS

President Stein requested Deputy Executive Director Janisse prepare a written report as well as make a presentation at the next Board Meeting on the history of the appraisal process and the rent adjustments from 1990 to present for Van Nuys Airport.

Note: Commissioner Petersen permanently left the meeting.

CLOSED SESSION

At this time, 10:25 a.m., the Board continued the Meeting in Closed Session for conference with legal counsel to discuss and take action regarding litigation:

PRESENT: Commissioners Levine, Vergara, Weil, Wong and President Stein

CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION (GOV. CODE SECTION 54956.9b):

RESOLUTION NO. 21980
APPROVE SETTLEMENT AGREEMENT WITH MCDONALD'S CORPORATION REGARDING PAYMENT OF DISPUTED CONCESSION FEES AT LOS ANGELES INTERNATIONAL AIRPORT

Motion of approval was made by Commissioner Weil, seconded by Commissioner Wong and it was unanimously adopted.

At 10:35 a.m. the Board reconvened the Meeting in Regular Session and the City Attorney reported that the Board took action on the above-mentioned item during Closed Session.

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DISCUSSION ITEMS CONT'D.

ITEM 8. APPROVE THE SECOND AMENDMENT TO CONCESSION AGREEMENT NO. LAA-7466 WITH MCDONALD'S CORPORATION COVERING FOOD AND BEVERAGE CONCESSION IN TERMINAL 1, TERMINAL 5, TERMINAL 7 AND THE TOM BRADLEY INTERNATIONAL TERMINAL AT LOS ANGELES INTERNATIONAL AIRPORT

Deputy Executive Director Janisse requested the Board amend the Settlement Agreement Section 4.2.1. Profit Sharing to require that fees be payable at the end of each calendar year.

Motion of approval to amend the settlement agreement, version 12 by replacing all references of financial year in Section 4.2.1. Profit Sharing with calendar year was made by Commissioner Wong, seconded by Commissioner Vergara and unanimously adopted.

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There being no further business, President Stein with the unanimous consent of the Board ordered the meeting adjourned at 10:40 a.m.

ATTEST:

PRESIDENT

SECRETARY

NOTE: A complete tape recording of this Meeting has been made and is on file as a public record in the office of the Secretary of the Board of Airport Commissioners. This tape is a public record in accordance with the California Public Records Act (Sections 6250-6260 of the Government Code).