

**SAN DIEGO COUNTY REGIONAL AIRPORT AUTHORITY BOARD  
MINUTES  
THURSDAY, SEPTEMBER 12, 2013  
SAN DIEGO INTERNATIONAL AIRPORT  
BOARD ROOM**

**CALL TO ORDER:** Chair Gleason called the special meeting of the San Diego County Regional Airport Authority Board to order at 9:03 a.m. on Thursday, September 12, 2013, in the Board Room at the San Diego International Airport, Commuter Terminal, 3225 North Harbor Drive, San Diego, CA 92101.

**ROLL CALL:**

PRESENT: Board Members: Alvarez, Berman (*Ex-Officio*), Boland, Desmond, Farnam (*Ex-Officio*), Gleason, Hubbs, Robinson, Sessom, Smisek

ABSENT: Board Members: Cox

ALSO PRESENT: Thella F. Bowens, President/CEO; Breton K. Lobner, General Counsel; Tony R. Russell, Director, Corporate Services/Authority Clerk; Lorraine Bennett, Assistant Authority Clerk II

*Board Member Alvarez arrived during the course of the meeting.*

**PLEDGE OF ALLEGIANCE:** Board Member Desmond led the Pledge of Allegiance.

**PRESENTATIONS:**

**A. RECOGNITION OF PRESIDENT'S AWARD OF EXCELLENCE WINNER EMPLOYEE OF THE YEAR:**

Thella F. Bowens, President/CEO, introduced Tony R. Russell, Director/Authority Clerk, Corporate Services, who recognized Jessica Fairchild, Records Coordinator, as Employee of the Year.

**B. REVIEW OF THE UNAUDITED FINANCIAL STATEMENTS FOR THE YEAR ENDED JUNE 30, 2013 AND 2012:**

Vernon Evans, Vice President, Finance/Treasurer, provided a presentation on the Unaudited Financial Statements for the Fiscal Years Ended June 30, 2013 and 2012, which included, Operating Revenue, Operating Expenses, Nonoperating Revenue and Expenses, Financial Summary, and Balance Sheets (Unaudited) as of June 30, 2013.

**REPORTS FROM BOARD COMMITTEES, AD HOC COMMITTEES, AND  
CITIZEN COMMITTEES AND LIAISONS:**

***STANDING BOARD COMMITTEES***

- **AUDIT COMMITTEE:**  
Board Member Smisek noted that Agenda Items 15, 16, and 17 were forwarded to the Board for approval.
- **CAPITAL IMPROVEMENT PROGRAM OVERSIGHT COMMITTEE:**  
Board Member Boland provided an update on the Green Build.
- **EXECUTIVE PERSONNEL AND COMPENSATION COMMITTEE:** None.
- **FINANCE COMMITTEE:**  
Chair Gleason noted that Agenda Items 13 and 14 were forwarded to the Board for acceptance.

***ADVISORY COMMITTEES***

- **AUTHORITY ADVISORY COMMITTEE:** None.
- **ART ADVISORY COMMITTEE:**  
Chair Gleason provided an update on the Green Build art installations. He reported that the call for temporary installations for 2014 was issued in August. He stated that a presentation and schematics for the Rental Car Center art project was scheduled for the October Board Meeting. He noted Item 18 on the Agenda for Board approval. He also provided an update on the Commuter Terminal exterior wall project. He announced the upcoming Art and Culture symposium on October 11<sup>th</sup> through 13<sup>th</sup>, titled "Aesthetics and Authenticity" to be held at the Southwest Fisheries Science Center.

***LIAISONS***

- **AIRPORT LAND USE COMPATIBILITY PLAN FOR SAN DIEGO INTERNATIONAL AIRPORT:**  
Board Member Robinson reported that the public review period for the draft SDIA Land Use Plan EIR ended on September 10<sup>th</sup>. He also noted that ALUC staff has been meeting with the Unified Port District, Civic San Diego and with staff from Councilmember's Lightner and Faulconer to review the EIR.

- **CALTRANS:**  
Board Member Berman provided an update on the recent local freeway closures associated with CALTRANS Steer Clear 2013 Campaign. She also announced the recent opening of the San Francisco Oakland Bay Bridge.
- **INTER-GOVERNMENTAL AFFAIRS:**  
Michael Kulis, Director, Inter-Governmental and Community Relations, reported that the State Legislature approved AB 359, Vehicle Rental Agreements – Customer Facility Charge; Authority staff met on September 3<sup>rd</sup> with San Diego Councilmember Myrtle Cole; Authority staff provided an ALUCP briefing for Councilmember Sherri Lightner and Councilmember Kevin Faulconer’s staff on September 5<sup>th</sup>. He also reported that the new Department of Finance Ex-Officio representative to the Authority Board is Eraina Ortega, Chief Deputy Director of Policy; and on September 9<sup>th</sup>, Supervisor Greg Cox was appointed by Assembly Speaker John Perez to the California Coastal Commission; and Chair Gleason is scheduled to provide an airport update to Interim Mayor Todd Gloria on September 17<sup>th</sup>.
- **MILITARY AFFAIRS:**  
Board Member Boland announced the upcoming Miramar Air Show on October 4<sup>th</sup> and 5<sup>th</sup>. He reported that he would be making a courtesy call to the new Commanding General of the Marine Corps Recruit Depot on October 3<sup>rd</sup>.
- **PORT:**  
Chair Gleason reported that staff has moved forward with the Memorandum of Understanding between the Port and the Authority for Harbor Police Services. He announced that quarterly meetings between the Board of Port Commissioners and Authority Board would be resuming.

#### ***BOARD REPRESENTATIVES (EXTERNAL)***

- **SANDAG TRANSPORTATION COMMITTEE:**  
Board Member Smisek reported that at its recent meeting, the Committee discussed the unconstrained approaches to trolley routes for the 2050 transportation network.

*Board Member Alvarez arrived at the meeting at 9:30 a.m.*

- **WORLD TRADE CENTER:**  
Chair Gleason reported that the World Trade Center Board is working to re-engage its memberships with license holders and the community.

**CHAIR'S REPORT:**

Chair Gleason congratulated Supervisor Cox on his appointment to the Coastal Commission. He also congratulated Councilmember Alvarez on his announcement to run for Mayor of San Diego. He congratulated President/CEO, Thella F. Bowens, and Authority staff on the success of the Green Build project. He reported that an update would be forthcoming regarding groundbreaking for the Rental Car Center project. He reported that he will be attending the One Region One Voice San Diego Mission to Washington D.C., and announced that the Board Retreat Meeting scheduled for September 27<sup>th</sup> was cancelled.

**PRESIDENT/CEO'S REPORT:**

Thella F. Bowens, President/CEO, reported that the entire Authority organization was named Team of the Year for 2013. She reported that the Authority underwent its annual inspection by the Federal Aviation Administration, resulting in no discrepancies found. She announced the opening of two new concessions at the Airport, Phil's Barbecue and Stone Brewing Company. She reported on the recent commemoration of the Sharie D. Shipley Media Center.

**NON-AGENDA PUBLIC COMMENT:**

ROBERT GERMANN, LAKESIDE, CA, spoke regarding issues and concerns with Gillespie Field, particularly with respect to its exclusion in the Authority's ALUP's. He requested to provide a presentation to the Board on the matter at a future meeting.

Chair Gleason referred the issue to staff for follow-up.

*The Board recessed at 9:41 a.m. and reconvened at 9:47 a.m.*

**CONSENT AGENDA (Items 1-26):**

**ACTION: Moved by Board Member Boland, and seconded by Board Member Desmond to approve the Consent Agenda. Motion carried by the following vote: YES – Alvarez, Boland, Desmond, Gleason, Hubbs, Robinson, Sessom, Smisek; NO – None; ABSENT – Cox (Weighted Vote Points: YES - 92; NO - 0; ABSENT- 8).**

**1. APPROVAL OF MINUTES:**

**RECOMMENDATION:** Approve the minutes of the July 11, 2013 special meeting.

- 2. ACCEPTANCE OF BOARD AND COMMITTEE MEMBERS WRITTEN REPORTS ON THEIR ATTENDANCE AT APPROVED MEETINGS AND PRE-APPROVAL OF ATTENDANCE AT OTHER MEETINGS NOT COVERED BY THE CURRENT RESOLUTION:**  
RECOMMENDATION: Accept the reports and pre-approve Board member attendance at other meetings, trainings and events not covered by the current resolution.
- 3. AWARDED CONTRACTS, APPROVED CHANGE ORDERS FROM JUNE 10, 2013 THROUGH AUGUST 11, 2013, AND REAL PROPERTY AGREEMENTS GRANTED AND ACCEPTED FROM JUNE 10, 2013, THROUGH AUGUST 11, 2013:**  
RECOMMENDATION: Receive the report.
- 4. SEPTEMBER 2013 LEGISLATIVE REPORT:**  
RECOMMENDATION: Adopt Resolution No. 2013-0077, approving the September 2013 Legislative Report.
- 5. APPROVE THE APPOINTMENTS TO THE ART ADVISORY COMMITTEE:**  
RECOMMENDATION: Adopt Resolution No. 2013-0078, approving the appointment of Michael Soriano and reappointment of Indra Gardiner to the Art Advisory Committee.
- 6. AMEND AUTHORITY POLICY 9.20 – SAN DIEGO INTERNATIONAL AIRPORT AIRPORT NOISE ADVISORY COMMITTEE (ANAC):**  
RECOMMENDATION: Adopt Resolution No. 2013-0079, amending Authority Policy 9.20 – San Diego International Airport Noise Advisory Committee.
- 7. RATIFY AND APPROVE AMENDMENTS TO THE SAN DIEGO COUNTY REGIONAL AIRPORT AUTHORITY'S 401(A) DEFERRED COMPENSATION PLAN AND AUTHORIZE THE PRESIDENT/CEO OR HER DESIGNEE TO EXECUTE ADDITIONAL AMENDMENTS TO THE PLAN:**  
RECOMMENDATION: Adopt Resolution No. 2013-0080, ratifying and approving amendments to the San Diego County Regional Airport Authority 401(a) deferred compensation plan and authorizing the President/CEO or her designee to execute additional amendments to Plan.

## **CLAIMS**

8. **REJECT THE CLAIM OF JUDITH HEINS:**  
RECOMMENDATION: Adopt Resolution No. 2013-0081, rejecting the claim of Judith Heins.
9. **REJECT THE CLAIM OF LAURIE MERRITT:**  
RECOMMENDATION: Adopt Resolution No. 2013-0082, rejecting the claim of Laurie Merritt.
10. **REJECT THE CLAIM OF MARCELA SAFARIK:**  
RECOMMENDATION: Adopt Resolution No. 2013-0083, rejecting the claim of Marcela Safarik.
11. **REJECT THE CLAIM OF JOAN WARD:**  
RECOMMENDATION: Adopt Resolution No. 2013-0084, rejecting the claim of Joan Ward.
12. **REJECT THE CLAIM OF KATHY CURTIS:**  
RECOMMENDATION: Adopt Resolution No. 2013-0085, rejecting the claim of Kathy Curtis.

## **COMMITTEE RECOMMENDATIONS**

13. **ACCEPT THE FINANCIAL STATEMENTS FOR THE YEAR ENDED JUNE 30, 2013 AND 2012:**  
RECOMMENDATION: The Finance Committee recommends that the Board accept the report.
14. **ACCEPT THE AUTHORITY'S INVESTMENT REPORT AS OF JUNE 30, 2013:**  
RECOMMENDATION: Accept the report.
15. **FISCAL YEAR 2013 – ANNUAL REPORT FROM THE AUDIT COMMITTEE:**  
RECOMMENDATION: The Audit Committee recommends that the Board receive the report.
16. **FISCAL YEAR 2013 – ANNUAL AUDIT ACTIVITIES REPORT AND AUDIT RECOMMENDATIONS FROM THE OFFICE OF THE CHIEF AUDITOR:**  
RECOMMENDATION: The Audit Committee recommends that the Board receive the report.

- 17. REVISION TO THE FISCAL YEAR 2014 AUDIT PLAN:**  
RECOMMENDATION: The Audit Committee recommends that the Board receive the information.

***CONTRACTS AND AGREEMENTS***

- 18. APPROVE AND AUTHORIZE THE PRESIDENT/CEO TO EXECUTE A FIRST AMENDMENT TO THE CONTRACT WITH MIKI IWASAKI DBA MI-WORKSHOP FOR THE TERMINAL 1 FOOD COURT PUBLIC ART PROJECT:**  
RECOMMENDATION: The Art Advisory Committee recommends that the Board Adopt Resolution No. 2013-0086, approving and authorizing the President/CEO to execute a first amendment to the contract with Miki Iwasaki DBA MI-Workshop, increasing the contract amount by \$45,000, for a total not to exceed amount of \$155,000, for the Terminal 1 Food Court Public Art Project due to an increase in project scope.
- 19. AWARD A CONTRACT TO S&L SPECIALTY CONTRACTING, INC., FOR QUIETER HOME PROGRAM PHASE 7, GROUP 4 (14 EAST SIDE AND 5 WEST SIDE, HISTORIC AND NON-HISTORIC UNITS ON SIX SINGLE AND FOUR MULTI-FAMILY RESIDENTIAL PROPERTIES):**  
RECOMMENDATION: Adopt Resolution No. 2013-0087, awarding a contract to S&L Specialty Contracting, Inc., in the amount of \$810,550, for Phase 7, Group 4, Project No. 380704, of the San Diego County Regional Airport Authority's Quieter Home Program.
- 20. AWARD A CONTRACT TO NUERA CONTRACTING & CONSULTING LP, FOR QUIETER HOME PROGRAM PHASE 7, GROUP 3 (30 WEST SIDE, NON-HISTORIC, CONDOMINIUM UNITS):**  
RECOMMENDATION: Adopt Resolution No. 2013-0088, awarding a contract to Nuera Contracting & Consulting LP, in the amount of \$916,609, for Phase 7, Group 3, Project No. 380703, of the San Diego County Regional Airport Authority's Quieter Home Program.
- 21. APPROVE AND AUTHORIZE THE PRESIDENT/CEO TO EXECUTE A FIRST AMENDMENT TO THE CONCESSION LEASE WITH SWISSPORT LOUNGE, LLC:**  
RECOMMENDATION: Adopt Resolution No. 2013-0089, approving and authorizing the President/CEO to execute a First Amendment to the Concession Lease with Swissport Lounge, LLC., extending the commencement date from August 1, 2013, to no later than January 1, 2014.

- 22. APPROVE AND AUTHORIZE THE PRESIDENT/CEO TO EXECUTE A FIRST AMENDMENT TO THE AGREEMENT WITH BRADFORD AIRPORT LOGISTICS, LTD:**  
RECOMMENDATION: Adopt Resolution No. 2013-0090, approving and authorizing the President/CEO to execute a First Amendment to the Agreement with Bradford Airport Logistics, LTD to modify the Agreement's Buyout Schedule.
- 23. APPROVE AND AUTHORIZE THE PRESIDENT/CEO TO EXECUTE A SECOND AMENDMENT TO THE CONCESSION LEASE WITH DUTY FREE AMERICAS SAN DIEGO LLC:**  
RECOMMENDATION: Adopt Resolution No. 2013-0091, approving and authorizing the President/CEO to execute a Second Amendment to the Concession Lease with Duty Free Americas San Diego LLC to modify premises to include a Mobile Unit in Terminal 1 at San Diego International Airport.
- 24. NUMBER NOT USED**

***CONTRACTS AND AGREEMENTS AND/OR AMENDMENTS TO CONTRACTS AND AGREEMENTS EXCEEDING \$1 MILLION***

- 25. APPROVE AND AUTHORIZE THE PRESIDENT/CEO TO EXECUTE ON-CALL GENERAL CONSTRUCTION SERVICE AGREEMENTS WITH DYNAMIC CONTRACTING SERVICES, INC.; THE VASQUEZ COMPANY; EC CONSTRUCTORS, INC.; GORDON-PRILL SAN DIEGO, INC.; AND RAL INVESTMENT DBA SILVERSTRAND CONSTRUCTION:**  
RECOMMENDATION: Adopt Resolution No. 2013-0093, approving and authorizing the President/CEO to execute on-call general construction service agreements with Dynamic Contracting Services, Inc.; The Vasquez Company; EC Constructors, Inc.; Gordon-Prill San Diego, Inc.; and RAL Investment Corporation dba Silverstrand Construction – each agreement, for a term of three years, with the option for two one-year extensions to be exercised at the discretion of the President/CEO, for an aggregate total not-to-exceed amount of \$3,000,000 for all five firms, to provide on-call general construction services support for San Diego International Airport's ("SDIA's") Capital Major Maintenance Program.



- 26. APPROVE AND AUTHORIZE THE PRESIDENT/CEO TO EXECUTE ON-CALL ELECTRICAL SERVICE AGREEMENTS WITH NEAL ELECTRIC CORPORATION; ENSLEY ELECTRIC, INC.; CTE, INC. CLARK TELECOM AND ELECTRIC; APEX LIGHTING & ELECTRIC, INC.; AND CAN-DO ELECTRIC, INC.:**

RECOMMENDATION: Adopt Resolution No. 2013-0094, approving and authorizing the President/CEO to execute on-call electrical service agreements with Neal Electric Corporation; Ensley Electric, Inc.; CTE Inc. Clark Telecom and Electric; Apex Lighting & Electric Inc.; and Can-Do Electrical, Inc. – each agreement, for a term of three years, with the option for two one-year extensions to be exercised at the discretion of the President/CEO, for an aggregate total not-to-exceed amount of \$3,000,000 for all five firms, to provide on-call electrical services support for the San Diego International Airport's ("SDIA's") Capital Major Maintenance Program.

**PUBLIC HEARINGS: None**

**OLD BUSINESS: None**

**NEW BUSINESS:**

Chair Gleason stated that he would be recusing himself from Item 27, due to a possible conflict of interest. He left the dais.

- 27. RATIFY AND APPROVE: (1) THE APPOINTMENT OF U.S. BANK NATIONAL ASSOCIATION TO SERVE AS SUCCESSOR TRUSTEE, PAYING AGENT AND REGISTRAR UNDER THE RESPECTIVE SUBORDINATE LIEN INDENTURES AND AS THE SUCCESSOR ISSUING AND PAYING AGENT UNDER THE ISSUING AND PAYING AGENT AGREEMENT, AND (2) THE AGREEMENTS OF RESIGNATION, APPOINTMENT AND ACCEPTANCE:**

RECOMMENDATION: Adopt Resolution No. 2013-0095, ratifying and approving: (1) the appointment of U.S. Bank National Association to serve as successor trustee, paying agent and registrar under the respective Subordinate Lien Indentures and as the successor issuing and paying agent under the Issuing and Paying Agent Agreement, and, (2) the Agreements of Resignation, Appointment and Acceptance, and certain related matters.

**ACTION: Moved by Board Member Alvarez, and seconded by Board Member Sessom to approve staff's recommendation. Motion carried by the following vote: YES – Alvarez, Boland, Desmond, Hubbs, Robinson, Sessom, Smisek; NO – None; ABSENT – Cox, Gleason (Weighted Vote Points: YES - 78; NO - 0; ABSENT- 22).**

*Chair Gleason returned to the dais.*

Board Member Robinson stated that he would be recusing himself from Item 28 and Item 29, due to a possible conflict of interest. He left the dais.

**28. APPROVE AND AUTHORIZE THE PRESIDENT/CEO TO EXECUTE AN AGREEMENT WITH ALLIED WASTE SYSTEMS, INC., DBA REPUBLIC SERVICES TO PROVIDE GARBAGE COLLECTION AND DISPOSAL AND RECYCLING COLLECTION AND DIVERSION SERVICES:**

Angela Shafer Payne, Vice President, Planning and Operations, provided a brief presentation summarizing the difference between Item 28 – Trash and recyclables generated at the Airport, and; 29 – For the potential export of contaminated soil and debris resulting from the historic industrial uses at sites now, within the Airport's boundaries.

In response to Board Member Sessom, regarding the landfill sites, Neil Moore, General Manager, Allied Waste/Republic Services, stated that the primary landfill location is at the Otay facility, located in the County of San Diego, with some diversions to the Sycamore landfill. He explained that Allied Waste/Republic Services is permitted by the State to manage certain waste streams, such as petroleum and contaminated. He further stated that Allied Waste/Republic Services would be working with the Authority on identifying the materials for the landfills.

RECOMMENDATION: Adopt Resolution No. 2013-0096, awarding a service and consulting agreement to Allied Waste Systems, Inc., DBA Republic Services, for garbage collection and disposal and recycling collection and diversion services in an amount not to exceed \$3,000,000 for a term of three (3) years with two (2), one (1) year options, to be exercised at the discretion of the President/CEO, beginning on November 7, 2013 through November 6, 2018.

**ACTION: Moved by Board Member Smisek, and seconded by Board Member Boland to approve staff's recommendation. Motion carried by the following vote: YES – Alvarez, Boland, Desmond, Gleason, Hubbs, Sessom, Smisek; NO – None; ABSENT – Cox, Robinson (Weighted Vote Points: YES - 84; NO - 0; ABSENT- 16).**

**29. APPROVE AND AUTHORIZE THE PRESIDENT/CEO TO EXECUTE AN AGREEMENT WITH ALLIED WASTE SYSTEMS, INC., DBA REPUBLIC SERVICES TO PROVIDE PROFESSIONAL ON-CALL NON-HAZARDOUS MUNICIPAL SOLID WASTE DISPOSAL SERVICES:**

RECOMMENDATION: Adopt Resolution No. 2013-0097, approving and authorizing the President/CEO to execute an agreement with Allied Waste Systems, Inc., dba Republic Services to provide professional on-call non-hazardous municipal solid waste disposal services for contaminated soils, debris, and other waste for three (3) years, with two (2) one-year options exercisable at the sole discretion of the President/CEO, in an amount not-to-exceed \$4,000,000.

**ACTION: Moved by Board Member Boland, and seconded by Board Member Smisek to approve staff's recommendation. Motion carried by the following vote: YES – Alvarez, Boland, Desmond, Gleason, Hubbs, Sessom, Smisek; NO – None; ABSENT – Cox, Robinson (Weighted Vote Points: YES - 84; NO - 0; ABSENT- 16).**

*Board Member Robinson returned to the dais.*

- 30. AWARD A CONSTRUCTION CONTRACT TO WEST COAST GENERAL CORPORATION/PK MECHANICAL SYSTEMS, INC. , A JOINT VENTURE, TO CONSTRUCT NORTH SIDE INTERIOR ROAD AND UTILITIES PROJECT, AT SAN DIEGO INTERNATIONAL AIRPORT:** Keith Wilschetz, Director, Airport Planning, provided a presentation on the North Side Interior Road and Utilities contract, which included, Interior Road and Utilities, Typical Cross Section, Port Parking Lot Improvements, and North Side Interior Road and Utilities Bid Results.

In response to Board Member Alvarez regarding the bid results and vendor selection criteria for the winning bid, Keith Wilschetz, Director, Airport Planning, explained the selection process pursuant to Board Policy 5.14 – Small Business, Local Business and Service Disabled Veteran Owned Small Business Goal and Preference Program.

Chair Gleason requested staff to re-evaluate Policy 5.14 in light of the success of the recent Green Build project.

In response to Board Member Alvarez regarding up to what amount the \$100,000 maximum contract reduction allowance applies, Robert Silvas, Director, Small Business Development, provided an overview of the requirements of Policy 5.12 – Preference to Small Business, and Policy 5.14, Small Business, Local Business and Service Disabled Veteran Owned Small Business Goal and Preference Program.

Board Member Alvarez suggested that a greater cap be applied for contracts that are larger than two million dollars.

Chair Gleason requested that staff re-circulate a prior memorandum from General Counsel to the Board, regarding the legal parameters used in crafting Policies 5.12 and 5.14.

Board Member Sessom suggested re-evaluating Policy 5.14 and stated that she would like to discuss this issue further.

**RECOMMENDATION:** Adopt Resolution No. 2013-0098, awarding a construction contract to West Coast General Corporation/PK Mechanical Systems, Inc., a Joint Venture, in the amount of \$9,323,838.44, for Project No. 104118, to Construct North Side Interior Road and Utilities, at San Diego International Airport.

**ACTION:** Moved by Board Member Boland, and seconded by Board Member Sessom to approve staff's recommendation. Motion carried by the following vote: YES – Alvarez, Boland, Desmond, Gleason, Hubbs, Robinson, Sessom, Smisek; NO – None; ABSENT – Cox (Weighted Vote Points: YES - 92; NO - 0; ABSENT- 8).

**31. AUTHORIZATION TO ADD SITE CONSTRUCTION WORK ELEMENTS TO THE LIST OF PREVIOUSLY APPROVED PRELIMINARY ACTIVITIES/WORK ELEMENTS FOR THE RENTAL CAR CENTER UNDER THE AUSTIN-SUNDT JOINT VENTURE AGREEMENT:**

**RECOMMENDATION:** Adopt Resolution No. 2013-0099, authorizing the addition of site construction work elements to the list of previously approved preliminary activities/work elements for the Rental Car Center under the Austin-Sundt Joint Venture Agreement.

**ACTION: Moved by Board Member Desmond, and seconded by Board Member Boland to approve staff's recommendation. Motion carried by the following vote: YES – Alvarez, Boland, Desmond, Gleason, Hubbs, Robinson, Sessom, Smisek; NO – None; ABSENT – Cox (Weighted Vote Points: YES - 92; NO - 0; ABSENT- 8).**

**CLOSED SESSION:** The Board recessed into Closed Session at 10:15 a.m. to discuss Items 32 and 35.

**32. CONFERENCE WITH LABOR NEGOTIATORS:**

Labor negotiations pursuant to Cal. Gov. Code §54957.6:

Authority Designated Negotiators: Thella F. Bowens, President/CEO; and Jeff Lindeman, Senior Director, Organizational Performance & Development

Employee Organization: Teamsters 911

**33. CONFERENCE WITH REAL PROPERTY NEGOTIATORS:**

Real property negotiations pursuant to Cal. Gov. Code §54954.5(b) and §54956.8:

Property: Salt Plant – 17 acre parcel located at 1470 Bay Boulevard, San Diego

Agency Negotiators: Vernon D. Evans, Vice President, Finance/Treasurer

Negotiating Parties: United States Fish and Wildlife Service, GGTW, LLC (current tenant) and/or other interested parties

Under Negotiation: Sale – terms and conditions

**34. CONFERENCE WITH REAL PROPERTY NEGOTIATORS:**

Real property negotiations pursuant to Cal. Gov. Code §§ 54954.5(b) and 54956.8.

Property: Landmark Aviation.

Agency negotiator: Vernon D. Evans, Eric Podnieks and Troy Leech.

Negotiating parties: Landmark Aviation (current tenant).

Under negotiation: Amendment of terms of Lease regarding site development.

- 35. CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION:**  
(Cal. Gov. Code Section 54956.9(A))  
Diego Concession Group, Inc. v. San Diego County Regional Airport Authority S.D.S.C Case No. 37-2012-00088083-CU-BT-CTL
- 36. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION:**  
Initiation of litigation pursuant to subdivision (c) of §54956.9: (3 cases)
- 37. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION:**  
Significant exposure to litigation pursuant to Cal. Gov. Code §54956.9(b):  
Kelly Lancaster, David Boenitz, Mary Erickson and Richard Gilb, et al v. SDCERS, San Diego Sup. Court Case No. 37-2011-G0096238-CU-PO-CT  
Number of cases: 1
- 38. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION:**  
Significant exposure to litigation (Cal. Gov. Code §§ 54956.9 (b) and 54954.5)  
Number of potential cases: 1  
Re: Investigative Order No. R9-2012-0009 by the California Regional Water Quality Control Board regarding submission of technical reports pertaining to an investigation of bay sediments at the Downtown Anchorage Area in San Diego

**REPORT ON CLOSED SESSION:** The Board reconvened into open session at 11:40 a.m. Chair Gleason reported that direction was provided to staff in regard to Item 32. There was no other reportable action.

**NON-AGENDA PUBLIC COMMENT:** None.

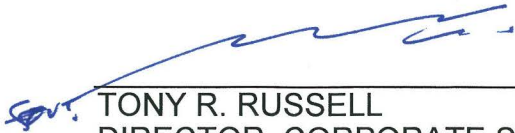
**GENERAL COUNSEL REPORT:** None.

**BUSINESS AND TRAVEL EXPENSE REIMBURSEMENT REPORTS FOR BOARD MEMBERS, PRESIDENT/CEO, CHIEF AUDITOR AND GENERAL COUNSEL WHEN ATTENDING CONFERENCES, MEETINGS, AND TRAINING AT THE EXPENSE OF THE AUTHORITY:**

**BOARD COMMENT:** None.

**ADJOURNMENT:** The meeting was adjourned at 11:41 a.m.

APPROVED BY A MOTION OF THE SAN DIEGO COUNTY REGIONAL  
AIRPORT AUTHORITY BOARD THIS 3<sup>RD</sup> DAY OF OCTOBER, 2013.

  
\_\_\_\_\_  
TONY R. RUSSELL  
DIRECTOR, CORPORATE SERVICES/  
AUTHORITY CLERK

APPROVED AS TO FORM:

  
\_\_\_\_\_  
BRETON K. LOBNER  
GENERAL COUNSEL