

**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 Cushman at 12:00 p.m., Tuesday, February 3, 2009, in the Board Room at 3165 Pacific Highway, San Diego, California.

ROLL CALL

Agenda Item 1.

Present: COMMISSIONERS Bixler, Black, Cushman, Najera, Peters, Spane, and Valderrama.
OFFICERS Bennett, Liner, McEntee, and Wurster.

Absent: No Commissioners absent.

Excused: No Commissioners excused.

PUBLIC COMMUNICATIONS

Agenda Item 2. None.

CLOSED SESSION

Chairman Cushman noted that there were no items on the open session agenda for discussion; whereupon, Port Attorney Duane Bennett announced agenda items 3 through 5 for the closed session agenda as follows:

Agenda Item 3.

CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION

Significant exposure to litigation pursuant to Subdivision (a) of Government Code Section 54956.9:

SDUPD vs. Argonaut Insurance Company, et al.
San Diego Superior Court No. GIC 874394

Agenda Item 4.

CONFERENCE WITH REAL PROPERTY NEGOTIATOR

Government Code Section 54956.8

Property: SDUPD - Approximately 12.42 Acres of Property located on the Southern Portion of the Former LNG Site, South of Interstate 5 and Bay Boulevard, Chula Vista

SDG&E - Approximately 17 Acres of Property occupied by SDG&E under an Easement in perpetuity for an Electric Substation and Adjacent Non-Exclusive Easement for Transmission and Distribution Facilities, both of which are located South of Interstate 5 and Bay Boulevard in Chula Vista

Negotiating Parties: Eugene Mitchell, Regional Vice President,
External Affairs, SDG&E
Chris Hargett, SDUPD

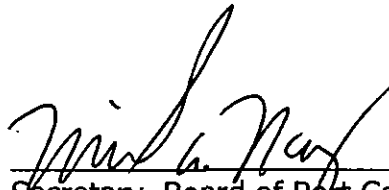
Under Negotiation: Price and Terms

Agenda Item 5.

PUBLIC EMPLOYEE APPOINTMENT, PERSONNEL EVALUATION OR DISCIPLINE: EXECUTIVE DIRECTOR AND PORT ATTORNEY

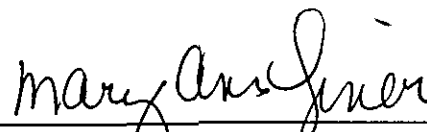
Government Code Section 54957.6

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



Secretary, Board of Port Commissioners
San Diego Unified Port District

ATTEST:



Clerk of the San Diego Unified Port District