Call to Order / Introductions:

Chairman C. Terry Brown

Closed Session Public Comment
Public comment for ALL items on closed session agenda

Closed Session Items

1. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
Pursuant to Government Code section 54954.6(d)(1)
Name of Case: San Diegans for Open Government v. City of San Diego and All Persons Interested in the Matter of the San Diego Tourism Marketing District, et. al. San Diego County Superior Court No. 37-2012-00089065-CU-MC-CTL

2. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
Pursuant to Government Code section 54954.6(d)(1)
Name of Case: Melvin Shapiro v. City of San Diego and All Persons Interested in the Matter of the November 26, 2012 Action of the City of San Diego Adopting a Resolution to Renew the San Diego Tourism Marketing District, etc. al. San Diego County Superior Court No. 37-2012-00087765-CU-MC-CTL

Adjourn to Closed Session
Regular meeting convened at 10:00 a.m.

Brown

BROWN ACT:
Government Code 54950 (The Brown Act) requires that a brief description of each item to be transacted or discussed be posted at least 72 hours prior to a regular meeting. Action may not be taken on items not posted on the agenda. Meeting facilities are accessible to persons with disabilities. If you require special assistance to participate in the meeting, notify Lorin Stewart at (619) 209-6108 at least 48 hours prior to the meeting.

NOTICE TO PUBLIC:
You are welcomed and encouraged to participate in this meeting. Public comment is taken (3 minutes maximum per person) on items listed on the agenda when they are called. Public Comment on items not listed on the agenda will be heard at the meeting as noted on the agenda. Comments on controversial items may be limited and large groups are encouraged to select one or two speakers to represent the opinion of the group. The order of Agenda items is listed for reference and may be taken in any order deemed appropriate by the Board of Directors. The Agenda provides a general description and staff recommendations; however, the Board of Directors may take action other than what is recommended.
Call to Order / Introductions:
Chairman C. Terry Brown

Closed Session Report:

1. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
   Pursuant to Government Code section 54954.6(d)(1)
   Name of Case: San Diegans for Open Government v. City of San Diego and All Persons Interested in the
   Matter of the San Diego Tourism Marketing District, et. al. San Diego County Superior Court No. 37-2012-00088065-CU-MC-CTL

2. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
   Pursuant to Government Code section 54954.6(d)(1)
   Name of Case: Melvin Shapiro v. City of San Diego and All Persons Interested in the Matter of the
   November 26, 2012 Action of the City of San Diego Adopting a Resolution to Renew the San Diego
   Tourism Marketing District, etc. al. San Diego County Superior Court No. 37-2012-00087765-CU-MC-CTL

Public Comment:
   Public comment for ALL items on or not otherwise on the regular Agenda

Informational Items:
01) TMD Status
   02) Updated SDTMD FY2013 PT2 Cash Flow Analysis:

Action Items:

01) Approval of Minutes:
   January 04, 2013 and January 23, 2013 SDTMD meeting minutes will be reviewed, discussed, and considered for
   approval.

02) FY 2012 Performance Reports:
   The FY 2012 Draft Performance Report conducted by Robert R. Redwitz & Co will be presented and considered
   for approval.

03) FY 2013 PT1 San Diego Tourism Marketing District:
   The FY13 PT1 SDTMD: FY2013 Part 1 budget settle-up of original District funds will be reviewed, discussed, and
   considered for approval.

04) FY 2013 PT2 San Diego Tourism Marketing District:
   The FY13 PT2 SDTMD: FY2013 Part 2 budget will be reviewed, discussed, and considered for approval.

05) FY 2013 PT1 San Diego Tourism Authority (formerly ConVis):
   The FY13 PT1 SDTA (formerly ConVis) FY2013 Part 1 budget settle-up of original District funds will be
   reviewed, discussed, and considered for approval.
Adjournment of Board Meeting:

Brown

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SAN DIEGO TOURISM MARKETING DISTRICT
BOARD OF DIRECTORS MEETING
Bahia Resort Hotel, Shell Room
998 West Mission Bay Drive, San Diego, CA 92109
Friday, February 8, 2013
9:00 a.m.

MINUTES

Call to Order / Introductions:
C. Terry Brown, Chairman, called the meeting to order at 9:00 a.m.


Board members absent: Bill Evans.

Also in attendance: Lorin Stewart, Executive Director; Jere Batten, Batten Accountancy; John Lambeth, Civitas Advisors.

John Lambeth reported that members of the audience are welcome to address the Board on items on the agenda and items not on the agenda. Mr. Lambeth stated that Board members are discouraged from speaking with applications and must disclose any communications they have had with an applicant. Mr. Lambeth also informed the Board of the rules associated with recusal.

PUBLIC COMMENT

None.

CLOSED SESSION

Chairman Terry Brown adjourned the meeting to closed session at 9:00 a.m. Chairman Brown reconvened the meeting at 10:12 a.m.

John Lambeth reported out on one action taken in closed session. Chairman Brown was authorized to send a letter to Mayor Filner regarding signing the agreement between the TMD and City.

PUBLIC COMMENT

San Diego 2015 Celebration: Kevin Swanson asked for a correction of the minutes. He reported that he has nothing to do with Balboa Park. They are interested in the San Diego 2015 celebration and asking for $500.

INFORMATIONAL ITEMS

1. TMD Status: John Lambeth reported that the TMD was approved by Council in November. There are two ongoing lawsuits, but collections are continuing.

2. Updated SDTMD FY2013 PT2 Cash Flow Analysis: No report was made.
ACTION ITEMS

1.  Approval of Minutes: A motion was made by Bob Rauch to approve the January 4, 2013 minutes as amended to “San Diego 2105” instead of “Balboa Park.” There was a second from Richard Bartell. Yes 8, No 0, Abstain 0.

A motion was made by Patrick Duffy to approve the January 23, 2013 minutes. There was a second from John Schafer. Yes 8, No 0, Abstain 0.

2.  FY 2012 Performance Reports: Doug Clevinger from Redwitz reported on performance reports. Chairman Brown asked about Bayfair’s ROI of 58:1. Doug explained the process for determining ROI and how the audit was conducted.

Richard Bartell asked about Maritime Museum going from 38:1 to 5:1. Doug Clevinger responded that they were conservative in their counting and attracted fewer overnight stays.

There was a motion to approve the performance reports by Luis Barrios, and a second by Richard Bartell. Yes 8, No 0, Abstain 0.

3.  FY 2013 PT1 San Diego Tourism Marketing District: Jere reported that there is $342,019 projected to remain as of March 31, 2013. Jere reviewed monies to be spent for the opportunity/catastrophe fund, including $1.5M in legal retainers and support activities, $200k in renewal costs, and $65k for the ROI audits. A motion was made by John Schafer to approve the budget revisions, with a second by Luis Barrios. Yes 8, No 0, Abstain 0.

4.  FY 2013 PT2 San Diego Tourism Marketing District: Jere reviewed monies projected to be collected in the new District to be approximately $11.66 million in FY13PT2. A budget for FY13PT2 for the SDTMD, SDTA, Variable Distribution Category A and Category B was presented and reviewed for approval. Terry Brown recognized the expenditure of the monies requires a new agreement with the City. A motion was made by Patrick Duffy to approve the expenditures, and a second by John Schafer. Yes 8, No 0, Abstain 0.

Jere and Chairman Brown said to be reimbursed all invoices must be submitted to the TMD no later than May 31, 2013.

5.  FY 2013 PT1 San Diego Tourism Authority: Luis Barrios moved to approve Part 1 of the Tourism Authority, with a second by Richard Bartell. Yes 8, No 0, Abstain 0.

6.  FY 2013 PT2 San Diego Tourism Authority: Mohsen Khaleghi moved to approve Part 2 of the Tourism Authority, with a second by Patrick Duffy. Yes 8, No 0, Abstain 0.

7.  FY 2014 SDTMD Application Review Timeline: Lorin presented the timeline for reviewing applications. Chairman Brown suggested that the board go through the process of reviewing applications and allocating funds. Lorin said there would be board meetings every Friday from now through March 15. Bob Rauch suggested that the meetings stay focused. There was a motion by Patrick Duffy to adopt the new schedule, and a second by Terry Brown. Luis Barrios moved to approve Part 1 of the Tourism Authority, and a second by Richard Bartell. Yes 8, No 0, Abstain 0.

The meeting was adjourned by Chairman Brown without objection at 10:55 a.m.