

DRAFT
SAN DIEGO COUNTY REGIONAL AIRPORT AUTHORITY BOARD
MINUTES
THURSDAY, SEPTEMBER 6, 2012
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 10:03 A.M. on Thursday, September 6, 2012, 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: Berman (Ex Officio), Boland, Desmond, Gleason, Hubbs, Robinson, Smisek, Young

ABSENT: Board Members: Cox, Panknin, Reyes (Ex Officio)

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 Young arrived during the course of the meeting.

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

NON-AGENDA PUBLIC COMMENT:

PRESENTATIONS:

Chair Gleason reported that Item C would be taken out of order and addressed at this time.

C. RECOGNITION OF PRESIDENT'S AWARD OF EXCELLENCE WINNER (EMPLOYEE OF THE YEAR) AND TEAM OF THE YEAR:

Thella F. Bowens, President/CEO, introduced and congratulated Employee of the Year, Nyle Marmion, Manager, Concession Development, and Team of the Year, Airport Traffic Officers.

A. UPDATE FROM SANDAG ON PLANNING FOR THE INTERMODAL TRANSPORTATION CENTER:

Keith Wilschetz, Director, Airport Planning, introduced Dave Schumacher, Principal Transportation Planner, San Diego Association of Governments, who provided a presentation on Destination Lindbergh: Intermodal Transportation Center (ITC) which included Background, Long-Range ITC Facility, ITC – Long Range Site Concept, ITC – Opening Concept, ITC – Opening Day Perspectives, 2015 Opening Day Facilities, ITC Site Planning Status, Freeway Connector Ramps, Connector Ramp Concept, and Single Point Urban Interchange (SPUI) Concept.

Board Member Young arrived at 10:17 a.m.

B. FACILITY MANAGEMENT LIFE CYCLE PROGRAM UPDATE:

Wayne Harvey, Director, Facilities Management, provided a presentation on the Facility Management Life Cycle Program, which included Water Reduction, Electrical Reduction, Carbon Reduction, Financial Impact, and Other Program Elements.

D. FINANCIAL UPDATE FOR THE TWELVE MONTHS ENDED JUNE 30, 2012:

It was noted that the item title was revised to reflect the twelve months ended June 30, 2012.

Vernon Evans, Vice President, Finance/Treasurer, provided a presentation on the Financial Update for the Twelve Months ended June 30, 2012, which included Unaudited Financial Statements for the Year Ended June 30, 2012, Operating Revenue, Operating Expenses, Nonoperating Revenue and Expenses, Financial Summary, Balance Sheet (Unaudited), as of June 30, 2012; Revenues and Expenses (Unaudited) for the year ended June 30, 2012, which included Monthly Operating Revenue, Fiscal Year 2012 (unaudited), Monthly Operating Expenses, Fiscal Year 2012 (unaudited), Financial Summary for the year ended June 30, 2012 (unaudited), Non-operating Revenues and Expenses for the year ended June 30, 2012 (unaudited), Balance Sheets (unaudited); Authority's Investments - Total Portfolio Summary; the Authority's Bond Proceeds.

Chair Gleason reported that the Non-Agenda Public Comment would be taken out of order and addressed at this time.

NON-AGENDA PUBLIC COMMENT:

LORRAINE M. LEIGHTON, EL CAJON, stated that she would have documentation to present to the Board at its next meeting. She congratulated the recipients of the President's Award of Excellence Winners.

LISA MCGHEE, San Diego Airport Parking Company, Off Site Parking provided a presentation about "Understanding the annual affects of the methodology that makes up the Ground Transportation Permit Fees, and achieving timely transparency."

MARCO GONZALEZ, ENCINITAS, Coast Law Group, representing the San Diego Transportation Association, suggested a meeting with the Board and Authority staff, to discuss the issue regarding Ground Transportation permit transferability by taxi owners.

The Board recessed at 10:55 a.m., and reconvened at 11:09 a.m.

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

STANDING BOARD COMMITTEES

- **AUDIT COMMITTEE:**
Board Member Smisek reported that the Committee met for its quarterly meeting on August 20, 2012. He noted the Committee's recommendation on Items 15 and 16.
- **EXECUTIVE PERSONNEL AND COMPENSATION COMMITTEE:**
Board Member Desmond reported that the Committee met to receive an update on labor negotiations.
- **FINANCE COMMITTEE:** None.
- **TERMINAL DEVELOPMENT PROGRAM COMMITTEE:**
Board Member Boland reported that all private vehicles had been moved off the new apron in preparation for final construction.

ADVISORY COMMITTEES

- **AUTHORITY ADVISORY COMMITTEE:** None.
- **ART ADVISORY COMMITTEE:**
Chair Gleason noted Agenda Item 10, appointment of Chike C. Nwofflah and Sheryl L. White to the Airport Art Advisory Committee. He reported that proposed Policy revisions for the Art Program would be scheduled for the November 1, 2012 Board Meeting. He provided an update on the Lucky Spirit mural, and reported that recommendations for the Rental Car Center Public Art and the Terminal 1 Food Court Public Art would be addressed at the November Board meeting. He reported that all temporary and rotating exhibits in 2013 will encompass an overall theme under the title of "Myth of the West", comprising of nine local artists and art groups.

LIAISONS

- **AIRPORT LAND USE COMPATIBILITY PLAN FOR SAN DIEGO INTERNATIONAL AIRPORT:** None.

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- **CALTRANS:** None.
- **INTER-GOVERNMENTAL AFFAIRS:**
Mike Kulis, Director, Intergovernmental and Community Relations, reported that Authority staff met with several local officials during the months of July and August; Authority representatives will be participating in the Chamber of Commerce's Mission to Washington, DC in September; San Diego City Councilmember Marti Emerald is scheduled to tour the airport on September 14th; and Authority representatives are scheduled to meet with Senator Barbara Boxer's staff on September 10th, and San Diego City Councilmember Kevin Faulconer on September 20th.
- **MILITARY AFFAIRS:**
Board Member Boland reminded everyone about the upcoming MCAS Miramar Air Show in October.
- **PORT:** None.

BOARD REPRESENTATIVES (EXTERNAL)

- **SANDAG TRANSPORTATION COMMITTEE:** None.
- **WORLD TRADE CENTER:**
Chair Gleason noted that Bella Heule, past President/CEO of the World Trade Center San Diego (WTCSD), has been appointed Vice President of the World Trade Centers Association (WTCA) in New York.

CHAIR'S REPORT:

Chair Gleason noted that Board Member Robinson would be representing the Airport Authority at the Chamber of Commerce's Mission to Washington, DC in September. He noted that he and Board Member Boland will be attending the Airports Council International (ACI) North America and World Conference in Calgary, along with Thella F. Bowens, President/CEO. He noted that the Board would be conducting its semi-annual retreat on September 21, 2012.

PRESIDENT/CEO'S REPORT:

Thella F. Bowens, President/CEO, provided an update on air service, noting an increase in passenger levels and operations through July 2012. She reported that Frontier Airlines, Alaska Airlines, and Spirit Airlines will commence new service; and the Authority continues to work with Japan Airlines to begin its service in December. She reported that the Airport would be conducting an exercise on its Emergency Preparedness in October to evaluate the Airport's emergency preparedness plan. She noted that she would be attending the Airports Council International (ACI) World and North America conference, and thanked the Board and staff for their support of her role as ACI Chair.

Board Member Robinson requested information regarding the passenger load factor on U.S. Airlines flights to and from Reagan National Airport.

CONSENT AGENDA (Items 1-23):

Chair Gleason reported that Item 6 would be removed from the Consent Agenda for separate action. He also noted his no vote on Item 17.

ACTION: Moved by Board Member Desmond and seconded by Board Member Smisek to approve the Consent Agenda as amended. Motion carried by the following vote: YES – Boland, Desmond, Gleason, Hubbs, Robinson, Smisek, Young; NO – None; ABSENT – Cox, Panknin; and noting Chair Gleason’s NO vote on Item 17. (Weighted Vote Points: YES – 84; NO – 0; ABSENT 16).

1. **APPROVAL OF MINUTES:**
RECOMMENDATION: Approve the minutes of the July 12, 2012 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 11, 2012 THROUGH AUGUST 12, 2012 AND REAL PROPERTY AGREEMENTS GRANTED AND ACCEPTED FROM JUNE 11, 2012 THROUGH AUGUST 12, 2012:**
RECOMMENDATION: Receive the report.
4. **SEPTEMBER 2012 LEGISLATIVE REPORT:**
RECOMMENDATION: Adopt Resolution No. 2012-0087, approving the September 2012 Legislative Report.
5. **ANNUAL REVIEW AND AMENDMENT OF THE AIRPORT AUTHORITY’S RECORDS AND INFORMATION MANAGEMENT PROGRAM AND RECORDS RETENTION SCHEDULES:**
RECOMMENDATION: Adopt Resolution No. 2012-0088, approving the amendments to the Authority’s Records and Information Management Program and Records Retention Schedules.

6. **ANNUAL REVIEW AND NOTIFICATION OF BOARD MEMBER WEIGHTED VOTE POINT ALLOCATION AS REQUIRED BY SECTION 170014 OF THE PUBLIC UTILITIES CODE:**
ACTION: *This item was removed from the Consent Agenda and voted on separately.*

7. **BIENNIAL REVIEW AND AMENDMENT OF AUTHORITY CODE SECTION 2.30 – CONFLICT OF INTEREST CODE:**
RECOMMENDATION: Adopt Resolution No. 2012-0089, amending Authority Code Section 2.30 – Conflict of Interest Code, updating the list of designated employees.

8. **ADHERENCE TO THE PROVISIONS OF THE RALPH M. BROWN ACT AS INCORPORATED BY REFERENCE IN AUTHORITY POLICY 1.30(4) DURING THE STATE OF CALIFORNIA’S THREE-YEAR SUSPENSION OF STATE MANDATES AS CONTAINED IN ASSEMBLY BILL 1464 AND SENATE BILL 1006 (THE BUDGET ACT OF 2012):**
RECOMMENDATION: Adopt Resolution No. 2012-0090, approving adherence to the provisions of the Ralph M. Brown Act, as incorporated by reference in Authority Policy 1.30(4), including those suspended by the State in the Budget Act of 2012.

9. **REVIEW OF THE AUTHORITY’S INVESTMENT REPORT AS OF JUNE 30, 2012:**
RECOMMENDATION: Accept the report.

10. **APPOINTMENTS TO THE AIRPORT ART ADVISORY COMMITTEE:**
RECOMMENDATION: Adopt Resolution No. 2012-0091, approving the appointment of Chike C. Nwofflah and Sheryl L. White to the Airport Art Advisory Committee.

CLAIMS

11. **AUTHORIZE THE REJECTION OF THE CLAIM OF IRIS SOUZA:**
RECOMMENDATION: Adopt Resolution No. 2012-0092, authorizing the rejection of the claim of Iris Souza.

12. **AUTHORIZE THE REJECTION OF THE CLAIM OF JOHN SHIELDS:**
RECOMMENDATION: Adopt Resolution No. 2012-0093, authorizing the rejection of the claim of John Shields.

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- 13. CONSIDERATION OF A REQUEST TO GRANT LEAVE TO PRESENT THE LATE CLAIM OF ANNE MONTGOMERY:**
RECOMMENATION: Adopt Resolution No. 2012-0094, authorizing denial of the request of Anne Montgomery to file a late claim.

COMMITTEE RECOMMENDATIONS

- 14. REVIEW OF THE UNAUDITED FINANCIAL STATEMENTS FOR THE YEAR ENDED JUNE 30, 2012:**
RECOMMENDATION: The Finance Committee recommends that the Board accept the report.
- 15. FISCAL YEAR 2012 – ANNUAL REPORT FROM THE AUDIT COMMITTEE:**
RECOMMENDATION: The Audit Committee recommends that the Board receive the report.
- 16. FISCAL YEAR 2012 – 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.

CONTRACTS AND AGREEMENTS

- 17. APPROVE AND AUTHORIZE THE PRESIDENT/CEO TO EXECUTE THE THIRD AMENDMENT TO THE AGREEMENT WITH ALLSTAR EVENT PRODUCTIONS, INC., DBA ALLSTAR GROUP, FOR HOLIDAY DECORATING SERVICES:**
RECOMMENDATION: Adopt Resolution No. 2012-0095, approving and authorizing the President/CEO to execute the Third Amendment to the agreement with Allstar Event Productions, Inc., DBA Allstar Group, extending the term of the agreement for six (6) months ending March 27, 2013, and increasing the maximum amount payable by \$32,000 for a total not-to-exceed amount of \$282,000.
- 18. APPROVE AND AUTHORIZE AN INCREASE IN THE PRESIDENT/CEO'S CHANGE ORDER AUTHORITY FOR TELEDYNE SITE DEMOLITION - REPLACEMENT 30" STORM DRAIN AND SEWER LIFT STATION ON THE TELEDYNE RYAN SITE:**
RECOMMENDATION: Adopt Resolution No. 2012-0096, authorizing an increase in the President/CEO's current change order authority from \$70,693 to \$291,049 for Project No. 104066, Teledyne Site Demolition - 30" Storm Drain and Sewer Lift Station.

- 19. APPROVE AND AUTHORIZE AN INCREASE IN THE PRESIDENT/CEO'S CHANGE ORDER AUTHORITY FOR THE SOUTH SIDE INTERIM PARKING PROJECT:**
RECOMMENDATION: Adopt Resolution No. 2012-0097, authorizing an increase in the President/CEO's change order authority from \$132,866 to \$212,866 for Project No. 104125, South Side Interim Parking Project.
- 20. APPROVE AND AUTHORIZE THE PRESIDENT/CEO TO EXECUTE A FIRST AMENDMENT TO THE ON-CALL SURVEY AND CIVIL ENGINEERING CONSULTING SERVICES AGREEMENT WITH NOLTE ASSOCIATES, INC.:**
RECOMMENDATION: Adopt Resolution No. 2012-0098, approving and authorizing the President/CEO to execute a first amendment to the agreement with Nolte Associates, Inc., extending the term of the agreement by one (1) year, to expire on October 1, 2013, to provide on-call professional survey and civil engineering consulting services for Capital Improvement, Tenant Improvement, and Major Maintenance Projects.

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

- 21. APPROVE AND AUTHORIZE THE PRESIDENT/CEO TO EXECUTE A SIXTH AMENDMENT TO THE AGREEMENT WITH MCKENNA, LONG & ALDRIDGE, LLP:**
RECOMMENDATION: Adopt Resolution No. 2012-0099, approving and authorizing the President/CEO to execute a Sixth Amendment to the Agreement for Professional Legal Services between the Authority and McKenna Long & Aldridge LLP, increasing the compensation by \$500,000 for a total not-to-exceed compensation amount of \$1,600,000.
- 22. AWARD A CONTRACT TO S&L SPECIALTY CONTRACTING, INC., FOR QUIETER HOME PROGRAM PHASE 6, GROUP 7 (29 WEST SIDE, NON-HISTORIC, CONDOMINIUM UNITS):**
RECOMMENDATION: Adopt Resolution No. 2012-0100, awarding a contract to S&L Specialty Contracting, Inc., in the amount of \$1,248,000, for Phase 6, Group 7, Project No. 380607, of the San Diego County Regional Airport Authority's Quieter Home Program.
- 23. AWARD A CONTRACT TO G&G SPECIALTY CONTRACTORS, INC. FOR QUIETER HOME PROGRAM PHASE 6, GROUP 8 (18 WEST SIDE AND 7 EAST SIDE, NON-HISTORIC, SINGLE AND MULTI FAMILY HOMES):**
RECOMMENDATION: Adopt Resolution No. 2012-0101, consenting to relieving Nuera Contracting and Consulting, LP from its bid and awarding a contract to G&G Specialty Contractors, Inc., in the amount of \$1,651,740, for Phase 6, Group 8, Project No. 380608, of the San Diego County Regional Airport Authority's Quieter Home Program.

ITEMS PULLED FROM THE CONSENT AGENDA:

6. ANNUAL REVIEW AND NOTIFICATION OF BOARD MEMBER WEIGHTED VOTE POINT ALLOCATION AS REQUIRED BY SECTION 170014 OF THE PUBLIC UTILITIES CODE:

Chair Gleason stated that the item was pulled at the request of General Counsel for a separate motion and adoption by resolution.

RECOMMENDATION: Accept the report.

ACTION: Moved by Board Member Boland and seconded by Board Member Smisek to adopt Resolution No. 2012-0104, accepting the weighted vote point allocation. Motion carried by the following vote: YES – Boland, Desmond, Gleason, Hubbs, Robinson, Smisek, Young; NO – None; ABSENT – Cox, Panknin. (Weighted Vote Points: YES – 84; NO – 0; ABSENT 16).

PUBLIC HEARINGS: None.

OLD BUSINESS: None.

NEW BUSINESS:

24. NUMBER NOT USED.

25. RESCIND RESOLUTION NO. 2012-0018 GRANTING A 10-YEAR LEASE TO AIRPORT LOUNGE DEVELOPMENT, INC. TO DESIGN, BUILD AND OPERATE AN AIRPORT LOUNGE IN TERMINAL 2 EAST AT SAN DIEGO INTERNATIONAL AIRPORT, WAIVING AUTHORITY POLICY 6.01, AND GRANTING A 10-YEAR LEASE TO SWISSPORT LOUNGE, LLC TO DESIGN, BUILD, AND OPERATE AN AIRPORT LOUNGE IN TERMINAL 2 EAST AT SAN DIEGO INTERNATIONAL AIRPORT:

Nyle Marmion, Manager, Concession Development Aviation & Commercial Business Department, provided a presentation on the 10-year lease to Swissport Lounge, LLC, which included Background, Location Map, Site Plan, Timeline, Board Policy 6.01, Conceptual Layout, Proposed Renderings, Recommendation, and Next Steps.

In response to the request by Board Member Boland to explain the rationale for waiving Board Policy 6.01, Breton Lobner, General Counsel, explained that the findings included in the staff report and resolution supports waiving the policy requirements because it is in the best interests of the Authority to grant the lease without a competitive bid process. He noted that the original award did go through a competitive process.

CRAIG ALVARADO, representing American Airlines, thanked the Board and Authority staff for their support of the agreement.

RECOMMENDATION: Adopt Resolution No. 2012-0102, rescinding Resolution No. 2012-0018, granting a 10-year Lease to Airport Lounge Development, Inc. to design, build, and operate an airport lounge in Terminal 2 East at San Diego International Airport, waiving Authority Policy 6.01, and granting a Lease to Swissport Lounge, LLC to design, build, and operate an Airport Lounge in Terminal 2 East at San Diego International Airport with a first year Minimum Annual Guarantee (MAG) of \$150,000, subject to Federal Aviation Administration (FAA) approval of term and authorizing the President/CEO to take all necessary actions to execute the concession lease.

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

26. APPROVE AND AUTHORIZE THE PRESIDENT/CEO TO EXECUTE A CONSTRUCTION MANAGEMENT-AT-RISK AGREEMENT WITH AUSTIN/SUNDT, A JOINT VENTURE, FOR THE CONSTRUCTION OF A PROPOSED RENTAL CAR CENTER AT SAN DIEGO INTERNATIONAL AIRPORT:

Bryan Enarson, Vice President Development, explained the project team selection process for the Rental Car Center, and the unanimous selection by the panel, of Austin/Sundt as construction manager for the facility.

John Wald, Executive Vice President, Sundt Construction, and Steve Kitching, Southern California Manager, Austin Industrial, spoke in support of the proposed project, and stated that they looked forward to the success of the project.

Board Member Boland expressed his desire that local labor be used on this project also.

Thella F. Bowens, President/CEO, stated that staff plans to use the same model that was used for the Green Build and would continue to honor the Board's commitment to include outreach to local and small businesses as part of the project.

RECOMMENDATION: Adopt Resolution No. 2012-0103, approving and authorizing the President/CEO to execute a Construction Management-At-Risk Agreement with Austin/Sundt, A Joint Venture, for an amount not to exceed \$14,000,000 to construct a Rental Car Center, at San Diego International Airport.

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

CLOSED SESSION: The Board recessed in to Closed Session at 11:47 a.m. to discuss items 27, 28, 33, 35, 36 and 37.

- 27. CONFERENCE WITH LABOR NEGOTIATOR:**
Labor Negotiations pursuant to Cal. Gov. Code §54957.6:
Authority Designated Negotiators: Thella F. Bowens, President/CEO; and Jeffrey Woodson, Vice President, Administration
Employee Organization: Teamsters 911
- 28. 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
- 29. CONFERENCE WITH REAL PROPERTY NEGOTIATORS:**
Legal Authority: Real property negotiations pursuant to Cal. Gov. Code § 54954.5(b) and § 54956.8
Property: 4347 North Harbor Drive, San Diego, CA 92101
Authority Negotiators: Vernon D. Evans, Vice President, Finance/Treasurer and Troy Ann Leech
Negotiating Party: City of San Diego
Under Negotiation: Terms and conditions of purchase

- 30. CONFERENCE WITH REAL PROPERTY NEGOTIATORS:**
Legal Authority: Real property negotiations pursuant to Cal. Gov. Code §54954.5(b) and §54956.8.
Property: 3312 Goldsmith Street, San Diego, CA 92106 (Assessor's parcel #450-142-13-00)
Agency Negotiators: Vernon Evans, Vice President, Finance/Treasurer and Troy Ann Leech, Director, Real Estate
Under Negotiation: Sale of property – terms and conditions
- 31. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION:**
(Cal. Gov. Code §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)
- 32. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION:**
(Cal. Gov. Code §54956.9(a)):
City of San Diego, Historical Resources Board: In re: Western Salt Company Salt Works, Report No. HRB-08-005
- 33. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION:**
(Cal. Gov. Code §54956.9(a)):
West Tech, Inc. v. San Diego County Regional Airport Authority, et al., L.A.S.C 37-2010-00106565-CU-BC-CTL
- 34. CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION:**
(Cal. Gov. Code §54956.9(a))
Ann Marie Tejcek v. San Diego County Regional Airport Authority, et al. LASC No. 37-2011-00102856-CU-PO-CTL
- 35. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION:**
(Cal. Gov. Code § 54956.9(a))
Jacob Mojadam, individually and on behalf of all those similarly situated v. San Diego County Regional Airport Authority, et al
San Diego Superior Court Case No. 37-2012-00098040-CU-MC-CTL
- 36. CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION**
(Cal. Gov. Code §54956.9(a))
Tawnee Knight v. San Diego County Regional Airport Authority, et al. LASC No. 37-2012-00102053-CL-PO-CTL
- 37. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION:**
Initiation of litigation pursuant to subdivision (c) of §54956.9: (1 case)

- 38. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION:**
Significant exposure to litigation pursuant to Cal. Gov. Code §54956.9(b) [Number of cases: 1] and §54956.9(b) (3)(C) [Liability claim against Authority by Theresa, Warren & Carl Hopkins]
- 39. 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
- 40. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION:**
Initiation of litigation pursuant to subdivision (c) of Section 54956.9: (1 case)
- 41. 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 Bay

REPORT ON CLOSED SESSION: The Board reconvened in to open session at 1:34 p.m. Breton Lobner, General Counsel, reported that regarding Item 27, the Board voted to ratify the agreement with Teamster 911 for a 2% general wage increase for represented employees; and in regards to Item 36, the Board authorized the General Counsel to take certain actions with regard to an offer.

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 Board adjourned at 1:35 p.m.

APPROVED BY A MOTION OF THE SAN DIEGO COUNTY REGIONAL
AIRPORT AUTHORITY BOARD THIS 4TH DAY OF OCTOBER, 2012.

TONY R. RUSSELL
DIRECTOR, CORPORATE SERVICES/
AUTHORITY CLERK

APPROVED AS TO FORM:

BRETON K. LOBNER
GENERAL COUNSEL