



San Diego Unified Port District

3165 Pacific Hwy.
San Diego, CA 92101

Meeting Minutes

Board of Port Commissioners

Tuesday, December 11, 2018

10:00 AM

Don L. Nay Port Administration Boardroom

Closed Session

A. Roll Call.

Present: 5 - Commissioner Bonelli, Chairperson Castellanos, Commissioner Merrifield, Commissioner Valderrama, and Commissioner Zucchet

Excused: 2 - Commissioner Malcolm, and Commissioner Moore

Absent: 0

Commissioner Merrifield was excused until he arrived at 10:20 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. [2018-0548](#) Closed Session Item No. 1

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

Maria Esther Garcia v. San Diego Unified Port District, et al.
San Diego Superior Court Case No. 37-2017-00040548-CU-OE-CTL

No reportable action was taken on this item.

2. [2018-0523](#) Closed Session Item No. 2

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

San Diego Unified Port District v. Landmark Insurance Company, et al.
United States District Court Case No. 3:15-cv-01401 BEN (MDD)

No reportable action was taken on this item.

3. [2018-0547](#) Closed Session Item No. 3

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

In re Bankruptcy Embarcadero Restaurant Holdings
United States Bankruptcy Court, S.D. California
Case No. 18-06718-CL7

No reportable action was taken on this item.

4. [2018-0524](#) Closed Session Item No. 4

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:

Chula Vista Marina/RV Park, Ltd. - Kevin Moriarty

SDUPD - Randa Coniglio, Shaun Sumner, Adam Meyer, Stephanie
Shook, and Anthony Gordon

Under Negotiations: Price and Terms

No reportable action was taken on this item.

5. [2018-0526](#) Closed Session Item No. 5

CONFERENCE WITH REAL PROPERTY NEGOTIATOR
Government Code Section 54956.8

Property: Approximately 160,583 square feet of tideland area located at
200 Marina Park Way in the City of San Diego.

Negotiating Parties:

Symphony - Richard Ledford, Scott Williams, Robert Webster, Martha Gilmer, Katy McDonald;
SDUPD - Shaun Sumner, Tony Gordon, Adam Meyer, Stephanie Shook, Sean Jones, Joseph Smith

Under Negotiations: Price and Terms

No reportable action was taken on this item.

6. [2018-0536](#) Closed Session Item No. 6

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 - Lucy Contreras, Adam Meyer, Tony Gordon, Shaun Sumner

Under Negotiations: Price and Terms

No reportable action was taken on this item.

7. [2018-0537](#) Closed Session Item No. 7

CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION

Pursuant to Subdivision (d)(1) of Government Code Section 54956.9

San Diego Waterfront Coalition v. City of San Diego; San Diego Unified Port District, et al.

San Diego Superior Court Case No. 37-2018-00031832-CU-MC-CTL

No reportable action was taken on this item.

8. [2018-0527](#) Closed Session Item No. 8

CONFERENCE WITH LEGAL COUNSEL - INITIATION OF LITIGATION

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

One (1) Case

No reportable action was taken on this item.

9. [2018-0551](#) Closed Session Item No. 9

CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION
Significant exposure to litigation Government Code Section 54956.9(d)(2)

One (1) Case

No reportable action was taken on this item.

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

ATTEST:

Clerk of the San Diego Unified Port District