

**MINUTES
BOARD OF PORT COMMISSIONERS
SAN DIEGO UNIFIED PORT DISTRICT**

As previously posted, a special meeting of the Board of Port Commissioners of the San Diego Unified Port District was called to order by Chairman Bixler at 10:05 a.m., Tuesday, November 4, 2008, in the Board Room at 3165 Pacific Highway, San Diego, California.

ROLL CALL

Agenda Item 1.

Present: COMMISSIONERS Bixler, Black, Cushman, Najera, Rios, Spane, and Valderrama.
OFFICERS Bennett and Liner.
Vice President Mathiasen was present on behalf of the Executive Director.

Absent: No Commissioners absent.

Excused: Commissioner Rios was excused until such time as she arrived (at 10:07 a.m.).

PUBLIC COMMUNICATIONS

Agenda Item 2. None.

CLOSED SESSION

Chairman Bixler noted that there were no items on the open session agenda for discussion; whereupon, Port Attorney Duane Bennett announced agenda items 3 through 7 for the closed session agenda as follows:

Agenda Item 7.

CONFERENCE WITH REAL PROPERTY NEGOTIATOR
Government Code Section 54956.8

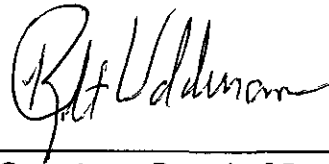
Property: Approximately 97 acres of vacant land west of Bay Boulevard at F Street, Chula Vista, bound by Sweetwater National Wildlife Refuge on the north, Chula Vista Nature Center on the west, and Lagoon Drive on the south; and approximately 15 acres of vacant land located west of the former BF Goodrich South Campus in Chula Vista, at J Street, and bound by Marina Parkway on the south and west.

Negotiating Parties: Ashok Israni, Chula Vista Capital,
a California Limited Partnership
Paul Fanfera, SDUPD

Under Negotiation: Price and Terms

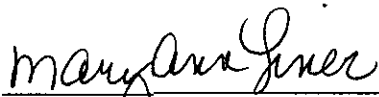
Mr. Bennett reported that the Board met in closed session regarding **closed session agenda item 3**, a CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION Significant exposure to litigation pursuant to Subdivision (b)(1) of Government Code Section 54956.9: Two Cases; and the Board gave direction and there was no formal or reportable action regarding the matters. Mr. Bennett also reported that the Board discussed **closed session agenda item 4**, a CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION Significant exposure to litigation pursuant to Subdivision (a) of Government Code Section 54956.9: First State Insurance Company vs. SDUPD, United States District Court, Southern District of California, Case No. 08 CV 1046 L RBB, and that the Board approved, on a 7-0 vote, a settlement agreement and a settlement with First State Insurance Company which will be memorialized in a settlement agreement that will be filed in the Office of the District Clerk in the near future.

There was no other formal or reportable action, pursuant to Government Code Section 54950 et seq to report from the closed session; whereupon, Chairman Bixler adjourned the meeting.



Secretary, Board of Port Commissioners
San Diego Unified Port District

ATTEST:



Clerk of the San Diego Unified Port District