



San Diego Unified Port District

3165 Pacific Hwy.
San Diego, CA 92101

Meeting Agenda Board of Port Commissioners

Tuesday, December 10, 2019

10:00 AM

Don L. Nay Port Administration Boardroom

Closed Session

Please complete a Request to Speak form prior to the commencement of the meeting and submit it to the District Clerk.

Items under the Consent Agenda section are considered to be routine, and will be acted upon with one vote. If you wish for an item to be removed from the Consent Agenda for further discussion, please submit your request to the District Clerk prior to the commencement of the meeting.

In keeping with the Americans with Disabilities Act (ADA), the San Diego Unified Port District will make every reasonable effort to encourage participation in all its public meetings. If you require assistance or auxiliary aids in order to participate at this public meeting, please contact the Office of the District Clerk at publicrecords@portofsandiego.org or (619) 686 6206 at least 48 hours prior to the meeting.

Any disclosable public records related to an open session item on a regular meeting agenda and distributed by the San Diego Unified Port District to all or a majority of the Board of Port Commissioners, including those records distributed less than 72 hours prior to that meeting, are available for public inspection at the Office of the District Clerk, 3165 Pacific Highway, San Diego, California during normal business hours.

For those planning to attend the Board meeting, accessible parking is available in the Port Administration Building parking lot. All parking spots marked "Reserved" in the main parking lot at 3165 Pacific Highway are available for use by the public on Board Meeting days. Overflow parking can be accommodated to the west of the Port Administration Building in the Port District Employee/Visitor parking.

For the agenda online and more information about the Commissioners' names and city representation, and future Board meeting dates, please visit our website at www.portofsandiego.org. As a courtesy to all who attend these public meetings, please turn all cell phones to off or vibrate before entering the Board Room.

A. Roll Call.**B. Public Communications.**

Please limit comments to 3 minutes per speaker. No actions may be taken on these items.

CLOSED SESSION

1. [2019-0473](#) Closed Session Item No. 1

CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
Pursuant to Subdivision (d)(1) of Government Code Section 54956.9

Enterprise Rent-A-Car Co. of Los Angeles, LLC, et al. v San Diego Unified Port District, et al.
San Diego Superior Court Case No. 37-2018-00028276-CU-MC-CTL

2. [2019-0474](#) Closed Session Item No. 2

CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
Pursuant to Subdivision (d)(1) of Government Code Section 54956.9

Enterprise Rent-A-Car Co. of Los Angeles, LLC, et al. v San Diego Unified Port District, et al.
San Diego Superior Court Case No. 37-2019-00029137-CU-MC-CTL

3. [2019-0476](#) Closed Session Item No. 3

CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
Pursuant to Subdivision (d)(1) of Government Code Section 54956.9

Regional Water Quality Control Board Investigative Order R9-2017-0081
Directing the San Diego Unified Port District and the City of San Diego to
Submit Technical Reports Pertaining to an Investigation of Sediment
Chemistry in San Diego Bay Adjacent to the Tenth Avenue Marine
Terminal, Cesar Chavez Park and Pacific Maritime Freight

4. [2019-0481](#) Closed Session Item No. 4

CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION
Significant exposure to litigation Government Code Section 54956.9(d)(2)

Two (2) Cases

5. [2019-0483](#) Closed Session Item No. 5

CONFERENCE WITH LEGAL COUNSEL - INITIATION OF LITIGATION

Pursuant to Subdivision (d)(4) of Government Code Section 54956.9

One (1) Case

6. [2019-0499](#) Closed Session Item No. 6

CONFERENCE WITH REAL PROPERTY NEGOTIATOR
Government Code Section 54956.8

Property: Approximately 150,000 square feet of unleased land at 3280
North Harbor Drive, San Diego

Negotiating Parties:

San Diego County Regional Airport Authority - Eric Podnieks
SDUPD - Shaun Sumner, Tony Gordon, Annette Dahl, Ken Wallis

Under Negotiations: Price and Terms

7. [2019-0484](#) Closed Session Item No. 7

CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
Pursuant to Subdivision (d)(1) of Government Code Section 54956.9

CPUC Proceeding A.17-09-005: Application of San Diego Gas & Electric
Company for Authority to Implement Rate Relief and Increase Spend in
Support of the San Diego Unified Port District's Energy Management Plan

8. [2019-0493](#) Closed Session Item No. 8

CONFERENCE WITH REAL PROPERTY NEGOTIATOR
Government Code Section 54956.8

Property: Approximately 13,802 sqf of land area and approximately
33,079 sqf of water area located at 2540 Shelter Island
Drive, in the city of San Diego CA 92106

Negotiating Parties:

High Seas Marine Enterprises, LLC - Ingrid Poole Williams, Mike Hallmark
and Angela Hallmark
SDUPD - Tony Gordon, Christian Anderson, Christian de Manielle

Under Negotiations: Price and Terms

9. [2019-0494](#) Closed Session Item No. 9

CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
Pursuant to Subdivision (d)(1) of Government Code Section 54956.9

San Diego Unified Port District, et al. v. Monsanto Company, et al.
United States District Court Case No. 15-CV-0578 WQH (JLB)