

**SAN DIEGO COUNTY REGIONAL AIRPORT AUTHORITY BOARD
MINUTES
THURSDAY, FEBRUARY 5, 2009
BOARD ROOM**

CALL TO ORDER:

Chairperson Bersin called the regular meeting of the San Diego County Regional Airport Authority Board to order at 9:00 a.m. Thursday, February 5, 2009, at the San Diego International Airport, Board Room, Commuter Terminal, 3225 North Harbor Drive, San Diego, CA 92101.

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

ROLL CALL:

PRESENT: Board Members: Bersin, Boland, Desmond, Finnilla, O'Connor (Ex-Officio), Orso-Delgado (Ex-Officio), Panknin, Smisek, Watkins, Young, Zettel, Watkins, Young

ABSENT: Board Members: Sheehy (Ex- Officio)

ALSO PRESENT: Brent Buma, Vice President, Marketing and Communications; Breton Lobner, General Counsel; Tony R. Russell, Director, Corporate Services/Authority Clerk; Linda Gehlken, Assistant Authority Clerk I

BOARD BUSINESS:

ADMINISTER OATH OR AFFIRMATION AND INSTALLATION OF BOARD MEMBERS:

Chairperson Bersin administered the Oath of Office to Board Members Boland, Desmond and Smisek.

PUBLIC COMMENT:

RICK EDDY, SAN DIEGO, expressed concern regarding the delay in the bid process for the SAN PARK contract. He asked the Board to be proactive in this regard, and encouraged them to bring the bid to fruition.

REPORT FROM CITIZEN COMMITTEE:

- **AIRPORT ADVISORY COMMITTEE:**

John Hawkins, First Vice Chair, Airport Advisory Committee, provided an update on the recent Airport Advisory Committee meeting. He stated that the next meeting will be held on April 16, 2009.

PRESENTATION:

A. "GATEWAY SAN DIEGO" – INTERMODAL TRANSPORTATION CENTER:

Jim Frost, Advisor, New School of Architecture and Design, Joel Smith, Student, and Dustan Bagliere, Student, provided a presentation and concept design of an Intermodal Transportation Center, which highlighted Destination Lindbergh, the proposed innovative integration of Air, Rail, Auto, Bus, Shuttle, and Taxi services at San Diego International Airport (SDIA). Mr. Frost stated that the plan was based on input received from the Jacobs Consultancy.

In response to Board Member Finnila regarding whether costs were considered in the development of the project, Mr. Frost stated they were not; however he emphasized that the design and structure was kept simple to minimize costs.

In response to Board Member Zettel regarding whether there had been any thought given to whether the design would encourage greater use of the public transit system overall, Mr. Frost stated that the overall look of the Intermodal Transportation Center would provide a visual queue to the neighboring communities that this was a "gateway" to San Diego, and likely encourage use.

B. REPORT ON THE AUTHORITY'S FINANCIAL CONDITION:

Vernon Evans, Vice President, Finance/Treasurer, provided a presentation on the Authority's Financial Condition, which included an overview of Current Financial Events; the Reserve Primary Fund; Total Portfolio Summary; Investment Strategy; Commercial Paper; Debt Strategy; Authority's Investments; Authority's Debt; Authority's Financial Position; Revenues and Expenses for the Month Ended December 31, 2008; Monthly Operating Revenue for FY2009; Monthly Operating Expenses for FY 2009; Financial Summary for the Month Ended December 31, 2008; Nonoperating Revenue and Expenses for the Month Ended December 31, 2008; Operating Revenues and Expenses for the Six Months Ended December 31, 2008; and Financial Summary for the Six Months Ended December 31, 2008.

Board Member Desmond requested that the different types of securities, such as Agency Securities, be separated.

In response to Chairperson Bersin regarding how staff projects the current economic situation to affect the enplanements' figures for March and April 2009, Brent Buma, Vice President, Marketing and Communications, stated that December's enplanements were down by 7%, and that based on the seats given by the airlines, staff is projecting January to be down approximately 9.5%, February 12.6%, and March 10.5% respectively. Mr. Buma stated that once the actual January figures are reported by the airlines in mid February, a more accurate forecast can be made.

Board Member Zettel requested to see what the Authority is doing with the marketing plan to support the Authority's airline clients to generate more air travel in the region.

Mr. Buma stated that there is ongoing interaction and dialogue with the airlines, and other entities to support marketing outreach efforts.

Board Member Watkins suggested ensuring that Authority employees are kept abreast of the Authority's financial position during these challenging economic times to alleviate job loss concerns.

Vernon Evans, Vice President, Finance/Treasurer, stated that he is providing monthly financial updates at the Authority's SANformation meetings, in addition to meeting with various departments to discuss any concerns in this regard.

CONSENT AGENDA:

In regards to Item 1, Board Member Boland clarified his comments on page 8 paragraph 2, under the Military Affairs Liaisons Report that he was expressing the concerns of the City Manager and a City Councilman from the City of Coronado at a meeting they requested he attend on the impacts of the North Island AICUZ on the City of Coronado.

In regards to Item 1, Chairperson Bersin stated that on page 9 paragraph 2 under the President/CEO Report that the President/CEO could not have said that she is in talks with Disney regarding home porting a ship at our cruise ship terminal. He asked that the appropriate corrections be made that she indicated that she was a part of a task force led by the Port District that was discussing the issue.

Chairperson Bersin announced that Item 15 was pulled from the agenda.

Board Member Desmond requested that Items 4 and 8 be pulled from the Consent Agenda for discussion.

Chairperson Bersin requested that Item 3 be pulled 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 – Bersin, Boland, Desmond, Finnila, Panknin, Smisek, Watkins, Young, Zettel; NO – None; ABSENT – None. (Weighted Vote Points: YES – 100; NO – 0; ABSENT – 0)

1. **APPROVAL OF MINUTES:**
RECOMMENDATION: Approve the minutes of the January 9, 2009 meeting.
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:**
RECOMMENDATION: Accept the reports and pre-approve attendance at other meetings not covered by the current resolution.
3. **AMENDMENT TO AUTHORITY POLICY 1.50(5)(C)(IV) – “GOVERNANCE AND COMMITTEES”:**
ACTION: This item was pulled from the Consent Agenda for discussion.
4. **APPOINTMENTS TO BOARD COMMITTEES, LIAISON POSITIONS, OTHER REPRESENTATIVE AND ALTERNATE POSITIONS:**
ACTION: This item was pulled from the Consent Agenda for discussion.
5. **RESIGNATIONS AND REAPPOINTMENTS TO THE AIRPORT ADVISORY COMMITTEE:**
RECOMMENDATION: Adopt Resolution No. 2009-0011, accepting the resignations and making reappointments to the Airport Advisory Committee.

COMMITTEE RECOMMENDATIONS

6. **REVIEW OF UNAUDITED FINANCIAL STATEMENTS FOR THE SIX MONTHS ENDED DECEMBER 31, 2008:**
RECOMMENDATION: The Finance Committee recommends that the Board receive the information.

7. **REVIEW OF THE AUTHORITY'S QUARTERLY INVESTMENT REPORT AS OF DECEMBER 31, 2008:**
RECOMMENDATION: The Finance Committee recommends that the Board receive the information.

8. **AMENDMENT TO AUTHORITY CODE 9.13 – GROUND TRANSPORTATION DRIVER'S PERMITS:**
ACTION: This item was pulled from the Consent Agenda for discussion.

CONTRACTS AND AGREEMENTS AND AMENDMENTS TO CONTRACTS AND AGREEMENTS

9. **AWARDED CONTRACTS, APPROVED CHANGE ORDERS FROM DECEMBER 8, 2008 THROUGH JANUARY 4, 2009 AND REAL PROPERTY AGREEMENTS GRANTED AND ACCEPTED FROM DECEMBER 8, 2008 THROUGH JANUARY 4, 2009:**
RECOMMENDATION: Receive the report.

10. **AUTHORIZE THE PRESIDENT/CEO TO EXECUTE A FIRST AMENDMENT TO CONTRACT 2051200P WITH OSHKOSH TRUCK CORPORATION TO PURCHASE ADDITIONAL FIRE FIGHTING EQUIPMENT:**
RECOMMENDATION: Adopt Resolution No. 2009-0012, authorizing the President/CEO to execute a first amendment to Contract No. 2051200P with Oshkosh Truck Corporation to purchase additional fire fighting equipment in the amount of \$175,000.00, Project No. 104084.

11. **FIRST AMENDMENT TO THE CONTRACT WITH MCBEE STRATEGIC CONSULTING, LLC, FOR FEDERAL LEGISLATIVE CONSULTANT SERVICES:**
RECOMMENDATION: Adopt Resolution No. 2009-0013, authorizing the first amendment to the contract with McBee Strategic Consulting, LLC, for Federal Legislative Consultant Services to extend the term of the agreement for two years to January 31, 2011, and add \$342,000 to the not to exceed amount.

- 12. FIRST AMENDMENT TO CONTRACT WITH MANATT, PHELPS & PHILLIPS, LLP, FOR STATE LEGISLATIVE CONSULTANT SERVICES:**
RECOMMENDATION: Adopt Resolution No. 2009-0014, authorizing the first amendment to the contract with Manatt, Phelps & Phillips, LLP, for State Legislative Consultant Services to extend the term of the agreement two years to January 31, 2011, and add \$337,000 to the not to exceed amount.

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

- 13. AWARD A CONSTRUCTION CONTRACT TO KOCH CORPORATION FOR QUIETER HOME PROGRAM PHASE 4, GROUP 9, PROJECT NO. 380409:**
RECOMMENDATION: Adopt Resolution No. 2009-0015, awarding a construction contract to Koch Corporation, in the amount of \$2,272,357.00, for Phase 4, Group 9, Project No. 380409, of the San Diego County Regional Airport Authority's Quieter Home Program.
- 14. AWARD A CONSTRUCTION CONTRACT TO SAVINO CONSTRUCTION, INC., FOR QUIETER HOME PROGRAM PHASE 4, GROUP 8, PROJECT NO. 380408:**
RECOMMENDATION: Adopt Resolution No. 2009-0016, awarding a construction contract to Savino Construction, Inc., in the amount of \$1,091,216.00, for Phase 4, Group 8, Project No. 380408, of the San Diego County Regional Airport Authority's Quieter Home Program.
- 15. AUTHORIZE THE PRESIDENT/CEO TO EXECUTE, DELIVER, AND PERFORM A LETTER OF CREDIT AND REIMBURSEMENT AGREEMENT WITH UNION BANK, NA:**
ACTION: This item was pulled from the agenda.

ITEMS PULLED FROM THE CONSENT AGENDA FOR DISCUSSION:

- 3. AMENDMENT TO AUTHORITY POLICY 1.50(5)(C)(IV) – "GOVERNANCE AND COMMITTEES":**
Chairperson Bersin noted that the policy was being amended to create the Terminal Development Program Board Committee, and to change the terms of the committees from two years to one year. He also suggested that the Board might want to review this policy at the Board Retreat because there are sections that are no longer relevant.

Board Member Zettel suggested that the section which prohibits a Board Member from serving simultaneously on both the Audit and Finance Committee is not needed.

Board Member Finnila suggested that the responsibilities of the Board, specifically paragraph 8 on page 4 within Policy 1.50, be clarified.

RECOMMENDATION: Adopt Resolution No. 2009-0009 amending Authority Policy 1.50(5), "Governance and Committees" to establish the Terminal Development Program Committee.

ACTION: Moved by Board Member Watkins and seconded by Board Member Boland to approve staff's recommendation for Items 3 and 4. Motion carried by the following vote: YES – Bersin, Boland, Desmond, Finnila, Panknin, Smisek, Watkins, Young, Zettel; NO – None; ABSENT – None. (Weighted Vote Points: YES – 100; NO – 0; ABSENT – 0)

4. APPOINTMENTS TO BOARD COMMITTEES, LIAISON POSITIONS, OTHER REPRESENTATIVE AND ALTERNATE POSITIONS:

Chairperson Bersin reported that Board Member Watkins would be the Vice Chair this year, and Board Member Finnila will remain on the Executive Committee. He provided an overview of the proposed appointments.

Chairperson Bersin recommended that to avoid any possible Brown Act violation, Board Members interested in attending a specific Ad Hoc Committee meeting to which they are not appointed, should contact the Chair of the Committee or the Authority Clerk prior to the meeting, so that it may be noticed as a Special Board meeting.

In response to Board Member Finnila regarding what the appropriate timeline is for noticing meetings to ensure compliance with the Brown Act, Tony R. Russell, Director, Corporate Services/Authority Clerk, stated that for special meetings, posting is required 24 hours prior to the meeting. He stated that for a regular meeting, posting is required 72 hours prior to meeting.

RECOMMENDATION: Adopt Resolution No. 2009-0010, making appointments to Board committees, liaison positions, the SANDAG Transportation Committee, the SCAG Aviation Task Force, and establishing the Regional Aviation Strategic Plan/Airport Multimodal Accessibility Plan/ (RASP/AMAP) Ad Hoc Committee.

ACTION: Moved by Board Member Watkins and seconded by Board Member Boland to approve staff's recommendation for Items 3 and 4. Motion carried by the following vote: YES – Bersin, Boland, Desmond, Finnila, Panknin, Smisek, Watkins, Young, Zettel; NO – None; ABSENT – None. (Weighted Vote Points: YES – 100; NO – 0; ABSENT – 0)

8. AMENDMENT TO AUTHORITY CODE 9.13 – GROUND TRANSPORTATION DRIVER'S PERMITS:

In response to Board Member Desmond regarding how far back the background check goes, Jim Myers, Manager, Ground Transportation, stated that background checks go back 5 years.

In response to Board Member Boland regarding whether there is notification made to the Authority when a driver commits a violation, Mr. Myers stated that the Authority is informed.

In response to Board Member Panknin regarding whether an outside contractor is utilized to perform background checks, Mr. Myers stated that the Department of Justice (DOJ) performs the background checks, but that the application is processed internally. Mr. Myers reported that half of the drivers permit fee of \$125 is to cover the cost for the Department of Justice (DOJ) to do the background check, and the other half is to recover the Authority's administrative costs to process the application.

In response to Board Member Watkins regarding whether there is a circumstance that is driving the change in the process, Breton Lobner, General Counsel, stated that the Transportation Security Administration (TSA) has adopted some new regulations, specifically one that requires that if the airport issues any kind of Authority identification badges, it is responsible for conducting the background checks.

Board Member Panknin expressed concern with the increase in the drivers' permit fee, and stated that he could not support the recommendation because the fee is listed to look like an increase in revenue.

RECOMMENDATION: The Finance Committee recommends that the Board adopt Resolution No. 2009-0019, amending the San Diego County Regional Airport Authority Code 9.13, Ground Transportation Driver's Permits.

ACTION: Moved by Board Member Desmond and seconded by Board Member Boland to approve staff's recommendation. Motion carried by the following vote: YES – Bersin, Boland, Desmond, Finnilla, Smisek, Watkins, Young, Zettel; NO – Panknin; ABSENT – None. (Weighted Vote Points: YES – 92; NO – 8; ABSENT – 0)

PUBLIC HEARINGS: None

NEW BUSINESS:

16. FEBRUARY 2009 LEGISLATIVE REPORT:

Michael Kulis, Director, Inter-Governmental Relations, provided an overview of the Legislative Report.

Board Member Boland requested that staff keep the Board apprised of any new developments regarding the former proposal to increase federal taxes on aviation fuel.

In response to Board Member Orso-DelGado regarding whether there are any timing requirements in the Government's stimulus package for airport infrastructure, Mr. Kulis stated that the timeline is similar to that given to the Department of Transportation portion, which includes projects that can be started within 70 days.

Chairperson Bersin requested an overview of the Lobbyist's contracts at the March Board meeting to identify what value the Authority is getting from the consultants.

RECOMMENDATION: Adopt Resolution No. 2009-0018, approving the February 2009 Legislative report.

ACTION: Moved by Board Member Finnila and seconded by Board Member Young to approve staff's recommendation. Motion carried by the following vote: YES – Bersin, Boland, Desmond, Finnila, Panknin, Smisek, Watkins, Young, Zettel; NO – None; ABSENT – None. (Weighted Vote Points: YES – 100; NO – 0; ABSENT – 0)

The Board recessed at 10:40 a.m. and reconvened at 10:58 a.m.

17. COMPREHENSIVE GROUND TRANSPORTATION MANAGEMENT PLAN UPDATE:

Vernon Evans, Vice President, Finance/Treasurer, provided a presentation on the Comprehensive Ground Transportation Management Plan, which included: Comprehensive Ground Transportation Management Plan (CGTMP) Goals; Consultant Selection Process; RFP Selection Process; and Ground Transportation Consultant details.

Keith Wilschetz, Director, Airport System Planning, provided a presentation on the Approach to Creating a SDIA Parking Strategy, which included an overview of the CGTMP; Proposed Parking Strategy; and Past Parking Studies information.

Board Member Panknin stated that he has ongoing concern regarding the Automated Vehicle Identification (AVI) fee, and suggested that staff ensure they are sensitive to the issue by developing different options. He also recommended that taxicab drivers and rental car companies be provided the opportunity to have adequate representation and interaction with the consulting firm, in an effort to bring consensus from all parties involved.

Board Member Young stated that it would be helpful for the Board to explore what can be done, in the form of options, regarding Ground Transportation.

Board Member Watkins expressed his support for moving ahead with this project as soon as possible, and he suggested that the goals specified be presented to the consulting firm.

Board Member Desmond expressed his opinion that a decision on a Comprehensive Ground Transportation Management Plan should be made after knowing whether Destination Lindbergh is adopted.

Mr. Wilschetz stated that the CGTMP is designed to address existing issues. He also stated that it should be clear that the CGTMP would not conflict, but be in conjunction, with Destination Lindbergh.

Board Member Boland stated that it is important to ensure that this concept is clearly related to the community, and elected officials.

Board Member Finnila stated that having a Comprehensive Plan does not mean that each component of the Plan cannot be examined to determine how it can increase income; how it could reduce emissions; and how it will fit into the whole. She stated that it is important to evaluate each piece.

Board Member Panknin recommended that the Board take action as soon as possible regarding the CGTMP, and suggested considering this as a "living document" that will evolve, and be adjusted as needed.

Chairperson Bersin requested that a standing item regarding this issue be added to the Executive Committee agenda. He requested that staff come back with a plan regarding how the Authority will address parking management, and the details of the contract. He also requested that a standing item be added to the Board agenda to receive updates on the Comprehensive Ground Transportation Management Plan.

Board Member Young left the dais at 11:50 a.m.

PUBLIC COMMENT:

RICHARD ABDALA, SAN DIEGO, expressed his opposition to proposed AVI fees.

KAMRAN HAMIDI, SAN DIEGO, spoke in opposition of the proposed AVI trip fees.

JOHN HAWKINS, SAN DIEGO, spoke in support of the Comprehensive Ground Transportation Management Plan. He encouraged the Board to include SANDAG, MTS, the City of San Diego, and CALTRANS because their input would be beneficial.

Chairperson Bersin requested that staff look into the feasibility of creating a stakeholders committee similar to the ATAG for ground transportation issues, and report back to the Executive Committee at its March meeting.

RECOMMENDATION: Provide direction to staff.

ACTION: Moved by Board Member Boland and seconded by Board Member Finnila to accept the update. Motion carried by the following vote: YES – Bersin, Boland, Desmond, Finnila, Panknin, Smisek, Watkins, Zettel; NO – None; ABSENT – Young. (Weighted Vote Points: YES – 87; NO – 0; ABSENT – 13)

18. DISCUSSION AND POSSIBLE ACTION REGARDING THE DEVELOPMENT OF AN AGENDA FOR THE UPCOMING BOARD RETREAT:

Chairperson Bersin requested that Board Member Watkins, in consultation with Board Members Desmond, Finnila and himself, lead the effort of creating an agenda for the February Board Retreat.

Chairperson Bersin stated that the agenda for the Board Retreat will be addressed and finalized at the Executive Committee meeting on February 23, 2009.

In response to Board Member Finnila regarding whether there will be a written record of the Board Retreat, Mr. Harris stated that there will be an audio recording of the meeting.

Chairperson Bersin stated that this Board Retreat would provide the opportunity for the Board to focus and identify the direction it wishes to take in 2009. He also stated that it would provide insight into possible areas that may need further exploring through workshops. He requested that Board Members forward any topics they would like to see discussed during the Board Retreat to Board Member Watkins for consideration.

RECOMMENDATION: Provide direction to staff.

ACTION: No action was taken.

PRESIDENT/CEO REPORT:

- About the Airport
- Destination Lindbergh: The Ultimate Build Out
- Terminal Development Program
- Regional Aviation Strategic Plan
- Public Outreach and Communication
- International Air Service
- City/SANDAG/Port Collaboration

Brent Buma, Vice President, Marketing and Communications, stated that the Third Quarter Passenger's Satisfaction Survey results indicated a satisfaction rate of 89% overall, which tied the agency's record from 2004. He stated that the full survey will be presented to the Board at a future meeting.

Mr. Buma stated that the financial analysis for Destination Lindbergh was presented by the consultant, and that the first phase of the plan, from 2015 to 2020, was deemed to be financially feasible, with later phases uncertain at this time.

Mr. Buma stated that in regard to the Regional Aviation Strategic Plan, (RASP) the Regional Aviation Demand forecast work was completed by Landrum & Brown, and the data is being reviewed by the RASP consulting firm. He stated that a summary of the findings will be provided to the Board, and posted on the website. Mr. Buma stated that the RASP subcommittee had been finalized with Oris Dunham serving as Chair, and Peter Drinkwater serving as Vice Chair.

Mr. Buma stated that new air service is being commenced from SDIA by Air Canada, American Airlines, Air Tran and Delta/Northwest. He also reported that Allegiant Airlines will be adding service in the Spring, 2009.

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

STANDING BOARD COMMITTEES

- **AUDIT COMMITTEE:**
Board Member Finnila reported that Mark Burchyett, Chief Auditor, received a very positive peer review.
- **EXECUTIVE PERSONNEL AND COMPENSATION COMMITTEE:**
Board Member Watkins reported that the Committee met to review the current labor contract. He reported that it will be discussed during Closed Session at today's meeting.
- **FINANCE COMMITTEE:** None

LIAISONS

- **AIRPORT MULTI-MODAL ACCESSIBILITY PLAN:** None
- **MILITARY AFFAIRS LIAISONS:** None
- **RASP LIAISONS:** None
- **TERMINAL DEVELOPMENT PROGRAM:** None
- **AVIATION TECHNOLOGICAL ADVANCES:**
Board Member Watkins reported that he had met with the principals of Ocean Works. He stated that they are exploring the possibility of obtaining a grant from CALTRANS to assist them with the off-shore floating airport concept. He also stated that they are looking into finding a lead agency to assist them with the task of overseeing the task, and contribute 20% funding.

BOARD REPRESENTATIVES

- **AD HOC AIRPORT REGIONAL POLICY COMMITTEE:** None
- **SANDAG TRANSPORTATION COMMITTEE REPRESENTATIVE:**
Board Member Desmond reported that the major topic at the last SANDAG Transportation Committee meeting was the lack of funds from the State of California, primarily Prop. 1B, and the ongoing projects on I - 15 and I-5.

- **SCAG AVIATION TASK FORCE:** None

- **CALTRANS:**
Board Member Orso-Delgado reported that 6,800 jobs could be lost because of the funding losses from the State of California. He stated that there is consideration being given to moving funds from other areas to be able to maintain construction projects that are already in progress. He also reported that the State of California has imposed a furlough on the agency that will begin this week.

CLOSED SESSION: The Board recessed into Closed Session at 12:20 P.M. to hear Items 21, 22 and 25.

19. **CONFERENCE WITH LEGAL COUNSEL-ANTICIPATED LITIGATION:**
Pursuant to Government Code Section 54956.9(b)
Number of cases: 1
Facts and circumstances exist causing significant exposure to litigation in accordance with Section 54956.9(b)(3(B)). These facts are known by potential plaintiff Gameday Media Properties, Inc. ("Gameday") and are as follows: a disagreement exists between the Authority and Gameday regarding the close out audit of the concession agreement.

20. **CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION:**
Pursuant to Government Code Section 54956.9(a):
Kenneth Quilantang v. San Diego County Regional Airport Authority, et al.,
San Diego Superior Court Case No. 37-2008-00092986-CU-PO-CTL

21. **CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION:**
Significant exposure to litigation pursuant to 54956.9(b)(A),(B) and (E):
Memorandum of Agreement with SANDAG and the City of San Diego
Number of potential cases: 1

22. **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.

23. **CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION:**
Initiation of litigation pursuant to Cal. Gov. Code §54956.9(c).
Number of potential cases: 1 (Nazbest-Pacific).

- 24. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION:**
Initiation of litigation pursuant to Cal. Gov. Code §54956.9(c).
Number of potential cases: 1 (Galaxy).
- 25. 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)

REPORT ON CLOSED SESSION: The Board reconvened into open session at 1:45 P.M. Bret Lobner, General Counsel, announced that there was no reportable action.

PUBLIC COMMENT:

GENERAL COUNSEL REPORT:

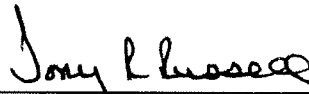
**BOARD MEMBER REPORTS ON MEETINGS ATTENDED AT THE EXPENSE
OF THE AUTHORITY:**

BOARD COMMENT:

ADJOURNMENT:

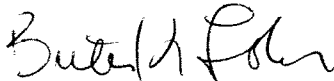
The Meeting was adjourned at 1:47 P.M.

APPROVED BY A MOTION OF THE SAN DIEGO COUNTY REGIONAL
AIRPORT AUTHORITY BOARD THIS 5TH DAY OF MARCH, 2009.



TONY R. RUSSELL
DIRECTOR, CORPORATE SERVICES/
AUTHORITY CLERK

APPROVED AS TO FORM:



BRETON K. LOBNER
GENERAL COUNSEL