



San Diego Unified Port District

3165 Pacific Hwy.
San Diego, CA 92101

Special Meeting Minutes - Draft Board of Port Commissioners

Tuesday, October 6, 2015

10:00 AM

Don L. Nay Port Administration Boardroom

Closed Session

A. Roll Call

Present: 6 - Commissioner Bonelli, Commissioner Castellanos, Commissioner Malcolm, Commissioner Merrifield, Commissioner Nelson, and Commissioner Valderrama
Excused: 1 - Commissioner Moore
Absent: 0

*Commissioner Moore was excused until she arrived at 10:10 a.m.
Officers Present: Coniglio, Deuel, and Russell*

B. Public Communications.

None.

CLOSED SESSION

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

1. [2015-1669](#) Closed Session Item No. 1

CONFERENCE WITH REAL PROPERTY NEGOTIATOR
Government Code Section 54956.8

Property: SDUPD - Chula Vista Bayfront parcel consisting of approximately 36.5 acres of land at H Street and Marina Parkway, Chula Vista

Negotiating Parties: Ira Mitzner and Luke Charlton - RIDA Development Corporation

Shaun Sumner, Anthony Gordon, Adam Meyer, Jenner Smith, Chris Hargett, Lesley Nishihira - SDUPD Paul Marra - Keyser Marston Associates, Bruce Baltin - PKF Consulting

Under Negotiations: Price and Terms

2. [2015-1657](#) Closed Session Item No. 2

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

The Successor Agency for the Redevelopment Agency of the City of Chula Vista v. Rohr, Inc., a Delaware Corporation, et al.
San Diego Superior Case No. 37-2013-00077440-CU-TT-CTL

3. [2015-1647](#) Closed Session Item No. 3

CONFERENCE WITH REAL PROPERTY NEGOTIATOR
Government Code Section 54956.8

Property: Approximately 4 acres of land known as the triangle parcel at the intersection of Marina Parkway and G Street in Chula Vista

Negotiating Parties: Geoffrey Robinson, Kyle Strong and Rick Siordia - Rohr, Inc.
Randa Coniglio, Shaun Sumner, Chris Hargett, and Adam Meyer - SDUPD

Under Negotiations: Price and Terms

4. [2015-1646](#) Closed Session Item No. 4

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

SLPR LLC, et al. v. San Diego Unified Port District and State of California, et al.
San Diego Superior Court Case No. GIC 860766-1[Consolidated with 37-2008-000791750-CU-OR-CTL]

5. [2015-1662](#) Closed Session Item No. 5

CONFERENCE WITH REAL PROPERTY NEGOTIATOR
Government Code Section 54956.8

Property: Approximately 10.7 acres of tideland area located on the southwest corner of Harbor Drive and Eighth Avenue in the City of San Diego, California

Negotiating Parties: David Sloan, Sunstone Hotel Investors, Inc.
Randa Coniglio, Shaun Sumner, Tony Gordon, Jenner Smith SDUPD

Under Negotiations: Price and Terms

6. [2015-1661](#) Closed Session Item No. 6

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, Jenner Smith SDUPD

Under Negotiations: Price and Terms

7. [2015-1658](#) 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. Driscoll Inc., a California corporation, et al.

San Diego Superior Case No. 37-2014-00038171-CU-OR-CTL

- 8. [2015-1659](#) Closed Session Item No. 8

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

San Diego Unified Port District v. Driscoll Inc., a California corporation, et al.
San Diego Superior Case No. 37-2015-00009627-CU-BC-CTL

- 9. [2015-1660](#) Closed Session Item No. 9

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

- 10. [2015-1648](#) Closed Session Item No. 10

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

Rohr, Inc., a United Technologies Aerospace Systems Company

- 11. [2015-1663](#) Closed Session Item No. 11

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

Two (2) cases

- 12. [2015-1667](#) Closed Session Item No. 12

CONFERENCE WITH REAL PROPERTY NEGOTIATOR
Government Code Section 54956.8

Property: SDUPD - Undeveloped site at the intersection of Bay Boulevard and H Street, Chula Vista

Negotiating Parties: Jamie Carroll - Blue Water Development, LLC; Randa Coniglio, Shaun Sumner, Chris Hargett and Adam Meyer- SDUPD

Under Negotiations: Price and Terms

13. [2015-1649](#) Closed Session Item No. 13

PUBLIC EMPLOYEE PERSONNEL EVALUATION:
GENERAL COUNSEL
Government Code Section 54957

Closed Session Report Out.

Thomas Russell, General Counsel, announced the Board considered the items on the Closed Session Agenda. He stated that in regard to Closed Session Item - 4 File No. 2015-1646, the Board, by a 7-0 vote authorized the filing of a cross complaint against the plaintiffs. He announced that in regard to Closed Session Item 9 - File No. 2015-1660, the Board by a 7-0 vote authorized the defense of a lawsuit brought by the United States. There was no other reportable action.

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

ATTEST:

Clerk of the San Diego Unified Port District,