



San Diego Unified Port District

3165 Pacific Hwy.
San Diego, CA 92101

Special Meeting Minutes

Board of Port Commissioners

Tuesday, March 12, 2019

10:00 AM

Don L. Nay Port Administration Boardroom

Revised Closed Session Agenda

A. Roll Call.

Present: 7 - Chairperson Bonelli, Commissioner Castellanos, Commissioner Malcolm, Commissioner Merrifield, Commissioner Moore, Commissioner Valderrama, and Commissioner Zucchet

Excused: 0

Absent: 0

Commissioner Malcolm was excused until he arrived at 10:10 am.

Officers Present: Coniglio, DeAngelis, 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. [2019-0093](#) 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. [2019-0095](#) Closed Session Item No. 2

CONFERENCE WITH REAL PROPERTY NEGOTIATOR
Government Code Section 54956.8

Property: SDUPD - Chula Vista Bayfront parcel consisting of approximately 74.7 acres of land at H Street and Marina Parkway, Chula Vista

Negotiating Parties:

RIDA Chula Vista, LLC - Ira Mitzner and Luke Charlton;
City of Chula Vista - Gary Halbert;
SDUPD - Shaun Sumner, Tony Gordon, Adam Meyer, Stephanie Shook and Sean Jones.

Under Negotiations: Price and Terms

No reportable action was taken on this item.

3. [2019-0096](#) Closed Session Item No. 3

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.

4. [2019-0094](#) Closed Session Item No. 4

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

Two (2) Cases

The Board unanimously authorized the initiation of litigation against California State University in relation to a vessel allision with a Port pier by the vessel Golden Bear occurring on or about June 25, 2018. No other reportable action was taken.

5. [2019-0112](#) Closed Session Item No. 5

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

Carlsbad Police Officers Association, et al. v. City of Carlsbad, et al., San
Diego Superior Court Case Number 37-2019-00005450-CU-WM-CTL

No reportable action was taken on this item.

6. [2019-0113](#) Closed Session Item No. 6

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