

AMENDED IN ASSEMBLY MARCH 21, 2013

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

**ASSEMBLY BILL**

**No. 1058**

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**Introduced by Assembly Member Chávez**

February 22, 2013

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~~An act to amend Section 66010.1 of the Education Code, relating to postsecondary education. An act to amend Sections 170004, 170006, 170010, 170011, 170012, 170013, 170014, 170018, 170024, 170048, 170056, 170060, 170062, and 170064 of the Public Utilities Code, relating to airports.~~

LEGISLATIVE COUNSEL'S DIGEST

AB 1058, as amended, Chávez. ~~Donahoe Higher Education Act.~~ *San Diego County Regional Airport Authority.*

*Existing law provides for the formation and functioning of city selection committees in any county in which 2 or more cities are incorporated, for the purpose of appointing city representatives to boards, commissions, and agencies as required by law.*

*The San Diego County Regional Airport Authority Act establishes the San Diego County Regional Airport Authority as a local entity of regional government with jurisdiction throughout the County of San Diego and requires that the authority prepare, adopt, and amend an airport land use compatibility plan for each airport in San Diego County utilizing a public collaborative planning process. Existing law requires the authority to adopt a comprehensive plan on the future development of San Diego's regional international airport. The authority is governed by a 9-member board of directors, 4 of whom are appointed by city selection committees of specified cities within the County of San Diego.*

*This bill would delete references to the city selection committees appointing the 4 directors, and instead would require the mayors of those cities to jointly appoint the directors in a public meeting that is publicly noticed by the authority and each of the cities, as specified. By requiring the cities to provide notice of these meetings, thereby increasing the duties of local officials, this bill would impose a state-mandated local program. The bill would provide that there are 9 voting members of the board of directors and would delete outdated provisions relative to the initial terms of office of the various directors and the first meeting of the board. The bill would provide that a director's term of office commences on February 1 of the year in which the appointment commences, rather than on the first Monday in February. The bill would specify procedures for the composition of a 3-person executive committee. The bill would delete outdated provisions relative to the authority's audit committee. The bill would authorize the authority to adopt a comprehensive plan on the future development of San Diego's regional international airport.*

*The San Diego Unified Port District Act established the San Diego Unified Port District. The San Diego County Regional Airport Authority Act requires the port to transfer all title and ownership of the San Diego International Airport, as defined, but to retain trusteeship of lands underlying the airport consistent with the State Land's Commission's requirement, subject to a 66-year lease to the authority for control of the airport property.*

*The bill would delete outdated provisions relative to the transition of title and ownership of the San Diego International Airport from the port to the authority.*

*The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.*

*This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.*

~~Existing law, known as the Donahoe Higher Education Act, sets forth the missions and functions of California's public and independent segments of higher education, and their respective institutions of higher education. Among other things, the act identifies common educational missions shared by educational institutions in California, and~~

differentiates more specific missions and functions among the various educational segments.

~~This bill would make a technical, nonsubstantive change to this provision.~~

Vote: majority. Appropriation: no. Fiscal committee: ~~no~~-yes.  
State-mandated local program: ~~no~~-yes.

*The people of the State of California do enact as follows:*

1     SECTION 1. Section 170004 of the Public Utilities Code is  
2     amended to read:

3     170004. The Legislature finds and declares all of the following:

4     (a) Airports help to link local, regional, statewide, national, and  
5     global economic activities. Airports are also essential features of  
6     comprehensive transportation systems, that include streets and  
7     highways, rail transit, transit over water, and mass transit.

8     (b) It is essential to the public health, safety, and welfare that  
9     ~~public officials airports be developed and the private sector plan,~~  
10    ~~develop, and operate the airports~~ operated in the San Diego County  
11    region so that those airports promote economic development,  
12    protect environmental quality, and enhance social equity.

13    (c) The significant regional consequences of airport planning,  
14    development, and operations require the creation of a regional  
15    airport authority.

16    SEC. 2. Section 170006 of the Public Utilities Code is amended  
17    to read:

18    170006. For the purposes of this division, the following terms  
19    have the following meanings, unless the context requires otherwise.

20    (a) The “authority” means the San Diego County Regional  
21    Airport Authority established under this division.

22    (b) The “board” and “board of directors” means the governing  
23    board of the authority established as specified in Chapter 2  
24    (commencing with Section 170010).

25    ~~(c) The “city selection committee” means the committee created~~  
26    ~~pursuant to Article 11 (commencing with Section 50270) of~~  
27    ~~Chapter 1 of Part 1 of Division 1 of Title 5 of the Government~~  
28    ~~Code.~~

29    ~~(d)~~

30    (c) The “consolidated agency” means the authority resulting  
31    from the consolidation of the San Diego Association of

1 Governments and the transit boards pursuant to Chapter 3  
2 (commencing with Section 132350) of Division 12.7.

3 ~~(e)~~

4 (d) The “east county cities” means the Cities of El Cajon, La  
5 Mesa, Lemon Grove, and Santee.

6 ~~(f)~~

7 (e) The “north county coastal cities” means the Cities of  
8 Carlsbad, Del Mar, Encinitas, Oceanside, and Solana Beach.

9 ~~(g)~~

10 (f) The “north county inland cities” means the Cities of  
11 Escondido, Poway, San Marcos, and Vista.

12 ~~(h)~~

13 (g) The “port” means the San Diego Unified Port District  
14 established under the San Diego Unified Port District Act (Chapter  
15 67 of the Statutes of 1962, First Extraordinary Session).

16 ~~(i)~~

17 (h) The “San Diego International Airport” means the airport  
18 located at Lindbergh Field in the County of San Diego.

19 ~~(j)~~

20 (i) The “south county cities” means the Cities of Chula Vista,  
21 Coronado, Imperial Beach, and National City.

22 *SEC. 3. Section 170010 of the Public Utilities Code is amended*  
23 *to read:*

24 170010. (a) The board of directors shall consist of nine *voting*  
25 members, appointed as follows:

26 (1) The Mayor of the City of San Diego shall appoint three  
27 persons, two of whom shall be subject to confirmation by the City  
28 Council of the City of San Diego. The persons appointed pursuant  
29 to this paragraph shall be residents of the City of San Diego and  
30 not less than one shall be an elected official of the City of San  
31 Diego. For purposes of this subdivision, an “elected official of the  
32 City of San Diego” means the Mayor ~~and members~~ *or a member*  
33 of the City Council of the City of San Diego.

34 (2) The Chair of the Board of Supervisors of the County of San  
35 Diego shall appoint two persons, subject to confirmation by the  
36 Board of Supervisors of the County of San Diego. The persons  
37 appointed pursuant to this paragraph shall be residents of the  
38 County of San Diego and not less than one shall be a member of  
39 the Board of Supervisors of the County of San Diego.

1 (3) ~~At a meeting of public meeting, the city selection committee,~~  
2 ~~the~~ mayors of the east county cities shall appoint one person  
3 *pursuant to a majority vote of the mayors of the east county cities.*  
4 The person appointed pursuant to this paragraph shall be a member  
5 of a city council of one of the east county cities or ~~a~~ *another*  
6 resident of one of the east county cities.

7 (4) ~~At a meeting of public meeting, the city selection committee,~~  
8 ~~the~~ mayors of the north county coastal cities shall appoint one  
9 person *pursuant to a majority vote of the mayors of the north*  
10 *county coastal cities.* The person appointed pursuant to this  
11 paragraph shall be a member of a city council of one of the north  
12 county coastal cities or ~~a~~ *another* resident of one of the north  
13 county coastal cities.

14 (5) ~~At a meeting of public meeting, the city selection committee,~~  
15 ~~the~~ mayors of the north county inland cities shall appoint one  
16 person *pursuant to a majority vote of the mayors of the north*  
17 *county inland cities.* The person appointed pursuant to this  
18 paragraph shall be a member of a city council of one of the north  
19 county inland cities or ~~a~~ *another* resident of one of the north county  
20 inland cities.

21 (6) ~~At a meeting of public meeting, the city selection committee,~~  
22 ~~the~~ mayors of the south county cities shall appoint one person  
23 *pursuant to a majority vote of the mayors of the south county cities.*  
24 The person appointed pursuant to this paragraph shall be a member  
25 of a city council of one of the south county cities or ~~a~~ *another*  
26 resident of one of the south county cities.

27 (7) ~~Meetings of a city selection committee—Public meetings~~  
28 ~~convened to appoint a board member pursuant to paragraphs (3)~~  
29 ~~through (6) shall be publicly noticed by the authority and by each~~  
30 ~~of the cities whose mayor is eligible to participate in the meeting.~~  
31 *These meetings* are subject to the Ralph M. Brown Act (Chapter  
32 9 (commencing with Section 54950) of Part 1 of Division 2 of  
33 Title 5 of the Government ~~Code~~). *Code*) and shall be conducted  
34 *by the authority clerk who shall record the minutes of the meeting.*

35 (b) The following persons shall be nonvoting, noncompensated,  
36 ex officio members of the board of directors, appointed by the  
37 Governor:

38 (1) The District Director of the Department of Transportation  
39 for the San Diego region.

1 (2) The Department of Finance representative on the State Lands  
 2 Commission.

3 (c) The board of directors may provide for additional nonvoting,  
 4 noncompensated members of the board of directors, including  
 5 representatives of the United States Navy and the United States  
 6 Marine Corps, each of whom may appoint an alternate to serve in  
 7 his or her place.

8 (d) The Mayor of the City of San Diego shall appoint the chair  
 9 of the authority board of *directors* from among the *nine voting*  
 10 members of the board of directors.

11 ~~(e) To provide for an orderly transition, the appointments to the~~  
 12 ~~board of directors shall take effect as follows:~~

13 ~~(1) The term of office for the board position appointed by the~~  
 14 ~~Mayor of the City of San Diego, whose term is set to expire on~~  
 15 ~~the first Monday in December 2008, is extended until January 31,~~  
 16 ~~2009. This board position shall thereafter be filled pursuant to~~  
 17 ~~paragraph (1) of subdivision (a), and shall be the position that is~~  
 18 ~~not subject to confirmation by the City Council of the City of San~~  
 19 ~~Diego.~~

20 ~~(2) The term of office for the board position appointed by the~~  
 21 ~~mayors of the north county inland cities is extended until January~~  
 22 ~~31, 2009. This board position shall thereafter be filled pursuant to~~  
 23 ~~paragraph (5) of subdivision (a).~~

24 ~~(3) The term of office for the board position appointed by the~~  
 25 ~~mayor of the most populous city as of the most recent decennial~~  
 26 ~~census, among the south county cities is extended until January~~  
 27 ~~31, 2009. This board position shall thereafter be filled pursuant to~~  
 28 ~~paragraph (6) of subdivision (a).~~

29 ~~(4) The term of office for the board position occupied by the~~  
 30 ~~Mayor of the City of San Diego, or a member of the city council~~  
 31 ~~designated by the mayor to be his or her alternate, shall expire on~~  
 32 ~~January 31, 2010. This board position shall thereafter be filled~~  
 33 ~~pursuant to paragraph (1) of subdivision (a).~~

34 ~~(5) The term of office for the board position appointed by the~~  
 35 ~~mayors of the east county cities shall expire on January 31, 2010.~~  
 36 ~~This board position shall thereafter be filled pursuant to paragraph~~  
 37 ~~(3) of subdivision (a).~~

38 ~~(6) The term of office for the board position appointed by the~~  
 39 ~~Sheriff of the County of San Diego shall expire on January 31,~~

1 2010. This board position shall thereafter be filled pursuant to  
2 paragraph (2) of subdivision (a).

3 (7) The term of office for the board position appointed by the  
4 Mayor of the City of San Diego as a member of the executive  
5 committee is extended until January 31, 2011. This board position  
6 shall thereafter be filled pursuant to paragraph (1) of subdivision  
7 (a).

8 (8) The term of office for the board position appointed by the  
9 Governor is extended until June 30, 2011. This board position shall  
10 thereafter be filled pursuant to paragraph (2) of subdivision (a);  
11 with the expiration of the initial appointment for this board position  
12 expiring on the first Monday in February 2014.

13 (9) The term of office for the board position appointed by the  
14 mayors of the north county coastal cities is extended until January  
15 31, 2011. This board position shall thereafter be filled pursuant to  
16 paragraph (4) of subdivision (a).

17 *SEC. 4. Section 170011 of the Public Utilities Code is amended*  
18 *to read:*

19 170011. (a) Except as provided in subdivision (b) ~~and~~  
20 ~~subdivision (e) of Section 170010~~, the term of office of a member  
21 of the board of directors appointed pursuant to subdivision (a) of  
22 Section 170010 is ~~three years or years~~. *A member of the board of*  
23 *directors may continue to serve beyond the expiration of the term*  
24 *until his or her successor qualifies for appointment and takes office*  
25 *whichever date occurs last. Members office. Following*  
26 *appointment, a member of the board of directors shall take office*  
27 *at noon on February 1 of the first Monday year in which the*  
28 *appointment commences. If a board appointment is made after*  
29 *February following their appointment. 1 of the year in which the*  
30 *member's term is scheduled to commence, the member shall take*  
31 *office immediately upon appointment and, if applicable, receiving*  
32 *confirmation, to serve the remainder of the term.*

33 (b) If a member of the board of directors is appointed to be a  
34 member as a result of holding another public office and that person  
35 no longer holds that other public office, then that person shall no  
36 longer serve on the board of directors and a vacancy shall exist.

37 (c) *Any vacancy in the office of a member of the board of*  
38 *directors shall be filled promptly pursuant to Section 1779 of the*  
39 *Government Code.*

40 (e)

1 ~~(d) Any vacancy in the office of a member of the board of~~  
2 ~~directors shall be filled promptly pursuant to Section 1779 of the~~  
3 ~~Government Code. Any person appointed to fill a vacant office~~  
4 ~~shall serve the balance of the unexpired term. If a member of the~~  
5 ~~board of directors serving a term extended pursuant to subdivision~~  
6 ~~(e) of Section 170010 leaves office prior to the expiration of his~~  
7 ~~or her term, the vacancy shall be filled for the balance of the~~  
8 ~~unexpired term pursuant to subdivision (a) of Section 170010,~~  
9 ~~except if a vacancy occurs for the Governor's appointment to the~~  
10 ~~board of directors before June 30, 2011, the Governor shall make~~  
11 ~~the appointment to fill the vacant office for the balance of the~~  
12 ~~unexpired term. 170010.~~

13 *SEC. 5. Section 170012 of the Public Utilities Code is amended*  
14 *to read:*

15 170012. (a) At the first meeting of the board of directors on  
16 or after ~~February 4, 2008, and at Monday in the first meeting of~~  
17 ~~the board on or after the first February 1~~ of each even-numbered  
18 ~~year thereafter, year,~~ the board of directors shall meet and elect  
19 its officers, except for the chair of the board of directors, who shall  
20 be appointed by the Mayor of the City of San Diego.

21 (b) The officers of the board of directors are a chair, vice chair,  
22 and those additional officers created by the board of directors  
23 pursuant to subdivision (c). The chair shall preside over meetings  
24 of the board of directors and the vice chair shall serve during the  
25 chair's absence or inability to serve.

26 (c) The board of directors may create additional offices and  
27 elect members to those offices, provided that no member of the  
28 board of directors shall hold more than one office.

29 *SEC. 6. Section 170013 of the Public Utilities Code is amended*  
30 *to read:*

31 170013. (a) The board of directors shall govern the authority.

32 (b) The board of directors shall establish policies for the  
33 operation of the authority. The board of directors shall provide for  
34 the implementation of those policies which are the responsibility  
35 of the authority's chief executive officer.

36 (c) All members of the board of directors shall exercise their  
37 independent judgment on behalf of the interests of the residents,  
38 property owners, and the public within San Diego County as a  
39 whole in furthering the purposes and intent of this division. The  
40 members of the board of directors shall represent the interests of

1 the public as a whole and not solely the interests of the local  
2 officials who appointed them to the board of directors.

3 (d) The board of directors shall have a three-member executive  
4 committee. ~~The~~ *One member of the executive committee shall be*  
5 *a board member selected from among those members appointed*  
6 *by the Mayor of the City of San Diego pursuant to paragraph (1)*  
7 *of subdivision (a) of Section 170010 (category 1). One member of*  
8 *the executive committee shall be a board member appointed by*  
9 *the Chair of the Board of Supervisors of the County of San Diego*  
10 *pursuant to paragraph (2) of subdivision (a) of Section 170010*  
11 *(category 2). One member of the executive committee shall be a*  
12 *board member selected from among those members appointed*  
13 *pursuant to paragraphs (3) to (6), inclusive, of subdivision (a) of*  
14 *Section 170010 (category 3). Additionally, members of the*  
15 *executive committee shall be the following:*

16 (1) *The chair of the authority's board of directors pursuant to*  
17 *subdivision (d) of Section 170010.*

18 (2) *The vice chair of the authority's board of directors,*  
19 *appointed from a category different than the chair.*

20 ~~(2)~~

21 (3) *A third member of the board of directors appointed to from*  
22 *a category that is not represented on the executive committee by*  
23 *board members appointed by the Chair as a result of the Board of*  
24 *Supervisors of the County of San Diego, paragraphs (1) and (2).*

25 ~~(3)~~

26 (4) ~~A member~~ *The members of the board of directors appointed*  
27 *to the executive committee serving pursuant to paragraphs (2)*  
28 *and (3) shall each be selected to serve by board members appointed*  
29 *by any a vote of the members of the city selection committees.*  
30 *board of directors.*

31 (e) ~~The board of directors shall have~~ *appoint* a seven-member  
32 ~~audit committee. The members of the audit committee shall consist~~  
33 *consisting of four members of the board of directors appointed by*  
34 ~~the board~~ *and the three public members appointed pursuant to*  
35 *Section 170018.*

36 *SEC. 7. Section 170014 of the Public Utilities Code is amended*  
37 *to read:*

38 170014. (a) Meetings of the board of directors are subject to  
39 the provisions of the Ralph M. Brown Act (Chapter 9 (commencing

1 with Section 54950) of Part 1 of Division 2 of Title 5 of the  
 2 Government Code).

3 (b) A majority of the total voting membership of the board of  
 4 directors shall constitute a quorum for the transaction of business.

5 (c) The board of directors shall act only by ordinance, resolution,  
 6 or motion.

7 (d) (1) Except as provided in subdivision (e), to adopt an  
 8 ordinance, resolution, or motion requires both a numerical and a  
 9 weighted majority vote of the total voting membership of the board  
 10 of directors pursuant to paragraphs (2) and (3).

11 (2) A numerical majority requires an affirmative vote of *at least*  
 12 five of the voting membership of the board of directors.

13 (3) (A) A weighted majority requires an affirmative vote of *at*  
 14 *least* 51 vote points that are allocated to the voting membership  
 15 of the board of directors, unless the total number of vote points is  
 16 expanded beyond 100 as a result of the operation of subparagraph  
 17 (E). If the total number of vote points is greater than 100 as a result  
 18 of the operation of subparagraph (E), a weighted majority requires  
 19 an affirmative vote of *at least* 50 percent plus one of the total vote  
 20 points. Vote points shall be allocated pursuant to subparagraph  
 21 (B).

22 (B) There shall be a total of 100 allocated vote points for the  
 23 weighted vote, except that additional vote points shall be allocated  
 24 pursuant to subparagraph (E). For purposes of this paragraph, the  
 25 City of San Diego, the County of San Diego, the east county cities,  
 26 the north county coastal cities, the north county inland cities, and  
 27 the south county cities are each a jurisdiction. The points allocated  
 28 to the City of San Diego shall be divided among the three board  
 29 members appointed pursuant to paragraph (1) of subdivision-(a);  
 30 ~~and prior to their appointment, to those board members identified~~  
 31 ~~in paragraphs (1), (4), and (7) (a) of subdivision (e) of Section~~  
 32 170010. The points shall be allocated among the three board  
 33 members by the Mayor of the City of San Diego, keeping the votes  
 34 for each seat as close to equal as possible but in a manner that  
 35 avoids fractional vote points. The vote points allocated to the  
 36 County of San Diego shall be divided between the two board  
 37 members appointed pursuant to paragraph (2) of subdivision-(a);  
 38 ~~and prior to their appointment, to those board members identified~~  
 39 ~~in paragraphs (6) and (8) (a) of subdivision (e) of Section 170010.~~  
 40 The vote points shall be allocated among the two board members

1 by the chair of the board of supervisors, keeping the votes for each  
2 seat as close to equal as possible but in a manner that avoids  
3 fractional vote points. Each jurisdiction shall have that number of  
4 vote points determined by the following allocation formula, except  
5 that each jurisdiction shall have at least one vote point, no  
6 jurisdiction shall have more than 40 vote points, and there shall  
7 be no fractional vote points:

8 (i) If any jurisdiction has 40 percent or more of the total  
9 population of the San Diego County region, 40 vote points shall  
10 be allocated to that jurisdiction and the remaining vote points shall  
11 be allocated to the remaining jurisdictions pursuant to clause (ii).  
12 If no jurisdiction has 40 percent or more of the total population of  
13 the San Diego County region, vote points shall be allocated  
14 pursuant to clause (iii).

15 (ii) The total population of the remaining jurisdictions shall be  
16 computed and the remaining 60 vote points allocated based upon  
17 the percentage of the total that each jurisdiction has, in the  
18 following manner:

19 (I) The percentage each jurisdiction bears to the total remaining  
20 population shall be multiplied by 60 to determine fractional shares.

21 (II) Each fraction less than one shall be rounded up to one, so  
22 that no jurisdiction has less than one vote point.

23 (III) Disregarding any fractional vote points and adding just the  
24 whole vote points, if the total vote points is 60, fractional vote  
25 points are dropped and the whole numbers are the vote points for  
26 each jurisdiction.

27 (IV) If, after disregarding the fractional vote points and adding  
28 just the whole vote points, the total vote points for the remaining  
29 jurisdictions is less than 60, the difference in vote points shall be  
30 allocated to jurisdictions in order of the highest fractions until a  
31 total of 60 vote points are allocated, excepting those jurisdictions  
32 whose vote was increased to one pursuant to subclause (II).

33 (V) If, after disregarding the fractional vote points and adding  
34 just the whole vote points, the total vote points for the remaining  
35 jurisdictions is more than 60, the vote points in excess of 60 shall  
36 be eliminated by subtracting vote points from jurisdictions with  
37 the lowest percentage to the total remaining population except that  
38 no jurisdiction's vote points shall be reduced to less than one.

39 (iii) If no jurisdiction has 40 percent or more of the total  
40 population of the San Diego County region, the total population

1 of the region shall be computed and all 100 vote points shall be  
2 allocated based upon the percentage each jurisdiction bears to the  
3 total population of the region, in the following manner:

4 (I) The percentage of any jurisdiction that is less than one shall  
5 be rounded up to one, so that no jurisdiction has less than one vote  
6 point.

7 (II) Disregarding any fractional vote points and adding just the  
8 whole vote points, if the total vote points is 100, fractional vote  
9 points shall be dropped and the whole numbers shall be the vote  
10 points for each jurisdiction.

11 (III) If, after disregarding the fractional vote points and adding  
12 just the whole vote points, the total vote points for all jurisdictions  
13 is less than 100, the difference in vote points shall be allocated to  
14 jurisdictions in order of the highest fractions until a total of 100  
15 vote points are allocated, excepting those jurisdictions whose vote  
16 was increased to one pursuant to subclause (I).

17 (IV) If, after disregarding the fractional vote points and adding  
18 just the whole vote points, the total vote points for all jurisdictions  
19 is more than 100, the vote points in excess of 100 shall be  
20 eliminated by subtracting vote points from jurisdictions with the  
21 lowest percentage to the total population or the region except that  
22 no jurisdiction's vote points shall be reduced to less than one.

23 (C) When a weighted vote is taken on any item that requires  
24 more than a majority vote of the board, it shall also require the  
25 same supermajority percentage of the weighted vote.

26 (D) The allocation of vote points pursuant to this subdivision  
27 shall be made ~~every July 1~~ *annually* by the board of directors based  
28 upon the population calculations made by the San Diego  
29 Association of Governments (SANDAG).

30 (E) Any other newly incorporated city shall be added to the  
31 jurisdiction designated by SANDAG. The board member  
32 representing that jurisdiction shall receive one additional vote  
33 under the weighted vote procedure specified above until the next  
34 allocation of vote points pursuant to subparagraph (D), at which  
35 time the new jurisdiction shall receive votes in accordance with  
36 the formula specified in this paragraph. Until this next vote points  
37 allocation, the total number of weighted vote points may exceed  
38 100.

39 (e) Any act to submit a ballot measure to the voters at a regular  
40 or special election shall require a two-thirds majority vote, both

1 numerically and by weighted vote, of the total voting membership  
2 of the board of directors.

3 (f) The board of directors shall keep a record of all of its actions,  
4 including financial transactions.

5 (g) The board of directors shall adopt rules or bylaws for its  
6 proceedings.

7 (h) The board of directors shall adopt policies for the operation  
8 of the authority, including, but not limited to, ethical standards  
9 and practices, administrative policies, fiscal policies, personnel  
10 policies, and purchasing policies.

11 *SEC. 8. Section 170018 of the Public Utilities Code is amended*  
12 *to read:*

13 170018. (a) ~~On or before July 1, 2008, the board of directors~~  
14 ~~shall expand the membership of the Audit Committee, The audit~~  
15 ~~committee formed pursuant to subdivision (e) of Section 170013~~  
16 ~~shall be a standing committee of the board of directors consisting~~  
17 ~~of four board members, to include three members of the public~~  
18 ~~who shall be voting members. Each member of the committee shall~~  
19 ~~be a voting member.~~ The public members shall be appointed by  
20 the board of directors for *staggered* three-year terms ~~commencing~~  
21 ~~July 1, 2008. To provide for staggered terms, the initial term of~~  
22 ~~one of the public members shall be one year, the initial term of~~  
23 ~~one of the public members shall be two years, and the initial term~~  
24 ~~of one of the public members shall be three years.~~

25 (b) The board of directors shall select the three public members  
26 from among the following categories of persons, with no more  
27 than one appointee from each category at any one time:

28 (1) A professional with experience in the field of public finance  
29 and budgeting.

30 (2) An architect or civil engineer licensed to practice in this  
31 state.

32 (3) A professional with experience in the field of real estate or  
33 land economics.

34 (4) A person with experience in managing construction of  
35 large-scale public works projects.

36 (5) A person with public or private sector executive level  
37 decisionmaking experience.

38 (6) A person who resides within the airport influence area of  
39 the San Diego International Airport (Lindbergh Field).

- 1 (7) A person with experience in environmental justice as it  
2 pertains to land use.
- 3 (c) The board of directors may appoint other persons to serve  
4 as nonvoting, noncompensated, ex officio members on the Audit  
5 Committee.
- 6 (d) In appointing the public members of the Audit Committee,  
7 the board of directors shall provide for selection policies,  
8 appointment procedures, conflict-of-interest policies,  
9 length-of-term policies, and policies for providing compensation,  
10 if any.
- 11 (e) The Audit Committee shall serve as a guardian of the public  
12 trust, acting independently and charged with oversight  
13 responsibilities for reviewing the authority’s internal controls,  
14 financial reporting obligations, operating efficiencies, ethical  
15 behavior, and regular attention to cashflows, capital expenditures,  
16 regulatory compliance, and operations.
- 17 (f) The Audit Committee shall meet a minimum of four times  
18 per year and shall, at a minimum, do all the following:
- 19 (1) Regularly review the authority’s accounting, audit, and  
20 performance monitoring processes.
- 21 (2) At the time of contract renewal, recommend to the  
22 appropriate committee and the board of directors its nomination  
23 for an external auditor and the compensation of that auditor, and  
24 consider at least every three years, whether there should be a  
25 rotation of the audit firm or the lead audit partner to ensure  
26 continuing auditor independence.
- 27 (3) Advise the appropriate committee and the board of directors  
28 regarding the selection of the auditor.
- 29 (4) Be responsible for oversight and monitoring of internal and  
30 external audit functions, and monitoring performance of, and  
31 internal compliance with, authority policies and procedures.
- 32 (5) Be responsible for overseeing the annual audit by the external  
33 auditors and any internal audits.
- 34 (6) Make recommendations to the full board regarding  
35 paragraphs (1) to (5), inclusive.
- 36 (g) An affirmative vote by at least five members of the Audit  
37 Committee shall be required for approval of the annual internal  
38 and external audits, including performance monitoring, the  
39 auditor’s annual audit plan for each fiscal year submitted to the

1 board for approval, and actions recommending or approving debt  
2 financing for the authority.

3 *SEC. 9. Section 170024 of the Public Utilities Code is amended*  
4 *to read:*

5 170024. (a) Upon request of the board of directors of the  
6 authority, and with the consent of any labor organization acting  
7 as the exclusive representative of employees of the authority whose  
8 rights are governed by a collective bargaining agreement, the board  
9 may enter into a contract to enroll those employees as members  
10 of the California Public Employees' Retirement System (CalPERS)  
11 or another retirement system.

12 (b) A contract to enroll employees in CalPERS shall be subject  
13 to the provisions of Part 3 (commencing with Section 20000) of  
14 Division 5 of Title 2 of the Government Code and, where permitted  
15 by the law governing that system, shall receive full reciprocity  
16 with public employees' retirement systems in which they  
17 previously participated.

18 (c) Employees transferred from any existing retirement system  
19 or pension plan to CalPERS or any other retirement system by  
20 operation of this section shall receive benefits immediately after  
21 enrollment in, or transfer to, the system that are equal to the  
22 benefits the employees would have been entitled to immediately  
23 before enrollment in, or transfer to, the system.

24 ~~(d) Notwithstanding any other provision of law, as a result of~~  
25 ~~implementation of the San Diego County Regional Airport~~  
26 ~~Authority Reform Act of 2007, no employee that is not a member~~  
27 ~~of the authority's executive committee shall incur loss of~~  
28 ~~employment or reduction in wages, health and welfare benefits,~~  
29 ~~seniority, retirement benefits or contributions made to retirement~~  
30 ~~plans, or other terms and conditions of employment. The board of~~  
31 ~~directors of the authority shall recognize all labor organizations~~  
32 ~~and labor agreements in effect on January 1, 2008, that do not~~  
33 ~~concern employees serving on the authority's executive committee.~~

34 *SEC. 10. Section 170048 of the Public Utilities Code is*  
35 *amended to read:*

36 170048. (a) The authority has exclusive responsibility to study,  
37 plan, and implement any improvements, expansion, or  
38 enhancements at San Diego International Airport.

39 (b) The authority may commission planning, engineering,  
40 economic, and other studies to provide information to the board

1 for making decisions about the location, design, management, and  
 2 other features of future airports.

3 (c) The San Diego Association of Governments, or its successor,  
 4 shall cooperate with the authority to include all airport system  
 5 plans and facilities selected by the authority in the regional  
 6 transportation plan consistent with state and federal law.

7 (d) The authority, the San Diego Association of Governments,  
 8 local agencies, and the Department of Transportation shall  
 9 cooperate to develop effective surface transportation access to new  
 10 and existing airports.

11 (e) The authority ~~shall~~ *may* adopt a comprehensive plan on the  
 12 future development of San Diego’s regional international airport.  
 13 ~~In developing its plan, the authority shall review all options of~~  
 14 ~~alternative sites, including, but not limited to, expansion of the~~  
 15 ~~existing airport site and other development options available to~~  
 16 ~~address future airport needs.~~

17 *SEC. 11. Section 170056 of the Public Utilities Code is*  
 18 *amended to read:*

19 170056. The port shall transfer all title and ownership of the  
 20 San Diego International Airport to the authority consistent with  
 21 the terms of the transfer under Section 170060 ~~and the transition~~  
 22 ~~plan required under Section 170062~~ and shall include, but need  
 23 not be limited to, all of the following:

24 (a) All interest in real property and improvements, including,  
 25 but not limited to, all terminals, runways, taxiways, aprons,  
 26 hangars, Runway Protection Zones (RPZ), Airport Influence Areas  
 27 (AIA), emergency vehicles or facilities, parking facilities for  
 28 passengers and employees, above and below ground utility lines  
 29 and connections, easements, rights-of-way, other rights for the use  
 30 of property necessary or convenient to the use of airport properties,  
 31 and buildings and facilities used to operate, maintain, and manage  
 32 the airport which is consistent with the Airport Layout Plan (ALP)  
 33 dated September 13, 2000, and identified as Drawing No. 724 on  
 34 file with the clerk of the port, subject to paragraphs (1), (2), and  
 35 (3).

36 (1) The following real properties shall not be transferred and  
 37 shall remain under the ownership and control of the port:

38 (A) All property originally leased to General Dynamics  
 39 Corporation and identified in Document No. 12301 on file with  
 40 the clerk of the port.

1 (B) Property subleased by the port from TDY Industries, Inc.,  
2 c/o Allegheny Teledyne (formerly Teledyne Ryan Aeronautical)  
3 and identified as Document No. 17600 on file with the clerk of  
4 the port.

5 (C) Property leased to Solar Turbines, Incorporated for parking  
6 along Pacific Highway and identified as Document No. 39904 on  
7 file with the clerk of the port (Parcel No. 016-026).

8 (D) Property leased to Solar Turbines, Incorporated, for parking  
9 along Laurel Street and identified as Document No. 29239 on file  
10 with the clerk of the port (Parcel No. 016-016 - Parcel 2).

11 (E) Property leased to Sky Chefs, Incorporated, located at 2450  
12 Winship Lane and identified as Document No. 37740 on file with  
13 the clerk of the port (Parcel No. 012-025).

14 (F) (i) Property located at Parcel No. 034-002 and identified  
15 as Pond 20. The port shall retain ownership of Pond 20 and shall  
16 reimburse the airport fund for the fair market value of that property.  
17 The fair market value shall be determined by appraisal and  
18 negotiation. If there is no agreement following that negotiation,  
19 then the amount of payment shall be determined by arbitration.

20 (ii) On January 1, 2003, the port shall commence repayment to  
21 the airport of the negotiated or arbitrated fair market value for the  
22 property. The repayment schedule shall be a 10-year amortized  
23 payment plan with interest based upon the rate of 1 percent above  
24 the prevailing prime rate.

25 (2) The following additional real properties shall be transferred  
26 from the port to the authority.

27 (A) Property adjacent to Pond 20 located at Parcel Nos. 042-002  
28 and 042-003 (this parcel encompasses approximately two or three  
29 acres).

30 (B) Property acquired as Parcel No. 034-001 from Western Salt  
31 Processing Plant and identified as Document No. 39222 from  
32 GGTW, LLC.

33 (3) The following nonairport, real properties that presently  
34 provide airport-related services shall also be excluded from any  
35 land transfer to the authority:

36 (A) Airport employee parking lot located at Harbor Island Drive  
37 and Harbor Island Drive East identified as District Parcel No.  
38 007-020.

- 1 (B) Airport taxi and shuttle overflow lot located at the southeast  
2 corner of North Harbor Drive and Harbor Island Drive identified  
3 as District Parcel No. 007-025.
- 4 (C) Property leased to National Car Rental System, Incorporated,  
5 located east of the southeast corner of North Harbor Drive and  
6 Harbor Island Drive identified at District Parcel No. 007-034.
- 7 (D) Property leased to The Hertz Corporation located east of  
8 the southeast corner of North Harbor Drive and Harbor Island  
9 Drive identified as District Parcel No. 007-035.
- 10 (E) Property leased to Avis Rent-A-Car Corporation located at  
11 the southwest corner of North Harbor Drive and Rental Car  
12 Roadway identified as District Parcel No. 007-036.
- 13 (F) Property leased to National Car Rental System, Incorporated,  
14 located at the southeast corner of North Harbor Drive and Rental  
15 Car Roadway identified as District Parcel No. 007-038.
- 16 (G) Property leased in common to National Car Rental System,  
17 Incorporated; The Hertz Corporation; and Avis Rent-A-Car  
18 Corporation, known as Joint-Use Roadway identified as District  
19 Parcel No. 007-037.
- 20 (H) Property leased to Jimsair, Incorporated, located on the  
21 property previously known as the General Dynamics Parcel, south  
22 of Sassafras Street and west of Pacific Highway adjacent to the  
23 Airport Operation Area identified as District Parcel No. 016-042.
- 24 (I) Property leased to Budget Rent A Car of San Diego located  
25 at both the northeast and southwest corners of Palm Street and  
26 Pacific Highway identified as District Parcel No. 016-001 (Parcel  
27 1 and 2).
- 28 (J) Property leased to Budget Rent A Car of San Diego located  
29 east of the northeast corner of Palm Street and Pacific Highway  
30 identified as District Parcel No. 016-001 (Parcel 3).
- 31 (K) Property leased to Lichtenberger Equipment Incorporated,  
32 located north of the northeast corner of Palm Street and Pacific  
33 Highway identified as District Parcel No. 016-034.
- 34 (L) Property leased to Park and Ride, Incorporated, located at  
35 the northeast corner of Sassafras and Pacific Highway identified  
36 as District Parcel No. 016-038.
- 37 (M) Property leased to Ace Parking Management, Incorporated,  
38 located north of the intersection of Sassafras Street and Pacific  
39 Highway identified as District Parcel No. 016-040.

1 (N) Property leased to Federal Express Corporation located at  
2 the west end of the extension of Washington Street identified as  
3 District Parcel No. 015-008.

4 (b) All contracts with airport tenants, concessionaires,  
5 leaseholders, and others, including, but not limited to, fees from  
6 vehicle rental companies.

7 (c) All airport-related financial obligations secured by revenues  
8 and fees generated from the operations of the airport, including,  
9 but not limited to, bonded indebtedness associated with the airport.  
10 The authority shall assume obligations issued or incurred by the  
11 port for San Diego International Airport, including, but not limited  
12 to, any long-term debt, grants, and grant assurances.

13 (d) All airport-related financial reserves, including, but not  
14 limited to, sinking funds and other credits.

15 (e) All personal property, including, but not limited to,  
16 emergency vehicles, office equipment, computers, records and  
17 files, software required for financial management, personnel  
18 management, and accounting and inventory systems, and any other  
19 personal property owned by the port used to operate or maintain  
20 the airport.

21 (f) Notwithstanding any provision of this section, the port shall  
22 agree to lease for a period of 66 years, commencing on January 1,  
23 2003, to the authority parcels 1, 2, and 3 of the property originally  
24 leased to General Dynamics (identified in Document No. 12301  
25 on file with the clerk of the port) consisting of approximately 89.75  
26 acres west of the Pacific Highway and including property leased  
27 to JimsAir (identified as Parcel #016-042), property leased to  
28 Federal Express Corporation (identified as Parcel #015-008) and  
29 the Park, Shuttle and Fly lot operated by Five Star Parking under  
30 a management agreement with the port (identified as Clerk  
31 Document No. 38334, dated March 29, 1999), subject to the  
32 following terms:

33 (1) The rent shall be paid monthly in arrears ~~at the rate of four~~  
34 ~~million seven hundred thousand dollars (\$4,700,000) for calendar~~  
35 ~~year 2003, six million seven hundred thousand dollars (\$6,700,000)~~  
36 ~~for calendar year 2004, and eight million seven hundred thousand~~  
37 ~~dollars (\$8,700,000) for calendar year 2005. Thereafter, and the~~  
38 ~~annual rent shall be level, for the balance of the term, based on the~~  
39 ~~fair market value of the property as of January 1, 2006, and a~~  
40 ~~market rate of return on that date.~~

1 (2) The authority shall lease to the port at the same fair market  
2 value per square foot a total of not to exceed 250 parking spaces  
3 in reasonable proximity to the port's administrative building located  
4 at 3165 Pacific Highway with the authority having a right to  
5 relocate or substitute substantially equivalent or better parking  
6 from time to time. The parties shall first meet and confer to  
7 determine by appraisal and negotiation, the fair market value rent.  
8 If the authority and port do not reach agreement within 60 days  
9 after commencement of meetings for that purpose, either party  
10 may submit the matter to binding arbitration in San Diego in  
11 accordance with the Commercial Arbitration Rules of the American  
12 Arbitration Association. In the event airport operations cease to  
13 exist on the property leased to the authority pursuant to this section,  
14 control of the property will revert to the port as provided in Section  
15 170060.

16 (3) All other terms of the ground lease shall be in accordance  
17 with reasonable commercial practice in the San Diego area for  
18 long-term real property ground leases.

19 *SEC. 12. Section 170060 of the Public Utilities Code is*  
20 *amended to read:*

21 170060. (a) The port shall retain trusteeship of lands  
22 underlying the airport consistent with the State Lands  
23 Commission's requirement and shall execute a 66-year lease with  
24 the authority for control of the airport property. The authority shall  
25 pay one dollar (\$1) per year during the term of the lease, or until  
26 that time as airport operations controlled by the authority cease to  
27 exist on the property. At that time, the lease shall terminate and  
28 control of the property shall revert to the port.

29 (b) (1) The port may continue or enter into contracts,  
30 memorandums of understanding, or other agreements necessary  
31 to fulfill its responsibilities as trustee of the lands underlying the  
32 airport or adjacent lands under its control, or acquire additional  
33 lands within its jurisdiction consistent with its duties and pursuant  
34 to Division 6 (commencing with Section 6001) of the Public  
35 Resources Code.

36 (2) (A) The port shall act as lead agency to certify any studies,  
37 reports, or other documents necessary to fulfill its obligations as  
38 trustee of the lands described in paragraph (1).

39 (B) Notwithstanding subparagraph (A) or any other provision  
40 of law, until the date that the port transfers the airport to the

1 authority, the port and the authority, without the necessity of the  
2 giving of any notice, filing of any documents, or the taking of any  
3 other action, shall serve jointly as the lead agencies for the purposes  
4 of the California Environmental Quality Act (Division 13  
5 (commencing with Section 21000) of the Public Resources Code)  
6 and regulations adopted thereto, including, but not limited to, the  
7 filing of notices of exemption, initial studies, negative declarations,  
8 and environmental impact reports. On and after the transfer date,  
9 the authority, without the necessity of the giving of any notice,  
10 filing of any documents, or the taking of any other action, is the  
11 sole lead agency for any documents for which an initial study has  
12 been commenced pursuant to Section 15063 of Title 14 of the  
13 California Code of Regulations or for which a notice of preparation  
14 has been issued pursuant to Section 15082 of Title 14 of the  
15 California Code of Regulations, regardless of whether or not a  
16 notice of determination has been issued or a notice of completion  
17 has been issued.

18 (C) The lead agency status described in this paragraph is  
19 declaratory of existing law, and shall not in any respect be grounds  
20 for any claim or finding of noncompliance by the port or the  
21 authority, or both, with the California Environmental Quality Act  
22 (Division 13 (commencing with Section 21000) of the Public  
23 Resources Code) or regulations adopted under that act.

24 (3) Lands acquired by or added to lands under its trusteeship  
25 by the port adjacent to the existing airport property and necessary  
26 to operate the airport, including, but not limited to, lands from the  
27 United States Marine Corp Recruit Depot for additional taxiways  
28 and other airport related facilities, shall be included in the lease to  
29 the authority as it is acquired by the port.

30 (c) The authority shall be responsible for making any necessary  
31 application to the California Coastal Commission pursuant to the  
32 California Coastal Act of 1976 (Division 20 (commencing with  
33 Section 30000) of the Public Resources Code) and to other agencies  
34 in accordance with other applicable laws in effect on the effective  
35 date of the act that added this section for improvements upon  
36 coastal lands under the control of the authority through a lease.  
37 The port shall assist in the application for those projects as the  
38 trustee of the lands and shall not impede any improvements sought  
39 in the fulfillment of the authority's duties. The authority shall be  
40 responsible for all applications, requests, or submittals to other

1 governmental agencies for approvals, permits, authorizations or  
2 agreements of any kind affecting or relating to the property  
3 governed by the lease, and the port shall cooperate in completion  
4 of all documents in the form submitted or approved by the authority  
5 without modification, providing the documents are requested by  
6 the authority, or required by any other governmental agencies, or  
7 both.

8 ~~(d) Notwithstanding any other provision of law, immediately~~  
9 ~~upon the transfer of the San Diego International Airport to the~~  
10 ~~authority, the variance from Section 5012 of Title 21 of the~~  
11 ~~California Code of Regulations (noise standards) issued to the port~~  
12 ~~effective August 27, 2001, by the Department of Transportation~~  
13 ~~shall be transferred to the authority. That variance shall be~~  
14 ~~transferred on the same terms and conditions as granted to the port.~~  
15 ~~The authority shall comply with the terms and conditions of the~~  
16 ~~transferred variance.~~

17 *SEC. 13. Section 170062 of the Public Utilities Code is*  
18 *amended to read:*

19 ~~170062. (a) The authority shall develop a transition plan to~~  
20 ~~facilitate the transfer of the San Diego International Airport to the~~  
21 ~~authority pursuant to this section. To facilitate the preparation of~~  
22 ~~a transition plan, the authority and the port shall jointly commission~~  
23 ~~a certified audit to determine the financial condition of the San~~  
24 ~~Diego International Airport, including, but not limited to, the~~  
25 ~~obligations of the airport and the reasonableness of the overhead~~  
26 ~~charges being paid by the airport to the port. Upon completion of~~  
27 ~~the audit, the port and the authority shall balance all accounts,~~  
28 ~~including, but not limit to, loans and other obligations between~~  
29 ~~the two agencies.~~

30 ~~(b) The port shall cooperate in every way to facilitate the transfer~~  
31 ~~of the San Diego International Airport to the authority.~~

32 ~~(c) In the preparation of the transition plan, priority shall be~~  
33 ~~given to ensuring continuity in the programs, services, and~~  
34 ~~activities of the San Diego International Airport.~~

35 ~~(d) (1) The transfer of the San Diego International Airport to~~  
36 ~~the authority shall be completed on or after December 16, 2002.~~

37 ~~(2) The terms of the transfer of San Diego International Airport~~  
38 ~~to the authority shall include, but are not limited to, the following:~~

1 ~~(A) The authority shall request and receive a finding by the~~  
2 ~~Federal Aviation Administration that it is an eligible airport~~  
3 ~~sponsor.~~

4 ~~(B) The authority shall comply with federal regulations,~~  
5 ~~including, but not limited to, Part 139 of Title 14 of the Code of~~  
6 ~~Federal Regulations (certification and operation) and Part 107 of~~  
7 ~~Title 14 of the Code of Federal Regulations (security).~~

8 ~~(C) Consistent with the obligations set forth in this section, the~~  
9 ~~170062. (a) The authority may, in its sole discretion, from~~  
10 ~~time to time, enter into agreements with the port for services~~  
11 ~~including, but not limited to, operations, maintenance, and~~  
12 ~~purchasing, as the authority may find necessary or beneficial to~~  
13 ~~facilitate the orderly transfer and continued operation of San Diego~~  
14 ~~International Airport.~~

15 ~~(D)~~

16 ~~(b) The authority shall have no obligation to purchase or procure~~  
17 ~~any services, facilities, or equipment from or through the port. At~~  
18 ~~no time shall the authority be obligated to purchase auditing, public~~  
19 ~~affairs, and governmental relations, strategic planning, legal, or~~  
20 ~~board support services from the port. However, the authority may~~  
21 ~~elect to obtain these services and support in agreement with the~~  
22 ~~port.~~

23 ~~(E)~~

24 ~~(c) Performance of all these services shall be subject to the~~  
25 ~~direction and control of the authority, and shall be provided in~~  
26 ~~accordance with specifications, policies, and procedures as~~  
27 ~~communicated by the authority to the port from time to time. In~~  
28 ~~all cases, the port shall provide services of sufficient quality,~~  
29 ~~quantity, reliability, and timeliness to ensure that the authority can~~  
30 ~~continue the operation, maintenance, planning and improvement~~  
31 ~~of and for San Diego International Airport consistent with the~~  
32 ~~standards and practices under which the airport is operated on the~~  
33 ~~effective date of the act that added this subparagraph or higher~~  
34 ~~standards as the authority may adopt, or as may be required in the~~  
35 ~~authority's judgment to meet the requirements of federal or state~~  
36 ~~law, or the needs of the users of the airport for the safe, secure,~~  
37 ~~and efficient operation of the airport. The authority also, from time~~  
38 ~~to time, may establish performance standards for and may conduct~~  
39 ~~financial or performance audits, or both, of all services provided~~

1 by the port and all charges or claims for payment for the services  
2 provided.

3 ~~(F)~~

4 (d) Services provided by the Harbor Police shall in no event be  
5 of less quality than the standard established for airport police  
6 services by the three other largest airports, based on annual  
7 passengers, in this state. The port shall cooperate fully, at its own  
8 cost, in any financial or performance audit, or both, conducted by,  
9 or on behalf of, the authority or by any government agency having  
10 jurisdiction.

11 ~~(G)~~

12 (e) The authority shall reimburse the port for the actual and  
13 reasonable direct costs, including, but not limited to, an appropriate  
14 allocation of general and administrative expenses associated with  
15 the provision of that service, incurred by the port to deliver services  
16 actually provided to the authority in accordance with the standards  
17 and requirements described in this section. The port shall request  
18 payment for services on a monthly basis. Those requests shall  
19 provide details regarding each service or element thereof for which  
20 payment is requested as the authority reasonably may request. The  
21 authority shall have the right to review and approve any request  
22 for payment for those services. Payment shall be due and payable  
23 30 days after the request provided all necessary supporting  
24 documentation is received by the authority.

25 ~~(H) Upon the completion of the transfer, the authority shall hire  
26 existing port staff assigned to the aviation division of the port as  
27 employees of the authority. The authority may hire additional staff,  
28 as needed, to fulfill its responsibilities. The authority shall make  
29 every responsible effort to fill necessary positions from port staff  
30 which may be affected by the transfer of the airport.~~

31 ~~(e) The transfer may not in any way impair any contracts with  
32 vendors, tenants, employees, or other parties.~~

33 (f) The San Diego Harbor Police Department shall remain under  
34 the jurisdiction of the San Diego Unified Port District, and  
35 employees shall incur no loss of employment or reduction in wages,  
36 health and welfare benefits, seniority, retirement benefits or  
37 contributions made to retirement plans, or other terms and  
38 conditions of employment as a result of enactment of this division.  
39 The San Diego Harbor Police Department shall have the exclusive  
40 contract for law enforcement services at San Diego International

1 Airport during that time as the airport continues to operate at the  
2 Lindbergh Field, and peace officers of the Harbor Police shall  
3 remain employees of the port.

4 *SEC. 14. Section 170064 of the Public Utilities Code is*  
5 *amended to read:*

6 170064. (a) From revenues in accounts attributable to airport  
7 operations, the port shall fund the authority for not less than one  
8 million dollars (\$1,000,000) each year until that time as the transfer  
9 of the airport and all associated revenue sources have been  
10 completed between the port and the authority. The authority's  
11 board may submit a budget request for more than this amount if  
12 necessary to carry out its duties. The port shall approve those  
13 budget requests in a timely manner without modification or  
14 reduction. The authority shall report its total budget expenditure  
15 amount to the port on an annual basis and balance or carryover  
16 reserves from previous budgets. The funding provided by this  
17 subdivision replaces any loans made to the authority by the port  
18 under the former provisions set forth in this subdivision requiring  
19 the port to loan the authority the sum of one million dollars  
20 (\$1,000,000).

21 (b) Upon the completion of the transfer ~~pursuant of San Diego~~  
22 ~~International Airport to Section 170062;~~ *the authority*, the authority  
23 shall assume all revenue stream revenues to fund its activities,  
24 operations, and investments consistent with its purposes. The  
25 sources of revenue available to the authority may include, but are  
26 not limited to, imposing fees, rents, or other charges for facilities,  
27 services, the repayment of bonded indebtedness, and other  
28 expenditures consistent with the purposes of the authority.

29 (c) To the extent practicable, the authority shall endeavor to  
30 maximize the revenues generated from enterprises located on the  
31 property of the authority.

32 (d) The authority may receive state and federal grants for  
33 purposes of planning, constructing, and operating an airport and  
34 for providing ground access to airports under its control.

35 *SEC. 15. If the Commission on State Mandates determines that*  
36 *this act contains costs mandated by the state, reimbursement to*  
37 *local agencies and school districts for those costs shall be made*  
38 *pursuant to Part 7 (commencing with Section 17500) of Division*  
39 *4 of Title 2 of the Government Code.*

1 SECTION 1. ~~Section 66010.1 of the Education Code is amended~~  
2 ~~to read:~~  
3 ~~66010.1. The purpose of this article is to identify common~~  
4 ~~educational missions shared by educational institutions in~~  
5 ~~California and to differentiate more specific missions and functions~~  
6 ~~among the various educational segments.~~

O