



# Agenda

---

**AIRPORT ADVISORY BOARD MEETING  
SANTA FE REGIONAL AIRPORT  
121 AVIATION DRIVE  
BUILDING 3002B  
March 14, 2019 – 4:00 PM**

1. CALL TO ORDER
2. ROLL CALL
3. APPROVAL OF AGENDA
4. APPROVAL OF MINUTES
  - a. February 14, 2019 – Regular Session
5. OLD BUSINESS
  - a. Security Rules and Regulations (David Silver, Emergency Management Director, [dmsilver@santafenm.gov](mailto:dmsilver@santafenm.gov), 955-6537; John Dickinson, Airport Operations Manager, [jdickinson@santafenm.gov](mailto:jdickinson@santafenm.gov), 955-2909)
  - b. Minimum Standards Review (Mike Prinz, Assistant City Attorney, [mnprinz@santafenm.gov](mailto:mnprinz@santafenm.gov), 955-6554)
6. NEW BUSINESS
  - a. HB229- Regional Air Center District (Rosemary Thompson, Committee Member)
  - b. Strategic Plan Update (Councilor Mike Harris, Committee Chair)
  - c. Jaguar Drive Update (Councilor Mike Harris, Committee Chair)
  - d. FAA Part 139 Inspection Results (Mark Baca, Airport Manager, [md Baca@santafenm.gov](mailto:md Baca@santafenm.gov), 955-2901)
7. Request Approval to Amend Molzen-Corbin Professional Services Agreement (PSA) to Increase Total Contract Amount to \$1,000,000, for Professional Engineering Services. (Mark Baca, Airport Manager, [md Baca@santafenm.gov](mailto:md Baca@santafenm.gov), 955-2901)
8. PUBLIC INVITED TO BE HEARD
9. REQUEST FOR FUTURE AGENDA ITEMS FROM BOARD MEMBERS
10. NEXT MEETING: **April 11, 2019**
11. ADJOURN

Persons with disabilities in need of accommodations, contact the City Clerk's office at 955-6520 five (5) working days prior to meeting date.

**RECEIVED AT THE CITY CLERK'S OFFICE**

**DATE: March 5, 2019**

**TIME: 12:32 PM**

**SUMMARY OF ACTION  
AIRPORT ADVISORY BOARD  
SANTA FE REGIONAL AIRPORT  
121 AVIATION DRIVE, BUILDING 3002B  
THURSDAY, MARCH 14, 2019, 4:00 PM**

<b><u>ITEM</u></b>	<b><u>ACTION</u></b>	<b><u>PAGE</u></b>
CALL TO ORDER		1
ROLL CALL	QUORUM	1
APPROVAL OF AGENDA	APPROVED	1-2
APPROVAL OF MINUTES	APPROVED	2
<b><u>OLD BUSINESS</u></b>		
SECURITY RULES AND REGULATIONS	INFORMATION/DISCUSSION	2-8
MINIMUM STANDARDS REVIEW	INFORMATION/DISCUSSION	8-9
<b><u>NEW BUSINESS</u></b>		
HB229, REGIONAL AIR CENTER DISTRICT	INFORMATION/DISCUSSION	9
STRATEGIC PLAN UPDATE	INFORMATION/DISCUSSION	10
JAGUAR DRIVE UPDATE	INFORMATION/DISCUSSION	10-11
FAA PART 139 INSPECTION RESULTS	INFORMATION/DISCUSSION	11-12
REQUEST APPROVAL TO AMEND MOLZEN-CORBIN PROFESSIONAL SERVICES AGREEMENT (PSA) TO INCREASE TOTAL CONTRACT AMOUNT TO \$1,000,000, FOR PROFESSIONAL ENGINEERING SERVICES.	POSTPONED	12-13
PUBLIC INVITED TO BE HEARD	INFORMATION/DISCUSSION	13-14

**REQUEST FOR FUTURE AGENDA  
ITEMS FROM BOARD MEMBERS**

**INFORMATION/DISCUSSION 14**

**NEXT MEETING**

**APRIL 11, 2019 15**

**ADJOURN**

**ADJOURNED 15**

**AIRPORT ADVISORY BOARD  
SANTA FE REGIONAL AIRPORT  
121 AVIATION DRIVE, BUILDING 3002B  
THURSDAY, MARCH 14, 2019, 4:00 PM**

**1. CALL TO ORDER**

The meeting of the Airport Advisory Board was called to order at 4:00 pm by Councilor Michael Harris, Chair, on Thursday, March 14, 2019, at the Santa Fe Regional Airport, 121 Aviation Drive, Building 3002B, Santa Fe, New Mexico.

**3. ROLL CALL**

**MEMBERS PRESENT**

Councilor Michael Harris, Chair  
Chris Ortega, Vice-Chair  
John Elling  
James Robins  
Bud Hamilton  
Rosemary Thompson

**MEMBERS ABSENT**

Kevin Egan, Excused

**OTHERS PRESENT**

Mark Baca, Airport Manager  
John Dickerson, Airport Operations Manager  
Mike Prinz, Assistant City Attorney  
David Silver, Emergency Management Director  
Troy Padilla, Jet Center  
Joe Gamez, Signature  
James Brogan, Enterprise Rent-A-Car  
Stuart Kirk, Fly Santa Fe  
Tuesday Brzyley, Airport Staff

**3. APPROVAL OF AGENDA**

Mr. Baca said he would like to postpone item 7.

**MOTION** A motion was made by Ms. Thompson, seconded by Mr. Robins, to

approve the agenda as amended.

**VOTE** The motion passed unanimously by voice vote.

#### **4. APPROVAL OF MINUTES**

Mr. Ortega said on page 6, Mr. Ortega should be Mr. McCord, on page 7 item C he asked about visual slope indicators on 1028 and 15, on the top of the next page he doesn't remember saying that, and it should be PAPI.

Mr. Elling said under others present remove Dickerson.

**MOTION** A motion was made by Mr. Hamilton, seconded by Ms. Thompson, to approve the minutes as amended.

**VOTE** The motion passed unanimously by voice vote.

#### **5. OLD BUSINESS**

##### **A. SECURITY RULES AND REGULATIONS** **David Silver, Emergency Management Director**

Mr. Silver said he was there to answer any questions. There have not been any updates since the last meeting to the rules. There were last updated in October. Our Airport Security Plan is currently under review by TSA.

Chair Harris said lets open up with the questions that were given to you ahead of time. I know you have prepared answers and responses so lets to go through those.

Mr. Silver read each question and his response to the Board. The questions and answers are herewith attached to these minutes as Exhibit "1".

Comments, additional questions and discussion were as follows:

- Mr. Silver. He did some research to figure out where the regulation in question originated. It is a background regulation requirement that requires the Airport to control access to the AOA by persons and vehicles and to control movement on the AOA by persons not authorized. Why do we have to look at badges to determine if people have access to the AOA or not. If the badge is not worn it has to be displayed. Inside the AOA the badge must be displayed at all times. There is an additional directive that goes into more details regarding what we have to do when we have to do vehicle searches. The vehicle search portion of this is a secure document

and he is not able to talk about it in a public meeting.

- Mr. Elling. We need some time to review this. He is collecting a lot of concerns from the general aviation community who have had to get badges. The concern was that we were giving up our rights to have probable cause for the search. Everything you read was access control. You said there is a secret plan that you cannot tell us about regarding how to conduct vehicle searches. Nothing you have read so far mentions anything about a TSA requirement that we consent to searches that don't have any probable cause or warrant. At some point he would like Mr. Silver to tie that all together because the security plan says we agree to a search of anything at any time by anybody. So far you have not given him a requirement from TSA. If it says that then we need to be prepared to rebut it. He does not think the FAA requires us to give up our civil rights in order to be accessing the airport operation area.
- Mr. Silver. He cannot answer that question at this time. He will work with Mr. McCord to get that information and get back to him.
- Mr. Elling. At the moment he has not heard the requirement from TSA that is reflected. Once we have that he would like to go into detail on it.

Chair Harris said he would like to get a copy of what Mr. Silver is reading for inclusion in the minutes.

- Mr. Ortega. You did read something that the airport operation was an entity that was allowed to do a search.
- Mr. Silver. It says Airport Operator.
- Mr. Elling. We need to preserve the ability for us to review the drafts and comment on them to make sure concerns from the aviation community are heard before the rules are applied. The rules we are looking at are on the web and are in effect and as far as he knows there has not been an opportunity for comment.
- Mr. Silver. When the Airport became a category 3 Airport with the arrival of larger commercial flights the Airport went from a partial security program to a full security program. We are held to the same security requirements as any other category 3 airport. We can't say we are smaller and should not have to do a certain element. We updated our plan using SSI which is a document that is not releasable. That has been in place since then. You are not able to know of every security element, but you are able to hear about what you are being held to. We can go back and answer your questions.

- Chair Harris. Is it a requirement that the City review and adopt those rules and regulations officially.
- Mr. Prinz. He was wondering that himself.
- Mr. Silver. When we asked that question they said the standard practice is review by TSA , not anyone else.

Chair Harris said he knows this is a world unto itself, but he thinks it is appropriate for the City Attorney's Office to have some level of review and engagement. How much latitude is there going from the Airport Security Program to the rules and regulations. He would like to have some sort of review and response by the City Attorney's Office.

- Mr. Robins. Who gets to conduct the searches.
- Mr. Silver. The Airport Operator and TSA.
- Mr. Robins. That is bizarre.
- Mr. Elling. It is important to have these questions answered within the document. There are seven areas in the document none of which are defined in the document. To the best of our knowledge some of them don't exist at our Airport. One of the questions that should be answered by the documents is where are the areas, what are the areas and who is supposed to be able to conduct searches. Airport operations is the City of Santa Fe. Who is able to conduct searches.
- Mr. Silver. He can get answers to those. TSA by Federal law is allowed to impose fines for violations. The table of fines the Airport can impose are in the back of the security plan. They are not financial. They are badge suspension.
- Mr. Silver. He clarified challenge procedure by TSA. A challenge program is mandated to be in a secured area. Ours is the commercial ramp and the area beyond the check point. Those are the only places required to have a challenge procedure. You are not mandated to go and challenge anyone other than in those areas.
- Chair Harris. A citizen can challenge someone they think should not be there.
- Mr. Silver, yes. If you see someone you don't recognize you should report

it. SIDA is what TSA calls the secured area. In that area it is mandated that we have a challenge program. If someone does not have a badge we are required to ask him to show the badge. If he refuses we go to law enforcement and report that. We do not detain, law enforcement does that. If you feel you must hold someone in place you can attempt to keep them in a certain area until law enforcement gets there.

- Mr. Elling. His understanding is that it is only secure when an airplane is in there.
- Mr. Silver no, it is secure at all times. It is the secured area. SIDA. Security Information Displayed Area.
- Mr. Silver. He was asked about the authorized signatory. The definition from TSA of that it is any individual or designated representative to sponsor individuals and transmit data and to collect and transmit bio information to the Airport badging office and request Airport ID media for sponsored individuals. What has been done is that an individual is designated by the specific group as authorized signatory for that group. It is a layered approach, span of control. That is the idea of authorized signatory.
- Mr. Silver. There was a question about financial penalties. A person is liable to civil penalties for failure to collect security badges. They are liable to the United States government for civil penalties of not more than \$25,000 or \$1,100 if a person fails to collect security badges. What we are looking for an authorized signatory is an employer who is authorized to terminate an employee. They must notify the Airport within 24 hours that the person no longer needs access and the badge must be collected. Fines for non compliance of this are \$25,000. We must deactivate that access.
- Mr. Elling. The crux of his concern is the use of the word employer. When the initial signatory training came out there was an indication that the signers would have financial penalties if the people they signed for did not turn in their badges. We got that cleared up that there would not be a financial penalties. Our signatories are volunteers. He can't imagine anyone willing to take that financial responsibility.
- Mr. Silver. A lot of this is due to the change to a category 3.
- Mr. Elling. Fine, but you are going to end up with the Airport having to be the signatory for all of us.
- Mr. Silver we are trying to bridge the gap between a Commercial Airport and GA Airport. It is a struggle when you have a mixed population. What



other airports have done is essentially done away with AOA badges and each employee is searched and they do not have unescorted access. Unescorted access comes with these rules and regulations.

- Mr. Elling. In any airport he can land his airplane and fill up his plane and take off.
- Mr. Silver. TSA categorizes those pilots as transitory pilots.
- Mr. Silver. The question about how we came about these rules, we talked to a number of other airports, Oakland, Colorado Sprints, Rapid City and Albuquerque. That is how we came up with the general ideas for this. Also from feedback from TSA, security directives and our program.
- Mr. Elling. He appreciates that. Obviously as you created these there were some issues. He appreciates you listening to the concerns. He would like to continue this conversation with this document as a living document.

Chair Harris asked how does that dialogue occur for public review.

Mr. Silver said we will have to figure that out.

Mr. Elling said it has not worked to date. We were sent the rules and it was said these are your rules. It appears these rules are in effect.

Mr. Silver said TSA mandated that they be in effect.

Mr. Elling said it might be wise to get public comment before the rules are put into effect.

Mr. Silver said we can have some public comment, but for things that change due to a security directive we have to have those in effect in 15 days. We can figure out a way.

Mr. Elling said the rules are in effect and requiring me to detain someone and the City is authorizing me to do that.

Mr. Silver said we can update that. There are two options there. The first one says detain. The second one says if you do not feel comfortable doing this the requirement can also be met by going to law enforcement.

Mr. Elling said the risk is more on the City. Once I have a transient pilot and I am sitting on his back and tying up his legs I can say the City told me to do that. The more input we can have the better.

Mr. Silver said the intent of the rules is not to show you what you have penalties on, it to tell you what the security plan of the Airport is and how it has to be followed. If we have rules and regulations we can say this is subject to this penalty and so on. TSA may or may not impose a penalty on you. You can say you were penalized by the City and maybe they would not penalize you too. But TSA has the authority to penalize anyone on anything that violates the rules and regulations of the security program.

Mr. Elling asked the right to search by TSA, is that due to badges or the category 3 Airport classification.

Mr. Silver said he believes it is because an airport with a security program that is under TSA regulator review allows the searches. As soon as you have commercial service the airport has to have a security program.

(Several people speaking at once - inaudible)

Mr. Elling said the whole idea that someone can come up to my truck and search it is that because of the Santa Fe Program or is it a Federal requirement.

Mr. Silver said he will look into that for sure.

Mr. Elling said you just read by getting your badge anyone who works for the City of Santa Fe can search anything. Is that a Federal regulation.

Mr. Silver said yes.

Mr. Baca said this comes from 9/11 when those pilots who flew those planes on that day had been learning about security, flying and operations at small airports in the United States.

Mr. Elling said this TSA crew wanting to search my truck, that is laughable. He has never seen a worse crew. We are stuck with that.

Mr. Baca said yes sir.

Mr. Elling asked, for sure

Mr. Baca said yes. They can walk up and say they need to see inside this aircraft.

Chair Harris said clearly there is work to be done, if you are going to be out here you are going to have to accept certain restraints. To what degree he does not know. He would like it to have as much latitude as we can, but he does not know where that would be. We need to work on it, but there are going to be constraints. He wants to see the Santa Fe Regional Airport have a vital element of general aviation. In order to do that we have to work through these. There has to be a much better understanding and better

communications than there has been. Some people may say they are not going to accept that. We are getting to the point of an informed decision. There have been a lot of good questions. David, he appreciates that you came here with specific answers to the questions. Please provide a full document of what you said to Tuesday so they can be attached to the minutes.

Mr. Silver said the rules and regulations are on the City website under Airport.

Mr. Elling said maybe we could review the next changes

Mr. Silver said maybe we could have TSA present and have it be a working session and not a Board meeting.

Chair Harris said he will be looking at Assistant City Attorney Prinz to help us strike a balance.

Ms. Thompson said she wants to understand this. Now we are a category 3 Airport. You talked about Oakland and others so is there any other airport in New Mexico such as Taos, Farmington, Roswell or Las Cruces that fall in the same category.

Mr. Silver said Roswell is only one that is a category 3 airport of that group. Farmington lost their category 3. The others are strictly general aviation. The trigger that takes you to category 3 is the seating capacity of the aircraft.

Mr. Baca said every general aviation airport is category 4. In New Mexico, category 3 airports are us, Roswell and Albuquerque.

Chair Harris said thank you David. This has been an interesting discussion. There is a lot to consider here. It is important to have ongoing conversations with our general aviation folks. He would like to see you, Mr. Silver, at the Board meetings to hear any updates anytime you can be here. It is part of your responsibility to keep up with that information and communicate it to the Airport and the Board.

Mr. Silver said John Dickinson is now the Airport Security Operator and he and Mark back him up.

Mr. Baca said John came from a category 3 airport so he is very familiar with all of this.

## **B. MINIMUM STANDARDS REVIEW**

### **Mike Prinz, Assistant City Attorney**

Mr. Prinz said he received the latest draft of the document. He is reviewing that

now. He is close to having a refined draft. By next week he will be able to circulate the final draft.

Chair Harris said when you are ready to go send it to Mark and Tuesday so the Board can get it and review it and go from there.

Mr. Prinz said it seemed to be a pretty solid document overall.

Mr. Baca said he is working with Risk Management to finalize the mapping of the insurance requirements for the document.

Chair Harris said thanks Mike. We look forward to seeing the consolidated draft.

## **6. NEW BUSINESS**

### **A. HB229, REGIONAL AIR CENTER DISTRICT**

Ms. Thompson said a copy of the bill is in your packets.

Chair Harris said he reviewed it and it seems to be specific to Roswell.

Ms. Thompson said this is about having the ability and opportunity to create an economic development district even in Santa Fe by the use of this. It addresses issuing bonds. That is the biggest issue. Being able to be a financing entity if someone wants to come in to do economic development within the zone. She thinks it would be beneficial if we looked at it, read it and considered it. It might be beneficial to Santa Fe. The bill passed and the Governor has signed it. She sent emails to the three State Representatives from Roswell and asked them if they could provide her with some input about anything we could do in Santa Fe. She just wanted to bring it up.

Chair Harris said we talked a bit earlier about the subject of an authority. There is a lot of resistance for different reasons for that. It seems under Section 3 we would not qualify under this Act. It says there must be an association with a former military base.

Ms. Thompson said she does not think it has to be a military base.

Chair Harris said it says it does under Section 3. It is a an endeavor that we would not qualify for. We have other tools we can consider for economic development. He appreciates you bringing it to our attention. He doesn't think this applies to our discussions about creating an authority.

Ms. Thompson said it is something to keep track of.

Chair Harris said it would be interesting to see how it works in Roswell.

## **B. STRATEGIC PLAN UPDATE**

Chair Harris said the main thing to report is that we got started today. He, Stuart Kirk, John Elling, Mark Baca, Bud Hamilton and Kevin Egan (by phone) met today. Matt Brown helped us initiate the process. It was a good start. We will continue to work on it. He appreciates everyone who works on all of these projects and takes on other assignments. That is what makes the difference in getting things accomplished. We are making things happen. This will be of real value in the long run.

## **C. JAGUAR DRIVE UPDATE**

Chair Harris said he and the Mayor have met with the Cook organization on a couple of occasions. They have under their development plan the obligation to build the interchange and a series of improvements on the town side of 599 and the provision of a connection from the interchange to the Airport when they move on their commercial property. According to them there is nothing on the horizon. They say they have \$10 million in so far. They are not prepared to move forward. We talked about some creative ways to move forward, but there are issues there. Santa Fe Engineering has a pretty high level of drawings. In one session it became clear to him that the improvements they are required to make are not on their property. It is on City property. That made it easier to push hard at the Legislative Session. It was going to be of part of our communities ICIP list. There was a lot of support for it. We passed a Resolution to support the asks. The ask became \$11 million for the terminal and \$3 million for road connection. Where it stands now it seems we may end up with \$9 million for the terminal. If that is the case he thinks both he and the Mayor agree that it was for the terminal and supportive infrastructure. He talked to Mark Duran and if it is approved when it goes to DFA we need to make sure the language is clear that it supports the supportive infrastructure. This road is supporting infrastructure. We need to make sure the language at DFA acknowledges the road. We will know something next week. We are also working with the Cook organization on three options. The first one is a first class entrance which would cost \$4.3 million the second option is \$3.5 million and the lowest option is \$2.7 million. These are estimates. It serves everyone's interest to solve this. Without this support it would be a long time before we got the road build. He would not support the top option. This is where we stand.

Mr. Hamilton asked who makes the decision on how it is apportioned.

Chair Harris said it starts here. We make a recommendation and it goes through the committee process and to the Governing Body.

Mr. Hamilton said if we build this with State money the Cook organization is out from under.

Chair Harris said there are ways to work through that.

Mr. Ortega said since we own the property we have an option to preserve enough right of way.

Chair Harris said past administrations have hammered developers too hard. People talk about a housing crisis. We need to work with the market place and we have not been a good partner to the market place. There is going to be resistance. This is his point of view. We build Jaguar light.

Mr. Hamilton said so next week we will find out. What do you envision would be the process we would go through.

Chair Harris said it takes to October or November for the State to work through their process. Before we can turn our design team loose it is about a year from today. That is where we stand.

Mr. Elling said If we spend \$3 million on the road we will have \$6 million left. We have said we need 30,000 square feet for the number of inplanements we have now. What will we do with \$6 million to improve the terminal.

Chair Harris said we know what the scope of work needs to be. Are there other monies to support the project. He can't answer that question right now.

#### **D. FAA PART 139 INSPECTION RESULTS**

Mr. Baca said we had our part 139 inspection in February. There were some really positive things that came out of it and some really negative stuff that came out of it. On the positive stuff, our fire station performed exceptionally. The fire department out did themselves this year. That was one of the highest points. Training was up to date. As far as some major issues we had, on our paved areas vegetation was found in the cracks on 1533, taxiway Alpha and taxiway Charlie. We have to remove the vegetation and crack seal. They had some issue with our markings. We have to reapply the pavement markings. Our dash taxiway marking needs to be addressed. They are cracking and fading. On Runway 1533 the center lines will be addressed in the project we have planned. Taxiway enter lines are chipping and fading. We have to address those. We have some run off areas where we have to remove some intermediate markings. Our runway safety area approaching runway 20 has eroded over the years so there are issues on that. It is not graded according to Airport design. We have to survey that area and determine how far out we have to do grading. We may have to displace our threshold which will shorten our runway depending on funds available.

Mr. Baca said they are removing a lot of dirt and he is having them stockpile it right now so we have time for Molzen Corbin to come in and survey it. Hopefully we will have enough time to work this so we don't have to shorten the runway. We will be looking at all options.

Mr. Elling said he has a lot of dirt on his project that he is paying to haul away. You can have all you need from there.

Mr. Baca thanked him.

Chair Harris said there are some other things that can be done to stabilize it other than vegetation.

Mr. Baca said the bottom line is the FAA EDO came in and she was not pleased with our funding. Her concern is that it seems as though the FAA and DOT are maintaining this Airport. They want to see more from the City before they do any more.

Chair Harris said he is not surprised.

Mr. Baca said we had a decent inspection other than that.

Chair Harris said ask them about the status of their release so we can sell those 26 acres to Wastewater and get the \$1,250,000 for infrastructure. He heard there is uncertainty from the City Attorney's Office. He asked Mary McCoy to talk with Erin McSherry about that. We just need them to sign off so we can get that money. We need to document back to the FAA that the City is ready to make this transaction as soon as they sign off. Mike will you talk with Erin about this.

Mr. Prinz said he will.

Chair Harris said you will get a formal document from FAA listing the results from the inspection and the Airport needs to respond with what we intend to do.

Mr. Baca said yes, that is the process.

Chair Harris asked do you expect that document within 30 days.

Mr. Baca said he has the letter of compliance and letter of investigation. He and Kent are working on getting the runway surveyed. In the meantime he will steal the dirt you offered.

Chair Harris asked do you need anything from the Board. Now is the time. We have budget hearings starting on April 16<sup>th</sup>. He will work with you and Kent to get numbers together.

**7. REQUEST APPROVAL TO AMEND MOLZEN-CORBIN PROFESSIONAL SERVICES AGREEMENT (PSA) TO INCREASE TOTAL CONTRACT AMOUNT TO \$1,000,000, FOR PROFESSIONAL ENGINEERING SERVICES.**

This item was postponed.

Chair Harris said he would like to work with Mark on this.

## **8. PUBLIC INVITED TO BE HEARD**

Mr. Padilla said for TSA a SADA area is typically apart from the AOA. They don't interact. Here in Santa Fe we don't have that luxury. Some of the rules that have come about are pretty unusual. That being the case classes are given depending on our authority. He does not know what authorities they have in the sterile area. You have to be vetted, fingerprinted and background checked before you have access to the authorities you are given. When you develop a plan to be published only certain things can be discussed and vetted. Homeland Security governs TSA and DEA and FAA and a new regulation that recently passed has all 3 entities working together. They have been at the FBOs and doing aircraft inspections and introductions of who they are. It is different than we have ever seen. This has nothing to do with the City or David or Mark. They are here right now. They come in and say this is who we are and can we see your documentation, pilots license and registration. They are looking inside the airplanes. It happened three weeks ago. If they find anything suspicious that leads them to more. They bring out dogs and this is a new day. All we can do is welcome them. He wanted you to know that is happening. They are working as a task unit now.

Mr. Padilla said he has been involved in negotiations with TSA over a tenant and employee who were guilty of running a gate. The fine is \$2,900. It did not come from the City it came from TSA. Because of that they had to negotiate with TSA. You get a letter saying they found you in violation and these are your options. Informal conference, hire an attorney or pay the fine. Most of the time people say informal discussion. You get a call from an attorney representing TSA and they give you more options. You can go in front of a judge in Washington, DC who is from the Coast Guard. Again, this has nothing to do with Mark or David. It has to do with you and TSA. You go to conference and they take it under advisement and you have to take what ever comes next. He has been involved in several of these and has been successful enough to reduce the fine to a letter and notification. Not only does the individual get fined, but the City got fined as well. The City had to go through the same process. Even though you develop these rules and regulations no matter what happens it has little to do here, it has to do with what Homeland Security wants to do.

Mr. Silver said in these cases they site something from our security program and their Federal regulation. They are going after the individual for the Federal regulation.

Mr. Padilla said it is not fun and it is very serious. It should be taken very seriously. It is very expensive.

Mr. Elling said this why we need as much input as possible so it is sensible.



Mr. Silver said we have to at least meet TSA minimums.

Mr. Padilla said you can challenge it and you and the City are arguing the same things, but you still get fined for it.

Chair Harris said he is not sure how far we want to go with this. He knows you are dealing with this every day.

Mr. Padilla said a displaced threshold is so dangerous and it is so important that we don't displace the threshold. On a medium warm day we have troubles with airplanes. They will not be happy. FBOs will not be happy. We need that extra length. That needs to be a high priority to get that taken care of.

Chair Harris said that is a good observation and Mr. Baca agrees.

Mr. Padilla said on the FAA inspection he echos what Mark said and has asked multiple times how is the City is going to support the airport and bring some additional funds and not depend on grants to do maintenance out here. They are seeing that they put money in the Airport and it is not being maintained.

Chair Harris said so noted. That is why he asked Mark to document for the budget.

Mr. Padilla said the FAA Inspector that was here was terrific. Her boss will be the inspector next due to findings.

Chair Harris said thank you.

## **9. REQUEST FOR FUTURE AGENDA ITEMS FROM BOARD MEMBERS**

Chair Harris said for the next agenda we need to have a report on the minimum standards draft, the security rules, the strategic plan, the Legislative allocation and the Molzen Corbin PSA.

Mr. Hamilton said thank you to Celeste Valentine. She called her about finding the agenda on the web and that the one on the web was wrong. Celeste found it for her. Also thank you to Tuesday for sending out the minutes and agenda. To Mark thank you for always going above and beyond when he speaks before the City Council.

Chair Harris said he agrees with all she said.


Mr. Padilla said the landing fees bill passed. We are waiting for the Governor to sign it.

**10. NEXT MEETING  
APRIL 11, 2019**

**11. ADJOURN**

There being no further business before the Board the meeting adjourned  
at 6:10 pm.

  
\_\_\_\_\_  
Councilor Michael Harris, Chair

  
\_\_\_\_\_  
Elizabeth Martin, Stenographer

Page 6 e. All persons and objects are subject to Security Screening prior to or after entering the AOA, SIDA, Sterile Areas, and other Secured Areas, or any other area designated from time to time by the Airport. Further, all persons who are granted an Airport Security Badge shall be subject to search of their person or accessible property while on Airport property and this requirement shall be acknowledged by all applicants for an Airport Security Badge.

As background, 49 CFR 1542.203 requires the airport operator to control access to the air operations area (AOA) by persons and vehicles, control movement on the AOA by persons and vehicles, and detect each penetration of the AOA by persons "not authorized in accordance with the security program." 49 CFR 1542.207(a) requires airport operators to implement a system, measure, or procedure ensuring compliance with the following performance standards: Only those with authorization can have access to secured areas of an airport; access is immediately denied to those whose authorization has changed; and access must be limited by area.

SD 1542-18-01A

Page 8 xi. Any Person issued an Airport Security Badge shall be responsible to immediately challenge any person(s) that is not displaying an SAF Airport Security Badge or other authorized identification media while in an access controlled area, displaying an incorrectly colored badge for a specified area, or suspected of not having authorization to be in a specified area.

- Individuals not able to produce their issued SAF Airport Security Badge must immediately be removed from the area, temporarily detained, and Airport Security and an ASC must be notified.
- The challenge requirement may also be satisfied by immediately notifying the security guard and/or LEO is at the time the observation was made. When notifying security and/or Law Enforcement, always provide a description, name (if known), and the location of the individual.

49 CFR §1542.211 Identification systems.

(d) Challenge program. Each airport operator must establish and carry out a challenge program that requires each individual who has authorized unescorted access to secured areas and SIDA's to ascertain the authority of any individual who is not displaying an identification medium authorizing the individual to be present in the area. The challenge program must include procedures to challenge individuals not displaying airport approved identification media. The procedure must—

- (1) Apply uniformly in secured areas, SIDAs, and exclusive areas;
- (2) Describe how to challenge an individual directly or report any individual not visibly displaying an authorized identification medium, including procedures to notify the appropriate authority; and
- (3) Describe support of challenge procedures, including law enforcement and any other responses to reports of individuals not displaying authorized identification media.

Page 17 vii. All vehicles are subject to inspection at any time.

SD 1542-18-01A

49 CFR §1542.201 Security of the secured area

49 CFR §1542.203 Security of the air operations area (AOA).

Exhibit "1"

## **Airport Rules and Regulations**

TSA New Mexico – Regulator

CFR 1542

DHS Security Directives

Other Airports:

Oakland International Airport

Colorado Springs

Rapid City Regional Airport

## **Authorized Signatory**

**Authorized Signatory:** Any individual or designated representative authorized to sponsor individuals, collect and transmit biographical data to the airport badging office, and request airport identification (ID) media for sponsored individuals.

**BEST PRACTICE:** Airport operators may elect to establish a system to assess penalties (monetary or other) for non-compliance. During extreme cases where an employer fails to comply with these requirements, the airport operator may decide to take severe action, such as refusing to issue new ID media to employees of the company or deactivating all ID media issued to the company. The airport operator maintains the authority to decide to revoke an individual's access authority temporarily or permanently. It is important to note that the TSA does not endorse any particular form of enforcement action implemented by the airport operator. However, the TSA may initiate an investigation on the airport operator, company and/or individual depending upon the individual circumstances of an issue related to failures to retrieve or return media.

TSA-NA-18-03

49 U.S. Code § 46301. Civil penalties (6) Failure To Collect Security Badges. —

(1) A person is liable to the United States Government for a civil penalty of not more than \$25,000 (or \$1,100 if the person is an individual or small business concern) for violating

(6) Notwithstanding paragraph (1), any employer (other than a governmental entity or airport operator) who employs an employee to whom an airport security badge or other identifier used to obtain access to a secure area of an airport is issued before, on, or after the date of enactment of this paragraph and who does not collect or make reasonable efforts to collect such badge from the employee on the date that the employment of the employee is terminated and does not notify the operator of the airport of such termination within 24 hours of the date of such termination shall be liable to the Government for a civil penalty not to exceed \$10,000.