



# San Diego Unified Port District

3165 Pacific Hwy.  
San Diego, CA 92101

## Meeting Minutes

### Board of Port Commissioners

---

Tuesday, November 6, 2018

10:00 AM

Don L. Nay Port Administration Boardroom

---

#### Closed Session

#### A. Roll Call.

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

**Excused:** 0

**Absent:** 0

*Commissioner Merrifield was excused until he arrived at 10:03 am.*

*Commissioner Moore was excused until she arrived at 10:06 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. [2018-0500](#) 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 v. Landmark Insurance Company, et al.  
United States District Court Case No. 15-CV-1401 BEN-MDD

*No reportable action was taken on this item.*

2. [2018-0501](#) Closed Session Item No. 2

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.*

3. [2018-0502](#) Closed Session Item No. 3

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.*

4. [2018-0515](#) Closed Session Item No. 4

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.*

5. [2018-0503](#) Closed Session Item No. 5

CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION

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

CPUC Proceeding A.17-09-005: Application of San Diego Gas & Electric Company for Authority to Implement Rate Relief and Increase Spend in Support of the San Diego Unified Port District's Energy Management Plan

*No reportable action was taken on this item.*

6. [2018-0504](#) 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, 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.*

7. [2018-0505](#) Closed Session Item No. 7

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

Negotiating Parties:

United States Navy - Joe Stuyvesant

LPP Lane Field, LLC - Rob Langford and Roger Zampell

SDUPD - Shaun Sumner, Anthony Gordon, Adam Meyer, Lucy Contreras,  
Christian deManielle

Under Negotiations: Price and Terms

*No reportable action was taken on this item.*

8. [2018-0506](#) Closed Session Item No. 8

CONFERENCE WITH REAL PROPERTY NEGOTIATOR  
Government Code Section 54956.8

Property: Approximately 92,000 square feet of property located at the  
National Distribution Center located at 1022 Bay Marina Drive, National  
City, California

Negotiating Parties:

U.S. Coast Guard - Daniel McGrath

SDUPD - Shaun Sumner, Anthony Gordon, Joel Valenzuela, Ryan Donald,  
Lucy Contreras

Under Negotiations: Price and Terms

*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*