



# San Diego Unified Port District

3165 Pacific Hwy.  
San Diego, CA 92101

## Special Meeting Agenda

### Board of Port Commissioners

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Thursday, September 10, 2020

10:00 AM

Don L. Nay Port Administration Boardroom

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#### Closed Session

**\*\*\*\*Pursuant to Governor Newsom's Executive Order N-29-20 pertaining to the convening of public meetings in response to the COVID-19 pandemic, the BOARD OF PORT COMMISSIONERS (BOARD) hereby provides notice that it will hold a regular meeting of the BOARD. The COMMISSIONERS will attend the meeting and participate remotely to the same extent as if they were present.**

**Due to Governor Newsom's Executive Order, the Board Chambers will remain closed to the public.**

**MEMBERS OF THE PUBLIC MAY VIEW THIS MEETING VIA LIVESTREAM at:  
<https://portofsandiego.legistar.com/Calendar.aspx>**

**REMOTE PUBLIC COMMENT IS AVAILABLE FOR THIS MEETING DOING ONE OF THE FOLLOWING NO LATER THAN 9:00 AM ON THURSDAY, September 10, 2020:**

- 1. Call 619-736-2155 and leave a brief voicemail message (no longer than 3 minutes) that will be played during the meeting.**
- 2. Email a request to provide live comment to [PublicRecords@portofsandiego.org](mailto:PublicRecords@portofsandiego.org) to receive a link to participate in the meeting to provide live comments. \***
- 3. Submit written comments to [PublicRecords@portofsandiego.org](mailto:PublicRecords@portofsandiego.org) which will be forwarded to the Board and included in the agenda-related materials record for the meeting.**

**\* The Port of San Diego is not responsible for the member of the public's internet connections or technical ability to participate in the meeting. It is highly recommended that you use voicemail rather than provide live comment.**

**In keeping with the Americans with Disabilities Act (ADA), the San Diego Unified Port District will make every reasonable effort to encourage participation in all its public meetings. If you require assistance or auxiliary aids in order to participate at this public meeting, please contact the Office of the District Clerk at [publicrecords@portofsandiego.org](mailto:publicrecords@portofsandiego.org) or (619) 686-6206 at least 48 hours prior to the meeting.**

**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. [2020-0320](#) Closed Session Item No. 1  
  
PUBLIC EMPLOYEE APPOINTMENT:  
EXECUTIVE DIRECTOR/PRESIDENT/CHIEF EXECUTIVE OFFICER  
Government Code Section 54957  
  
To be effective upon future retirement of Executive  
Director/President/Chief Executive Officer.
2. [2020-0328](#) Closed Session Item No. 2  
  
PERSONNEL EVALUATION:  
GENERAL COUNSEL  
Government Code Section 54957
3. [2020-0325](#) Closed Session Item No. 3  
  
CONFERENCE WITH REAL PROPERTY NEGOTIATOR  
Government Code Section 54956.8  
  
Property: Approximately 194,000 square feet of land area located in  
Warehouse C at the Tenth Avenue Marine Terminal  
  
Negotiating Parties:  
Mitsubishi Cement Corporation - Mike Jasberg  
SDUPD - Shaun Sumner, Tony Gordon, Ryan Donald, Chris Hargett, Joel  
Valenzuela, and Michael LaFleur  
Under Negotiations: Price and Terms
4. [2020-0326](#) Closed Session Item No. 4  
  
CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION  
Significant exposure to litigation Government Code Section 54956.9(d)(2)  
  
Cays Resort, LLC  
  
By letter dated July 22, 2020, Rebecca L. Reed, an attorney with the  
Procopio law firm, acting on behalf of Cays Resort, LLC, alleged that  
certain District actions related to Cays' development proposal for its

leasehold premises, and actions related to the designation of land uses, constitute a breach of lease, an anticipatory breach of lease, notice violations and an inverse condemnation of the premises.

5. [2020-0324](#) Closed Session Item No. 5

CONFERENCE WITH REAL PROPERTY NEGOTIATOR

Government Code Section 54956.8

Property: SDUPD

Approximately 8,664 sqf of land area and approximately 133,755 sqf of water area located at 1403 Scott Street, San Diego CA 92106;

Approximately 9,343 sqf of land area and approximately 140,138 sqf of water area located at 2803 Emerson Street, San Diego CA 92106;

Approximately 21,074 sqf of land area and approximately 165,024 sqf of water area located at 2838 Garrison Street, San Diego CA 92106;

Approximately 96,342 sqf of land area and approximately 163,172 sqf of water area located at 4960 North Harbor Drive, San Diego CA 92106;

Approximately 9,600 sqf of land area located at the Western end of the North Harbor Drive parking lot, near the intersection of North Harbor Drive and Scott Street;

Approximately 54,000 sqf of land area located at 4980 North Harbor Drive, commonly referred to as the Westy's Parking Lot;

Approximately 33,000 sqf of land area located at the Western section of the North Harbor Drive parking lot, adjacent to Sun Harbor Marina;

Approximately 51,000 sqf of land area located at the Eastern section of the North Harbor Drive parking lot, adjacent to Point Loma Marina;

Approximately 4,700 sqf of land area located at the Eastern section of the North Harbor Drive parking lot, adjacent to the Navy leased property located near the intersection of North Harbor Drive and Echo Lane.

Negotiating Parties:

Point Loma Sportfishing Association, Inc., dba Point Loma Sportfishing - Frank Lo Preste;

United Sportfishers of San Diego, Inc., dba H & M Landing - Frank Ursitti;  
Fisherman's Landing Corporation, dba Fisherman's Landing - Frank Lo Preste, Tim Ekstrom, and Doug Kern;

Point Loma Marina, LLC, dba The Wharf - Greg Boeh

SDUPD - Randa Coniglio, Shaun Sumner, Tony Gordon, Ken Wallis, and  
Christian de Manielle

Under Negotiations: Price and Terms