



San Diego Unified Port District

3165 Pacific Hwy.
San Diego, CA 92101

Special Meeting Minutes

Board of Port Commissioners

Tuesday, September 12, 2017

10:00 AM

10:00 AM - Pacific Daylight Time
Don L. Nay Port Administration Boardroom
3165 Pacific Highway
San Diego, CA

Revised Closed Session Agenda
10:00 AM - Pacific Daylight Time
12:00 Noon - Central Daylight Time
Teleconference Location - University Room
City of Nashville, Fulton Campus
Lindsley Hall
700 2nd Avenue South
Nashville, TN

A. Roll Call.

Present: 7 - Commissioner Bonelli, Commissioner Castellanos, Commissioner Malcolm, Commissioner Merrifield, Commissioner Moore, Chairperson Valderrama, and Commissioner Zucchet

Excused: 0

Absent: 0

Officers Present: Coniglio, DeAngelis, Russell, Monson, and Deuel.

B. Public Communications.

None.

CLOSED SESSION

Thomas A. Russell, General Counsel, announced the Closed Session items as follows:

1. [2017-0449](#) Closed Session Item No. 1

 CONFERENCE WITH LEGAL COUNSEL - INITIATION OF LITIGATION
 Pursuant to Subdivision (d)(4) Government Code Section 54956.9

 One (1) Case

 There was no reportable action taken on this item.

2. [2017-0445](#) Closed Session Item No. 2

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

 San Diego Unified Port District v. Landmark Insurance Company, et al.
 United States District Court Case No. 15-CV-1401 BEN-MDD

 There was no reportable action taken on this item.

3. [2017-0456](#) Closed Session Item No. 3

 CONFERENCE WITH REAL PROPERTY NEGOTIATOR
 Government Code Section 54956.8

 Property: Approximately 1,586,203 square feet of tideland area located at
 333 West Harbor Drive in the City of San Diego, California
 Negotiating Parties:
 Pacific Gateway, Ltd. dba San Diego Marriott Marquis and Marina -
 Christopher Ostapovicz
 SDUPD - Shaun Sumner, Chris Hargett, Tony Gordon, and Christian
 Anderson

 There was no reportable action taken on this item.

4. [2017-0401](#) Closed Session Item No. 4

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

 San Diego Unified Port District v Rohr, Inc., et al.
 San Diego Superior Case No. 37-2016-00027016-CU-EI-CTL

 There was no reportable action taken on this item.

5. [2017-0442](#) Closed Session Item No. 5

CONFERENCE WITH REAL PROPERTY NEGOTIATOR
Government Code Section 54956.8

Property: Approximately 146,070 square feet of tideland area located at 1220 Pacific Highway in the City of San Diego, California and approximately 20,743 square feet of tideland area located at the corner of Pacific Highway and Harbor Drive in the City of San Diego, California

Negotiating Parties:

United States Navy - Joe Stuyvesant

SDUPD - Randa Coniglio, Shaun Sumner, Tony Gordon

Under Negotiations: Price and Terms

There was no reportable action taken on this item.

6. [2017-0443](#) Closed Session Item No. 6

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

United States of America v. 1.647 Acres; San Diego Unified Port District, et al.

United States District Court Case No. 15-CV-01859-L-DHB

There was no reportable action taken on this item.

7. [2017-0444](#) Closed Session Item No. 7

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

San Diego Unified Port District v. United States of America, et al.

United States District Court Case No.: 16CV02540 W DHB

There was no reportable action taken on this item.

8. [2017-0446](#) Closed Session Item No. 8

CONFERENCE WITH REAL PROPERTY NEGOTIATOR
Government Code Section 54956.8

Property: SDUPD - Approximately 128,009 square feet of tideland area and 467,650 square feet of water located at 2051 Shelter Island Drive in the City of San Diego, California

Negotiating Parties:

Bartell Hotels - Richard Bartell

SDUPD - Shaun Sumner, Anthony Gordon, Chris Hargett, James Hammel, Sean Jones

Under Negotiations: Price and Terms

There was no reportable action taken on this item.

9. [2017-0447](#) Closed Session Item No. 9

CONFERENCE WITH REAL PROPERTY NEGOTIATOR
Government Code Section 54956.8

Property: SDUPD - Approximately 16,000 square feet of tideland area and 126,347 square feet of water located at 2353-2385 Shelter Island Drive in the City of San Diego, California

Negotiating Parties:

ABC Barge & Equipment, Inc. dba Tonga Landing - Tom Nielsen, Bruce Kleege, Robert Bruce Kleege and Brenda F. Kleege husband and wife as joint tenants; Don Beaumont and Lisa Beaumont husband and wife as joint tenants and Thomas Nielsen and Geri Nielsen husband and wife as joint tenants dba Gold Coast Anchorage - Tom Nielsen, Bruce Kleege
SDUPD - Shaun Sumner, Anthony Gordon, Adam Meyer, Sean Jones

Under Negotiations: Price and Terms

There was no reportable action taken on this item.

10. [2017-0448](#) Closed Session Item No. 10
- CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION
Significant exposure to litigation Government Code Section 54956.9(d)(2)
- Two (2) Cases
- Commissioner Castellanos recused himself and did not participate in this matter. There was no reportable action taken on this item.*
11. [2017-0457](#) Closed Session Item No. 11
- CONFERENCE WITH REAL PROPERTY NEGOTIATOR
Government Code Section 54956.8
- Property: Approximately 9-acre site adjacent to the East Basin Industrial Subarea on Harbor Island located in the City of San Diego, California
Negotiating Parties: Shaun Sumner, Anthony Gordon, Adam Meyer, Wendy Ong, Sean Jones - SDUPD; Uri Feldman - Sunroad HIE Hotel Partners, L.P.
Under Negotiations: Price and Terms
- Commissioner Castellanos recused himself and did not participate in this matter. There was no reportable action taken on this item.*
12. [2017-0463](#) Closed Session Item No. 12
- CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
Pursuant to Subdivision (d)(1) of Government Code Section 54956.9
- San Diego Unified Port District v. The California Coastal Commission, et al.
San Diego Superior Court Case No. 37-2015-00034288-CU-WM-CTL
- Commissioner Castellanos recused himself and did not participate in this matter. There was no reportable action taken on this item.*

13. [2017-0465](#) Closed Session Item No. 13

CONFERENCE WITH REAL PROPERTY NEGOTIATOR
Government Code Section 54956.8

Property: The San Diego Convention Center located at 111 West Harbor Drive, San Diego, CA 92101

Negotiating Parties:
City of San Diego - Scott Chadwick
SDUPD - Randa Coniglio and Shaun Sumner

Under Negotiations: Price and Terms

There was no reportable action taken on this item.

*Secretary, Board of Port Commissioners
San Diego Unified Port District*

ATTEST:

Clerk of the San Diego Unified Port District,