

**CITY OF SAN DIEGO  
AIRPORTS ADVISORY COMMITTEE  
MINUTES**

**Meeting of March 11, 2014**

**Montgomery Field Terminal, 3750 John J. Montgomery Drive, San Diego, CA 92123**

**MEMBERS PRESENT:** J. H. Aldrich (Montgomery Field Aviation Lessee), Jackie Ander (Serra Mesa Community), Tom Dray (Montgomery Field Tower), Chairman Buzz Fink (Special Expertise), Buzz Gibbs (Kearny Mesa Community), Lisa Golden (Otay Mesa Community), Scott Hasson (Tierrasanta Community), Bob Hitchcock (Brown Field Aviation User Group), Rich Martindell (Special Expertise), Vice-Chair Chuck McGill (Montgomery Field Aviation User Group)

**MEMBERS ABSENT:** David Ryan (Brown Field Aviation Lessee) *excused*

**GUESTS PRESENT:** Bob Golo, Ray Richmond, Tom Ricotta, Larry Rothrock, Brian Simmons

**STAFF PRESENT:** Ernie Gesell, Brandi Mulvey, Wayne Reiter, Mike Tussey

**1. CALL TO ORDER**

Chairman Fink called the meeting to order at 3:10 P.M. A quorum was present. Chairman Fink made a comment later in the meeting, regarding the absence of Dave Ryan due to a business trip.

**2. APPROVAL OF MINUTES**

The minutes of the February 11, 2014 regular meeting were approved unanimously, with one change pointed out by Mr. Martindell. Mr. Hasson abstained due to his absence at the meeting.

**3. PUBLIC INPUT**

None

**4. OLD BUSINESS**

Bylaws – An amendment to the bylaws, Section 203, to facilitate a secret ballot while voting for the Chair and Vice-Chair positions. The proposed amendment is as follows:

203. Officers

At its first meeting each calendar year, the Committee shall elect a Chairperson and Vice Chairperson by majority vote. The Chairperson shall preside at all meetings and hearings of the Committee, decide all points of order or procedure, and perform all duties required by these rules. The Vice Chairperson shall serve in the absence of the Chairperson.

*Voting for Chairperson and Vice Chairperson shall be by secret ballot and only the vote totals shall be announced and recorded.*

Ms. Ander made a **motion** to approve the amendment as proposed. Mr. Hasson seconded the motion. There was no discussion. The motion passed unanimously.

Bylaws – An addition to the bylaws, Section 310, related to AAC correspondence:

*310. Correspondence*

*Any correspondence or advice communicated on behalf of the Airport Advisory Committee shall be directed to the Airports Division, the Mayor or the Mayor and the City Council.*

Dr. Aldrich objected to the addition and that it amounted to censorship. Vice-Chair McGill agreed with Dr. Aldrich.

Mr. Martindell understands the intent of the Committee, which is to advise the City of San Diego, but feels it should be able to comment on matters that affect the aviation community, even if outside the purview of the City.

Ms. Ander suggested sending correspondence via the Airports Division.

Mr. Gibbs and Ms. Ander suggested asking the City Attorney for advice, by comparing the legal boundaries of other committee's correspondence. Mr. Tussey stated he could ask for a legal opinion.

Mr. Hitchcock summarized the purpose of this discussion, which was precipitated by the Committee's letter to the County Board of Supervisors. The Committee is supposed to represent the City, and a letter to an outside entity by the Committee could be a concern to the City, depending on the nature of the content. Mr. Tussey added the City Attorney's opinion was that the letter exceeded the boundaries of the bylaws, as they are written today.

Mr. Gibbs asked if there is a council policy guiding committees such as the AAC, similar to Council Policy 600-24, which guides the planning groups. Mr. Tussey replied the guidance comes from when the Committee was re-established by an ordinance in 2011.

Vice-chair McGill stated this discussion is a waste of time and money, and the bylaws should be left alone. The City Attorney gave an opinion, and the Committee listened and took it into consideration while composing the letter.

Mr. Martindell commented that the issue was time critical, which required swift action and overtook the Committee, and the sensitivity of how future correspondence should be addressed.

Chairman Fink commented how, in hindsight, this particular issue may have been addressed differently by the Committee. The bylaw amendment was brought up for discussion for the benefit of future AAC members.

Dr. Aldrich **moved** that this item be tabled. Mr. Gibbs seconded the motion, with a suggestion to find out what the standing council policy is, regarding similar committees. There was no further discussion. The vote for tabling the item was as follows:

Yes: Chairman Fink, Vice-chair McGill, Dr. Aldrich, Ms. Ander, Mr. Gibbs, Ms. Golden, Mr. Martindell

No: Mr. Hasson, Mr. Hitchcock

The motion passed 7 – 2

## **5. STAFF & DEPUTY DIRECTOR'S REPORT**

### MYF General Update – *MYF Airport Manager Ernie Gesell*

On Sunday, March 2<sup>nd</sup>, a Mooney piloted by a based-tenant landed on Runway 28R gear-up. Mr. Gesell gave credit to Crownair staff for assisting with clearing the aircraft from the runway.

### MYF Tower Update – *MYF Tower Manager Tom Dray*

- Construction of the new 7-story Kaiser hospital has begun approximately one mile northeast of Montgomery Field. There will be no impact to the minimums.
- A different construction project in the same general area of the new hospital requires the use of a crane, which will temporarily increase the circling minimums from 880 feet to 960 feet while the crane is in use.
- The glideslope for Runway 28R suffered a failure last Friday, March 7<sup>th</sup>. The FAA will replace the antenna and damaged cable, and expect to have it flight-checked by the end of the week.
- As part of the tower refurbishment project, the power will be turned off in the control tower during the nights of March 24 – 26. It is expected the ASOS, ATIS and possibly the FSS remote antennas will be affected by the outage. Absent the ASOS, the SAN altimeter setting may be used to fly the MYF approach, with an increase in the MDA.
- An issue of late has seen IFR departures off Runway 28R turning to a 270-degree heading and getting close to departures off Runway 28L, VFR departures off 28R drifting south and VFR departures off 28L drifting north. Tower staff has increased its focus on pilots getting too close to other aircraft by emphasizing traffic advisories.
- About 10 days ago, a high performance aircraft was instructed to hold short of 28L after landing on 28R. The pilot did hold short of the runway, but failed to properly acknowledge the hold short instructions, and then subsequently ignored the tower's request to contact them via telephone. The pilot's attitude left the tower staff stunned. Dr. Aldrich asked if the AAC should write a letter scolding the pilot. Mr. Dray replied it would be inappropriate, as he will not reveal the identity of the aircraft or pilot. Additionally, the audio recorder failed, leaving no recording of the incident.

Mr. Gibbs asked if the location of the second crane was at the intersection of the 52 and Ruffin Road, the site of a 7-story office. Mr. Dray replied the site is located just north of Clairemont Mesa Blvd. and just west of Ruffin Road.

### Noise and Special Projects – *Airport Noise Abatement Officer Wayne Reiter*

The recent favorable weather, following the string of bad weather, has predictably resulted in an increase in noise complaints.

Ms. Ander asked about a recent occurrence while she was at the library for a meeting, where she observed the police helicopter conducting touch and goes during the evening, and if this activity was normal. Mr. Reiter replied such activity is not unusual.

MYF/SDM Property – Supervising Property Agent Brandi Mulvey

- Work continues toward relocating helicopters to the west side of the airport.
- An appraiser has been hired to further negotiations with Crownair. Mr. Hitchcock asked for the purpose of the appraisal. Ms. Mulvey replied it will be for a new lease extension and associated development. Mr. Gibbs asked for the name of the appraiser. Ms. Mulvey replied Smith and Associates.
- At Brown Field, hangar inspections are in progress. Mr. Hitchcock asked what the inspections were looking for. Ms. Mulvey replied they expect that the hangar's primary use is aircraft storage, supporting equipment and compliance with safety rules and regulations.

Dr. Aldrich asked for a status on the hookah lounge at Montgomery Field. Ms. Mulvey replied it is moving forward, although they have not moved in yet. She placed a call to the police, who issue the appropriate permits, to convey the airport's concerns.

Ms. Ander explained she also called the police to express her concerns and disapproval to the hookah use on the airport, due to its proximity to residential uses and uncertainty over the potential emission of hazardous fumes. She felt the police dismissed her concerns and questioned the approval of the permits. Ms. Mulvey replied she would follow-up with the police.

Mr. Gibbs observed an individual twirling a smoke shop banner at the corner of John J. Montgomery and Aero Drive. Ms. Mulvey replied the advertisement is for a smoke shop down the street on Sandrock, not on the airport.

Mr. Hasson expressed bewilderment over how the hookah lounge can be allowed to occupy a space on the airport, if it is not wanted. Ms. Mulvey replied the business type, in a location zoned for commercial use, is not illegal and is allowed per the terms of the master tenant's lease with the airport; not allowing it would be discriminatory, as long as the proper permits have been obtained and the business complies with applicable rules and regulations. Chairman Fink referred to a hypothetical analogy for Brown Field.

Ms. Ander believes the business is based in Los Angeles. Mr. Tussey, Chairman Fink and Ms. Mulvey responded the business will be a subtenant of the master lessee, who manages the commercial property between Aero Drive and Gibbs Drive on the airport. Ms. Ander asked for the name of the master lessee. Ms. Mulvey replied MYF Partners LLC, and they been made aware of the airport's concerns; however, they have made a business decision to move forward with the hookah lounge, which will be located next to the pilot shop.

Mr. Tussey interjected, the master tenant managing the commercial property contributes approximately \$56,000 per month, which is the second or third highest revenue source to the airport. It is an existing lease, written in a manner that allows the use of a hookah lounge, per the city attorney. The opportunity to change the lease language is if it comes before the City for an amendment.

Ms. Ander added the police stated nobody under the age of 18 would be allowed in the business, which was encouraging to her.

Mr. Gibbs understands the property rights issue at hand, but is curious how the business activity comports with the California No Smoking in Buildings Act.

Ms. Golden concluded that the activity is allowed, since there is no ordinance stating it is not allowed; therefore, there is nothing the airport can do at this time.

Mr. Hasson asked if any activities are allowed outside the businesses along the strip mall storefronts. Ms. Mulvey replied she would need to look at the individual agreements to make that determination.

Chairman Fink pointed out that eventually the lessee may need a lease modification, which will open up the terms to more restrictive language. Ms. Mulvey added the tenant still pays a significant amount of rent to the airport, despite considerable vacancies, with difficulties filling those vacancies.

Chairman Fink asked for a status on the Brown Field development. Mr. Tussey replied the parties involved with the EIR challenge are in negotiations, with the threat of a lawsuit looming.

Vice-Chair McGill commended staff for cleaning up the southwest corner of Montgomery Field. Ms. Mulvey gave her appreciation for the comment and added the tenant for Spiders is seeking an assignment, while Sorbi is running the operation. Vice-Chair McGill asked if the existing buildings are going to be torn down within the next ten years. Ms. Mulvey replied it is not known at this point. Corporate Helicopters has looked at the site for redevelopment, but cannot make it work, given the existing constraints.

Vice-Chair McGill asked if the Spiders hangars can be repainted as part of a new lease, since they are currently month-to-month. Ms. Mulvey replied yes.

Mr. Hasson asked if there is a risk of losing Corporate Helicopters. Ms. Mulvey replied their development plans are unknown at this time.

#### SDM General Update – SDM Acting Airport Manager Wayne Reiter

- The ASOS computer has been relocated to the tower. It is scheduled to start broadcasting weather information over the ATIS frequency when the tower is closed by the end of the month.
- County probation crews were at the airport at the end of February to remove trash along the south side of the airport.

#### Airports Advisory Committee Vacancies – Airports Deputy Director Mike Tussey

Nominations are scheduled to go to Council on March 25 for the special expertise, Clairemont and Brown Field vacancies, as well as the recertification of Ms. Ander and Ms. Golden. It is unknown at this point whether those currently sitting on the Committee will need to be recertified by the City Clerk. New members need to be certified by the City Clerk within ten working days.

Capital Improvement/Consultant Project Update – Airports Deputy Director Mike Tussey

- MYF Access Control: Searching for a resolution to the remote intercoms.
- MYF Rwy 5-23, Twy G: Contract amendment approved by Infrastructure Committee on March 5. Scheduled to go to full Council within two weeks. Once the amendment is approved by Council, the ALP will be completed, with a bid opening in May or June, and construction beginning in October, following Burrowing Owl nesting season.
- SDM Rwy 8L-26R Construction Phase I: Estimated bid opening in May or June, with construction beginning in October, following the Burrowing Owl nesting season. First phase will encompass the eastern 2,000 feet of the runway, allowing approximately 6,000 feet of runway to be available for use during construction.
- Meeting scheduled with the FAA to present five-year ACIP, requesting more grant money for SDM 8L-26R and MYF runways and taxiways. Also seeking permission to use a portion of MYF for use as mitigation for the localizer site repair of three years ago.
- ADA Project for SDM and MYF: Design at 90%; anticipated construction beginning August or September.

Bob Golo asked about the status of the City’s proposal regarding flight schools and flight instructors. Mr. Tussey replied the proposal was by the County for County airports, not City airports. Mr. Martindell added the second reading was done last week and it was unanimously approved.

Mr. Golo asked if the City has considered building a new administration building at Montgomery Field, either standalone or as part of Crownair’s proposed development. Mr. Tussey replied it has been considered, but it is a lower priority than the runways and taxiways. A new building is not grant eligible, plus there are other challenges that would need to be overcome.

**6. ANNOUNCEMENTS**

Ms. Ander announced a concert at the Serra Mesa/Kearny Mesa Library this Sunday, March 16<sup>th</sup> at 2:00 P.M. It will be a jazz trio featuring Danny Green.

The next meeting will be on April 8 at the Montgomery Field Terminal.

**7. ADJOURNMENT**

The meeting was adjourned at 4:03 P.M.

Respectfully submitted,  
Wayne J. Reiter