

MINETA SAN JOSE INTERNATIONAL AIRPORT

Minutes of the Airport Commission Special Meeting

MONDAY

SAN JOSE, CALIFORNIA

June 27, 2016

CALL TO ORDER

The Airport Commission of the Mineta San Jose International Airport met for a special session on Monday, June 27, 2016, at 6:00 p.m. at Norman Y. Mineta San José International Airport in the Boeing/McDonnell Douglas Conference Room at 1701 Airport Boulevard, Suite B1130, San Jose, CA 95110.

ATTENDEES

COMMISSIONERS

Ron Blake, Chair	- Present
Julie Matsushima, Vice-Chair	- Present
Abhay (AJ) Borade	- Present
Dan Connolly	- Absent (unexcused)
Tom Cruz	- Present (6:03 p.m.)
Raymond Greenlee	- Present
Catherine Hendrix	- Present
William Highlander	- Present
Stephen McMinn	- Absent (unexcused)
Mark Schmidt	- Present
Richard Terrill	- Absent (unexcused)

AIRPORT STAFF PRESENT

Bob Lockhart
Michael Glazer
Darleen Yamaki

ASST. TO THE DIRECTOR FOR GOVERNMENT & LEGISLATIVE AFFAIRS

James Webb - Present

CITY ATTORNEY STAFF PRESENT

Carl Mitchell

COUNCIL LIAISON

Raul Peralez - Absent

CALL TO ORDER/ROLL CALL

Due to the appellant (Mr. John Furneaux) participating in the hearing via conference call, Commissioners introduced themselves during the roll call. Eight Commissioners were present, three were absent.

1. GENERAL BUSINESS

- 1.1 Presentation regarding the Hearing Procedures for Airport Commission Administrative Citation Appeals.

Mr. Mitchell gave a PowerPoint presentation overview of the hearing procedures for curfew administrative citations.

- 1.2 Conduct a hearing on appeal of the decision of the Director of Aviation of the Norman Y. Mineta San Jose International Airport to Issue Administrative Citation No. 2016-33-2921 – Eastern Air Lines Group, Inc.

Bob Lockhart, Deputy Director of Operations, Michael Glazer, Airport Operations Superintendent and John Furneaux, Vice President for Flight Operation for Eastern Airlines, were sworn in by Mr. Mitchell prior to their testimony.

Mr. Glazer presented staff testimony on the reason for the administrative citation. Staff conceded that Eastern Air Lines Group, Inc. had articulated facts supporting a Force Majeure Event exemption pursuant to San Jose Municipal Code Section 25.03.320 A. Staff agreed that aircraft operations for Eastern were delayed due to an unforeseen mechanical problems that delayed an aircraft operation that had been scheduled prior to the curfew hours, San Jose Municipal Code Section 25.03.245 A.

Appellant Mr. John Furneaux, Eastern Air Lines Group, Inc., presented testimony on why the citation should be canceled. Mr. Furneaux explained that Eastern only has five (5) aircraft, and that two (2) of the aircraft were grounded for unforeseen mechanical difficulties thereby causing the flight originating in Havana, Cuba to be delayed in arriving at San Jose Airport. A spare plane had to be ferried from Boston to Miami, plus a crew change, and then flown to Havana, Cuba to pick up the passengers. There were no hotel accommodations available for the passengers in Havana and they could not spend the night at the airport in Havana.

Both presentations were followed by questions from the Commissioners.

A vote was taken to either uphold or cancel the citation.

Action: A motion was made to cancel the citation.

Approved (M.S.C. Cruz/Greenlee, 8-0, 3 absent)

2. ADJOURNMENT

Action: The Chair adjourned the meeting at 6:40 pm.