



San Diego Unified Port District

3165 Pacific Hwy.
San Diego, CA 92101

Special Meeting Minutes

Board of Port Commissioners

Tuesday, November 14, 2023

11:00 AM

Don L. Nay Port Administration Boardroom

Closed Session

A. Roll Call.

Present: 6 - Chair Rafael Castellanos, Commissioner Dan Malcolm, Commissioner Ann Moore, Commissioner Danielle Moore, Commissioner Sandy Naranjo, and Commissioner Frank Urtasun

Excused: 1 - Commissioner Michael Zucchet

Absent: 0

Recused: 0

Commissioner Ann Moore was excused until she arrived.

Officers Present: Coniglio, Morales, Russell and Yeilding

B. Statement (just cause) and/or Consideration of a Request to Participate Remotely (emergency circumstances) by a Commissioner, if applicable

No requests were received.

C. Public Communications.

The following member(s) of the public addressed the Board with non agenda-related comments: None

CLOSED SESSION

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

1. [2023-0281](#) Closed Session Item No. 1

CONFERENCE WITH REAL PROPERTY NEGOTIATOR
Government Code Section 54956.8

Property: SDUPD - Parcels of land totaling approximately 147,642 square feet, 45,590 square feet, and 25,643 square feet located adjacent to

Convention Way between Marina Park Way and Park Blvd. in the City of San Diego, California

Negotiating Parties:

Fifth Avenue Landing, LLC - Arthur E. Engel and Raymond A. Carpenter

SDUPD - Alexa Paulus, Adam Meyer, Tony Gordon, Shaun Sumner

Under Negotiations: Price and Terms

No reportable action was taken on this item.

2. [2023-0271](#)

Closed Session Item No. 2

CONFERENCE WITH REAL PROPERTY NEGOTIATOR

Government Code Section 54956.8

Property: SDUPD - Approximately 53,657 square feet of tideland and water area located at 525 E Harbor Drive in the City of San Diego, California

Negotiating Parties:

Free Range Holdings, LLC - Kyle Noonan, Josh Sepkowitz

The San Diego Symphony Orchestra Association - Martha Gilmer, Katy McDonald, Richard Ledford

SDUPD - Shaun Sumner, Anthony Gordon, Adam Meyer, Alexa Paulus, Donovan Martinez

Under Negotiations: Price and Terms

No reportable action was taken on this item.

3. [2023-0297](#)

Closed Session Item No. 3

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 TWR (AGS)

City of Long Beach v. Monsanto Company, et al.
United States District Court Case No. 2:16-CV-03493-FMO-AS

No reportable action was taken on this item.

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

ATTEST:

Clerk of the San Diego Unified Port District