



# San Diego Unified Port District

3165 Pacific Hwy.  
San Diego, CA 92101

## Special Meeting Minutes

### Board of Port Commissioners

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Thursday, October 13, 2016

9:30 AM

Don L. Nay Port Administration Boardroom

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#### Closed Session

#### A. Roll Call

**Present:** 6 - Commissioner Castellanos, Commissioner Malcolm, Chairperson Merrifield, Commissioner Moore, Commissioner Nelson, and Commissioner Valderrama

**Excused:** 1 - Commissioner Bonelli

**Absent:** 0

*Commissioner Moore was excused until she arrived at 12:09 pm.*

*Officers Present: Conigilio, DeAngelis, Russell, and Monson.*

#### B. Public Communications.

*None.*

#### CLOSED SESSION

1. [2016-0588](#) Closed Session Item No. 1

PUBLIC EMPLOYEE PERSONNEL EVALUATION:

GENERAL COUNSEL

Government Code Section 54957

**No reportable action was taken.**

2. [2016-0576](#) Closed Session Item No. 2

CONFERENCE WITH REAL PROPERTY NEGOTIATOR

Government Code Section 54956.8

Property: SDUPD - Approximately 314,436 square feet located on and adjacent to 910 North Harbor Drive, San Diego, CA

Negotiating Parties: John P. McLaughlin - USS Midway Museum; Randa Coniglio, Shaun Sumner, and Anthony Gordon - SDUPD

Under Negotiations: Price and Terms

**No reportable action was taken.**

3. [2016-0575](#)

Closed Session Item No. 3

CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION

Significant exposure to litigation Government Code Section 54956.9(d)(2)

Three (3) Cases

**No reportable action was taken.**

4. [2016-0577](#)

Closed Session Item No. 4

CONFERENCE WITH REAL PROPERTY NEGOTIATOR

Government Code Section 54956.8

Property: Approximately 14,352 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: Joe Stuyvesant, United States Navy  
Randa Coniglio, Shaun Sumner, Tony Gordon, SDUPD

Under Negotiations: Price and Terms

**No reportable action was taken.**

5. [2016-0578](#)

Closed Session Item No. 5

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

**No reportable action was taken.**

6. [2016-0585](#)

Closed Session Item No. 6

CONFERENCE WITH REAL PROPERTY NEGOTIATOR

Government Code Section 54956.8

Property: Approximately 70 acres (approximately 40 of land and 30 of water), excluding any area proposed for a hotel, within the Tuna Harbor and

Marina Zone Subarea of Planning District 3, known as the Central Embarcadero

Negotiating Parties: Jeffrey Essakow, Yehudi Gaffen and Jeff Jacobs - 1HWY1/Protea Waterfront Development; Randa Coniglio, T. Scott Edwards, Shaun Sumner, Anthony Gordon, Penny Maus, Lucy Contreras-SDUPD; Andrew Phillips and Matthew Do - Jones Lang LaSalle  
Under Negotiations: Price and Terms

**No reportable action was taken.**

7. [2016-0586](#) Closed Session Item No. 7

CONFERENCE WITH REAL PROPERTY NEGOTIATOR  
Government Code Section 54956.8

Property: SDUPD - Chula Vista Marina consisting of approximately 223,549 square feet of land and 856,522 square feet of water at 550 Marina Parkway, Chula Vista

Negotiating Parties: Kevin Moriarty - Chula Vista Marina/RV Park, Ltd.; Randa Coniglio, Shaun Sumner, Adam Meyer, Stephanie Shook, and Anthony Gordon- SDUPD

Under Negotiations: Price and Terms

**No reportable action was taken.**

8. [2016-0581](#) Closed Session Item No. 8

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

San Diego Yacht Club v. San Diego Unified Port District  
San Diego Superior Court Case No. 37-2015-00028483-CU-CO-CTL

*Commissioner Malcolm recused himself from any participation in regard to Closed Session Agenda Item 8 – File No. 2016-0581 due to a relationship between himself and the parties involved in the matter.*

**No reportable action was taken.**

9. [2016-0583](#) Closed Session Item No. 9

CONFERENCE WITH REAL PROPERTY NEGOTIATOR  
Government Code Section 54956.8

Property: SDUPD - Approximately 308,079 square feet of land and 907,790 square feet of water area located on 1011 Anchorage, San Diego, CA

Negotiating Parties: Douglas C. Werner - San Diego Yacht Club; Shaun Sumner, Anthony Gordon, Christopher Hargett, and Mavis Anguiano - SDUPD

Under Negotiations: Price and Terms

*Commissioner Malcolm recused himself from any participation in regard to Closed Session Agenda Item 9 – File No. 2016-0583 due to a relationship between himself and the parties involved in the matter.*

**No reportable action was taken.**

**10.**     [2016-0579](#)     Closed Session Item No. 10

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

Cecil Rosen v. San Diego Unified Port District  
San Diego Superior Court Case No. 37-2016-00014823-CL-PO-CTL

**The Board authorized the initiation of litigation for indemnity on Closed Session Agenda Item 10 – File No. 2016-0579.**

**11.**     [2016-0584](#)     Closed Session Item No. 11

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

One (1) Case

**The Board authorized the initiation of litigation for indemnity on Closed Session Agenda Item 11 – File No. 2016-0584.**

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

ATTEST:

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*Clerk of the San Diego Unified Port District.*