

**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 12:02 p.m., Tuesday, December 1, 2009, in the Board Room at 3165 Pacific Highway, San Diego, California.

ROLL CALL

Agenda Item 1.

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

Absent: No Commissioners absent.

Excused: No Commissioners excused.

PUBLIC COMMENTS

Agenda Item 2. None.

CLOSED SESSION

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

Agenda Item 3.

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; Charles E. Black, CB Urban Development.

Under Negotiation: Price and Terms

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

Port Attorney Bennett announced that Commissioner Burdick had a continuing recusal motion and would not be participating in the closed session regarding item 4.

Agenda Item 5.

CONFERENCE WITH REAL PROPERTY NEGOTIATOR
Government Code Section 54956.8

Property: City of Chula Vista /Redevelopment Agency of the City of Chula Vista: Approximately 5.67 acres located at 965 Lagoon Drive, Chula Vista.

District: Approximately 1.79 acres, described as Parcel H-17, in the Harbor District of the Chula Vista Bayfront Master Plan

Negotiating Parties: Denny Stone, Economic Development Manager, Redevelopment Agency of the City of Chula Vista, and Eric Crockett, Redevelopment Manager, Community Development, City of Chula Vista; Ellen Corey Born, Dirk Mathiasen, Paul Fanfera, Karen Weymann, Chris Hargett, SDUPD; Charles E. Black, CB Urban Development

Under Negotiation: Price and Terms

Port Attorney Bennett announced that Commissioner Burdick had a continuing recusal motion and would not be participating in the closed session regarding item 5.

Agenda Item 6.

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, West of Interstate 5 and Bay Boulevard, Chula Vista

SDG&E - Approximately 17.69 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 West of Interstate 5 and Bay Boulevard in Chula Vista

Negotiating Parties: Eugene Mitchell, Regional Vice President, External Affairs, SDG&E; Ellen Corey Born, Dirk Mathiasen, Randa Coniglio, Karen Weymann, Chris Hargett, SDUPD

Under Negotiation: Price and Terms

Agenda Item 7.

CONFERENCE WITH LEGAL COUNSEL - INITIATION OF LITIGATION

Pursuant to Subdivision (c) of Government Code Section 54956.9

One Case

Agenda Item 8.

CONFERENCE WITH REAL PROPERTY NEGOTIATOR

Significant exposure to litigation pursuant to Subdivision (b)(1) of Government Code Section 54956.9:

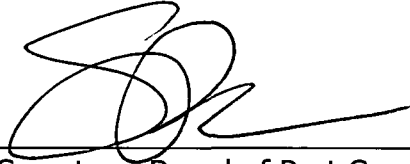
Three Cases

Agenda Item 9.

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

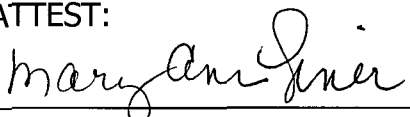
Government Code Section 54957.6

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