

**SAN DIEGO COUNTY REGIONAL AIRPORT AUTHORITY BOARD  
MINUTES  
THURSDAY, MAY 6, 2010  
BOARD ROOM**

**CALL TO ORDER:** Vice Chair Smisek called the meeting of the San Diego County Regional Airport Authority Board to order at 9:00 a.m. on Thursday, May 6, 2010 in the Board Room at the San Diego International Airport, Commuter Terminal, 3225 North Harbor Drive, San Diego, CA 92101.

**PLEDGE OF ALLEGIANCE:** Board Member Boland led the pledge of allegiance.

**ROLL CALL:**

PRESENT: Board Members: Berman (Ex-Officio), Boland, Cox, Desmond, Finnila, Panknin, Col. Richie (Ex-Officio), Smisek

ABSENT: Board Members: Gleason, Young

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

Vice Chair Smisek reported that Chair Gleason would not be in attendance of today's meeting due to illness.

**PRESENTATIONS:**

**A. DISPARITY STUDY BRIEFING:**

Dave Keen, BBC Research & Consulting, provided a presentation on the Authority's Disparity Study which included Background; Utilization and Disparity Analysis; Initiatives Applicable to the Airport's Locally Funded Contracts; Overall DBE Goal for FAA-funded Contracts; Future Implementation of the Federal ACDBE Program; and Next Steps.

Bob Silvas, Director, Small Business Development, reported that the Disparity Study will be available to the public for review and comment for a minimum of 45 days. He stated that in July, 2010, a public forum will be made available to allow individuals the opportunity to address the Disparity Study, and that any feedback received will be added to the materials. He stated that a comprehensive final report will be provided to the Board.

**B. COMMON USE TECHNOLOGY SYSTEMS (Educational Item):**

Howard Kourik, Director, Information Technology, provided a presentation on Common Use Technology Systems which highlighted: Common Use Self-Service Kiosks (CUSS); Common Use Terminal Equipment (CUTE); Common Use Passenger Processing System (CUPPS); and Common Use Responsibilities.

**C. REPORT ON THE AUTHORITY'S FINANCIAL CONDITION:**

Vernon Evans, Vice President, Finance/Treasurer, provided an update on the Authority's Financial Condition, which included: Monthly Operating Revenue, FY 2010 (Unaudited); Operating Revenues for the Nine Months Ended March 31, 2010 (Unaudited); Monthly Operating Expenses, FY 2010; Operating Expenses for the Nine Months Ended March 31, 2010 (Unaudited); Financial Summary for the Nine Months Ended March 31, 2010 (Unaudited); Nonoperating Revenues for the Nine Months Ended March 31, 2010 (Unaudited); Balance Sheets (Unaudited) Authority Assets; Balance Sheet (Unaudited) Authority Liabilities and Net Assets; Authority Net Income (Unaudited); Total Portfolio Summary; Portfolio Weighted Average Maturity; Portfolio Performance vs. Commercial Paper Interest Expense; and Summary of Outstanding Commercial Paper, March 31, 2010.

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

***STANDING BOARD COMMITTEES***

• **AUDIT COMMITTEE:**

Vice Chair Smisek reported that several items are being presented to the Board at today's meeting as a result of the May 3, 2010 Audit Committee Meeting. He stated that the Audit Department's two-year Budget was discussed by the Committee.

• **EXECUTIVE PERSONNEL AND COMPENSATION COMMITTEE:**

Board Member Desmond reported that the Committee's recommendation regarding funding the Authority's Pension Plan is Item 12 on the Board agenda.

• **FINANCE COMMITTEE:**

Board Member Cox reported that the Committee met on April 26, 2010. He stated that Items 7 and 8 have been placed on the Board agenda from the Committee.

• **TERMINAL DEVELOPMENT PROGRAM COMMITTEE:**

Board Member Boland reported that the next meeting of the Committee is scheduled for May 12, 2010. He stated that the Terminal Development Program budget will be the focus of the meeting.

• **RASP COMMITTEE:**

Board Member Finnilla reported that the May 20, 2010 RASP meeting has been cancelled, and a new date is anticipated to be set in June.

### ***AD HOC COMMITTEE***

- **PORT DISTRICT AD HOC COMMITTEE:** None

### ***LIAISONS***

- **MILITARY AFFAIRS LIAISONS:** None
- **CALTRANS:** None

### ***BOARD REPRESENTATIVES***

- **SANDAG TRANSPORTATION COMMITTEE REPRESENTATIVE:**  
Vice Chair Smisek reported that SANDAG held two meetings during the month of April. He reported that the Independent Tax Payer Oversight Committee provided a very positive report on the operations of SANDAG, and commended the organization for its compliance with mandated regulations. Board Member Smisek also reported that there will be a full Environmental Impact Report (EIR) on the South Bay Transit Route.
- **SCAG AVIATION TASK FORCE:** None
- **WORLD TRADE CENTER:**  
Board Member Panknin reported that the last World Trade Center's mixer was sponsored by the Authority and was very well attended. He also reported that a one-day conference titled "Ignite Exports" will be held on June 10, 2010.

### **PRESIDENT/CEO REPORT:**

Thella Bowens, President/CEO, stated that a written report will be provided to the Board next week.

### **NON-AGENDA PUBLIC COMMENT (18 MINUTES):**

JOHN DADIAN, REPRESENTING HERITAGE SECURITY, SAN DIEGO, expressed concerns with the Authority's Request for Quotation (RFQ) process for security services associated with the Green Build project.

MICHEL ANDERSON REPRESENTING WEST COAST CAB, SAN DIEGO, spoke to requested that the Board ensure that taxi and shuttle concessions be addressed as stipulated with the approval of the Ground Transportation Plan at the January 7, 2010 Board Meeting.

JOHN ZIEBARTH, SAN DIEGO, spoke regarding the valuable information provided by staff during the Airport Technical Advisory Group (ATAG) Meetings. He suggested that the Authority increase its educational outreach efforts to the community in this area.

JOHN HAWKINS, SAN DIEGO, spoke regarding ADA accessible vehicles at the airport, and urged the Board to move forward with the concessions.

Board Member Cox requested that a written report be provided regarding the Authority's Request for Quotation (RFQ) process for security services, mentioned by Mr. Dadien.

SUHAIL KHALIL, POINT LOMA, asked the Board for its support of an ALUCP process meeting for SDIA.

**CONSENT AGENDA:**

Board Member Finnila requested that Items 1, 12 and 16 be removed from the Consent Agenda for discussion.

Board Member Boland requested that Item 2 be removed from the Consent Agenda for discussion.

**ACTION: Moved by Board Member Desmond and seconded by Board Member Finnila to approve the Consent Agenda as amended. Motion carried by the following vote: YES – Boland, Cox, Desmond, Finnila, Panknin, Smisek; NO – None; ABSENT – Gleason, Young. (Weighted Vote Points: YES – 65; NO – 0; ABSENT – 27)**

1. **APPROVAL OF MINUTES:**  
**ACTION: This item was removed from the Consent Agenda for discussion.**
2. **ACCEPTANCE OF BOARD MEMBERS' WRITTEN REPORTS ON THEIR ATTENDANCE AT APPROVED MEETINGS AND PRE-APPROVAL OF ATTENDANCE AT OTHER MEETINGS NOT COVERED BY THE CURRENT RESOLUTION:**  
**ACTION: This item was removed from the Consent Agenda for discussion.**
3. **APPOINTMENT OF PUBLIC MEMBER TO THE AUDIT COMMITTEE:**  
**RECOMMENDATION: Adopt Resolution No. 2010-0042, appointing Kenneth Buck as a public member to the Audit Committee.**
4. **APPOINTMENTS TO THE ART ADVISORY COMMITTEE:**  
**RECOMMENDATION: Adopt Resolution No. 2010-0043, appointing members to the Art Advisory Committee.**

5. **MAY 2010 LEGISLATIVE REPORT:**  
RECOMMENDATION: Adopt Resolution No. 2010-0044, approving the May, 2010 Legislative Report.

### **CLAIMS**

6. **AUTHORIZE THE REJECTION OF THE CLAIM OF DONNA CLEGG:**  
RECOMMENDATION: Adopt Resolution No. 2010-0045, authorizing the rejection of the claim of Donna Clegg.

### **COMMITTEE RECOMMENDATIONS**

7. **ADOPTION OF AUTHORITY POLICY 4.40 DEBT ISSUANCE AND MANAGEMENT POLICY:**  
RECOMMENDATION: The Finance Committee recommends that the Board adopt Resolution No. 2010-0046, adopting Authority Policy 4.40 – “Debt Issuance and Management Policy.”
8. **SELECTION OF DEBT UNDERWRITERS FOR THE CAPITAL IMPROVEMENT PROGRAM/TERMINAL DEVELOPMENT PROGRAM:**  
RECOMMENDATION: The Finance Committee recommends that the Board adopt Resolution No. 2010-0047, approving the selection of debt underwriters for the Capital Improvement Program/Terminal Development Program.
9. **REVIEW OF THE AUTHORITY’S QUARTERLY INVESTMENT REPORT AS OF MARCH 31, 2010:**  
RECOMMENDATION: The Finance Committee recommends that the Board receive the report.
10. **REVIEW OF UNAUDITED FINANCIAL STATEMENTS FOR THE NINE MONTHS ENDED MARCH 31, 2010:**  
RECOMMENDATION: The Finance Committee recommends that the Board receive the information.
11. **AUTHORIZE A CONTRACT WITH R.W. BLOCK CONSULTING INC. TO PERFORM CONSTRUCTION AUDIT SERVICES FOR THE GREEN BUILD – TERMINAL DEVELOPMENT PROGRAM:**  
RECOMMENDATION: Adopt Resolution No. 2010-0048, to award a contract between the Authority and R.W. Block Consulting Inc. to perform construction audit services in an amount not to exceed \$800,000, over a term of three years, with the option for one (1) one year extension.

12. **AIRPORT AUTHORITY PENSION FUNDING LEVEL:**  
**ACTION:** This item was pulled from the Consent Agenda for discussion.

**CONTRACTS AND AGREEMENTS**

13. **AWARDED CONTRACTS, APPROVED CHANGE ORDERS FROM MARCH 8, 2010 THROUGH APRIL 11, 2010 AND REAL PROPERTY AGREEMENTS GRANTED AND ACCEPTED FROM MARCH 8, 2010 THROUGH APRIL 11, 2010:**  
**RECOMMENDATION:** Receive the report.
14. **AUTHORIZE A CONTRACT WITH ARTIST MIKI IWASAKI, DBA MI-WORKSHOP, TO DESIGN PUBLIC ARTWORK FOR TERMINAL ONE BAGGAGE CLAIM AREA:**  
**RECOMMENDATION:** Adopt Resolution No. 2010-0050, approving the Art Advisory Committee recommendation to award Miki Iwasaki, DBA mi workshop, the commission for the Terminal One Baggage Claim Public Art Opportunity in an amount not to exceed \$175,000.
15. **AUTHORIZE AN INCREASE IN THE PRESIDENT/CEO'S CHANGE ORDER AUTHORITY FROM \$14,850 TO \$19,850 FOR TSA-OTA CCTV - CONSTRUCT SECURITY SERVER ROOM AND TERMINAL CHECKPOINT CAMERAS:**  
**RECOMMENDATION:** Adopt Resolution No. 2010-0051, authorizing an increase in the President/CEO's current Change Order authority of \$14,850 to a revised Change Order authority of \$19,850 for TSA-OTA CCTV - Construct Security Server Room and Terminal Checkpoint Cameras, Project No. 104073-2.
16. **AUTHORIZE PRESIDENT/CEO TO INCREASE THE CONTRACT TIME FROM 120 DAYS TO 270 DAYS FOR NTC ACCESS IMPROVEMENTS:**  
**ACTION:** This item was pulled from the Consent Agenda for discussion.

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

17. **AUTHORIZE THE PRESIDENT/CEO TO AWARD A CONTRACT TO ACCURATE ENGINEERING ICS, INC., FOR QUIETER HOME PROGRAM PHASE 5, GROUP 6 (42 EAST SIDE SINGLE FAMILY UNITS AND 7 APARTMENT UNITS AND 36 WEST SIDE SINGLE FAMILY UNITS, OF WHICH 9 SINGLE FAMILY UNITS ARE HISTORIC):**  
**RECOMMENDATION:** Adopt Resolution No. 2010-0053, authorizing the President/CEO to award a contract to Accurate Engineering ICS, Inc., in the amount of \$1,774,908.69, for Phase 5, Group 6, Project No. 380506, of the San Diego County Regional Airport Authority's Quieter Home Program.

**ITEMS REMOVED FROM THE CONSENT AGENDA FOR DISCUSSION:**

**1. APPROVAL OF MINUTES:**

Board Member Finnila requested a revision on Page 3 of the minutes under the RASP report noting that "staff has participated in a number of different presentations."

RECOMMENDATION: Approve the minutes of the April 1, 2010 regular meeting.

**ACTION: Moved by Board Member Finnila and seconded by Board Member Desmond to approve the minutes as amended. Motion carried by the following vote: YES – Boland, Cox, Desmond, Finnila, Panknin, Smisek; NO – None; ABSENT – Gleason, Young. (Weighted Vote Points: YES – 65; NO – 0; ABSENT – 27)**

**2. ACCEPTANCE OF BOARD MEMBERS' WRITTEN REPORTS ON THEIR ATTENDANCE AT APPROVED MEETINGS AND PRE-APPROVAL OF ATTENDANCE AT OTHER MEETINGS NOT COVERED BY THE CURRENT RESOLUTION:**

Board Member Boland provided a report on his trip to Mexico City with the Chamber of Commerce. He stated that his written report was sent to Board Members.

RECOMMENDATION: Accept the reports and pre-approve attendance at other meetings, trainings and events not covered by the current resolution.

**ACTION: Moved by Board Member Boland and seconded by Board Member Finnila to accept staff's recommendation. Motion carried by the following vote: YES – Boland, Cox, Desmond, Finnila, Panknin, Smisek; NO – None; ABSENT – Gleason, Young. (Weighted Vote Points: YES – 65; NO – 0; ABSENT – 27)**

**12. AIRPORT AUTHORITY PENSION FUNDING LEVEL:**

Vernon Evans, Vice President, Finance/Treasurer provided an overview of the staff report.

Board Member Finnila expressed concern that the proposed policy recommendation to fund the Authority's Pension Fund would cost more than funding the plan at 95% this year. She suggested that the Board may want to rethink its recommendation to fund the plan at 90% and its strategy to achieve a 95 % funded level over time given the cost.

Board Member Cox suggested that the Authority look into using Pension Obligation Bonds.

**RECOMMENDATION:** The Executive Personnel & Compensation Committee recommends that the Board adopt Resolution No. 2010-0049, amending the 95% pension funding requirement under Board Resolution 2006-0152 to include a minimum 90% pension funded level with a strategy to achieve a 95% funded level target.

**ACTION: Moved by Board Member Cox and seconded by Board Member Panknin to approve staff's recommendation. Motion failed by the following vote: YES – Cox, Desmond, Panknin, Smisek; NO – Boland, Finnila; ABSENT – Gleason, Young. (Weighted Vote Points: YES – 39; NO – 26; ABSENT – 27)**

Thella F. Bowens, President/CEO, reported that payment to the Pension Plan will need to be made in June.

Vice Chair Smisek recommended that this item be added on any upcoming Board Meeting agenda to which most Board Members are anticipated to attend. He also stated that a special Board meeting date should be scheduled, if needed.

**16. AUTHORIZE PRESIDENT/CEO TO INCREASE THE CONTRACT TIME FROM 120 DAYS TO 270 DAYS FOR NTC ACCESS IMPROVEMENTS:**

In response to Board Member Finnila regarding an explanation of the reason for the increase in contract time, Iraj Ghaemi, Director, Facilities Development, stated that the delay was primarily created by the contractor not being able to begin the mobilizing process on the jobsite within the 120 days typically allotted. He stated that it was followed by further delay when the City of San Diego would not issue the required permit due to the water pipe work being done on Harbor Drive.

Breton Lobner, General Counsel, stated that there may also be a legal concern of whether there has been a breach of contract; however, should this involve any litigation, the case would be discussed in Closed Session at a future meeting. He stated it should be clear that despite any approved increase in contract time, the Authority would not waive any breach of contract which may have occurred.

**RECOMMENDATION:** Adopt Resolution No. 2010-0052, authorizing the President/CEO to increase the contract time from 120 days to 270 days for Project 103066, NTC Access Improvements at San Diego International Airport.

**ACTION: Moved by Board Member Boland and seconded by Board Member Finnila to approve staff's recommendation. Motion carried by the following vote: YES – Boland, Cox, Desmond, Finnila, Panknin, Smisek; NO – None; ABSENT – Gleason, Young. (Weighted Vote Points: YES – 65; NO – 0; ABSENT – 27)**



**PUBLIC HEARINGS:** None

**OLD BUSINESS:**

**NEW BUSINESS:**

**18. STATUS UPDATE OF SDIA NORTH SIDE PLANNING:**

Keith Wilschetz, Director, Airport Planning; Dave Shumaker and Dan Levy, SANDAG, provided a status update of SDIA North Side Planning which included: North Side Development Plan; Master Plan/EIR/EA; Destination Lindbergh; Destination Lindbergh Opening Day (2015-2020); Destination Lindbergh Opening Day – Refined (ITC Option 1); Destination Lindbergh Opening Day – Refined (ITC Option 2); Next Steps on Airport; SANDAG ITC Alternate 1A; SANDAG ITC Alternate 1B; SANDAG ITC Alternate 1C; SANDAG ITC Alternate 2A; SANDAG ITC Alternate 2B; and SANDAG ITC Alternate 3A.

Board Member Boland stated that a recommendation regarding the development of the North Side should be brought back to the Board.

Board Member Finnila stated that the grade separation should be in the first phase of the project. She also recommended that the Authority not wait for the development of High Speed Rail to take action.

SUHAIL KHALIL, POINT LOMA, spoke regarding concerns with the SDIA North Side Planning supplemental Environmental Impact Report (EIR). He stated that the Peninsula Community would like to participate and understand the process.

Mr. Wilschetz stated that the required supplemental EIR scoping period will begin on May 20, 2010 and a scoping meeting will be held on June 8 or June 9, which will provide the opportunity for the community to provide input. He encouraged the Peninsula Community to attend the meeting.

RECOMMENDATION: Accept the report

**ACTION: No Action Taken**

*The Board recessed at 11:40 a.m. and reconvened at 11:50 a.m.*

**19. AUTHORIZE THE CONTINUED COLLECTION OF A TEN DOLLAR PER TRANSACTION CUSTOMER FACILITY CHARGE FROM AIRPORT RENTAL CAR COMPANIES FOR PURPOSES OF DESIGNING, FINANCING, AND CONSTRUCTING A CONSOLIDATED RENTAL CAR FACILITY AND COMMON USE TRANSPORTATION SYSTEM AT SAN DIEGO INTERNATIONAL AIRPORT:**

Vernon Evans, Vice President/Treasurer; Tony Demattei, D.W. Architecture; and J. Branda, Ricondo & Associates, provided a presentation on the Consolidated Rental Car (CONRAC) Facility which included: Project Objectives; Site Analysis; Interactive Process; Study Objectives; Program Capacity and Sizing; Space Requirements – Phase 1; Major Components; North Side Land Use Plan; Consensus Concept; Phasing; ROM Cost Estimate; (Financial Analysis – Key Assumptions; Study Conclusions; Current CFC Rate Structure; Next Steps; and Recommendations.

In response to Board Member Desmond regarding whether a terminal on the North Side would still be a possibility as discussed during Destination Lindbergh, Keith Wilschetz, Director, Airport Planning, stated that this option could still be incorporated because the CONRAC design can accommodate the concept.

Thella F. Bowens, President/CEO, stated that Destination Lindbergh did not consider the tower and other factors on the North Side. She stated that if the north side of the airfield is to accommodate a Terminal, reconfiguration will be required to accommodate the tower, cargo, and many other ancillary activities in the area.

Board Member Desmond stated that he wanted to ensure that the project will not preclude what was agreed upon by the parties that participated and approved Destination Lindbergh.

LORRAINE TELLARIO, REPRESENTING AVIS RENT-A-CAR, EMERYVILLE, spoke in support of this project. She expressed concern regarding busing cost, and spoke in opposition to consolidated busing.

MARK VERBOIS, REPRESENTING NATIONAL/ENTERPRISE RENT-A-CAR, spoke in support of CONRAC, but expressed concern for the proposed funding source for common busing, facility operation, maintenance and shortfalls.

SUHAIL KHALIL, POINT LOMA, stated that the Authority should engage stakeholders for input regarding this project.

**RECOMMENDATION:** Adopt Resolution No. 2010-0054, authorizing the continued collection of a Ten Dollar (\$10.00) per transaction Customer Facility Charge from airport rental car companies for purposes of designing, financing, and constructing a Consolidated Rental Car Facility and Common Use Transportation System at San Diego International Airport and authorize expenditures necessary for development of conceptual design for the program and project level EIR.

**ACTION: Moved by Board Member Boland and seconded by Board Member Finnila to approve staff's recommendation. Motion carried by the following vote: YES – Boland, Cox, Desmond, Finnila, Panknin, Smisek; NO – None; ABSENT – Gleason, Young. (Weighted Vote Points: YES – 65; NO – 0; ABSENT – 27)**

**20. ESTABLISHMENT OF AUTHORITY-OPERATED LOST AND FOUND FACILITY AND NECESSARY IMPLEMENTATION ACTIONS AT THE AIRPORT:**

Angela Shafer-Payne, Vice President, Planning and Operations, and Murray Bauer, Director, Landside Operations, provided a presentation on establishing an Authority-Operated Lost and Found Facility at San Diego International Airport (SDIA) that included: Background; Justification; Implementation; and Fiscal Impact.

**RECOMMENDATION:** Adopt Resolution No. 2010-0055, (1) Authorizing the Authority to take responsibility for providing lost and found services at the Airport; (2) Authorizing the President/CEO to negotiate and execute an amendment to the Police Services Agreement between the San Diego Unified Port District and the Authority; (3) adopting Authority Policy 8.24 providing policies and procedures for the receipt, custody, and disposition of lost personal property at Authority-operated airports and facilities; (4) amending Authority Code 7.13 to more clearly regulate the obligations of individuals finding lost property at Authority-operated facilities and airports; and (5) authorizing the President/CEO to take other actions necessary to provide for the effective management of the receipt, custody, and disposition of lost articles found at the Airport.

**ACTION: Moved by Board Member Desmond and seconded by Board Member Cox to approve staff's recommendation. Motion carried by the following vote: YES – Boland, Cox, Desmond, Finnila, Panknin, Smisek; NO – None; ABSENT – Gleason, Young. (Weighted Vote Points: YES – 65; NO – 0; ABSENT – 27)**

**21. BOARD POLICY DISCUSSION AND POSSIBLE DIRECTION REGARDING POLICIES RELATING TO CONTRACTOR WORKER RETENTION AND WAGES/BENEFITS:**

**RECOMMENDATION:** To seek direction from the Board on policies relating to contractor worker retention and wages/benefits.

**ACTION: This item was continued to a future meeting.**

**22. CONSIDERATION AND POSSIBLE ACTION REGARDING A CONFLICT OF INTEREST WAIVER TO ALLOW LUCE FORWARD HAMILTON & SCRIPPS LLP TO REPRESENT USA WASTE OF CALIFORNIA BEFORE THE AIRPORT LAND USE COMMISSION:**

Breton Lobner, General Counsel, provided an overview regarding a Conflict of Interest Waiver that would allow Luce Forward Hamilton & Scripps LLP to represent USA Waste of California before the Airport Land Use Commission.

**RECOMMENDATION:** Approve the Conflict of Interest Waiver to allow Luce Forward Hamilton & Scripps LLP to represent USA Waste of California before the Airport Land Use Commission.

**ACTION:** Moved by Board Member Cox and seconded by Board Member Finnilla to Adopt Resolution No. 2010-0056 approving the Conflict of Interest Waiver to allow Luce Forward Hamilton & Scripps LLP to represent USA Waste of California before the Airport Land Use Commission. Motion carried by the following vote: YES – Boland, Cox, Desmond, Finnilla, Panknin, Smisek; NO – None; ABSENT – Gleason, Young. (Weighted Vote Points: YES – 65; NO – 0; ABSENT – 27)

**CLOSED SESSION:** The Board did not meet in Closed Session.

**23. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION:  
(Government Code Section 54956.9 (a)):**

San Diego Unified Port District v. TDY Industries, Inc., et al., and related cross-actions. U.S. District Court, Southern District Case No. 03 CV 1146-B (POR).

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

Real Property Negotiations pursuant to Cal. Gov. Code sections 54954.5(b) and section 54956.8.

Property: 1.15 acre parcel located at the northern terminus of 13<sup>th</sup> Street in Imperial Beach

Agency Negotiators: Vernon D. Evans, Vice President, Finance/Treasurer  
under Negotiation: Sale – Terms of Payment and Conditions.

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

Real property negotiations pursuant to Cal. Gov. Code sections 54954.5(b) and section 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.

- 26. CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION:**  
Pursuant to Government Code section 54956.9(a):  
*Save Our Heritage Organization v. San Diego Unified Port District, et al.*, San Diego Superior Court Case No. 37-2009-00097828-CU-TT-CTL
- 27. CONFERENCE WITH LEGAL COUNSEL--EXISTING LITIGATION:**  
(Cal. Gov. Code Section 54956.9(a)):  
San Diego Unified Port District v. Argonaut Insurance Company, et al, L.A.S.C. GIC 874394
- 28. CONFERENCE WITH REAL PROPERTY NEGOTIATORS:**  
Real Property Negotiations pursuant to Cal Gov. Code §§ 54954.5(b) 54956.8  
Property: 3.76 acre easement across MCRD property located on the Washington Street extension south of Pacific Highway, in the City of San Diego, CA .  
Agency negotiators: Vernon Evans, Vice President, Finance/Treasurer and Troy Leech, Director, Real Estate Management.  
Under Negotiation: Consideration of MCRD's request for exclusive use of portion of the easement.
- 29. CONFERENCE WITH LEGAL COUNSEL--EXISTING LITIGATION:**  
(Cal. Gov. Code Section 54956.9(a)):  
City of San Diego, Historical Resources Board: In re: Western Salt Company Salt Works, Report No. HRB-08-005

**REPORT ON CLOSED SESSION:**

**NON-AGENDA PUBLIC COMMENT:**

**GENERAL COUNSEL REPORT:**

**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:**

**ADJOURNMENT:** The meeting was adjourned at 12:44 P.M.

APPROVED BY A MOTION OF THE SAN DIEGO COUNTY REGIONAL AIRPORT  
AUTHORITY BOARD THIS 3<sup>rd</sup> DAY OF JUNE, 2010.



TONY R. RUSSELL  
DIRECTOR, CORPORATE SERVICES/  
AUTHORITY CLERK

APPROVED AS TO FORM:



BRETON K. LOBNER  
GENERAL COUNSEL