



# ASSOCIATION OF CALIFORNIA AIRPORTS

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## BOARD OF DIRECTORS MINUTES

CONFERENCE CALL

10 am, Tuesday, February 14, 2012

### Board Members Present:

Mark Bautista, President  
Ron Elliott, Vice President  
Cory Hazlewood, Board Director  
Greg Marshall, Board Director  
Mary Hansen, Secretary/Treasurer  
Tom Weil, Board Director  
Martin Pehl, Board Director

### Board Members Absent:

Rod Probst, Board Director  
James Jenkins, Past President  
John Pfeifer, Board Director  
Chuck McCormick, Board Director  
Peter Drinkwater, Board Director  
Steve Birdsall, Board Director

### Call to Order

The meeting was called to order at 11:00 am by President Mark Bautista. The meeting started late due to set up of the conference call bridge.

### Confirmation of Quorum

A quorum was confirmed.

### Approval of Agenda

The meeting was called to consider approving an agreement with a third party that specifies ACA would not continue to use the tag line: "Doing something better, Together"

### Discussion

Since the last meeting, Mark contacted Mark Mispagel who is an attorney. He suggested that we engage an intellectual property loss specialist attorney to review the agreement as he was not current on the laws relating to trade marks and properties. Mark contacted his district counsel and has recommended an attorney for us to use. Mark will work on getting an engagement letter from the attorney. It is expected to cost \$395 per hour. It was suggested that the board take a vote on the proposal pending the legal review of the agreement. Although, it has been indicated that by common law, ACA owns the tag line. However, common law is not effective in all states. It may be better to do a quit claim deed to accomplish the purpose of the proposal.

*A motion to agree to no longer use the current ACA tag line and allow the President the authority to continue to work with legal counsel to determine the appropriate agreement to execute was made by Greg Marshall and seconded by Ron Elliott.*

*Discussion continued. It was asked about who would pay the attorney fees for the discovery action needed for legal review of the proposal. It was agreed by all that the motion should be amended to include that the proposed payment of \$10,000 should not include legal fees.*

*The motion was amended by Greg Marshall and seconded by Ron Elliott to include that the agreement determined would be for a payment of \$10,000 to ACA and the party paying for the use would absorb attorney fees up to \$1,000.*

*A roll call vote was called:*

*Greg Marshall – yes*

*Mary Hansen – no*

*Martin Pehl – yes*

*Ron Elliott – yes*

*Mark Bautista – yes*

*Tom Weil – yes*

*Cory Hazlewood – yes*

*The motion was approved.*

Mark will continue to work with the attorney and forward any amended agreement that is determined. The conference call meeting was adjourned at 11:20 am.

Submitted by,

Mary Hansen, Secretary

Approved:

Date:

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