

**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 11:10 a.m., Tuesday, September 1, 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.

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

Government Code Section 54957.6

Agenda Item 4.

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 Street, and North of J Street 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 Street, and North of F Street 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

Commissioner Burdick disclosed what she characterized as a potential conflict by stating that her law firm had undertaken to represent a division of Pacifica Companies with regard to real estate matters other than those in Chula Vista and San Diego County. She further stated that the representation was being managed by another partner, she does not do any work for Pacifica, nor does she receive any compensation with respect to the work her firm performs for Pacifica. She stated that she believed there could be an appearance of a conflict of interest and explained that it was with an abundance of caution that she was recusing herself from the closed session discussion regarding the matter.

Chairman Cushman requested and received confirmation from Commissioner Burdick that she would not attend the Pacifica Companies closed session.

Agenda Item 5.

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 6.

CONFERENCE WITH REAL PROPERTY NEGOTIATOR
Government Code Section 54956.8

Property: Approximately 259,090 square feet of tideland area and approximately 1,056,263 square feet of water area leased to Sunroad Marina Partners, LP, located at 955 Harbor Island Drive, San Diego

Negotiating Parties: Uri Feldman, Vice President, Sunroad Enterprises; Ellen Corey Born, Dirk Mathiasen, Randa Coniglio, Annette Dahl, Tony Gordon, SDUPD

Under Negotiation: Price and Terms

Agenda Item 7.

CONFERENCE WITH REAL PROPERTY NEGOTIATOR
Government Code Section 54956.8

Property: Approximately 11,882 square feet of land located in America's Cup Harbor at 2805 Emerson Street, San Diego

Negotiating Parties: Jack and John Christianson – Principal Owners, Mrs. Kelly's, Inc., dba Point Loma Seafoods, Kristine A. Zortman, Ellen Corey Born, Annette Dahl, Randa Coniglio, Dirk Mathiasen, SDUPD

Under Negotiation: Price and Terms

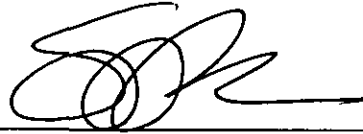
Agenda Item 8.

CONFERENCE WITH LABOR NEGOTIATOR
Government Code Section 54957.6

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

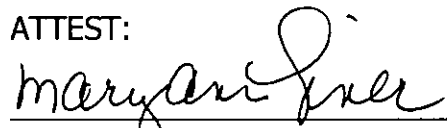
Employee Organization: Harbor Police Officers Association and Unrepresented Employees

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