



San Diego Unified Port District

3165 Pacific Hwy.
San Diego, CA 92101

Meeting Minutes

Board of Port Commissioners

Tuesday, June 20, 2017

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 Moore, and Chairperson Valderrama

Excused: 1 - Commissioner Zucchet

Absent: 0

Commissioner Moore was excused until she arrived at 11:41 am.

Officers Present: Coniglio, Russell, Deuel, DeAngelis and Monson

B. Public Communications.

*The following member of the public addressed the Board with agenda related comments:
Cory Briggs, San Diego Waterfront Coalition.*

CLOSED SESSION

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

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]

No reportable action was taken on this item.

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

No reportable action was taken on this item.

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

No reportable action was taken on this item.

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

No reportable action was taken on this item.

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

No reportable action was taken on this item.

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

No reportable action was taken on this item. Commissioner Castellanos recused himself and did not participate in this matter.

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

No reportable action was taken on this item.

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

No reportable action was taken on this item.

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

No reportable action was taken on this item. Commissioner Castellanos recused himself and did not participate in one of these matters.

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

ATTEST:

Clerk of the San Diego Unified Port District,