

**SAN DIEGO COUNTY REGIONAL AIRPORT AUTHORITY BOARD
MINUTES
THURSDAY, JUNE 4, 2009
BOARD ROOM**

CALL TO ORDER:

Vice Chairperson Watkins called the regular meeting of the San Diego County Regional Airport Authority Board to order at 9:00 a.m., Thursday, June 4, 2009, 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 Young led the pledge of allegiance.

ROLL CALL:

PRESENT: Board Members: Boland, Desmond, Finnila, Orso-DelGado (Ex-Officio), Panknin, Watkins, Young, Zettel

ABSENT: Board Members: Sheehy (Ex- Officio), Smisek

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

Board Member Boland reported that Colonel Ritchie, U.S. Marine Corps, is anticipated to be the replacement to Colonel O'Connor, former Ex-Officio Board Member, representing the military on the Board. He stated that Colonel Myers, U.S. Marine Corps, was present at today's meeting on behalf of the U.S. Marine Corps.

PRESENTATION(S):

A. PRESENTATION ON CROSS BORDER TERMINAL WITH TIJUANA AIRPORT:

Mark Rowson, Land Development Strategies, Inc., provided a presentation regarding a cross border terminal project with Tijuana Airport, which included rendering drawings illustrating the Cross Border Facility and Planned Passenger Facility; Concept Illustration – Final Phase; Draft Site Plan; Conceptual Land Use Plan; Highway Access; Facility Features; Passenger Flow – Otay Border Crossing Facility; Regional Needs; Consumer Needs; Project Status; and the Project's Goal of Opening in 2012.

In response to Board Member Orso DelGado regarding when the environmental document associated with the Presidential Permit would be available for public review; Mr. Rowson stated that he was not certain that the Department of State would make the document available to the public immediately upon submittal.

In response to Board Member Desmond regarding what kind of enterprise was pursuing this project, Mr. Rowson stated that this venture is being supported by private investors from the United States and Mexico.

Board Member Panknin suggested that this project be considered during the development of the Regional Aviation Strategic Plan (RASP).

In response to Board Member Young regarding the anticipated cost for this project, Mr. Rowson stated that the project consists of three phases, and that the initial first phase is estimated at \$60,000,000 to \$70,000,000. He stated that the costs also include the necessary improvements to roads, and the building of a bridge.

In response to Board Member Young regarding what impact this project is anticipated to have on traffic and usage of San Diego International Airport (SDIA), Keith Wilschetz, Director, Airport System Planning, stated that based on the Market Demand Study performed by staff in this regard, the impact would not be expected to be substantial until SDIA hits capacity.

Board Member Young suggested that Mr. Rowson share this same information with officials at the City of San Diego, especially in regard to land use issues.

In response to Board Member Zettel regarding how long it will take to obtain a Presidential Permit for this project, Mr. Rowson stated that they anticipate that it would take approximately one year.

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 Current Financial Conditions; Enplanements; Gross Landing Weight Units; Airport Parking Transactions; Car Rental License Fees; Monthly Operating Revenue; Operating Revenues for the Ten Months Ended April 30, 2009; Monthly Operating Expenses; Operating Expenses for the Ten Months Ended April 30, 2009; Financial Summary for the Ten Months Ended April 30, 2009; Nonoperating Revenue and Expenses for the Ten Months Ended April 30, 2009; the Authority's Investments; Total Portfolio Summary; Authority's Debt; and Summary of Outstanding Commercial Paper.

PUBLIC COMMENT (18 MINUTES):

JARVIS ROSS, SAN DIEGO, spoke regarding the importance of ensuring that long range plans for San Diego International Airport is kept to the forefront of actions taken by the Board. He urged the Board to again consider looking at an alternative location for San Diego International Airport.

CONSENT AGENDA:

Board Member Boland requested that Item 5 be pulled from the Consent Agenda for discussion.

ACTION: Moved by Board Member Young and seconded by Board Member Finnila to approve the Consent Agenda as AMENDED. Motion carried by the following vote: YES – Boland, Desmond, Finnila, Panknin, Watkins, Young, Zettel; NO – None; ABSENT – Smisek. (Weighted Vote Points: YES – 75; NO – 0; ABSENT - 11)

1. **APPROVAL OF MINUTES:**
RECOMMENDATION: Approve the minutes of the May 8, 2009 and May 14, 2009 special meetings.
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. **APPOINTMENTS TO THE AIRPORT ADVISORY COMMITTEE:**
RECOMMENDATION: Adopt Resolution No. 2009-0075, approving the appointments of Dirk Mathiasen and Gary Geis as members of the Airport Advisory Committee.
4. **WRITE-OFF OF UNCOLLECTIBLE DEBT OWED BY ZOOM AIRLINES, LIMITED:**
RECOMMENDATION: Adopt Resolution No. 2009-0076, authorizing the write-off of \$81,219.21 in uncollectible debt owed by Zoom Airlines, Limited.
5. **JUNE 2009 LEGISLATIVE REPORT:**
ACTION: This item was pulled from the Consent Agenda for discussion.

CLAIMS

6. **RESOLUTION AUTHORIZING THE REJECTION OF THE CLAIM OF REYNALDO TAPIA:**
RECOMMENDATION: Adopt Resolution No. 2009-0078, authorizing the rejection of the claim of Reynaldo Tapia.
7. **RESOLUTION AUTHORIZING THE REJECTION OF THE CLAIM OF MARGARET BAILEY:**
RECOMMENDATION: Adopt Resolution No. 2009-0079, authorizing the rejection of the claim of Margaret Bailey.

COMMITTEE RECOMMENDATIONS

8. **FISCAL YEAR 2009 THIRD QUARTER AUDIT ACTIVITIES REPORT, AND REPORT ON AUDIT RECOMMENDATIONS ISSUED BY THE OFFICE OF THE CHIEF AUDITOR:**
RECOMMENDATION: The Audit Committee recommends that the Board receive the information.
9. **FISCAL YEAR 2010 AUDIT PLAN OF THE OFFICE OF THE CHIEF AUDITOR:**
RECOMMENDATION: The Audit Committee recommends that the Board accept the plan.

CONTRACTS AND AGREEMENTS

10. **AWARDED CONTRACTS, APPROVED CHANGE ORDERS FROM APRIL 6, 2009 THROUGH MAY 3, 2009 AND REAL PROPERTY AGREEMENTS GRANTED AND ACCEPTED FROM APRIL 6, 2009 THROUGH MAY 3, 2009:**
RECOMMENDATION: Receive the report.
11. **AWARD A CONTRACT TO LEDCOR CONSTRUCTION, INC., FOR THE CONSTRUCTION AND INSTALLATION OF A REPLACEMENT AIRPORT AMBASSADOR SERVICE COUNTER IN TERMINAL 1:**
RECOMMENDATION: Adopt Resolution No. 2009-0080, awarding a contract to Ledcor Construction, Inc., in the amount of \$97,100, for Project No. 104043, Remodel Volunteer Center, Terminal 1, at San Diego International Airport ("SDIA").

12. **AUTHORIZE THE PRESIDENT/CEO TO AWARD AND EXECUTE A CONTRACT TO INSTALL SECURITY CAMERAS IN THE BAGGAGE MAKE-UP AREA, IN ALL TERMINALS:**
RECOMMENDATION: Adopt Resolution No. 2009-0081, authorizing the President/CEO to award and execute a contract to Install Security Cameras in the Baggage Make-up Area, Project No. 104073, in all Terminals at San Diego International Airport ("SDIA"), for a not-to-exceed value of \$250,000.00.
13. **AUTHORIZE THE PRESIDENT/CEO TO AWARD AND EXECUTE A CONTRACT TO CONSTRUCT A SECURITY EQUIPMENT COMPUTER SERVER ROOM AND INSTALL ADDITIONAL SECURITY CAMERAS AT SECURITY CHECKPOINTS IN ALL TERMINALS:**
RECOMMENDATION: Adopt Resolution No. 2009-0082, authorizing the President/CEO to award and execute a Contract for Project No. 104073, Construct a Security Server Room and Install Terminal Checkpoint Cameras, at San Diego International Airport ("SDIA"), for a not-to-exceed value of \$300,000.00.
14. **RESOLUTIONS AUTHORIZING THE GRANTING OF TWO EASEMENTS FOR INSTALLATION OF EQUIPMENT AND METER ACCESS BY SAN DIEGO GAS & ELECTRIC COMPANY AND FOR THE VACATION OF EXISTING EASEMENTS FOR THE REMOVAL OF UNNECESSARY EQUIPMENT IN CONJUNCTION WITH AUTHORITY'S 12KV PROJECT:**
RECOMMENDATION: 1) Adopt Resolution No. 2009-0086 authorizing the granting of an Easement to San Diego Gas and Electric Company ("SDG&E") for electrical service to San Diego International Airport associated with the Authority's 12kv project and requiring the removal of unnecessary equipment and vacation of associated existing Easements; and,
2) Adopt Resolution No. 2009-0087 authorizing the granting of an Easement to San Diego Gas and Electric Company ("SDG&E") for 12kv meter access at San Diego International Airport; both for terms commensurate with the remaining or extended term of the Authority's Lease from the San Diego Unified Port District (currently expiring December 31, 2068).

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

ITEM PULLED FROM THE CONSENT AGENDA FOR DISCUSSION:

5. JUNE 2009 LEGISLATIVE REPORT:

In response to Board Member Boland regarding if the Senate has taken a position on HR 915 - FAA Reauthorization Bill, Mike Kulis, Director, Inter-Governmental Relations, reported that the Senate is expected to introduce its own version of the bill soon and assuming that it passes the Senate, it will be conferenced with the House version.

RECOMMENDATION: Adopt Resolution No. 2009-0077, approving the June 2009 Legislative report.

ACTION: Moved by Board Member Boland and seconded by Board Member Finnilla to approve staff's recommendation. Motion carried by the following vote: YES – Boland, Desmond, Finnilla, Panknin, Watkins, Young, Zettel; NO – None; ABSENT – Smisek. (Weighted Vote Points: YES – 75; NO – 0; ABSENT - 11)

PUBLIC HEARINGS:

NEW BUSINESS:

Vice Chairperson Watkins announced that Item 16 was pulled from the agenda.

15. AUTHORIZE THE PRESIDENT/CEO TO EXECUTE CHANGE ORDERS FOR THE NAVAL TRAINING CENTER LANDFILL REMEDIATION PROJECT TO COVER COSTS FOR ADDITIONAL REMEDIATION AND UNKNOWN CONDITIONS:

Iraj Ghaemi, Director, Facilities Development, stated that the Naval Training Center Landfill Remediation project is on schedule, and under the current budget. He stated that due to prior unforeseen conditions in the soil, a change order will need to be negotiated with the contractor for an amount not to exceed \$3,800,000 prior to the next scheduled Board Meeting. Mr. Ghaemi stated that the project is due to be completed by the end of July, 2009.

Board Member Young expressed concern about having to authorize a change order of this amount without having all the pertinent facts finalized.

Thella F. Bowens, President/CEO, stated that a report is generated to the Board on a monthly basis showing all agreements, change orders, and leases that are signed by the President/CEO during the month, regardless of whether the items required Board approval.

Board Member Young requested an update on the contract once the amount is negotiated. He suggested that the change order be contingent on the Board's approval.

Board Member Young moved that the Board authorize the President/CEO to negotiate the change order, and that the change order be approved by the Board. The motion failed due to the lack of a second.

Board Member Zettel requested that staff provide a report on this item at the next Board Meeting after the contract is signed.

RECOMMENDATION: Adopt Resolution No. 2009-0083, authorizing the President/CEO to execute change orders for the Naval Training Center ("NTC") Landfill Remediation-Phase II Project in an amount not to exceed \$3,800,000 for Project No. 103044, to cover costs for additional remediation and unknown conditions, at San Diego International Airport ("SDIA").

ACTION: Moved by Board Member Finnila and seconded by Board Member Boland to approve staff's recommendation and directed that staff provide a report to the Board at its September meeting on what was negotiated. Motion carried by the following vote: YES – Boland, Desmond, Finnila, Panknin, Watkins, Zettel; NO – Young; ABSENT – Smisek. (Weighted Vote Points: YES – 62; NO – 13; ABSENT - 11)

16. **AUTHORIZE THE PRESIDENT/CEO TO AWARD A CONTRACT TO JACOBS CONSULTANCY INC., FOR FACILITY COMMISSIONING SERVICES ASSOCIATED WITH THE CAPITAL IMPROVEMENT PROGRAM AND TERMINAL DEVELOPMENT PROGRAM TO OPTIMIZE THE DELIVERY OF NEW FACILITIES FROM VARIOUS CONTRACTORS TO THE AUTHORITY:**

ACTION: This item was pulled from the agenda.

17. **DISCUSSION AND PROPOSED ADOPTION OF THE OPERATING BUDGET FOR FISCAL YEAR 2010 AND THE CAPITAL IMPROVEMENT PROGRAM BUDGET; AND AMEND POLICY 4.01 – ADOPTION OF BUDGET:**

Vernon Evans, Vice President, Finance/Treasurer, provided an overview presentation on the proposed adoption of the Operating Budget for Fiscal Year 2010, the Capital Improvement Program Budget, and Amendment of Policy 4.01 – Adoption of Budget which included : Revenue Budget Overview; Revenue Summary; Expense Budget Overview; FY2010 Budget vs. FY2009 Re-Forcast Expense Comparison; Expense Summary by Department; Expense Summary by Category; FY2010 to 2013 Capital Improvement Program & Terminal Development Program Interim Funding; Capital Summary; Proposed FY10-13 CIP Use of Funds; Proposed FY10-13 CIP Source of Funds; and Plan of Finance Proposed for FY10-13 CIP.

In response to Vice Chairperson Watkins regarding whether staff re-examined the categories of travel expenses, and business development expenses, as requested during the Budget Workshop to see if those figures could be trimmed back to the absolutely necessary amounts, Mr. Evans stated that staff did analyze the figures and recognized some potential savings; however, he stated that staff suggests that the amounts in these categories be adjusted as a line item, rather than adjust the entire budget.

Board Member Zettel expressed concern that the revision to the budget in regards to Travel and Business Development requested during the Budget Workshop had not been made.

Vice Chairperson Watkins clarified that since different departments define Business Development in various ways, the intent of the requested Budget revision at the Budget Workshop was to re-evaluate the non-marketing related Business Development items in the budget to see if those figures could be trimmed back by 10 percent, and to ensure that the focus of Business Development is kept on the marketing aspect of the airport, allocating ample funds necessary for needed increases and additional capacity at SDIA. He also stated that he did not want to hold back the budget from moving forward, and hoped that this additional clarification would be beneficial for staff.

Board Member Finnila suggested that at future Budget Workshops a "recommendation list" be developed and submitted to the Board for approval, and that the recommendations approved be forwarded to staff with direction.

Board Member Desmond stated that the requested amendment to the Authority Policy 4.01 should be revised to require the Executive Director to submit to the Board the Authority's proposed annual budget for the following fiscal year no less than 60 days prior to the end of the Authority's then current fiscal year.

RECOMMENDATION: Adopt Resolution No. 2009-0085, approving the Authority's Annual Operating Budget for Fiscal Year 2010, approving the Capital Improvement Program (CIP) Budget, and amend Authority Policy 4.01 – Adoption of Budget.

ACTION: Moved by Board Member Desmond and seconded by Board Member Finnila to adopt Resolution No. 2009-0085 R approving staff's recommendation and further amending Policy 4.01 requiring the Executive Director to submit to the Board the Authority's proposed annual budget for the following fiscal year no less than 60 days prior to the end of the Authority's then current fiscal year. Motion carried by the following vote: YES – Boland, Desmond, Finnila, Panknin, Watkins, Young, Zettel; NO – None; ABSENT – Smisek. (Weighted Vote Points: YES – 75; NO – 0; ABSENT - 11)

The Board recessed at 10:15 A.M. and reconvened at 10:26 A.M.

18. BOARD DISCUSSION AND POSSIBLE ACTION REGARDING THE POSSIBLE IMPLEMENTATION OF A PROJECT LABOR AGREEMENT FOR THE TERMINAL DEVELOPMENT PROGRAM:

Bryan Enarson, Vice President, Development, stated that at the May 20, 2009 Workshop, it was requested that the issue of Project Labor Agreements be brought forth to the Board for discussion, and that at this time an opportunity be provided for the Building Trade Council and the Labor Council to present information to the Board regarding Project Labor Agreements.

KEVIN ELLIOTT, SAN DIEGO, Associated General Contractors of America (AGC), spoke in opposition to implementing a Project Labor Agreement (PLA) for the Terminal Development Program.

GLENN HILLEGAS, SAN DIEGO, AGC Apprenticeship Program Director, spoke in opposition PLA's.

TOM LEMON, SAN DIEGO, spoke in support of PLA's on behalf of the Building and Construction Trade Council.

RICARDO FLORES, SAN DIEGO, spoke in support of PLA's on behalf of the Office of Susan Davis.

LORENA GONZALEZ, SAN DIEGO, spoke in support of PLA's on behalf of the San Diego Labor Council.

TERRY BROYLES, LA JOLLA, spoke in opposition of PLA's and urged the Board to allow all contractors to work on the Terminal Development Program project.

GEORGE W. HAWKINS, LA MESA, spoke in opposition of PLA's.

RICHARD MARKUSON, SACRAMENTO, spoke in opposition to a PLA on behalf of two local San Diego contractor groups, the American Fire Sprinklers Association, and the Western Electrical Contractors Association.

LUIS ANDRADE, SAN DIEGO, spoke in opposition to a PLA.

BRIAN JORDAN, SAN DIEGO, spoke in opposition to a PLA.

LARRY MC CLURE, ALPINE, spoke in opposition to a PLA.

ERIC CHRISTEN, POWAY, spoke on behalf of the Coalition for Fair Employment in Construction. He urged the Board to reject a PLA, and also provided a handout to the Board from the organization.

SHERRY YARBROUGH, SAN DIEGO, spoke in opposition to a PLA.

RON RUDOLPH, POWAY, spoke in opposition to a PLA.

BILL BABER, LA MESA, spoke in opposition to a PLA on the Terminal Development Program.

Board Member Young suggested that the Board accept the report and move forward with the Terminal Development Program.

Board Member Finnila stated that she did not see a reason to postpone action on this issue, and did not support having a PLA for the Terminal Development Program project.

In response to Board Member Zettel regarding how staff ensures that the issue of safety is addressed on the job site, Bryan Enarson, Vice President, Development, stated that this is an area that is of utmost importance at the airport, inclusive of job sites. He also stated that the Authority has a "double check" system between the safety check provided by the Authority staff, and the additional one provided by the contractor.

Board Member Desmond suggested that no action be taken on this item and to move forward with the Terminal Development Program without a Project Labor Agreement.

RECOMMENDATION: Discussion and possible action regarding the use of a Project Labor Agreement ("PLA") for the Terminal Development Program.

ACTION: The Board concurred that the Authority should move forward with the Terminal Development Program without a Project Labor Agreement.

The Board recessed at 11:40 A.M. and reconvened at 12:08 P.M.

Board Member Young left the dais at 12:08 P.M.

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

STANDING BOARD COMMITTEES

- **AUDIT COMMITTEE:**
Board Member Zettel reported that the Audit Committee met to conduct the evaluation of the Chief Auditor.
- **EXECUTIVE PERSONNEL AND COMPENSATION COMMITTEE:**
Board Member Watkins reported that the Committee has completed the evaluation of the General Counsel, and awaits the report from the Audit Committee for the Chief Auditor. He stated that one final meeting in this regard is to be held to evaluate the President/CEO.
- **FINANCE COMMITTEE:**
Board Member Watkins reported that the Finance Committee reviewed the budget at a Workshop on May 14, 2009.
- **TERMINAL DEVELOPMENT PROGRAM COMMITTEE:**
Board Member Boland reported that the next meeting of the Committee is scheduled for June 24, 2009.

AD HOC COMMITTEE

- **RASP/AMAP AD HOC COMMITTEE:**
Board Member Finnila reported that staff and the consultants completed a strategic assessment of all of the airports in the study, and that the Ad Hoc Committee made some necessary changes after reviewing the information. She stated that the primary objective was to identify airports for optimization, and that the assessment focused on each airport's strengths and weaknesses; future opportunities; and future challenges. She also reported that when completed, the Ad Hoc Committee will be developing some demand models and system scenarios. She reported that the Ad Hoc Committee requested that existing RASP's within the nation be evaluated to see if there is any valuable information to be gained, and that pursuant to this action, only two RASP's were given a second review: 1) Sacramento County Airport; and 2) Boston Logan Airport.

LIAISONS

- **MILITARY AFFAIRS LIAISONS:**
Board Member Boland reported that Colonel Ritchie is expected to be nominated as the replacement for former Ex-Officio Board Member Colonel O'Connor, and if so, he anticipates that he will be sworn in at the Board meeting in September, 2009.
- **AVIATION TECHNOLOGICAL ADVANCES:**
Board Member Desmond suggested that this group should be disbanded since there is no activity.
- **CALTRANS:**
Board Member Orso-Delgado (Ex Officio) reported that Cal Trans has broken ground on the second phase of Highway 905.

BOARD REPRESENTATIVES

- **SANDAG TRANSPORTATION COMMITTEE REPRESENTATIVE:**
Board Member Zettel reported that at the last meeting consideration was given to a mid-corridor transit project that would be a trolley extension from Old Town to the University of California, San Diego (UCSD), and University Town Center (UTC).
- **SCAG AVIATION TASK FORCE:**
Board Member Zettel reported that she and staff recently attended a meeting, and that a plan was being considered for the creation of a Southern California Aviation Steering Committee. She stated that this would appear to be similar to the now defunct SCRAA Committee.
- **WORLD TRADE CENTER:**
Board Member Watkins reported that the World Trade Center met last week, and that the organization reviewed its budget.

PRESIDENT/CEO REPORT

Thella F. Bowens, President/CEO, reported that immediately following the TDP Committee Meeting on June 24, 2009, all Board Members are invited to attend an Open House at the new Truxton Way property. She also reported that West Jet Airlines has begun service from San Diego to Calgary three times a week.

BOARD COMMENT:

Board Member Finnila stated that she had the opportunity to visit BizTown.

CLOSED SESSION: Breton Lobner, General Counsel, reported that Item 25, the *Majors vs. Transportation Security Administration* case was dismissed. The Board recessed into Closed Session at 12:22 P.M. to discuss Item 26.

19. **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION (Government Code Section 54956.9(a)):**
Britt v. San Diego County Regional Airport Authority, et al., San Diego Superior Court Case No. 37-2007-00072794-CU-MC-CTL
20. **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.
21. **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
22. **CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION:**
Initiation of litigation pursuant to Cal. Gov. Code §54956.9(c).
Number of potential cases: 1 (Nazbest-Pacific).
23. **CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION:**
Initiation of litigation pursuant to Cal. Gov. Code §54956.9(c).
Number of potential cases: 1 (Galaxy).
24. **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)
25. **CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION:**
Pursuant to Government Code Section 54956.9(a).
Majors v. Transportation Security Administration et al., U.S.D.C. So. Dist., Case No. 08 CV 2032 IEG POR.

- 26. CONFERENCE WITH REAL PROPERTY NEGOTIATORS:**
Real property negotiations pursuant to Cal. Gov. Code §§54954.5(b) and §54956.8.
Property: 1470 Bay Boulevard, Chula Vista, CA 91911
Agency Negotiators: Vernon D. Evans, Vice President, Finance/Treasurer
Negotiating Parties: GGTW, LLC
Under Negotiation: Sales and/or Lease – terms of payment and conditions.

REPORT ON CLOSED SESSION: The Board reconvened into open session at 1:10 P.M. There was no reportable action.

PUBLIC COMMENT:

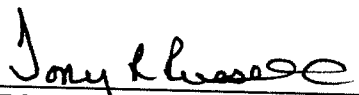
GENERAL COUNSEL REPORT:

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

ADJOURNMENT:

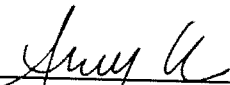
The meeting was adjourned at 1:11 P.M.

APPROVED BY A MOTION OF THE SAN DIEGO COUNTY REGIONAL AIRPORT AUTHORITY BOARD THIS 9TH DAY OF JULY, 2009.



TONY R. RUSSELL
DIRECTOR, CORPORATE SERVICES/
AUTHORITY CLERK

APPROVED AS TO FORM:



BRETON K. LOBNER
GENERAL COUNSEL