

COLLEEN D. WINCHESTER
Sr. Deputy City Attorney
Direct Line: (408) 535-1987

March 22, 2017

VIA PERSONAL DELIVERY and E-MAIL

Mr. Robert Alderete
Station Manager,
Southwest Airlines
1701 Airport Blvd., Suite 203
San Jose, CA 95110
robert.alderete@wnco.com

**Re: NOTIFICATION OF HEARING BEFORE THE NORMAN Y. MINETA SAN JOSÉ
INTERNATIONAL AIRPORT COMMISSION; ADMINISTRATIVE CITATION
NO. 2016-33-3208**

Dear Mr. Alderete:

On February 22, 2017, the City of San Jose (City) received your Request for Hearing and advance deposit of fines, seeking an appeal of Administrative Citation No. 2016-33-3208 (Boeing 737-700, December 3, 2016).

Pursuant to San José Municipal Code Section 25.03.440, this letter serves as notice that a hearing before the Norman Y. Mineta San José International Airport Commission has been scheduled for **Monday, April 3, 2017 at 6:00 p.m.** at:

**Norman Y. Mineta San José International Airport
1701 Airport Boulevard, Suite B-1130
San Jose, CA 95110-1206**

Please be further advised that under San José Municipal Code Section 25.03.460, the failure of any recipient of an administrative citation to appear at the administrative citation hearing shall constitute a forfeiture of the fine and a failure to exhaust its administrative remedies.

The hearing will proceed under the following procedures:

- The presentation of evidence shall be informal and not subject to technical compliance with the Evidence Code.
- The City shall have the obligation to proceed with its evidence in support of the issuance of the Administrative Citation first. The Administrative Citation and any additional report submitted by the director shall constitute prima face evidence of the respective facts contained in those documents. (San Jose Municipal Code §25.03.460(f).)
- Southwest Airlines (Southwest) shall be given the opportunity to testify and present evidence concerning the Administrative Citations
- Copies of the Administrative Citation and any other documentation that City staff is submitting to the Airport Commission in regard to this matter will be posted to the Airport Commission website (<http://www.flysanjose.com/fl/about.php?page=commission/meetings&exp=2&subtitle=Airport+Commission+|+Meetings+|+Minutes>) no later than seven (7) days prior to the hearing date. If Southwest Airlines intends to present any written evidence to the Airport Commission, please submit any such evidence to the Director of Aviation at 1701 Airport Boulevard, Suite B-1130, San Jose, CA 95110-1206, no later than Friday, March 31, 2017, with a copy to the undersigned.
- The Airport Commission shall consider any relevant evidence if it is the sort of evidence on which responsible persons are accustomed to rely in the conduct of serious affairs. The Chair of the Airport Commission may exclude from consideration irrelevant or cumulative evidence, or other evidence found to be unduly time consuming or inflammatory.
- The rules of privilege shall be effective to the extent that they are otherwise required by law to be recognized.
- The parties shall have the right to call and examine witnesses, and present relevant documentary and physical evidence.
- All oral testimony shall be under oath or affirmation.
- The parties shall have the right to present impeachment or rebuttal witnesses and evidence, and shall have the right to cross-examine witnesses on any matter relevant to the issues whether or not that matter was raised in direct examination.

- Parties to the hearing may be represented by legal counsel.
- The hearing shall be recorded by audiotape. The parties may use a court reporter at their discretion and expense.
- The duration of the hearing and any procedural issues that arise are within the sole discretion of the Chair of the Airport Commission, whose rulings on such procedural issues are final.
- The Chair of the Airport Commission is authorized to make changes and additions to the hearing rules if such changes are deemed useful or necessary.

After closing the hearing, the Airport Commission shall render a decision to uphold or cancel the administrative citation and shall list the reasons for that decision. The decision of the Airport Commission shall be the City's final determination. Any appeal must be filed within the time provided in Government Code Section 53069.4.

Very truly yours,

RICHARD DOYLE, City Attorney

By: 
COLLEEN D. WINCHESTER
Sr. Deputy City Attorney

cc: Airport Commissioners (*via email*)
Kimberly Becker, Director of Aviation (*via email*)
Curt Eikerman (*via email*)
Michael Glazer (*via email*)

Enclosure: Request Hearing Form and Supporting Documentation

NORMAN Y. MINETA SAN JOSE INTERNATIONAL AIRPORT
ADMINISTRATIVE CITATION

REQUEST FOR HEARING FORM

To: Director of Aviation
Norman Y. Mineta San Jose International Airport

Pursuant to Chapter 25.03, Section 25.03.440 of the San Jose Municipal Code, the undersigned hereby requests a hearing before the Norman Y. Mineta San Jose International Airport Commission regarding Administrative Citation No. 2016-33-3,208 dated 2/13, 2017.

Check One of the Following:

Advance deposit of fine in the amount of \$2,500 (personal check, cashier's check or money order) enclosed. *paid credit card*

Advance Deposit Hardship Waiver Application Form filed with the Director within fifteen (15) days of the date of the Administrative Citation pursuant to Chapter 25.03, Section 25.03.450 of the San Jose Municipal Code.

Name: Robert Alderete

Title: Station Manager, Southwest

Date: 2/22, 2017

RECEIPT

02/22/2017

City of San Jose Airport
1701 Airport Blvd; Suite B-1130
San Jose, CA 95110-1206
Phone 408-392-3656

Transaction Type : Sale

Authorization Code : 054438

Comment : SJC-17147630

Total : 2500.00 USD

Cardholder Information

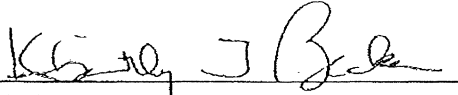
Name SJC GROUNDS OPS
Credit Card Type : MasterCard
Credit Card Number : #####6067

Company : Southwest Airlines Company
Phone : 4085728503
Email : null@cybersource.com

CITY OF SAN JOSE, CALIFORNIA

CITATION NO. 2016-33-3208

NORMAN Y. MINETA SAN JOSE INTERNATIONAL AIRPORT
ADMINISTRATIVE CITATION

DATE CITATION ISSUED February 13, 2017			
NAME Southwest Airlines			
ADDRESS, RESIDENCE (Street, Apt. or Space No.) (City, State, Zip Code)			
ADDRESS, BUSINESS (Street, Space No.) 1701 Airport Blvd. Suite 203 (City, State, Zip Code) San Jose, CA 95110			
VIOLATIONS			
SJMC SECTION (check as applicable)	DESCRIPTION	FINE AMOUNT	DUE DATE
25.03.300 <input checked="" type="checkbox"/>	Arrival of a Boeing 737-700, Flight #8504 on December 03, 2016 and 01:55 hours (PST) at Norman Y. Mineta San Jose International Airport	\$2,500.00	3/15/2017
25.03.310 <input type="checkbox"/>			
ISSUING ENFORCEMENT OFFICER  Kimberly J. Becker Director of Aviation			
FOR OFFICE USE ONLY:			

SEE REVERSE SIDE FOR FURTHER INFORMATION AND INSTRUCTIONS

IMPORTANT - PLEASE READ

Order: You are ordered to immediately cease the commission of the Municipal Code violation(s) listed on the front of this Administrative Citation.

Administrative Citation: Pursuant to Chapter 25.03 of the San Jose Municipal Code, if you continue or repeat the commission of the Municipal Code violation(s) listed on this Administrative Citation, the City may issue to you another Administrative Citation or may pursue any other legal remedy available to the City against you.

The amount of the Administrative Fine imposed for committing a Municipal Code violation is set forth in Chapter 25.03 of the San Jose Municipal Code. A copy of Chapter 25.03 may be obtained from the Office of the City Clerk for the City of San Jose, at City Hall, Room 116.

Payment Process Information: The amount of the Administrative Fine being imposed upon you for violation(s) of the Municipal Code is listed on the front of this Administrative Citation. The Administrative Fine must be paid to the City within thirty (30) days from the date of this Administrative Citation. A mailing envelope is provided with this Administrative Citation.

You may pay and deliver the Administrative Fine(s) to the City by mail or in person to the Director of Aviation at 1701 Airport Blvd Suite B-1130, San Jose, CA 95110. Payment should be in the form of personal check, cashier's check or money order, and payable to the "City of San Jose." Please write the Administrative Citation Number on your check or money order. Unless you have requested a hearing to contest the Administrative Citation, you will be subject to the imposition of a 10% late payment penalty, plus interest, if you fail to pay the Administrative Fine by the due date. Payment of Administrative Fines does not excuse or discharge any continuation or repeated occurrence of the Municipal Code violation(s) listed on this Administrative Citation.

Hearing Process Information: You have the right to contest this Administrative Citation at a public hearing before the Norman Y. Mineta San Jose International Airport Commission. To request this hearing, you must complete a Request For Hearing Form and return that Form, together with a deposit of the total Administrative Fine amounts listed on the front of this Administrative Citation, by mail or in person, within thirty (30) days from the date of this Administrative Citation to the Director of Aviation, 1701 Airport Blvd Suite B-1130, San Jose, CA 95110. Request For Hearing Forms may be obtained from the Director of Aviation, 1701 Airport Blvd Suite B-1130, San Jose, CA 95110. You will later be notified of the date and time set for your hearing. If you fail to appear at your hearing, this failure will result in a forfeiture of your deposit of Administrative Fine and will constitute a failure to exhaust your administrative remedies.

If you are financially unable to deposit the total amount of the Administrative Fine, you may file an Advance Deposit Hardship Waiver Application Form with the Director of Aviation, 1701 Airport Blvd Suite B-1130, San Jose, CA 95110. An Advance Deposit Hardship Waiver Application Form may be obtained from the Director of Aviation and must be filed within fifteen (15) days from the date of this Administrative Citation.

Failure to Pay Administrative Fines: If you fail to pay Administrative Fine(s) within the time required by this Citation or the decision of the Airport Commission, the City may use all available legal means to collect the Administrative Fine, together with any late payment penalties and interest. The City also may recover its collection costs incurred in these actions.

The Office of the Director of Aviation is located at:

1701 AIRPORT BOULEVARD
SUITE B-1130
SAN JOSÉ, CALIFORNIA 95110

If you would like further information about this Administrative Citation, any of the procedures described above, or how you can come into compliance with the Municipal Code, please call (408) 501-0966.

1 PROOF OF SERVICE

2 Southwest Airlines
3 ADMINISTRATIVE CITATION

4 I, the undersigned, say: I am a citizen of the United States, over 18 years of
5 age, a resident of the Santa Clara County, and not a party to the within action. My
6 business address is 1701 Airport Blvd Suite B-1130, San Jose, California 95110.

7 On February 13, 2017 I served the within:

8 **NORMAN Y. MINETA SAN JOSE INTERNATIONAL**
9 **AIRPORT ADMINISTRATIVE CITATION**

10 by MAIL, with a copy of this declaration, by depositing them into a sealed
11 envelope, with postage fully prepaid, and causing the envelope to be
deposited for collection and mailing on the date indicated above.

12 I further declare that I am readily familiar with the City of San Jose business
13 practice for collection and processing of documents for mailing with the
14 United States Postal Service. I placed this document for mailing into a
United States Postal Service mailbox, located at the San Jose International
15 Airport on the date listed above, before collection time listed on the mailbox,
and therefore this document in the ordinary course and scope of business
16 would be received by the United States Postal Service on the date listed

17 I further declare that the name and address on the envelope appear as
follows:

18 Administrative Citation: 2016-33-3208

19 Southwest Airlines
1701 Airport Blvd. Suite 203
20 San Jose, CA 95110

21 I declare under penalty of perjury that the foregoing is true and correct. Executed
22 at San Jose, California, on February 13, 2017.

23 
24 _____
Michael K. Glazer, C.M.



NORMAN Y. MINETA
SAN JOSE
INTERNATIONAL
A I R P O R T

Via Fax and U.S. Mail

December 05, 2016

Mr. Todd Collier
Southwest Airlines
1701 Airport Blvd. Suite 203
San Jose, CA 95110

**Re: TEN (10) DAY NOTICE OF AIRCRAFT OPERATION DURING CURFEW HOURS
NORMAN Y. MINETA SAN JOSE INTERNATIONAL AIRPORT CURFEW
ORDINANCE**

Dear Mr. Collier,

Pursuant to Chapter 25.03 of the San Jose Municipal Code (the "Airport Curfew Ordinance"), this letter is notice of an arrival at the Airport by a Boeing 737-700 (N768SW) Flight # 8504 on December 03, 2016 at 01:55 hours (PST). As provided in the Curfew Ordinance, only those jet aircraft listed on the Schedule of Authorized Aircraft may takeoff or land at the Airport during the Curfew Hours from 11:30 p.m. to 6:30 a.m. The Boeing 737-700 is not listed on the Schedule of Authorized Aircraft and is therefore prohibited from taking off or landing at the Airport during the Curfew hours from 11:30 p.m. to 6:30 a.m. Copies of the Curfew Ordinance and the Schedule of Authorized Aircraft were previously provided to you.

Aircraft not listed on the Schedule of Authorized Aircraft may takeoff or land at the Airport during the Curfew Hours from 11:30 p.m. to 6:30 a.m. only if: (a) the takeoff or landing is exempt from the Curfew Hour Restrictions as the result of a Force Majeure Event pursuant to Section 25.03.320 of the Curfew Ordinance; or (b) the operator demonstrates in writing to the Director of Aviation that the FAA Part 36 manufacturer certified noise level of its aircraft (using the arithmetic average of the takeoff, sideline, and approach noise levels) is equal to or less than 89.0 EPNdB.

If you believe that the arrival at the Airport by Flight # 8504 on December 03, 2016 at 01:55 hours was exempt or otherwise compliant with the Curfew Ordinance under either of the circumstances described above, you must provide the Director of Aviation a completed Curfew Operation Report and Flight Routing History within ten (10) calendar days of the date of this notice.



1701 Airport Blvd., Suite B-1130 San Jose, CA 95110-1206 Tel: 408.501.7600 Fax: 408.673.1678

www.sjc.org

TEN (10) DAY NOTICE OF AIRCRAFT
OPERATION DURING CURFEW HOURS

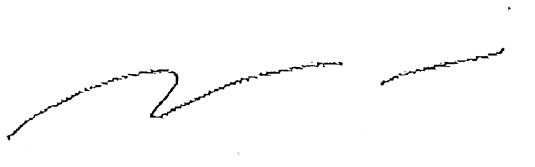
Page 2

December 05, 2016

If the Director of Aviation determines: (a) that the Curfew Operation Report documents facts sufficient to support an exemption from the Curfew Hour Restrictions; or (b) that the arrival was otherwise compliant with the Curfew Ordinance, no further action will be taken. In the event that; (a) you fail to file a Curfew Operation Report with the Director of Aviation with ten (10) calendar days of the date of this Notice; or (b) the Director determines that a timely filed Curfew Operation Report does not document facts sufficient to support either an exemption from the Curfew Hour Restrictions or a determination that the an arrival was otherwise not compliant with the Curfew Ordinance, the Director shall issue an administrative citation to you in the amount of \$2,500 for a violation of the Curfew Ordinance.

Enclosed is a Curfew Operation Report form and instructions that will assist you in providing either: (a) a complete flight routing history necessary to claim an exemption; or (b) documentation that the FAA Part 36 manufacturer certified noise level of the aircraft which performed the arrival (using the arithmetic average of the takeoff, sideline, and approach noise levels) is equal to or less than 89.0 EPNdB. If you have any questions, feel free to call the Noise Monitoring Center at (408) 392-3535 during normal business hours or contact the Manager on Duty at (408) 277-5378 during non-business hours, weekends and holidays.

Sincerely,



Michael K. Glazer II, C.M.
Airport Operations Superintendent
Norman Y. Mineta San Jose International Airport
Phone: (408) 392-3508
Fax: (408) 392-3598



1701 Airport Blvd., Suite B-1130 San Jose, CA 95110-1208 Tel: 408.501.7600 Fax: 408.573.1676

www.sjc.org

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PROOF OF SERVICE

Southwest Airlines

I, the undersigned, declare as follows:

I am over 18 years of age, employed in Santa Clara County, and not a party to the within action. My business address is 1701 Airport Blvd, Suite B-1130, San Jose, California 95110, and is located in the county where the service described below occurred.

On December 05, 2016 I caused to served the within:

**TEN (10) DAY NOTICE OF AIRCRAFT OPERATION
DURING CURFEW HOURS**

✓ by MAIL, with a copy of this declaration, by depositing them into a sealed envelope, with postage fully prepaid, and causing the envelope to be deposited for collection and mailing on the date indicated above.

I further declare that I am readily familiar with the City of San Jose business practice for collection and processing of documents for mailing with the United States Postal Service. I placed this document for mailing into a United States Postal Service mailbox, located at the San Jose International Airport on the date listed above, before the collection time listed on the mailbox, and therefore this document in the ordinary course and scope of business would be received by the United States Postal Service on the date listed above.

I further declare that the name and address on the envelope appear as follows:

Todd Collier
Southwest Airlines
1701 Airport Blvd. Suite 203
San Jose, CA 95110
Fax: 408-490-3623

Curfew Report #2016-33-3208

I declare under penalty of perjury that the foregoing is true and correct. Executed at San Jose, California, on December 05, 2016.

Michael K. Glazer II, C.M.

MINETA SAN JOSE INTERNATIONAL AIRPORT
CURFEW OPERATION REPORT

CURFEW OPERATION REPORT

(Airport Department use only)

Report Date: December 03, 2016 A/C Operator: Southwest Airlines Flight #: 8504
Aircraft Type 737-700 Aircraft Tail #: N788SW Event Type: arrival
Scheduled: 12/3/2016 01:20 Actual: 12/3/2016 01:55 Delay into curfew: 145

Type of Delay: Weather

City(s) at which delay(s) occurred: ONT City Contacted: Yes No

Remarks: Aircraft relocation ferry due to cancelled flight.

Airline Rep: Sherry City Employee: Lamper, Jay

INSTRUCTIONS

1. Complete Flight Routing History/Delay Summary (Page 2) starting with the SJC Curfew Intrusion, followed by all prior flight segments necessary to account for the number of minutes the operation infringed upon the applicable restricted hours.
2. Give a brief explanation for all flight segments that qualify for an exemption under the NCP (Mechanical, Weather, ATC, Security or Other).
3. Complete Airline Certification section below, and return this form, along with the Flight Routing History/Delay Summary to Airport Noise Office - Fax to (408) 392-3597

AIRLINE CERTIFICATION

I hereby certify that the information listed below is true and accurate:

Signature: _____ Date: _____

Printed name: _____

Title: _____

CURFEW OPERATION AUTHORIZATION

(Airport Department use only)

Curfew Operation Approved Denied

Approved by: _____ Noise Abatement Manager Reviewed by: _____ Deputy Director, Aviation

FLIGHT ROUTING HISTORY

Intrusion Report # 2016-33-3208

Minutes Past Curfew: 146

Aircraft #:	Flight #:	City Pair:	Scheduled OUT: _____	Actual: OUT: _____	Delay (min): _____
<input type="checkbox"/> A/C swap			OFF: _____ ON: _____		
		SJC	IN: _____	IN: _____	
<input type="checkbox"/> First flight of day				Enroute Delay: _____	
Delay:	<input type="checkbox"/> Mechanical	<input type="checkbox"/> Weather	<input type="checkbox"/> Air Traffic Control	<input type="checkbox"/> Security	<input type="checkbox"/> Other (describe) <input type="checkbox"/> N/A
Explanation: _____					

Aircraft #:	Flight #:	City Pair:	Scheduled OUT: _____	Actual: OUT: _____	Delay (min): _____
<input type="checkbox"/> A/C swap			OFF: _____ ON: _____		
			IN: _____	IN: _____	
<input type="checkbox"/> First flight of day				Enroute Delay: _____	
Delay:	<input type="checkbox"/> Mechanical	<input type="checkbox"/> Weather	<input type="checkbox"/> Air Traffic Control	<input type="checkbox"/> Security	<input type="checkbox"/> Other (describe) <input type="checkbox"/> N/A
Explanation: _____					

Aircraft #:	Flight #:	City Pair:	Scheduled OUT: _____	Actual: OUT: _____	Delay (min): _____
<input type="checkbox"/> A/C swap			OFF: _____ ON: _____		
			IN: _____	IN: _____	
<input type="checkbox"/> First flight of day				Enroute Delay: _____	
Delay:	<input type="checkbox"/> Mechanical	<input type="checkbox"/> Weather	<input type="checkbox"/> Air Traffic Control	<input type="checkbox"/> Security	<input type="checkbox"/> Other (describe) <input type="checkbox"/> N/A
Explanation: _____					

Aircraft #:	Flight #:	City Pair:	Scheduled OUT: _____	Actual: OUT: _____	Delay (min): _____
<input type="checkbox"/> A/C swap			OFF: _____ ON: _____		
			IN: _____	IN: _____	
<input type="checkbox"/> First flight of day				Enroute Delay: _____	
Delay:	<input type="checkbox"/> Mechanical	<input type="checkbox"/> Weather	<input type="checkbox"/> Air Traffic Control	<input type="checkbox"/> Security	<input type="checkbox"/> Other (describe) <input type="checkbox"/> N/A
Explanation: _____					

Aircraft #:	Flight #:	City Pair:	Scheduled OUT: _____	Actual: OUT: _____	Delay (min): _____
<input type="checkbox"/> A/C swap			OFF: _____ ON: _____		
			IN: _____	IN: _____	
<input type="checkbox"/> First flight of day				Enroute Delay: _____	
Delay:	<input type="checkbox"/> Mechanical	<input type="checkbox"/> Weather	<input type="checkbox"/> Air Traffic Control	<input type="checkbox"/> Security	<input type="checkbox"/> Other (describe) <input type="checkbox"/> N/A
Explanation: _____					

Intrusion Report # 2016-33-3208

MINETA SAN JOSE INTERNATIONAL AIRPORT
CURFEW OPERATION REPORT

CURFEW OPERATION REPORT
(Airport Department use only)

Report Date: December 03, 2016 A/C Operator: Southwest Airlines Flight #: 8604
Aircraft Type: 737-700 Aircraft Tail #: N7086W Event Type: arrival
Scheduled: 12/3/2016 01:20 Actual: 12/3/2016 01:55 Delay into curfew: 146
Type of Delay: Weather
City(s) at which delay(s) occurred: ONT City Contacted: Yes No
Remarks: Aircraft relocation ferry due to cancelled flight.

Airline Rep: Sherry

City Employee: Lamper, Jay

INSTRUCTIONS

- 1. Complete Flight Routing History/Delay Summary (Page 2) starting with the SJC Curfew intrusion, followed by all prior flight segments necessary to account for the number of minutes the operation infringed upon the applicable restricted hours.
- 2. Give a brief explanation for all flight segments that qualify for an exemption under the NCP (Mechanical, Weather, ATC, Security or Other).
- 3. Complete Airline Certification section below, and return this form, along with the Flight Routing History/Delay Summary to Airport Noise Office - Fax to (408) 302-3597

AIRLINE CERTIFICATION

I hereby certify that the information listed below is true and accurate:

Signature: Todd Collier Date: 12/12/16
Printed name: TODD COLLIER
Title: OPS SUP

CURFEW OPERATION AUTHORIZATION
(Airport Department use only)

Curfew Operation Approved Denied

Approved by: _____
Noise Abatement Manager

Reviewed by: _____
Deputy Director, Aviation

FLIGHT ROUTING HISTORY

Intrusion Report # 2016-33-3208

Minutes Past Curfew: 146

Aircraft #: N768 Flight #: 8504 City Pair: LAX Scheduled OUT: 0030 Actual OUT: 0043 Delay (min): 13

A/C swap OFF: 0057 ON: 0159

First flight of day SJO IN: 0135 IN: 0159 Enroute Delay: 11

Delay: Mechanical Weather Air Traffic Control Security Other (describe) N/A

Explanation: 12 MIN. DELAY OUT OF LAX. FERRY FLIGHT FOR RE POSITIONING DUE TO WX IN OJT.

Aircraft #: N768 Flight #: 5993 City Pair: ONT Scheduled OUT: 2140 Actual OUT: --- Delay (min): ---

A/C swap OFF: --- ON: ---

First flight of day SYC IN: 2250 IN: --- Enroute Delay: ---

Delay: Mechanical Weather Air Traffic Control Security Other (describe) N/A

Explanation: FLIGHT CXL'D DUE TO WX IN OJT

Aircraft #: N768 Flight #: 3882 City Pair: LAX Scheduled OUT: 2212 Actual OUT: --- Delay (min): ---

A/C swap OFF: --- ON: ---

First flight of day ONT IN: 2110 IN: --- Enroute Delay: ---

Delay: Mechanical Weather Air Traffic Control Security Other (describe) N/A

Explanation: FLIGHT CXL'D DUE TO WX IN OJT

Aircraft #: N768 Flight #: 3882 City Pair: SME Scheduled OUT: 1955 Actual OUT: 1952 Delay (min): 0

A/C swap OFF: 2001 ON: 2136

First flight of day LAX IN: 2137 IN: 2157 Enroute Delay: 20

Delay: Mechanical Weather Air Traffic Control Security Other (describe) N/A

Explanation: FLIGHT SCHED SME TO ONT. DIVERTED TO LAX DUE TO WX IN OJT

Aircraft #: N768 Flight #: 425 City Pair: PHX Scheduled OUT: 1825 Actual OUT: 1822 Delay (min): 0

A/C swap OFF: 1829 ON: 1911

First flight of day SME IN: 1925 IN: 1915 Enroute Delay: 0

Delay: Mechanical Weather Air Traffic Control Security Other (describe) N/A

Explanation: NO DELAY OUT OF PHX

1 **PROOF OF SERVICE**

2 I, the undersigned declare as follows:

3 I am a citizen of the United States, over 18 years of age, employed in Santa Clara
4 County, and not a party to the within action. My business address is 200 East Santa Clara
5 Street, San Jose, California 95113-1905, and is located in the county where the service
described below occurred.

6 On March 22, 2017, I caused to be served the within:

- 7 **1. NOTIFICATION OF HEARING BEFORE THE NORMAN Y. MINETA SAN**
8 **JOSÉ INTERNATIONAL AIRPORT COMMISSION; ADMINISTRATIVE**
9 **2. REQUEST HEARING FORM AND SUPPORTING DOCUMENTATION**

10 by MAIL, with a copy of this declaration, by depositing them into a sealed envelope,
11 with postage fully prepaid, and causing the envelope to be deposited for collection
and mailing on the date indicated above.

12 I further declare that I am readily familiar with the business' practice for collection
13 and processing of correspondence for mailing with the United States Postal
Service. Said correspondence would be deposited with the United States Postal
14 Service that same day in the ordinary course of business.

15 by PERSONAL DELIVERY, with a copy of this declaration, by causing to be
personally delivered a true copy thereof to the person at the address set forth
below.

16 by ELECTRONIC TRANSMISSION, with a copy of this declaration, to an electronic
17 address listed below.

18 I further declare that the electronic transmission was sent on March 22, 2017, to
19 robert.alderete@wnco.com, and that the City of San Jose, City Attorney's electronic
address is CAO.Main@sanjoseca.gov.

20 The above-described transmission was reported as sent by a transmission report
available for printing from the computer.

21 by EXPRESS MAIL, with a copy of this declaration, by depositing them into a
22 sealed envelope, with postage fully prepaid, and causing the envelope to be
deposited for collection and mailing on the date indicated above.

23 I further declare that I am readily familiar with the business' practice for collection
24 and processing of correspondence for mailing with the United States Postal
Service. Said correspondence would be deposited with the United States Postal
25 Service that same day in the ordinary course of business.

26 by OVERNIGHT DELIVERY, with a copy of this declaration, by depositing them into
a sealed envelope/package, with delivery fees fully prepaid/provided for, and

27 causing the envelope/package to be deposited for collection
28 causing the envelope/package to be delivered to an authorized
courier or driver to receive the envelope/package

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designated by the express service carrier for next day delivery.

I further declare that I am readily familiar with the business' practice for collection and processing of correspondence for overnight delivery by an express courier service. Such correspondence would be deposited with the express service or delivered to the authorized express service courier/driver to receive an envelope/package for the express service that same day in the ordinary course of business.

Addressed as follows:

Mr. Robert Alderete
Station Manager,
Southwest Airlines
1701 Airport Blvd., Suite 203
San Jose, CA 95110

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed on March 22, 2017, at San Jose, California.


Brandi Lecomte