



# San Diego Unified Port District

3165 Pacific Hwy.  
San Diego, CA 92101

## Meeting Agenda Board of Port Commissioners

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Tuesday, June 20, 2017

10:00 AM

Don L. Nay Port Administration Boardroom

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### Closed Session

Please note: Additional Agenda Related Information may be added to this agenda prior to 72 hours before the meeting.

Please complete a Request to Speak form prior to the commencement of the meeting and submit it to the District Clerk.

Items under the Consent Agenda section are considered to be routine, and will be acted upon with one vote. If you wish for an item to be removed from the Consent Agenda, submit your request to the District Clerk prior to the commencement of the meeting.

Agendas are available in alternative formats upon request. If you require assistance or auxiliary aids in order to participate at public meetings, please contact Office of the District Clerk at [publicrecords@portofsandiego.org](mailto:publicrecords@portofsandiego.org) or (619) 686-6206 within 24 hours of the meeting.

Any disclosable public records related to an open session item on a regular meeting agenda and distributed by the San Diego Unified Port District to all or a majority of the Board of Port Commissioners, including those records distributed less than 72 hours prior to that meeting, are available for public inspection at the Office of the District Clerk, 3165 Pacific Highway, San Diego, California during normal business hours.

For those planning to attend the Board meeting, accessible parking is available in the Port Administration Building parking lot. Overflow parking can be accommodated to the west of the Port Administration Building in the Port District Employee/Visitor parking.

For the agenda online and more information about the Commissioners' names and city representation, and future Board meeting dates, please visit our website at [www.portofsandiego.org](http://www.portofsandiego.org). As a courtesy to all who attend these public meetings, please turn all cell phones to off or vibrate before entering the Board Room.

**A. Roll Call.****B. Public Communications.**

*Please limit comments to 3 minutes per speaker. No actions may be taken on these items.*

**CLOSED SESSION**

1.     [2017-0331](#)     Closed Session Item No. 1  
  
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 and 37-2016-00025353-CU-EI-CTL]
2.     [2017-0295](#)     Closed Session Item No. 2  
  
CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION  
Significant exposure to litigation Government Code Section 54956.9(d) (2)  
  
Two (2) Cases
3.     [2017-0333](#)     Closed Session Item No. 3  
  
CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION  
Pursuant to Subdivision (d)(1) of Government Code Section 54956.9  
  
San Diego Navy Broadway Complex Coalition v. California Coastal Commission, et al.  
San Diego Superior Court Case No. 37-2015-00019980-CU-WM-CTL
4.     [2017-0335](#)     Closed Session Item No. 4  
  
CONFERENCE WITH REAL PROPERTY NEGOTIATOR  
Government Code Section 54956.8  
  
Property: Approximately 34,069 square foot dining establishment on a platform over approximately 25,000 square feet of water located at 1360 North Harbor Drive in the City of San Diego, California  
Negotiating Parties: Shaun Sumner, Anthony Gordon, Adam Meyer, Wendy Ong - SDUPD; Mike Morton, Jr. - The Brigantine, Inc.  
  
Under Negotiations: Price and Terms

5.     [2017-0336](#)     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: Joe Stuyvesant, United States Navy  
Randa Coniglio, Shaun Sumner, Tony Gordon, SDUPD

Under Negotiations: Price and Terms

6.     [2017-0332](#)     Closed Session Item No. 6

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

7.     [2017-0334](#)     Closed Session Item No. 7

CONFERENCE WITH REAL PROPERTY NEGOTIATOR  
Government Code Section 54956.8

Property:   SDUPD - Approximately 147,642 square feet of land located  
on Parcel No. 1 and 45,590 square feet of land located on Parcel No. 2,  
with both parcels located at Fifth Avenue and Marina Park Way in the  
City of San Diego

Negotiating Parties: Arthur E. Engel and Raymond A. Carpenter - Fifth  
Avenue Landing, LLC; Adam Meyer, Tony Gordon, Shaun Sumner -  
SDUPD

Under Negotiations: Price and Terms

8.     [2017-0337](#)     Closed Session Item No. 8

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

9. [2017-0296](#) Closed Session Item No. 9

CONFERENCE WITH LEGAL COUNSEL - INITIATION OF  
LITIGATION

Pursuant to Subdivision (d)(4) Government Code Section 54956.9

Three (3) Cases