



San Diego Unified Port District

3165 Pacific Hwy.
San Diego, CA 92101

Meeting Minutes

Board of Port Commissioners

Tuesday, August 8, 2017

10:00 AM

Don L. Nay Port Administration Boardroom

Closed Session

A. Roll Call.

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

Excused: 2 - Commissioner Moore, and Commissioner Zucchet

Absent: 0

Officers Present: Conigilio, Gross, and Deuel.

B. Public Communications.

The following member(s) of the public addressed the Board with non-agenda related comments: None

CLOSED SESSION

Ellen Gross, Assistant General Counsel, announced the Closed Session items as follows:

1. [2017-0402](#) Closed Session Item No. 1

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:

United States Navy - Joe Stuyvesant

SDUPD - Randa Coniglio, Shaun Sumner, Tony Gordon

Under Negotiations: Price and Terms

No reportable action was taken on this item.

2. [2017-0404](#) Closed Session Item No. 2

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.

3. [2017-0394](#) Closed Session Item No. 3

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.

4. [2017-0393](#) Closed Session Item No. 4

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, California

Negotiating Parties:

Fifth Avenue Landing, LLC - Arthur E. Engel and Raymond A. Carpenter

SDUPD - Adam Meyer, Tony Gordon, Shaun Sumner

Under Negotiations: Price and Terms

No reportable action was taken on this item.

5. [2017-0406](#) Closed Session Item No. 5

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

San Diego Navy Broadway Complex Coalition, et al. v. California Coastal
Commission, et al.

San Diego Superior Case No. 37-2013-00077213-CU-TT-CTL

(Consolidated with Case No. 37-2014-00006987-CU-TT-CTL)

No reportable action was taken on this item.

6. [2017-0407](#) Closed Session Item No. 6

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

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