



# San Diego Unified Port District

3165 Pacific Hwy.  
San Diego, CA 92101

## Meeting Minutes

### Board of Port Commissioners

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Tuesday, August 14, 2018

10:00 AM

Pacific Daylight Time

Don L. Nay Port Administration Boardroom

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#### Revised Closed Session Agenda

##### Teleconference Location

7:00 AM - Hawaii Standard Time

Residence Inn Maui-Wailea, Molokini Room

75 Wailea Ike, Wailea, Maui, Hawaii 96753

#### A. Roll Call.

**Present:** 6 - Commissioner Bonelli, Chairperson Castellanos, Commissioner Malcolm, Commissioner Moore, Commissioner Valderrama, and Commissioner Zucchet

**Excused:** 1 - Commissioner Merrifield

**Absent:** 0

*Commissioner Moore was excused until she arrived at 10:57 am.*

*Officers Present: Coniglio, DeAngelis, Monson, Morales, and Russell*

#### B. 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. [2018-0376](#) Closed Session Item No. 1

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)

*No reportable action was taken on this item.*

2. [2018-0353](#) 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. 37-2018-00028276-CU-MC-CTL
- No reportable action was taken on this item.*
3. [2018-0354](#) Closed Session Item No. 3
- CONFERENCE WITH LEGAL COUNSEL - INITIATION OF LITIGATION  
Pursuant to Subdivision (d)(4) Government Code Section 54956.9
- One (1) Case
- No reportable action was taken on this item.*
4. [2018-0377](#) 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
- No reportable action was taken on this item.*
5. [2018-0355](#) Closed Session Item No. 5
- CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION  
Pursuant to Subdivision (d)(1) of Government Code Section 54956.9
- San Diego Unified Port District v. San Diego Gas & Electric Company, et al.  
San Diego Superior Court Case No. 37-2017-00041251-CU-BC-CTL
- No reportable action was taken on this item.*
6. [2018-0351](#) Closed Session Item No. 6
- CONFERENCE WITH REAL PROPERTY NEGOTIATOR  
Government Code Section 54956.8
- Property: SDUPD - Parcels consisting of approximately 432,741 square feet of land area and 358,756 of water area at North side of G Street at terminus of both Quay Avenue and Sandpiper Way, Chula Vista,

commonly known as 997 G Street, Chula Vista, CA

Negotiating Parties:

Marine Group Boat Works - Todd Roberts and George Palermo

SDUPD - Shaun Sumner, Anthony Gordon, Adam Meyer, Lucy Contreras

Under Negotiations: Price and Terms

*No reportable action was taken on this item.*

7. [2018-0375](#) Closed Session Item No. 7

CONFERENCE WITH REAL PROPERTY NEGOTIATOR

Government Code Section 54956.8

Property: SDUPD - Parcels consisting of approximately 47,475 square feet of land area and 42,570 square feet of water area at the southwestern end of America's Cup Harbor, which parcel is commonly known as 2702 Shelter Island Drive, San Diego, California 92106

Negotiating Parties:

Driscoll, Inc. dba Intrepid Boatworks - Thomas A. Driscoll, President

SDUPD - Christian de Manielle, Chris Hargett, Tony Gordon, Shaun Sumner and Simon Kann

Under Negotiations: Price and Terms

*No reportable action was taken on this item.*

8. [2018-0378](#) Closed Session Item No. 8

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 - Adam Meyer, Tony Gordon, Shaun Sumner

Under Negotiations: Price and Terms

*No reportable action was taken on this item.*

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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*