

**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 11:02 a.m., Tuesday, July 7, 2009, in the Board Room at 3165 Pacific Highway, San Diego, California.

**ROLL CALL**

Agenda Item 1.

Present: COMMISSIONERS Bixler, Burdick, Cushman, Hall, Peters, Spane, and Valderrama  
OFFICERS Wurster, Bennett, and Liner.

Absent: No Commissioners absent.

Excused: None.

**PUBLIC COMMENTS**

Agenda Item 2. None.

**CLOSED SESSION**

Duane Bennett, Port Attorney, announced the closed session agenda as follows:

Agenda Item 3.

CONFERENCE WITH REAL PROPERTY NEGOTIATOR  
Government Code Section 54956.8

Property: District Property: Approximately 35 acres of property located within the Harbor District of the Chula Vista Bayfront. Located West of I-5, South of H St., and North of J St. in Chula Vista, California.

Pacifica Companies Property: Approximately 97 acres located within the Sweetwater District of the Chula Vista Bayfront. Located West of I-5, South of E St., and North of F St. in Chula Vista, California.

Negotiating Parties: Ashok Israni, President, Pacifica Companies; Ellen Corey Born, Dirk Mathiasen, Paul Fanfera, Chris Hargett, SDUPD; Charles E. Black, CB Urban Development

Under Negotiation: Price and Terms

Regarding item 3 of the Closed Session agenda, Mr. Bennett stated that by a 7-0 vote, the Board of Port Commissioners authorized a basic framework with Pacifica Companies relative to a land exchange agreement with conditions and performance measures. The Board of Port Commissioners provided further direction to staff. The Board of Port Commissioners authorized a 90-day time period for further negotiations. The Board of Port Commissioners will closely monitor the negotiations and require a report every 30 days to ensure adequate and timely progress during this period.

Agenda Item 4.

CONFERENCE WITH REAL PROPERTY NEGOTIATOR  
Government Code Section 54956.8

Property: Approximately 221,000 square feet of tideland area leased to Fifth Avenue Landing, LLC; and the adjacent District-owned roadway, all bayward of the San Diego Convention Center.

Negotiating Parties: Carol Wallace, CEO San Diego Convention Center Corporation; Raymond Carpenter and Arthur Engel, Managing Members, Fifth Avenue Landing LLC; Ellen Corey Born, Karen Weymann, Shahriar Afshar, SDUPD

Under Negotiation: Price and Terms

Agenda Item 5.

CONFERENCE WITH LABOR NEGOTIATOR  
Government Code Section 54957.6

District Negotiator: Executive Director, Ellen Corey Born, Wayne Darbeau,  
Karen Porteous, Michelle Corbin

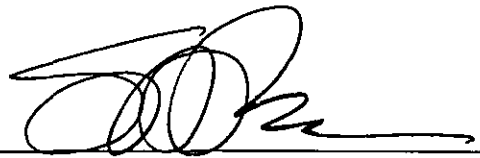
Employee Organization: Harbor Police Officers Association and Unrepresented  
Employees

Agenda Item 6.

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

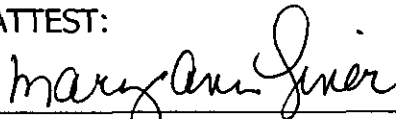
Government Code Section 54957.6

As to items 4-6, there was no 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