San Diego Unified Port District

3165 Pacific Hwy.
San Diego, CA 92101

Meeting Minutes

Board of Port Commissioners

Tuesday, January 9, 2018 | **10:00 AM** | **Don L. Nay Port Administration Boardroom**

Closed Session

A. Roll Call.

Present: 5 - Commissioner Castellanos, Commissioner Malcolm, Commissioner Merrifield, Chairperson Valderrama, and Commissioner Bonelli

Excused: 2 - Commissioner Moore, and Commissioner Zucchet

Absent: 0

Officers Present: Coniglio, Russell, Monson, and Morales.

B. Public Communications.

The following member(s) of the public addressed the Board with agenda related comments: Pamela Wilson, Director, Scenic San Diego; and Pete Scantland, IKE.

CLOSED SESSION

Thomas A. Russell, General Counsel, announced the Closed Session items as follows:

1. 2017-0656 Closed Session Item No. 1

CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION
Significant exposure to litigation Government Code Section 54956.9(d)(2)

One (1) Case

Commissioner Castellanos recused himself from any participation on Closed Session Item 1 - File No. 2017-0656. No reportable action was taken.

2. 2017-0654 Closed Session Item No. 2

CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
Pursuant to Subdivision (d)(1) of Government Code Section 54956.9

San Diego Unified Port District .v Chevron USA, Inc.
San Diego Superior Court Case No. 37-2015-00033680-CU-CO-CTL

No reportable action was taken.

3. 2018-0002 Closed Session Item No. 3

CONFERENCE WITH REAL PROPERTY NEGOTIATOR
Government Code Section 54956.8

Property: Planning District 3 - The unleased and unencumbered areas of Centre City Embarcadero planning area to include seven (7) separate kiosk installations with footing dimensions of approximately 38 inches by 58 inches, including but not limited to utilities and other infrastructure at the following approximate locations:

1. B Street Pier - Embarcadero area on the west side of North Harbor Drive south of the exit point to the B Street Pier, or within approximately 15 feet of the following coordinates: 32°43'00.7"N 117°10'24.0"W.

2. Lane Field Park - Northeast corner at the intersection of West Broadway and North Harbor Drive, southwest of Lane Field Park, and within approximately 15 feet of the following coordinates: 32°42'57.3"N 117°10'22.2"W.

3. San Diego Visitor Information Center - Embarcadero area on the west side of North Harbor Drive, south of the intersection of West Broadway and North Harbor Drive, north of the San Diego Visitor Information Center operated by Old Town Trolley Tours of San Diego, and within approximately 15 feet of the following coordinates: 32°42'55.8"N 117° 10'24.1"W.

4. Navy Pier - Embarcadero area on the west side of North Harbor Drive south of the exit to Navy Pier, and within approximately 15 feet of the following coordinates: 32°42'50.8"N 117°10'24.0"W.

5. Tuna Harbor - Southwest of the Embracing Peace statue, east of the Salute to Bob Hope and Military, north of the sidewalk and within approximately 15 feet of the following coordinates: 32°42'45.9"N 117° 10'31.1"W.

6. Tuna Harbor Entrance - Embarcadero area on the west side of North Harbor Drive north of the entrance to Tuna Harbor, and within approximately 15 feet of the following coordinates: 32°42'45.2"N 117° 10'24.4"W.

7. Embarcadero Marina Park North - Embarcadero Marina Park North entrance area west of Kettner Boulevard, or within approximately 15 feet of the following coordinates: 32°42'30.0"N 117°10'11.5"W.

Negotiating Parties:
OBMSMG, LLC - Pete Scantland
SDUPD - Randa Coniglio, T. Scott Edwards, Ken Wallis, Annette Dahl

Under Negotiations: Price and Terms

No reportable action was taken.

Secretary, Board of Port Commissioners
San Diego Unified Port District

ATTEST:

Clerk of the San Diego Unified Port District

San Diego Unified Port District

3165 Pacific Hwy.
San Diego, CA 92101

Special Meeting Minutes

Board of Port Commissioners

Tuesday, January 9, 2018 | **2:00 PM** | **Don L. Nay Port Administration Boardroom**

Special BPC Meeting

A. Roll Call.

Present: 6 - Chairperson Castellanos, Commissioner Malcolm, Commissioner Merrifield, Commissioner Moore, Commissioner Valderrama, and Commissioner Bonelli

Excused: 1 - Commissioner Zucchet

Absent: 0

Officers Present: Coniglio, DeAngelis, Russell, Monson, and Morales.

B. Closed Session Report Out.

Thomas A. Russell, General Counsel, announced that the Board considered Item 1 - File No. 2017-0656 and Item 2 - File No. 2017-0654 on the Closed Session Agenda, and that Closed Session Item 3 - File No. 2018-0002 will be considered at the conclusion of this meeting. Additionally, Mr. Russell reported that Chairman Castellanos recused himself from any participation on Closed Session Item 1.

C. Pledge of Allegiance.

Commissioner Bonelli led the Pledge of Allegiance.

Donna Morales, District Clerk, swore in Commissioner Moore as Secretary to the Board of Port Commissioners.

D. Public Communications.

The following member(s) of the public addressed the Board with non-agenda related comments: Karen McManus, President, and Brian Clapper, Vice President, Maytime Band Association; Matt Reynolds, Co-Founder, Extreme Sailing Series; and Peter Halmay, President, San Diego Fishermen's Working Group.

E. Commissioners' Reports.

Commissioner Merrifield reported out that the Port's first electric drayage vehicle is fully charged and now operating at the Tenth Avenue Marine Terminal. This is the first fully electric drayage vehicle operating in California.

Commissioner Valderrama thanked Tanya Casteneda, Principal Public Information Officer, Marketing & Communications, for her excellent work and support to him as Chairman during 2017.

Chairman Castellanos provided report on the Alpha Project homeless outreach services. Chairman Castellanos explained that a contract amendment to increase homeless outreach services on the waterfront is to begin in February. The increased services will provide coverage 7 days a week, two additional full-time employees, and a transportation van to transport people to temporary shelters. In November and December the Alpha Project assisted 27 homeless individuals on the waterfront to find temporary shelter.

Chairman Castellanos called for a moment of silence to remember Longshoreman Phillip Vargas who died from an on the job accident at the Tenth Avenue Marine Terminal.

F. President's Report.

Randa Coniglio, President/CEO, recognized Justin Hocanson, Humberto Garcia, Larry Newson and Rene Gallegos for their extraordinary performance in aiding a woman who was assaulted and helping with the apprehension of the suspect. Ms. Coniglio thanked them all for going above and beyond, and for their courage and sound judgement.

Ms. Coniglio then invited the Port of San Diego's 2017 Sea Grant Fellows, Heather Kramp, William Jones, and Lily Tsukayama, to provide a report highlighting their accomplishments and experiences for the past year.

G. District Clerk's Announcements.

Donna Morales, District Clerk, offered that copies of agenda related materials submitted after the publication of the agenda were available at the Clerk's desk. Additionally, Ms. Morales reported, as required by the Brown Act and as directed by the Board of Port Commissioners, that on today's agenda is an item taking final action to amend the employment agreement for the General Counsel that will modify his term, salary and compensation paid in the form of fringe benefits. Additional information can be found in the agenda prepared for that item. Also, Ms. Morales announced that staff requested to continue the following items: Consent Agenda Item 8 - File No. 2017-0653; Consent Agenda Item 12 - File No. 2018-0006; Action Agenda Item 27 - File No. 2017-0647; and Action Agenda Item 28 - File No. 2017-0650.

On a motion by Commissioner Valderrama, seconded by Commissioner Bonelli, the Board approved the requested docket changes. The motion carried by the following vote:

Yeas: 6 - Castellanos, Malcolm, Merrifield, Moore, Valderrama, and Bonelli

Nays: 0

Excused: 1 - Zucchet

Absent: 0

Abstain: 0

Recused: 0

CONSENT AGENDA

On a motion by Commissioner Bonelli, seconded by Commissioner Merrifield, the Board adopted the Consent Agenda as follows: Resolution 2018-001; Resolution 2018-002, Resolution 2018-003; Resolution 2018-004; Resolution 2018-005; Resolution 2018-006; Resolution 2018-007; Resolution 2018-008; Resolution 2018-009; Resolution 2018-010; Resolution 2018-011; Resolution 2018-012; Resolution 2018-013; Resolution 2018-014; Resolution 2018-015; Resolution 2018-016; Resolution 2018-017; and Resolution 2018-018. The motion carried by the following vote:

Yeas: 6 - Castellanos, Malcolm, Merrifield, Moore, Valderrama, and Bonelli

Nays: 0

Excused: 1 - Zucchet

Absent: 0

Abstain: 0

Recused: 0

1. 2017-0646 Approval of minutes for:
December 5, 2017 - CLOSED SESSION
December 5, 2017 - REGULAR SESSION
December 12, 2017 - CLOSED SESSION
December 12, 2017 - PORT MASTER PLAN UPDATE WORKSHOP

On a motion by Commissioner Bonelli, seconded by Commissioner Merrifield, the Board approved the minutes as part of the Consent Agenda.

2. 2017-0431 RESOLUTION SELECTING AND AUTHORIZING AGREEMENTS WITH GLEN A. RICK ENGINEERING & DEVELOPMENT CORPORATION, TETRA TECH, INCORPORATED AND FMF PANDION FOR AS-NEEDED STORMWATER MANAGEMENT SERVICES FOR AN AGGREGATE AMOUNT NOT TO EXCEED $750,000 FOR A PERIOD OF 3 YEARS

On a motion by Commissioner Bonelli, seconded by Commissioner Merrifield, the Board adopted Resolution 2018-001 as part of the consent agenda.

3. 2017-0487 RESOLUTION AUTHORIZING AMENDMENT NO. 1 TO INCREASE THE COMBINED AMOUNT OF THE AS-NEEDED AGREEMENTS BY $500,000 WITH AECOM TECHNICAL SERVICES INC., ARCADIS US INC., HARRIS & ASSOCIATES INC., INFRASTRUCTURE ENGINEERING CORP., AND PSOMAS FOR PROJECT MANAGEMENT/CONSTRUCTION MANAGEMENT SERVICES, INCREASING THE AGGREGATE TOTAL FOR CURRENT AND FUTURE FISCAL YEARS FROM $2,000,000 TO $2,500,000 THEREBY INCREASING THE CAPACITY OF THESE AGREEMENTS TO A LEVEL ALLOWING EXECUTION ON BUDGETED PROJECTS WITH NO CORRESPONDING INCREASE REQUIRED TO APPROVED CAPITAL IMPROVEMENT AND MAJOR MAINTENANCE PROGRAM BUDGETS

On a motion by Commissioner Bonelli, seconded by Commissioner Merrifield, the Board adopted Resolution 2018-002 as part of the consent agenda.

4. 2017-0488 RESOLUTION AUTHORIZING AMENDMENT NO. 1 TO INCREASE THE COMBINED AMOUNT OF THE AS-NEEDED AGREEMENTS BY $200,000 WITH BSE ENGINEERING INC. AND IMEG CORP. FOR ELECTRICAL ENGINEERING SERVICES, INCREASING THE AGGREGATE TOTAL FOR CURRENT AND FUTURE FISCAL YEARS FROM $1,000,000 TO $1,200,000 THEREBY INCREASING THE CAPACITY OF THESE AGREEMENTS TO A LEVEL ALLOWING EXECUTION ON BUDGETED PROJECTS WITH NO CORRESPONDING INCREASE REQUIRED TO APPROVED CAPITAL IMPROVEMENT AND MAJOR MAINTENANCE PROGRAM BUDGETS

On a motion by Commissioner Bonelli, seconded by Commissioner Merrifield, the Board adopted Resolution 2018-003 as part of the consent agenda.

5. 2017-0504 RESOLUTION SELECTING AND AUTHORIZING A SERVICE AGREEMENT WITH MARINE GROUP BOAT WORKS, LLC FOR THE REPLACEMENT OF THE FIRE FIGHTING PIPING SYSTEM ON FOUR (4) HARBOR POLICE MARINE FIRESTORM VESSELS FOR AN AMOUNT NOT TO EXCEED $207,608

On a motion by Commissioner Bonelli, seconded by Commissioner Merrifield, the Board adopted Resolution 2018-004 as part of the consent agenda.

6. 2017-0505 RESOLUTION SELECTING AND AUTHORIZING A PURCHASE AGREEMENT WITH DOWNTOWN FORD SALES FOR THE PURCHASE OF FOUR ONE-TON RENEWABLE DIESEL POWERED TRUCKS FOR AN AMOUNT NOT TO EXCEED $213,957

On a motion by Commissioner Bonelli, seconded by Commissioner Merrifield, the Board adopted Resolution 2018-005 as part of the consent agenda.

7. 2017-0533 RESOLUTION REAPPOINTING JEFFREY MILLER TO THE SAN DIEGO UNIFIED PORT DISTRICT AUDIT OVERSIGHT COMMITTEE (AOC) FOR A THIRD TERM OF THREE YEARS DURATION COMMENCING JANUARY 1, 2018

On a motion by Commissioner Bonelli, seconded by Commissioner Merrifield, the Board adopted Resolution 2018-006 as part of the consent agenda.

8. 2017-0653 RESOLUTION AUTHORIZING AMENDMENT NO. 1 TO AGREEMENT WITH MARINE GROUP BOAT WORKS, LLC, FOR FULL SERVICE IMPOUNDED VESSEL SERVICES, INCREASING THE MAXIMUM AMOUNT PAYABLE UNDER THE AGREEMENT BY $374,000 FOR A NEW MAXIMUM AMOUNT OF $974,000

The Board will consider staff's request to continue this item to a future Board meeting.

This item was continued to a future Board Meeting.

9. 2017-0542 RESOLUTION AUTHORIZING A PURCHASE ORDER TO ACQUIRE COMPUTER HARDWARE FROM GOVCONNECTION INCORPORATED FOR USE IN THE COMPUTER-AIDED DISPATCH REPLACEMENT PROJECT IN AN AMOUNT NOT TO EXCEED $355,000, PARTIALLY FUNDED BY PORT SECURITY GRANT PROGRAM FY 2015 (EMW-2015-PU)

On a motion by Commissioner Bonelli, seconded by Commissioner Merrifield, the Board adopted Resolution 2018-007 as part of the consent agenda.

10. 2017-0576 RESOLUTION AUTHORIZING AMENDMENT NO. 1 TO THE AGREEMENT WITH THE REGENTS OF THE UNIVERSITY OF CALIFORNIA TO HOST CALIFORNIA SEA GRANT FELLOWS EXTENDING THE AGREEMENT FOR 1 YEAR AND INCREASING THE NOT TO EXCEED AMOUNT BY $138,953 FOR A NEW TOTAL OF $314,020

On a motion by Commissioner Bonelli, seconded by Commissioner Merrifield, the Board adopted Resolution 2018-008 as part of the consent agenda.

11. 2017-0579 RESOLUTION APPROVING AMENDMENT TO THE EMPLOYMENT AGREEMENT FOR THE GENERAL COUNSEL

On a motion by Commissioner Bonelli, seconded by Commissioner Merrifield, the Board adopted Resolution 2018-009 as part of the consent agenda.

12. 2018-0006 RESOLUTION ADOPTING CHULA VISTA BAYFRONT DESIGN GUIDELINES DATED DECEMBER 28, 2017

The Board will consider staff's request to continue this item to a future Board meeting.

This item was continued to a future Board Meeting.

13. 2017-0581 RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AWARDING CONTRACT NO. 2016-05R TENTH AVENUE MARINE TERMINAL ENTRY GATE SECURITY IMPROVEMENTS PROJECT TO JENNETTE COMPANY, INC. IN THE AMOUNT OF $297,251.00 AS AUTHORIZED BY THE BOARD IN THE FY17/18 MAJOR MAINTENANCE PROGRAM AND FUNDED BY THE PORT SECURITY GRANT PROGRAM FY 2015 THROUGH 2018

On a motion by Commissioner Bonelli, seconded by Commissioner Merrifield, the Board adopted Resolution 2018-010 as part of the consent agenda.

14. 2017-0589

A) RESOLUTION WAIVING BPC POLICY NO. 110 SECTION II (D)(1) COMPETITIVE BIDDING REQUIREMENTS AND AUTHORIZING SEVEN MEDIA AGREEMENTS FOR AS-NEEDED DISTRICT MARKETING AND OUTREACH CAMPAIGNS TO SUPPORT VARIOUS LINES OF BUSINESS AND PUBLIC OUTREACH GOALS IN A TOTAL AMOUNT NOT TO EXCEED $1,200,000 FROM FEBRUARY 1, 2018 THROUGH JUNE 30, 2023 WITH THE FOLLOWING LOCAL TELEVISION MEDIA ADVERTISING SERVICE PROVIDERS:

- SCRIPPS MEDIA, INC. DBA KGTV
- TRIBUNE MEDIA COMPANY DBA KSWB
- ENTRAVISION DBA KBNT
- STATION VENTURE OPERATIONS, LP DBA KNSD
- MIDWEST TELEVISION, INC. DBA KFMB
- ENERGY COMMUNICATIONS CORPORATION DBA XEWT
- MCKINNON BROADCASTING COMPANY DBA KUSI

B) RESOLUTION WAIVING BPC POLICY NO. 110 SECTION II (D)(1) COMPETITIVE BIDDING REQUIREMENTS AND AUTHORIZING EIGHT MEDIA AGREEMENTS FOR AS-NEEDED DISTRICT MARKETING AND OUTREACH CAMPAIGNS TO SUPPORT VARIOUS LINES OF BUSINESS AND PUBLIC OUTREACH GOALS IN A TOTAL AMOUNT NOT TO EXCEED $900,000 FROM FEBRUARY 1, 2018 THROUGH JUNE 30, 2023 WITH THE FOLLOWING LOCAL RADIO MEDIA ADVERTISING SERVICE PROVIDERS:

- CITICASTERS CO. DBA IHEART
- LOCAL MEDIA SAN DIEGO, LLC
- UNIVISION RADIO SAN DIEGO, INC.
- BROADCAST COMPANY OF THE AMERICA'S, LLC
- ENTERCOM COMMUNICATIONS CORP.
- MIDWEST TELEVISION, INC. DBA KFMB STATIONS
- SAN DIEGO STATE UNIVERSITY FOUNDATION DBA KPBS
- UNIRADIO CORP.

On a motion by Commissioner Bonelli, seconded by Commissioner Merrifield, the Board adopted Resolution 2018-011 and Resolution 2018-012 as part of the consent agenda.

15. 2017-0596 REVISIONS TO BPC POLICIES RELATED TO PUBLIC ART AND DONATIONS AND LOANS:
A) RESOLUTION RESCINDING BPC POLICY NO. 611: RECEIPT OF DONATIONS AND LOANS;
B) RESOLUTION AMENDING BPC POLICY NO. 609: PUBLIC ART PROGRAMS TO: INCORPORATE BPC POLICY NO. 611 PROCESSES INTO BPC POLICY NO. 609, INCLUDE ADMINISTRATIVE UPDATES, AND IMPROVE PROCEDURES RELATED TO THE MANAGEMENT OF THE DISTRICT'S PUBLIC ART PROGRAMS; AND
C) RESOLUTION AMENDING BPC POLICY NO. 608: TENANT PERCENT FOR ART PROGRAM TO INCLUDE ADMINISTRATIVE UPDATES AND CLARIFY FULFILLMENT OPTIONS

On a motion by Commissioner Bonelli, seconded by Commissioner Merrifield, the Board adopted Resolution 2018-013, Resolution 2018-014, and Resolution 2018-015 as part of the consent agenda.

16. 2017-0597 RESOLUTION AUTHORIZING AMENDMENTS TO INCREASE THE COMBINED AMOUNT OF THE AS-NEEDED AGREEMENTS BY $1,080,000 WITH MATISIA INC., ACME BUSINESS CONSULTING, LLC. (ASSIGNED AND ASSUMED BY EXCELERATE LLC.), AND AGILIS GROUP INC. FOR PROJECT MANAGEMENT OFFICE SERVICES, INCREASING THE AGGREGATE TOTAL FROM $1,200,000 TO $2,280,000 THROUGH NOVEMBER 4, 2019

On a motion by Commissioner Bonelli, seconded by Commissioner Merrifield, the Board adopted Resolution 2018-016 as part of the consent agenda.

17. 2017-0641 RESOLUTION CONSENTING TO A SUBLEASE BETWEEN MARINA CORTEZ, INC. AND PERSONAL TOUCH DINING, INC. FOR A FIVE-YEAR TERM WITH TWO FIVE-YEAR OPTIONS, WITH CONDITIONS

On a motion by Commissioner Bonelli, seconded by Commissioner Merrifield, the Board adopted Resolution 2018-017 as part of the consent agenda.

18. 2017-0642 RESOLUTION AUTHORIZING AGREEMENT WITH H.P. PURDON & COMPANY FOR SPONSORSHIP OF 2018 JULY 4TH BIG BAY BOOM FIREWORKS SHOW IN THE AMOUNT OF $180,000 IN FUNDING AND $140,185 IN DISTRICT SERVICES FOR A MAXIMUM AMOUNT NOT TO EXCEED $320,185

On a motion by Commissioner Bonelli, seconded by Commissioner Merrifield, the Board adopted Resolution 2018-018 as part of the consent agenda.

PUBLIC HEARING AGENDA

19. 2017-0478 BAYSIDE PERFORMANCE PARK ENHANCEMENT PROJECT AND PORT MASTER PLAN AMENDMENT

A) CONDUCT PUBLIC HEARING AND ADOPT RESOLUTION CERTIFYING THE FINAL ENVIRONMENTAL IMPACT REPORT, ADOPTING FINDINGS OF FACT AND STATEMENT OF OVERRIDING CONSIDERATIONS, ADOPTING THE MITIGATION MONITORING AND REPORTING PROGRAM, AND DIRECT THE FILING OF THE NOTICE OF DETERMINATION

B) CONDUCT PUBLIC HEARING AND ADOPT RESOLUTION APPROVING THE PORT MASTER PLAN AMENDMENT, AND DIRECTING FILING WITH THE CALIFORNIA COASTAL COMMISSION FOR CERTIFICATION

C) ADOPT RESOLUTION AUTHORIZING A BINDING LETTER OF INTENT (LOI) WITH SAN DIEGO SYMPHONY ORCHESTRA ASSOCIATION FOR A BAYSIDE PERFORMANCE PARK ENHANCEMENT PROJECT WITHIN THE EMBARCADERO MARINA PARK SOUTH

Wileen Manaois, Director, Development Services, addressed the Board with staff's report and presentation regarding Public Hearing Item 19 - File No. 2017-0478 (A copy of the staff report, presentations and any agenda related materials are on file with the Office of the District Clerk). Ms. Manaois then turned the presentation over to Joseph Smith, Department Manager, Development Services to discuss Items A and B. Mr. Smith then turned the presentation over to Stephanie Shook, Department Manager, Real Estate, regarding Item C.

The following member(s) of the public addressed the Board with agenda related comments: Warren Kessler, Board Chair, San Diego Symphony; and Martha Gilmer, President/CEO, San Diego Symphony.

Commissioner Merrifield, Commissioner Moore, Commissioner Bonelli, and Chairman Castellanos offered varied comments.

On a motion by Commissioner Merrifield, seconded by Commissioner Moore, the Board adopted Item A - Resolution 2018-019. The motion carried by the following vote:

Yeas: 6 - Castellanos, Malcolm, Merrifield, Moore, Valderrama, and Bonelli

Nays: 0

Excused: 1 - Zucchet

Absent: 0

Abstain: 0

Recused: 0

The previous public testimony by Warren Kessler and Martha Gilmer for Item A was also incorporated as part of the record for Item B.

On a motion by Commissioner Merrifield, seconded by Commissioner Moore, the Board adopted Item B - Resolution 2018-020. The motion carried by the following vote:

Yeas: 6 - Castellanos, Malcolm, Merrifield, Moore, Valderrama, and Bonelli

Nays: 0

Excused: 1 - Zucchet

Absent: 0

Abstain: 0

Recused: 0

On a motion by Commissioner Merrifield, seconded by Commissioner Moore, the Board adopted Item C - Resolution 2018-021. The motion carried by the following vote:

Yeas: 6 - Castellanos, Malcolm, Merrifield, Moore, Valderrama, and Bonelli

Nays: 0

Excused: 1 - Zucchet

Absent: 0

Abstain: 0

Recused: 0

ACTION AGENDA

20. 2017-0584 PRESENTATION OF SERVICE AWARDS TO EMPLOYEES WITH 15 OR MORE YEARS OF SERVICE

Maria Sarchi, Human Resources Technician, addressed the Board with staff's presentation regarding Action Agenda Item 20 - File No. 2017-0584. (A copy of the staff report, presentations and any agenda related materials are on file with the Office of the District Clerk). Ms. Sarchi then turned the presentation over to Randa Coniglio, President/CEO. Ms. Coniglio introduced Donna Morales, District Clerk, and thanked her for 15 years of service.

21. 2017-0616 PRESENTATION ON NEW LEGISLATION FOR 2017-2018 PORT OF SAN DIEGO LEGISLATIVE PRIORITIES AND DIRECTION TO STAFF

Job Nelson, Assistant Vice President, Marketing and External Relations addressed the Board with staff's report and presentation regarding Action Agenda Item - File No. 2017-0616 (A copy of the staff report, presentations and any agenda related materials are on file with the Office of the District Clerk). Mr. Nelson then turned the presentation over to Jonathan Clay, Legislative Advocate, to discuss State level legislation. Mr. Clay then turned the presentation over to David Yow, Legislative Policy Administrator, Government & Civic Relations, to discuss the emerging legislative priorities for 2018.

The following member(s) of the public addressed the Board with agenda related comments: None

Commissioner Merrifield, and Commissioner Bonelli asked clarifying questions, and offered varied comments. Job Nelson, Mark Stainbrook, Acting Harbor Police Chief, Ellen Gross, Assistant General Counsel, and Jonathan Clay, responded on behalf of staff.

22. 2017-0628 DISTRICT'S BLUE ECONOMY INCUBATOR

A) UPDATE ON BLUE ECONOMY INCUBATOR AND ASSOCIATED PILOT PROJECTS FROM ROUNDS ONE AND TWO

B) RESOLUTION AUTHORIZING AN AGREEMENT UNDER THE BLUE ECONOMY INCUBATOR SECOND ROUND OF INCUBATOR PROPOSALS WITH ZEPHYR DEBRIS REMOVAL LLC FOR A 1-YEAR PILOT PROJECT TO DEMONSTRATE A MARINE DEBRIS REMOVAL SYSTEM FOR A TOTAL AMOUNT NOT TO EXCEED $100,000

Philippe Leblanc, Program Manager, Planning & Green Port, addressed the Board with staff's report and presentation regarding Action Agenda Item 22 - File No. 2017-0628 (A copy of the staff report, presentations and any agenda related materials are on file with the Office of the District Clerk).

The following member(s) of the public addressed the Board with agenda related comments: None

Commissioner Merrifield, Commissioner Malcolm, and Chairman Castellanos offered varied comments. Chairman Castellanos also announced that he would like to form a Blue Economy Planning Ad Hoc Committee to focus on medium and long-term strategic planning and would like Commissioners Malcolm, Moore, and Merrifield to serve on the Committee. Commissioners Malcolm, Moore and Merrifield agreed to serve on the Committee.

On a motion by Commissioner Valderrama, seconded by Commissioner Bonelli, the Board adopted Resolution 2018-022. The motion carried by the following vote:

Yeas: 6 - Castellanos, Malcolm, Merrifield, Moore, Valderrama, and Bonelli

Nays: 0

Excused: 1 - Zucchet

Absent: 0

Abstain: 0

Recused: 0

23. 2018-0003 PRESENTATION ON THE REQUEST FOR PROPOSALS FOR THE APPROXIMATELY 14-ACRE WATERFRONT RETAIL OPPORTUNITY LOCATED AT 849 WEST HARBOR DRIVE IN THE CITY OF SAN DIEGO, AND BOARD ACTION INCLUDING RESOLUTION SELECTING STREAM REALTY PARTNERS, L.P. AS THE SUCCESSFUL PROPOSER OF THE REQUEST FOR PROPOSALS (RFP 17-52ME, WATERFRONT RETAIL OPPORTUNITY) (RFP) AND CONCLUDING THE RFP, RESERVING CERTAIN RIGHTS THEREUNDER

Commissioner Moore recused herself from any participation on this item.

Tony Gordon, Director, Real Estate, addressed the Board with staff's report and presentation regarding Action Agenda Item 23 - File No. 2018-0003 (A copy of the staff report, presentations and any agenda related materials are on file with the Office of the District Clerk). Mr. Gordon then turned the presentation over to Penny Maus, Department Manager, Real Estate, to provide a high-level overview of the process. Ms. Maus then turned the presentation over to Alexa Paulus, Asset Manager, Real Estate, to discuss each of the proposals.

The following member(s) of the public addressed the Board with agenda related comments: Bret Morris, Managing Director, Stream Realty Partners; Jeff Essakow, CEO, Protea; Yehudi Gaffen, CEO, Protea; Daniel Reeves, Senior Vice President, Downtown San Diego Partnership; Phil Blair, Board Member, San Diego Regional Economic Development Corporation; and Alex Buggy, CEO, ABBA Project Management.

Commissioner Malcolm, Commissioner Merrifield, Commissioner Bonelli, Commissioner Valderrama, and Commissioner Castellanos offered varied comments, asked clarifying questions, and discussed the merits and disadvantages of the proposals. Randa Coniglio, President/CEO, and Penny Maus, responded on behalf of staff. Yehudi Gaffen, Protea, was called to the podium in response to Commissioner questions.

Commissioner Malcolm called for a motion to conditionally approve Protea for management of asset with the following conditions: Staff and Protea renegotiate the Management Fees and come back to Board for approval; the Incentive Management Fee, and Transition Fee are not acceptable as part of the fees; leasing commissions will be broken-out with a separate broker; Construction Management Fees will not be included except to the extent to when Port desires as an add-on. Based on the restructuring of fees, staff will be required to negotiate a commensurate drop in the Management Fees with Protea. Commissioner Bonelli seconded the motion. The motion carried by the following vote:

Yeas: 4 - Castellanos, Malcolm, Valderrama, and Bonelli

Nays: 1 - Merrifield

Excused: 1 - Zucchet

Absent: 0

Abstain: 0

Recused: 1 - Moore

24. 2017-0602 RESOLUTION AMENDING BPC POLICY NO. 771: TIDELANDS ACTIVATION PROGRAM, TO INCORPORATE ADMINISTRATIVE UPDATES AND PROVISIONS FOR CONSIDERATION OF MULTI-YEAR SPONSORSHIP AGREEMENTS FOR SIGNATURE EVENTS

No staff presentation was requested.

The following member(s) of the public addressed the Board with agenda related comments: Sandy Purdon, Executive Producer, Big Bay Boom; and Sharon Cloward, President, San Diego Port Tenants Association.

Commissioner Moore offered varied comments.

Commissioner Bonelli called for motion to accept staff recommendations, Commissioner Valderrama seconded the motion. Commissioner Moore called for a friendly amendment to the motion to modify BPC Policy No. 771 item 4.c. to read: "In the place of, or in addition to, consideration of economic and financial returns as set forth in B above, consider expected promotional and/or marketing value of the event for the District through attendee participation, event promotion and media coverage;". Commissioners Bonnelli and Valderrama accepted the friendly amendment. The Board thereby adopted Resolution 2018-024. The motion carried by the following vote:

Yeas: 6 - Castellanos, Malcolm, Merrifield, Moore, Valderrama, and Bonelli

Nays: 0

Excused: 1 - Zucchet

Absent: 0

Abstain: 0

Recused: 0

25. 2017-0527 RESOLUTION ACCEPTING AND FILING THE EXTERNAL AUDITOR'S REPORT ON THE AUDIT OF THE DISTRICT'S FINANCIAL STATEMENTS AND SINGLE AUDIT FOR THE YEAR ENDING JUNE 30, 2017

Robert Monson, Port Auditor, Office of the Port Auditor, addressed the Board with staff's report and presentation regarding Action Agenda Item 25 - File No. 2017-0527 (A copy of the staff report, presentations and any agenda related materials are on file with the Office of the District Clerk).

The following member(s) of the public addressed the Board with agenda related comments: None

Commissioner Valderrama offered varied comments.

On a motion by Commissioner Valderrama, seconded by Commissioner Malcolm, the Board adopted Resolution 2018-025. The motion carried by the following vote:

Yeas: 4 - Malcolm, Moore, Valderrama, and Bonelli

Nays: 0

Excused: 3 - Castellanos, Merrifield, and Zucchet

Absent: 0

Abstain: 0

Recused: 0

26. 2017-0562 REVIEW AND CONSIDERATION OF DRAFT PROPOSED BOARD AGENDA FOR THE FEBRUARY 6, 2018 MEETING

On a motion by Commissioner Valderrama, seconded by Commissioner Moore, the Board adopted the draft agenda for the February 6, 2018 meeting. The motion carried by the following vote:

Yeas: 5 - Malcolm, Merrifield, Moore, Valderrama, and Bonelli

Nays: 0

Excused: 2 - Castellanos, and Zucchet

Absent: 0

Abstain: 0

Recused: 0

27. 2017-0647 SAN DIEGO GAS & ELECTRIC (SDG&E) POWER YOUR DRIVE PROGRAM
A) PRESENTATION ON SAN DIEGO UNIFIED PORT DISTRICT'S APPLICATION AND PARTICIPATION IN SAN DIEGO GAS & ELECTRIC (SDG&E) POWER YOUR DRIVE PROGRAM; AND
B) ORDINANCE APPROVING EASEMENTS FOR SITES LOCATED AT: PORT ADMINISTRATION PARKING LOT 3165 PACIFIC HWY, SAN DIEGO, CA 92101; GENERAL SERVICES PARKING LOT 1400 TIDELANDS AVENUE, NATIONAL CITY, CA 91950 AND HARBOR POLICE HEADQUARTERS PARKING LOT 3380 N HARBOR DRIVE, SAN DIEGO, CA 9210; AND SITE HOST PARTICIPATION PROGRAM AGREEMENT WITH SDG&E

The Board will consider staff's request to continue this item to a future Board meeting.

This item was continued to a future Board Meeting.

28. 2017-0650 PRESENTATION AND UPDATE ON THE SAN DIEGO OCEAN PLANNING PARTNERSHIP, A COLLABORATIVE PARTNERSHIP BETWEEN THE CALIFORNIA STATE LANDS COMMISSION AND SAN DIEGO UNIFIED PORT DISTRICT

The Board will consider staff's request to continue this item to a future Board meeting.

This item was continued to a future Board Meeting.

29. 2017-0648 MONTHLY NOTIFICATION REPORTS

Monthly Notification of Change Orders Pursuant to BPC Policy No. 110:

A) Change Order No. 5 to Contract No. 2014-29 with Reyes Construction, Inc. / Increases Contract by $1,810.70

Monthly Notification of Cost Recovery User Fee Waivers Granted by the Executive Director Pursuant to BPC Policy No. 106:

A) Request for User Fee Waiver Form from Dixieline Lumber Company for National City Street Closure Project, for total amount $1,100.00
B) Request for User Fee Waiver Form from C&W Diving Services, Inc. for C&W Diving Services, Inc. Permit, for total amount $1,358.00

Monthly Notification of Rent Reviews Completed Administratively Pursuant to BPC Policy No. 355 as Amended on January 10, 2017:

A) Rent Review Letter with Koehler Kraft Company, Inc. for Rental Period Beginning 03/01/17 thru 02/28/27
B) Amendment No. 1 to Lease (#51559) with Oak Park Apartments, Inc. (Best Western Yacht Harbor) / Amends Paragraph 2(b) Related to Use, and Paragraphs 3(b), 3(c)(1), 3(c)(2), 3(c)(7), and 3.2(a) Related to Percentage Rent Increase in Room Rents and Banquet Rooms and Parking (Rent Review)

Monthly Notification of Encumbrances Consented to Administratively Pursuant to BPC Policy No. 355 as Amended on January 10, 2017:

A) Encumbrance Review, Assignment and Approval with One Park Boulevard, LLC dba Hilton San Diego Bayfront Hotel in Favor of Wells Fargo Bank, National Association (to be Assigned to Wilmington Trust, National Association) in the Amount of $200,000.00
B) Amendment No. 1 to Lease (#49978) with One Park Boulevard, LLC dba Hilton San Diego Bayfront Hotel / Amends Paragraph 8(j) Related to the Lease Encumbrance

A Moore

Secretary, Board of Port Commissioners
San Diego Unified Port District

ATTEST:

Donna Morales

Clerk of the San Diego Unified Port District

San Diego Unified Port District

3165 Pacific Hwy.
San Diego, CA 92101

Special Meeting Minutes

Board of Port Commissioners

Monday, January 22, 2018 | **10:00 AM** | **National City Aquatic Center, 3300 Goesno Place, National City, CA 91950**

Board Retreat

A. Roll Call.

Present: 6 - Commissioner Bonelli, Chairperson Castellanos, Commissioner Malcolm, Commissioner Merrifield, Commissioner Valderrama, and Commissioner Zucchet

Excused: 1 - Commissioner Moore

Absent: 0

Officers Present: Coniglio, DeAngelis, Russell, Monson, and Morales.

B. Public Communications.

The following member(s) of the public addressed the Board with non-agenda related comments: None

ACTION AGENDA

1. 2018-0018 BOARD OF PORT COMMISSIONERS ANNUAL RETREAT TO DISCUSS STRATEGIC PRIORITIES AND BUDGETARY MATTERS FOR CALENDAR YEAR 2018 AND FISCAL YEAR 2019, TEAM BUILDING AND RELATED DIRECTION TO STAFF

Chairman Castellanos welcomed the Board and the District's Executive Leadership Group to the retreat. Randa Coniglio, President/CEO, Thomas A. Russell, General Counsel, and Robert Monson, Port Auditor, provided opening remarks.

Lisa Gordon, of Lisa Inspires, introduced herself and led the discussion by reviewing the agenda, retreat objectives, ground rules, and facilitation guidelines. Ms. Gordon then conducted the Celebration Exercise and had everyone share the accomplishments they were most proud of during 2017.

Ms. Coniglio and Shaun Sumner, Assistant Vice President, Real Estate and Development Services, led the discussion to review the Port's Calendar Year 2018 to Fiscal Year 2019 Strategic Plan. Items for that discussion included review of the 2017-2018 Strategy Map, Overview of the Strategic Planning Process, review of the 2018-2019 Strategy Map, and Overview of Potential Triple Bottom Line Key Performance Indicators.

Chairman Castellanos recessed for lunch at approximately 1:00 pm and called the retreat back to order at approximately 1:45 pm.

Chairman Castellanos invited the following member of the public to speak: Tom Lemmon, San Diego County Building & Construction Trades Council.

Ms. Coniglio next provided a presentation of the FY 2019 Budget Overview and Financial Discussion. Items for that discussion included review of FY 2017 and FY 2018 financials, revenue forecast, current operating reserve policy, Capital Improvement Plan policy, and funding concepts relating to: funding for 2019 grants, deferred major maintenance, TIGER funding, and Climate Action Plan.

Ms. Gordon then conducted a team building session: Insights and Observations from "The 100/0 Principle" publication.

Ms. Gordon concluded the retreat by confirming direction to staff, and closing reflections.

A Moore

Secretary, Board of Port Commissioners
San Diego Unified Port District

ATTEST:

Donna Morales

Clerk of the San Diego Unified Port District

San Diego Unified Port District

3165 Pacific Hwy.
San Diego, CA 92101

Meeting Minutes

Board of Port Commissioners

Tuesday, February 6, 2018 | **10:00 AM** | **Don L. Nay Port Administration Boardroom**

Closed Session

A. Roll Call.

Present: 7 - Commissioner Bonelli, Chairperson Castellanos, Commissioner Malcolm, Commissioner Merrifield, Commissioner Moore, Commissioner Valderrama, and Commissioner Zucchet

Excused: 0

Absent: 0

Commissioner Moore was excused until she arrived at 10:06 am.
Commissioner Malcolm was excused until he arrived at 10:12 am.

Officers Present: Coniglio, DeAngelis, Russell, Morales, and Monson.

B. Public Communications.

The following member of the public addressed the Board with agenda related comments: Kevin Moriarty, General Partner, Chula Vista Marina.

CLOSED SESSION

Thomas A. Russell, General Counsel, announced the Closed Session items as follows:

1. 2018-0042 Closed Session Item No. 1

CONFERENCE WITH REAL PROPERTY NEGOTIATOR
Government Code Section 54956.8

Property: SDUPD - Chula Vista Bayfront parcel consisting of approximately 74.7 acres of land at H Street and Marina Parkway, Chula Vista

Negotiating Parties:
RIDA Chula Vista, LLC - Ira Mitzner and Luke Charlton;
City of Chula Vista - Gary Halbert;
SDUPD - Shaun Sumner, Tony Gordon, Adam Meyer, and Stephanie Shook

Under Negotiations: Price and Terms

No reportable action was taken.

2. 2018-0043 Closed Session Item No. 2

CONFERENCE WITH REAL PROPERTY NEGOTIATOR
Government Code Section 54956.8

Property: SDUPD - Chula Vista Marina consisting of approximately 223,549 square feet of land and 856,522 square feet of water at 550 Marina Parkway, Chula Vista

Negotiating Parties: Kevin Moriarty - Chula Vista Marina/RV Park, Ltd.; Randa Coniglio, Shaun Sumner, Adam Meyer, Stephanie Shook, and Anthony Gordon - SDUPD

Under Negotiations: Price and Terms

No reportable action was taken.

3. 2018-0034 Closed Session Item No. 3

CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
Pursuant to Subdivision (d)(1) of Government Code Section 54956.9

San Diego Unified Port District v. Landmark Insurance Company, et al.
United States District Court Case No. 15-CV-1401 BEN-MDD

No reportable action was taken.

4. 2018-0045 Closed Session Item No. 4

CONFERENCE WITH REAL PROPERTY NEGOTIATOR
Government Code Section 54956.8

Property: Approximately 14 acres of land area located at 849 West Harbor Drive in the City of San Diego, California.

Negotiating Parties: Jeffrey Essakow and Yehudi "Gaf" Gaffen - Protea Property Management, Inc.
Randa Coniglio, Shaun Sumner, Anthony Gordon, Penny Maus and Alexa

Paulus - SDUPD

Under Negotiations: Price and Terms

Commissioner Moore recused herself from any participation on Closed Session Item 4 - File No. 2018-0045. No reportable action was taken.

5. 2018-0035 Closed Session Item No. 5

CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION
Significant exposure to litigation Government Code Section 54956.9(d)(2)

Four (4) Cases

No reportable action was taken.

6. 2018-0044 Closed Session Item No. 6

CONFERENCE WITH LEGAL COUNSEL - INITIATION OF LITIGATION
Pursuant to Subdivision (d)(4) Government Code Section 54956.9

Four (4) Cases

No reportable action was taken.

A Moore

Secretary, Board of Port Commissioners
San Diego Unified Port District

ATTEST:

Donna Morales

Clerk of the San Diego Unified Port District

San Diego Unified Port District

3165 Pacific Hwy.
San Diego, CA 92101

Meeting Minutes

Board of Port Commissioners

Tuesday, February 6, 2018 | **1:00 PM** | **Don L. Nay Port Administration Boardroom**

A. Roll Call.

Present: 7 - Commissioner Bonelli, Chairperson Castellanos, Commissioner Malcolm, Commissioner Merrifield, Commissioner Moore, Commissioner Valderrama, and Commissioner Zucchet

Excused: 0

Absent: 0

Officers Present: Coniglio, DeAngelis, Russell, Morales, and Monson.

B. Closed Session Report Out.

Thomas A. Russell, General Counsel, announced that the Board considered the items on the Closed Session Agenda and that Commissioner Moore recused herself from any participation on Closed Session Item 4 - File No. 2018-0045. With regards to Closed Session Item 5 - File No. 2018-0035 and Closed Session Item 6 - File No. 2018-0044, the Board commenced discussion but will continue these items after the conclusion of this meeting. No reportable action was taken.

C. Pledge of Allegiance.

Commissioner Moore led the Pledge of Allegiance.

D. Public Communications.

The following member(s) of the public addressed the Board with non-agenda related comments: None.

E. Commissioners' Reports.

Commissioner Malcolm reported on his trip to the Association of Pacific Ports 2018 Winter Conference in January where he attended a Port Financing seminar which provided information regarding government funding resources, another seminar discussing public/private partnerships, and other informative sessions.

Chairman Castellanos reported that Ronald Powell, Program Manager, Government & Civic Relations, received the Distinguished Journalism Award at the Voice & Viewpoint 58th Anniversary Gala for his 32 years of work as a professional journalist. Chairman

Castellanos explained that as a journalist, Mr. Powell reported on issues affecting minority communities such as barriers to contracting, labor issues, housing, and commercial development, which had a great impact by shedding light on discrimination and inequality.

F. President's Report.

Randa Coniglio, President/CEO, recognized Dole Fresh Fruit, and presented a plaque "In Grateful Appreciation for Outstanding Service, Leadership, Dedication and Commitment to the Port of San Diego" for being a valued client, and being operationally accommodating by working with Maritime staff to ensure efficient U.S. military cargo operations last year. Barrett "Barry" A. Jung, Vice President, accepted the award on behalf of Dole Fresh Fruit.

Ms. Coniglio then announced that the Port has been acknowledged by the San Diego Regional Clean Cities Coalition with a Green Fleet Leadership Award. Ms. Coniglio invited Phil Gibbons, Program Manager, Energy & Sustainability, to provide introduction. Mr. Gibbons provided overview of Clean Cities Program and introduced Kevin Wood, San Diego Regional Clean Cities Coaltion, and Susan Freedman, SANDAG (San Diego Association of Governments), to present the award.

Ms. Coniglio then announced the Port participated in the annual American Heart Association's "Go Red" movement which is an annual event to raise awareness about heart health. Ms. Coniglio explained that the Port showed support by wearing red. Human Resources staff visited every department with a "heart cart" providing heart healthy snacks, and the Administration Building was lit in red to remind the community.

G. District Clerk's Announcements.

Donna Morales, District Clerk, reported that staff requested to continue: Consent Agenda Item 2 - File No. 2018-023; Consent Agenda Item 3 - File No.2018-0024; Consent Agenda Item 10 - File No. 2018-0025; Public Hearing Item 14 - File No. 2018-0014; and Action Agenda Item 17 - File No. 2018-0046. Additionally, Ms. Morales announced that Consent Agenda Item No. 4 B - File No. 2018-0578 no longer required Board action.

On a motion by Commissioner Malcolm, seconded by Commissioner Valderrama, the Board approved the requested docket changes. The motion carried by the following vote:

Yeas: 7 - Bonelli, Castellanos, Malcolm, Merrifield, Moore, Valderrama, and Zucchet

Nays: 0

Excused: 0

Absent: 0

Abstain: 0

Recused: 0

CONSENT AGENDA

Chairman Castellanos requested that Consent Item 6 - File No. 2017-0585 be pulled from the Consent Agenda.

On a motion by Commissioner Zucchet, seconded by Commissioner Bonelli, the Board adopted the Consent Agenda as follows: January 9, 2018 Closed Session minutes; January 9, 2018 Special Meeting Minutes; Resolution 2018-026; Resolution 2018-027, Resolution 2018-029; Resolution 2018-030; Resolution 2018-031; Resolution 2018-032; Resolution 2018-033; Resolution 2018-034; and Resolution 2018-035. The motion carried by the following vote:

Yeas: 7 - Bonelli, Castellanos, Malcolm, Merrifield, Moore, Valderrama, and Zucchet

Nays: 0

Excused: 0

Absent: 0

Abstain: 0

Recused: 0

1. 2018-0027 Approval of minutes for:
January 9, 2018 - CLOSED SESSION
January 9, 2018 - SPECIAL BPC MEETING

On a motion by Commissioner Zucchet, seconded by Commissioner Bonelli, the Board approved the minutes as part of the Consent Agenda.

2. 2018-0023 SOUTH CAMPUS DEMOLITION PHASE 4B IN CHULA VISTA:
A) ORDINANCE AMENDING THE FY 17/18 BUDGET INCREASING THE FY 17/18 CAPITAL IMPROVEMENT PROGRAM APPROPRIATION FOR THE CHULA VISTA BAYFRONT SOUTH CAMPUS PAVEMENT AND FOUNDATION DEMOLITION PROJECT BY $X,XXX,XXX TO BE FUNDED FROM RESTRICTED RESERVES RECEIVED FROM LEGAL SETTLEMENTS
B) RESOLUTION APPROVING AN AMENDMENT TO THE FY 2014-2018 5-YEAR CAPITAL IMPROVEMENT PROGRAM TO INCREASE THE CHULA VISTA BAYFRONT SOUTH CAMPUS PAVEMENT AND FOUNDATION DEMOLITION PROJECT BUDGET BY $X,XXX,XXX PURSUANT TO BPC POLICY NO. 90 AND NO. 120

The Board will consider staff's request to continue this item to a future Board meeting

This Consent Item was continued to a future Board meeting.

3. 2018-0024 RESOLUTION AUTHORIZING AMENDMENT NO. 1 TO AGREEMENT WITH MARINE GROUP BOAT WORKS, LLC, FOR FULL SERVICE IMPOUNDED VESSEL SERVICES, INCREASING THE MAXIMUM AMOUNT PAYABLE UNDER THE AGREEMENT BY $374,000 FOR A NEW MAXIMUM AMOUNT OF $974,000

The Board will consider staff's request to continue this item to a future Board meeting.

This Consent Item was continued to a future Board meeting.

4. 2017-0578 AS-NEEDED CURRENT PLANNING ENVIRONMENTAL REVIEW CONSULTING SERVICES

A) RESOLUTION SELECTING AND AUTHORIZING AGREEMENTS WITH AECOM TECHNICAL SERVICES INC.; ASCENT ENVIRONMENTAL; CHAMBERS GROUP, INC.; DUDEK; ENVIRONMENTAL SCIENCE ASSOCIATES; HARRIS & ASSOCIATES; HELIX ENVIRONMENTAL PLANNING, INC.; AND ICF JONES & STOKES, INC. FOR AS-NEEDED ENVIRONMENTAL REVIEW CONSULTING SERVICES FOR DISTRICT PROJECTS FOR A TOTAL AGGREGATE AMOUNT PAYABLE UNDER THE AGREEMENTS NOT TO EXCEED $1,500,000 FOR A PERIOD OF THREE YEARS; FY 2018 EXPENDITURES, IF NEEDED, ARE BUDGETED

B) RESOLUTION SELECTING AND ESTABLISHING A LIST OF QUALIFIED CONSULTING FIRMS: AECOM TECHNICAL SERVICES INC.; ASCENT ENVIRONMENTAL; CHAMBERS GROUP, INC.; DUDEK; ENVIRONMENTAL SCIENCE ASSOCIATES; HARRIS & ASSOCIATES; HELIX ENVIRONMENTAL PLANNING, INC.; AND ICF JONES & STOKES, INC. TO POTENTIALLY PROVIDE ENVIRONMENTAL REVIEW CONSULTING SERVICES FOR TENANT-SPONSORED PROJECTS FOR A PERIOD OF THREE YEARS

On a motion by Commissioner Zucchet, seconded by Commissioner Bonelli, the Board adopted Resolution 2018-026 for Item A as part of the Consent Agenda.

5. 2017-0580 RESOLUTION ADOPTING CHULA VISTA BAYFRONT DESIGN GUIDELINES DATED DECEMBER 28, 2017

On a motion by Commissioner Zucchet, seconded by Commissioner Bonelli, the Board adopted Resolution 2018-027 as part of the Consent Agenda.

7. 2017-0588 RESOLUTION AUTHORIZING PROCUREMENT OF FIVE YEARS OF ANNUAL SUBSCRIPTION SERVICES AND SUPPORT FROM LOGIKCULL INC. FOR ELECTRONIC DISCOVERY SYSTEM AND SERVICES FOR USE IN HANDLING PUBLIC RECORDS REQUESTS, LITIGATION DISCOVERY, AND INVESTIGATIONS NOT TO EXCEED

$744,000, FOR A 5-YEAR TOTAL COST OF OWNERSHIP NOT TO EXCEED $744,000 AND AUTHORIZING ADDITIONAL SUBSCRIPTION AND SUPPORT RENEWAL FOR FUTURE YEARS AT THE EXECUTIVE DIRECTOR'S DISCRETION WITH ANNUAL COSTS NOT TO EXCEED 10% MORE THAN PREVIOUS YEAR COSTS PURSUANT TO BOARD POLICY NO. 110 SECTIONS II.F AND II.U; FY 2018 expenditures are budgeted

On a motion by Commissioner Zucchet, seconded by Commissioner Bonelli, the Board adopted Resolution 2018-029 as part of the Consent Agenda.

8. 2017-0626 RESOLUTION SELECTING AND AUTHORIZING AN AGREEMENT WITH KPMG LLP FOR AS-NEEDED INTERNAL AUDIT SERVICES FOR AN AMOUNT NOT TO EXCEED $300,000 FOR A PERIOD OF THREE YEARS; FY 2018 EXPENDITURES, IF NEEDED, ARE BUDGETED

On a motion by Commissioner Zucchet, seconded by Commissioner Bonelli, the Board adopted Resolution 2018-030 as part of the Consent Agenda.

9. 2017-0630 RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AWARDING CONTRACT NO. 2017-53 TO TL VETERANS CONSTRUCTION INC. IN THE AMOUNT OF $218,000 FOR THE REPAINTING OF PASSENGER BOARDING FACILITIES AT B STREET PIER CRUISE SHIP TERMINAL, AS AUTHORIZED BY THE BOARD IN THE FY17/18 MAJOR MAINTENANCE BUDGET PROGRAM

On a motion by Commissioner Zucchet, seconded by Commissioner Bonelli, the Board adopted Resolution 2018-031 as part of the Consent Agenda.

10. 2018-0025 RESOLUTION AUTHORIZING AMENDMENT NO. 1 TO THE AGREEMENT WITH KTU+A FOR CHULA VISTA PARKS DESIGN SERVICES TO INCREASE THE AGREEMENT AMOUNT BY $300,000 INCREASING THE AGGREGATE TOTAL OF THE AGREEMENT FROM $100,000 TO $400,000, WITHIN THE EXISTING APPROVED PROJECT BUDGET

The Board will consider staff's request to continue this item to a future Board meeting.

This Consent Item was continued to a future Board meeting.

11. 2018-0015 RESOLUTION AUTHORIZING AMENDMENT NO. 4 TO AGREEMENT 235-2016SN WITH MOZAIK SOLUTIONS, INCREASING THE MAXIMUM AMOUNT PAYABLE UNDER THE AGREEMENT BY $266,219.00 FOR A NEW MAXIMUM AMOUNT OF $574,895.50, REIMBURSABLE THROUGH THE PORT SECURITY GRANT PROGRAM, AND EXTENDING THE AGREEMENT TERM THROUGH DECEMBER 31, 2020; FY 2018 EXPENDITURES, IF NEEDED, ARE BUDGETED

On a motion by Commissioner Zucchet, seconded by Commissioner Bonelli, the Board adopted Resolution 2018-032 as part of the Consent Agenda.

12. 2018-0021 RESOLUTION AUTHORIZING THE GENERAL COUNSEL TO EXECUTE AMENDMENT NO. 4 TO THE AGREEMENT FOR LEGAL SERVICES WITH ANDERSON KILL P.C. INCREASING THE MAXIMUM AMOUNT PAYABLE BY $500,000 FROM $700,000 TO $1,200,000 AND EXTENDING THE TERM THROUGH DECEMBER 31, 2018, AND AMENDMENT NO. 3 TO THE AGREEMENT FOR LEGAL SERVICES WITH BROWN AND WINTERS INCREASING THE MAXIMUM AMOUNT PAYABLE BY $325,000 FROM $725,000 TO $1,050,000 AND EXTENDING THE TERM THROUGH DECEMBER 31, 2018, AND AMENDMENT NO. 1 TO THE AGREEMENT FOR LEGAL SERVICES WITH BEST, BEST & KRIEGER INCREASING THE MAXIMUM AMOUNT PAYABLE BY $106,100 FROM $120,900 TO $227,000; FY 2018 expenditures are budgeted

On a motion by Commissioner Zucchet, seconded by Commissioner Bonelli, the Board adopted Resolution 2018-033 as part of the Consent Agenda.

13. 2018-0022 RESOLUTION AUTHORIZING AGREEMENT FOR AMENDMENT OF EXCLUSIVE NEGOTIATING AGREEMENT AMENDMENT NO. 3 WITH RIDA CHULA VISTA, LLC TO EXTEND THE NEGOTIATING PERIOD TO AUGUST 16, 2018

On a motion by Commissioner Zucchet, seconded by Commissioner Bonelli, the Board adopted Resolution 2018-034 as part of the Consent Agenda.

PUBLIC HEARING AGENDA

14. 2018-0014 ORDINANCE AMENDING DISTRICT CODE 4.09 OF THE SAN DIEGO UNIFIED PORT DISTRICT CODE - REGULATION OF VESSELS - G STREET MOLE MOORING; TO IMPLEMENT COMMERCIAL FISHING INDUSTRY BEST PRACTICES INCLUDING: LIABILITY INSURANCE REQUIREMENT, U.S. COAST GUARD SAFETY VESSEL INSPECTIONS, REGULATION FOR LIVE-ABOARD, VERIFICATION OF FISH RECEIPTS, CREDIT CHECKS, AND SECURITY DEPOSITS

The Board will consider staff's request to continue this item to a future Board meeting.

This Public Hearing Item was continued to a future Board meeting.

ACTION AGENDA

6. 2017-0585 RESOLUTION SELECTING AND AUTHORIZING AGREEMENTS WITH:

A) AECOM TECHNICAL SERVICES, INC.
B) CARDNO, INC.
C) CHEN RYAN ASSOCIATES, INC.
D) CIVITAS, INC.

E) DUDEK
F) ENVIRONMENTAL SCIENCE ASSOCIATES
G) HDR ENGINEERING, INC.
H) ICF JONES & STOKES, INC.
I) KTU&A
J) MICHAEL BAKER INTERNATIONAL, INC.
K) NEXUSPLAN, INC.
L) RECON ENVIRONMENTAL, INC.
M) RICK ENGINEERING CO.
N) UDP INTERNATIONAL, LLC

TO PROVIDE AS-NEEDED LONG RANGE PLANNING AND ENVIRONMENTAL REVIEW SERVICES FOR A TOTAL AGGREGATE AMOUNT NOT TO EXCEED $4,000,000 FOR A PERIOD OF THREE YEARS AND FOUR MONTHS FROM MARCH 1, 2018 TO JUNE 30, 2021; FY 2018 EXPENDITURES, IF NEEDED, ARE BUDGETED

This item was moved from the Consent Agenda.

On a motion by Commissioner Malcolm, seconded by Commissioner Moore, the Board adopted Resolution 2018-028. The motion carried by the following vote:

Yeas: 6 - Bonelli, Malcolm, Merrifield, Moore, Valderrama, and Zucchet

Nays: 0

Excused: 0

Absent: 0

Abstain: 0

Recused: 1 - Castellanos

15. 2017-0425 PRESENTATION BY THE COUNTY OF SAN DIEGO AND RESOLUTION AUTHORIZING THE SAN DIEGO UNIFIED PORT DISTRICT TO BECOME A PARTNER IN THE "LIVE WELL SAN DIEGO" HEALTHY LIVING VISION AND PROGRAM

Greg Cox, Supervisor, San Diego County Board of Supervisors, addressed the Board with the County's presentation regarding Action Agenda Item 15 -File No. 2017-0425 (A copy of the staff report, presentations and any agenda related materials are on file with the Office of the District Clerk). Mr. Cox then introduced Nick Macchione, Health and Human Services, County of San Diego, to discuss the Live Well San Diego Program.

Commissioner Merrifield and Commissioner Moore offered varied comments.

On a motion by Commissioner Moore, seconded by Commissioner Merrifield, the Board adopted Resolution 2018-035. The motion carried by the following vote:

Yeas: 7 - Bonelli, Castellanos, Malcolm, Merrifield, Moore, Valderrama, and Zucchet

Nays: 0

Excused: 0

Absent: 0

Abstain: 0

Recused: 0

16. 2018-0007 INFORMATIONAL PRESENTATION FROM WORLD TRADE CENTER SAN DIEGO (WTCSD) ON THE WTCSD 2017 WORKPLAN OUTCOMES AND ANNUAL REPORT

Bella Heule, Vice President, Public Policy, addressed the Board with staff's report and presentation regarding Action Agenda Item 16 - File No. 2018-0007 (A copy of the staff report, presentations and any agenda related materials are on file with the Office of the District Clerk). Ms. Heule then turned the presentation over to Nikia Clarke, Executive Director, World Trade Center, to provide an annual update and present the proposed 2018 Workplan.

Commissioner Merrifield and Chairman Castellanos offered varied comments.

17. 2018-0046 PRESENTATION AND UPDATE ON THE SAN DIEGO OCEAN PLANNING PARTNERSHIP, A COLLABORATIVE PARTNERSHIP BETWEEN THE CALIFORNIA STATE LANDS COMMISSION AND SAN DIEGO UNIFIED PORT DISTRICT

The Board will consider staff's request to continue this item to a future Board Meeting.

This Action Item was continued to a future Board meeting.

18. 2018-0038 REVIEW AND CONSIDERATION OF DRAFT PROPOSED BOARD AGENDA FOR THE MARCH 13, 2018 MEETING

On a motion by Commissioner Valderrama, seconded by Commissioner Bonelli, the Board adopted the draft agenda for March 13, 2018. The motion carried by the following vote:

Yeas: 7 - Bonelli, Castellanos, Malcolm, Merrifield, Moore, Valderrama, and Zucchet

Nays: 0

Excused: 0

Absent: 0

Abstain: 0

Recused: 0

OFFICER'S REPORT

19. 2018-0030 MONTHLY NOTIFICATION REPORTS

Monthly Notification of Change Orders Pursuant to BPC Policy No. 110:

A) Change Order No. 1 to Contract No. 2017-27 with Crew Builders, Inc. / Increases Contract by $10,008.00
B) Change Order No. 2 to Contract No. 2017-27 with Crew Builders, Inc. / $2,719.00 Increase & 181 Calendar Day Time Extension thru 06/30/18
C) Change Order No. 2 to Contract No. 2016-10 with Conan Construction, Inc. / $75,140.55 Increase & 60 Calendar Day Time Extension thru 12/28/17

Monthly Notification of Cost Recovery User Fee Waivers Granted by the Executive Director Pursuant to BPC Policy No. 106:

A) Request for User Fee Waiver Form from Retunder Holdings AB for Drive-In Boat Wash Demonstration Project, for total amount $1,308.00
B) Request for User Fee Waiver Form from Envision Solar International, Inc. for EV ARC Charging Stations, for total amount $1,208.00

Monthly Notification of Rent Reviews Completed Administratively Pursuant to BPC Policy No. 355 as Amended on January 10, 2017:

A) Rent Review Letter with Point Loma Marina, LLC dba The Wharf for Rental Period Beginning 06/01/17 thru 05/31/27
B) Rent Review Letter with Intrepid Landing, LLC (Marina) for Rental Period Beginning 07/01/17 thru 06/30/27
C) Rent Review Letter with Intrepid Landing, LLC (Commercial) for Rental Period Beginning 07/01/17 thru 06/30/27

Monthly Notification of Encumbrances Consented to Administratively Pursuant to BPC Policy No. 355 as Amended on January 10, 2017:

None to report

Secretary, Board of Port Commissioners
San Diego Unified Port District

ATTEST:

Clerk of the San Diego Unified Port District

San Diego Unified Port District

3165 Pacific Hwy.
San Diego, CA 92101

Special Meeting Minutes

Board of Port Commissioners

Thursday, February 22, 2018 **2:00 PM** **Don L. Nay Port Administration Boardroom**

Closed Session Agenda
Teleconference Location - Marina Room
Bahia Resort Hotel
998 W. Mission Bay Drive
San Diego, CA 92109

A. Roll Call.

Present: 6 - Commissioner Bonelli, Chairperson Castellanos, Commissioner Malcolm, Commissioner Merrifield, Commissioner Valderrama, and Commissioner Zucchet

Excused: 1 - Commissioner Moore

Absent: 0

Commissioner Zucchet was excused until he joined via teleconference at 2:20 pm.

Officers Present: Coniglio, DeAngelis, Russell, Monson, and Deuel.

B. Public Communications.

The following member(s) of the public addressed the Board with non-agenda related comments: None

CLOSED SESSION

Thomas A. Russell, General Counsel, announced the Closed Session items as follows:

1. 2018-0062 Closed Session Item No. 1

CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION
Significant exposure to litigation Government Code Section 54956.9(d)(2)

Two (2) Cases

No reportable action was taken.

2. 2018-0063 Closed Session Item No. 2

CONFERENCE WITH LEGAL COUNSEL - INITIATION OF LITIGATION
Pursuant to Subdivision (d)(4) Government Code Section 54956.9

One (1) Case

No reportable action was taken.

A Moore

Secretary, Board of Port Commissioners
San Diego Unified Port District

ATTEST:

Donna Morales

Clerk of the San Diego Unified Port District

San Diego Unified Port District

3165 Pacific Hwy.
San Diego, CA 92101

Meeting Minutes

Board of Port Commissioners

Tuesday, March 13, 2018 | **10:00 AM** | **Don L. Nay Port Administration Boardroom**

Closed Session

A. Roll Call.

Present: 7 - Commissioner Bonelli, Chairperson Castellanos, Commissioner Malcolm, Commissioner Merrifield, Commissioner Moore, Commissioner Valderrama, and Commissioner Zucchet

Excused: 0

Absent: 0

Commissioner Malcolm was excused until he arrived at 10:10 am.

Officers Present: Coniglio, DeAngelis, Russell, and Morales.

B. Public Communications.

The following member(s) of the public addressed the Board with non-agenda related comments: None

CLOSED SESSION

Thomas A. Russell, General Counsel, announced the Closed Session items as follows:

1. 2018-0099 Closed Session Item No. 1

CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION
Significant exposure to litigation Government Code Section 54956.9(d)(2)

Two (2) Cases

No reportable action was taken on this item.

2. 2018-0100 Closed Session Item No. 2

CONFERENCE WITH LEGAL COUNSEL - INITIATION OF LITIGATION
Pursuant to Subdivision (d)(4) Government Code Section 54956.9

One (1) Case

No reportable action was taken on this item.

3. 2018-0105 Closed Session Item No. 3

CONFERENCE WITH REAL PROPERTY NEGOTIATOR
Government Code Section 54956.8

Property: SDUPD - Chula Vista Bayfront parcel consisting of approximately 74.7 acres of land at H Street and Marina Parkway, Chula Vista

Negotiating Parties:
RIDA Chula Vista, LLC - Ira Mitzner and Luke Charlton;
City of Chula Vista - Gary Halbert;
SDUPD - Shaun Sumner, Tony Gordon, Adam Meyer, Stephanie Shook and Sean Jones.

Under Negotiations: Price and Terms

No reportable action was taken on this item.

C. Moore

Secretary, Board of Port Commissioners
San Diego Unified Port District

ATTEST:

Donna Morales

Clerk of the San Diego Unified Port District

San Diego Unified Port District

3165 Pacific Hwy.
San Diego, CA 92101

Meeting Minutes

Board of Port Commissioners

Tuesday, March 13, 2018 | **1:00 PM** | **Don L. Nay Port Administration Boardroom**

A. Roll Call.

Present: 7 - Commissioner Bonelli, Chairperson Castellanos, Commissioner Malcolm, Commissioner Merrifield, Commissioner Moore, Commissioner Valderrama, and Commissioner Zucchet

Excused: 0

Absent: 0

Officers Present: Coniglio, DeAngelis, Russell, Medina, and Morales.

B. Closed Session Report Out.

Thomas A. Russell, General Counsel, announced that the Board considered the items on the Closed Session Agenda, and stated that no reportable action was taken.

C. Pledge of Allegiance.

Commissioner Merrifield led the Pledge of Allegiance.

D. Public Communications.

The following members of the public addressed the Board with non-agenda related comments: David Berg; Sharon Cloward, President, San Diego Port Tenants Association; Nicholas Bradley; Carole Noska, Owner, Sail JADA Charters; Ken Manzoni, Owner, Adventuress Luxury Catamaran; John Valente, Owner, San Diego Bay Cruises; and Uri Feldman, President, Sunroad Enterprises.

Commissioner Valderrama responded to public comments regarding charter boat businesses operating illegally within Port tidelands. Commissioner Valderrama expressed interest in seeing Port staff develop an ordinance to address concerns, and requested a written report from staff about the concerns expressed.

E. Commissioners' Reports.

Commissioner Bonelli reported on multiple items. He started with his report on the SANDAG Retreat, which focused on the Metropolitan Planning Committee Regional Transportation Plan Update. Next Commissioner Bonelli spoke about his trip to Dallas to attend a Public Private Partnership Conference, which focused on the Federal Infrastructure Package Grants. Lastly, Commissioner Bonelli addressed offshore drilling and the potential impacts it could have on the region if it is implemented.

Commissioner Merrifield reported out on the Aquaculture Conference in Las Vegas that he, Randa Coniglio, President/CEO, and the Aquaculture & Blue Tech Team attended. Commissioner Merrifield explained that he and Ms. Coniglio were asked to make presentations regarding public/private partnerships, and how public agencies can be a catalyst in the industry.

Chairman Castellanos reported out on the San Diego Chamber of Commerce delegation to Sacramento in February. Chairman Castellanos explained that he, along with Commissioner Merrifield and Port staff, met with Legislators to discuss Port priorities such as funding for green technology through Cap and Trade Funds.

F. President's Report.

Randa Coniglio, President/CEO, recognized journalist Roger Showley, who is retiring after 44 years with The San Diego Union-Tribune. Ms. Coniglio thanked him for being an impartial and fair, committed and caring observer of the Port over the years.

Commissioner Merrifield, Chairman Castellanos, and Commissioner Malcolm offered varied comments.

Ms. Coniglio then recognized Tim Deuel, District Clerk, who is retiring from the Port after 25 years of service. Ms. Coniglio highlighted some of Mr. Deuel's accomplishments over the past 25 years. Ms. Coniglio thanked Mr. Deuel for all he has done for the Port. Ms. Coniglio then invited Sharon Cloward, President, San Diego Port Tenants Association; and Diane Takvorian, Executive Director, Environmental Health Coalition to say a few words.

Commissioner Moore, Commissioner Valderrama, Chairman Castellanos, and Thomas A. Russell, General Counsel, offered comments and thanked Mr. Deuel for his years of service.

Mr. Deuel thanked everyone for their support and kind words.

Ms. Coniglio next recognized two Port employees Andres Iniguez and Ryan Lenyk, from General Services for their heroic action by pulling a woman from the water. Mr. Iniguez and Lenyk were not present to receive the Life Saving Award.

Ms. Coniglio then turned the presentation over to Jason Giffen, Assistant Vice President, Planning & Green Port, to discuss the California Sea Grant Fellows program. Mr. Giffen introduced and welcomed the new 2018 Sea Grant Fellows, Stephanie Gad and Laura Schwebel.

Mr. Giffen then provided updates and highlights regarding the Port's coordinated outreach related to fisheries and aquaculture.

G. District Clerk's Announcements.

Donna Morales, District Clerk, offered that copies of agenda related materials submitted after the publication of the agenda were available at the Clerk's desk. Additionally, Ms. Morales reported that staff requested to continue the following items: Consent Agenda Item 4 - 2018-0097; Consent Agenda Item 12 - 2018-0101; Consent Agenda Item 13 - 2018-0074; Public Hearing Agenda Item 16 - 2018-0067. Also, Ms. Morales informed the Board that Consent Agenda Item 14 - 2018-0075 no longer required Board action.

On a motion by Commissioner Malcolm, seconded by Commissioner Bonelli, the Board approved the requested docket changes. The motion carried by the following vote:

Yeas: 7 - Bonelli, Castellanos, Malcolm, Merrifield, Moore, Valderrama, and Zucchet

Nays: 0

Excused: 0

Absent: 0

Abstain: 0

Recused: 0

CONSENT AGENDA

On a motion by Commissioner Merrifield, seconded by Commissioner Bonelli, the Board adopted the Consent Agenda as follows: January 22, 2018 - Special Meeting Minutes; February 6, 2018 - Closed Session Minutes; February 6, 2018 - Regular BPC Meeting Minutes; Resolution 2018-036; Resolution 2018-037; Resolution 2018-038; Resolution 2018-039; Resolution 2018-040; Resolution 2018-041; Resolution 2018-042; Resolution 2018-043; Ordinance 2909; and Resolution 2018-044. The motion carried by the following vote:

Yeas: 7 - Bonelli, Castellanos, Malcolm, Merrifield, Moore, Valderrama, and Zucchet

Nays: 0

Excused: 0

Absent: 0

Abstain: 0

Recused: 0

1. 2018-0041 Approval of minutes for:
January 22, 2018 - SPECIAL MEETING
February 6, 2018 - CLOSED SESSION
February 6, 2018 - REGULAR BPC MEETING

On a motion by Commissioner Merrifield, seconded by Commissioner Bonelli, the Board approved the minutes as part of the Consent Agenda.

2. 2017-0529 RESOLUTION SELECTING AND AUTHORIZING AN AGREEMENT WITH DIAMOND ENVIRONMENTAL SERVICES LP FOR AS NEEDED PORTABLE TOILET RENTAL SERVICES FROM JULY 1, 2018 THROUGH JUNE 30, 2023, FOR AN AMOUNT NOT TO EXCEED $200,000. ALL FUNDS REQUIRED FOR FUTURE FISCAL YEARS WILL BE BUDGETED IN THE APPROPRIATE FISCAL YEAR, SUBJECT TO BOARD APPROVAL UPON ADOPTION OF EACH FISCAL YEAR'S BUDGET

On a motion by Commissioner Merrifield, seconded by Commissioner Bonelli, the Board adopted Resolution 2018-036 as part of the Consent Agenda.

3. 2017-0582 RESOLUTION SELECTING AND AUTHORIZING AN AGREEMENT WITH CORKY'S PEST CONTROL, INC. FOR ANIMAL AND PEST CONTROL SERVICES FROM JULY 1, 2018 THROUGH JUNE 30, 2023, FOR AN AMOUNT NOT TO EXCEED $230,000. ALL FUNDS REQUIRED FOR FUTURE FISCAL YEARS WILL BE BUDGETED IN THE APPROPRIATE FISCAL YEAR, SUBJECT TO BOARD APPROVAL UPON ADOPTION OF EACH FISCAL YEAR'S BUDGET

On a motion by Commissioner Merrifield, seconded by Commissioner Bonelli, the Board adopted Resolution 2018-037 as part of the Consent Agenda.

4. 2018-0097 RESOLUTION AUTHORIZING AMENDMENT NO. 2 TO THE AGREEMENT WITH KTU+A FOR CHULA VISTA PARKS DESIGN SERVICES TO INCREASE THE AGREEMENT AMOUNT BY $300,000 INCREASING THE AGGREGATE TOTAL OF THE AGREEMENT FROM $100,000 TO $400,000, WITHIN THE EXISTING APPROVED PROJECT BUDGET

The Board will consider staff's request to continue this item to a future Board meeting.

This Consent Item was continued to a future Board meeting.

5. 2017-0649 RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AWARDING CONTRACT NO. 2017-48 TO PAVEMENT COATINGS CO. IN THE AMOUNT OF $395,495.00 (BID SCHEDULES A AND B) FOR THE FY 2018 PAVEMENT MAINTENANCE AT VARIOUS LOCATIONS PROJECT AS AUTHORIZED BY THE BOARD IN THE FY 2018 MAJOR MAINTENANCE BUDGET PROGRAM

On a motion by Commissioner Merrifield, seconded by Commissioner Bonelli, the Board adopted Resolution 2018-038 as part of the Consent Agenda.

6. 2018-0004 RESOLUTION AUTHORIZING AMENDMENT NO. 1 TO INCREASE THE COMBINED AMOUNT OF THE AS-NEEDED AGREEMENTS BY $500,000 WITH KLEINFELDER, INC. AND NINYO & MOORE GEOTECHNICAL & ENVIRONMENTAL SCIENCES CONSULTANTS FOR ENVIRONMENTAL ENGINEERING SERVICES, INCREASING THE AGGREGATE TOTAL FOR CURRENT AND FUTURE FISCAL YEARS FROM $500,000 TO $1,000,000 THEREBY INCREASING THE CAPACITY OF THESE AGREEMENTS TO A LEVEL ALLOWING EXECUTION ON BUDGETED PROJECTS WITH NO CORRESPONDING INCREASE REQUIRED TO APPROVED CAPITAL IMPROVEMENT AND MAJOR MAINTENANCE PROGRAM BUDGETS

On a motion by Commissioner Merrifield, seconded by Commissioner Bonelli, the Board adopted Resolution 2018-039 as part of the Consent Agenda.

7. 2018-0010 RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AWARDING CONTRACT NO. 2017-42 TO POWER PRO PLUS INC. IN THE AMOUNT OF $330,031.14 FOR THE LIGHTING REPLACEMENT AT IMPERIAL BEACH PIER PROJECT, AS AUTHORIZED BY THE BOARD IN THE FY2017/2018 MAJOR MAINTENANCE BUDGET

On a motion by Commissioner Merrifield, seconded by Commissioner Bonelli, the Board adopted Resolution 2018-040 as part of the Consent Agenda.

8. 2018-0016 RESOLUTION SELECTING AND AUTHORIZING AGREEMENTS WITH BURNS & MCDONNELL ENGINEERING COMPANY, INC.; DUDEK; HDR ENGINEERING, INC.; AND ICF JONES & STOKES, INC. FOR AS-NEEDED PROJECT MANAGEMENT CONSULTING SERVICES FOR DISTRICT PROJECTS FOR A TOTAL AGGREGATE AMOUNT PAYABLE UNDER THE AGREEMENTS NOT TO EXCEED $750,000 FOR A PERIOD OF THREE YEARS BEGINNING ON MARCH 14, 2018 AND ENDING ON JUNE 30, 2021; FY 2018 EXPENDITURES, IF NEEDED, ARE BUDGETED AND FUNDS REQUIRED FOR FUTURE FISCAL YEARS WILL BE BUDGETED IN THE APPROPRIATE FISCAL YEAR, SUBJECT TO BOARD APPROVAL UPON ADOPTION OF EACH FISCAL YEAR'S BUDGET

On a motion by Commissioner Merrifield, seconded by Commissioner Bonelli, the Board adopted Resolution 2018-041 as part of the Consent Agenda.

9. 2018-0028 RESOLUTION AUTHORIZING AMENDMENT NO. 3 TO AGREEMENT WITH DOWNSTREAM SERVICES, INC. FOR AS-NEEDED STORMDRAIN CLEANING AND MAINTENANCE SERVICES, INCREASING THE AGREEMENT AMOUNT BY $100,000 INCREASING THE MAXIMUM AMOUNT PAYABLE UNDER THE AGREEMENT FROM $175,000 TO $275,000 AND EXTENDING THE AGREEMENT BY ONE YEAR TO JUNE 30, 2019 FY 2018 EXPENDITURES, IF NEEDED, ARE BUDGETED. ALL FUNDS REQUIRED FOR FUTURE FISCAL YEARS

WILL BE BUDGETED IN THE APPROPRIATE FISCAL YEAR, SUBJECT TO BOARD APPROVAL UPON ADOPTION OF EACH FISCAL YEAR'S BUDGET

On a motion by Commissioner Merrifield, seconded by Commissioner Bonelli, the Board adopted Resolution 2018-042 as part of the Consent Agenda.

10. 2018-0029 RESOLUTION AUTHORIZING EXECUTION OF A MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF SAN DIEGO AND THE SAN DIEGO UNIFIED PORT DISTRICT IN ORDER TO PARTICIPATE IN THE URBAN AREA SECURITY INITIATIVE FY 17 GRANT PROGRAM, AND GRANTING INDEMNITY

On a motion by Commissioner Merrifield, seconded by Commissioner Bonelli, the Board adopted Resolution 2018-043 as part of the Consent Agenda.

11. 2018-0036 ORDINANCE INCREASING THE FY 2018 EQUIPMENT OUTLAY APPROPRIATION BY $170,400 AND THE CAPITAL MAJOR MAINTENANCE APPROPRIATION BY $185,000 BY TRANSFERRING $355,400 FROM THE NON-PERSONNEL EXPENSE (NPE) APPROPRIATION PURSUANT TO BPC POLICY NO. 90 - TRANSFER BETWEEN OR WITHIN APPROPRIATED ITEMS IN THE BUDGET

On a motion by Commissioner Merrifield, seconded by Commissioner Bonelli, the Board adopted Ordinance 2909 as part of the Consent Agenda.

13. 2018-0074 SOUTH CAMPUS DEMOLITION PHASE 4B IN CHULA VISTA:
A) ORDINANCE AMENDING THE FY 2018 BUDGET INCREASING THE FY 2018 CAPITAL IMPROVEMENT PROGRAM APPROPRIATION FOR THE CHULA VISTA BAYFRONT SOUTH CAMPUS PAVEMENT AND FOUNDATION DEMOLITION PROJECT BY $XXXXXXX TO BE FUNDED WITH $XXXXXXX FROM RESTRICTED RESERVES AND $XXXXXX FROM CUMULATIVE UNDESIGNATED RESERVES FROM PREVIOUS YEARS
B) RESOLUTION APPROVING AN AMENDMENT TO THE FY 2014-2018 5-YEAR CAPITAL IMPROVEMENT PROGRAM TO INCREASE THE CHULA VISTA BAYFRONT SOUTH CAMPUS PAVEMENT AND FOUNDATION DEMOLITION PROJECT BUDGET BY $XXXXXX PURSUANT TO BPC POLICY NO. 120

The Board will consider staff's request to continue this item to a future Board meeting.

This Consent Item was continued to a future Board meeting.

14. 2018-0075 A) RESOLUTION AUTHORIZING AMENDMENT NO. 1 TO THE SHELTER ISLAND BOAT LAUNCHING FACILITY GRANT AGREEMENT WITH THE CALIFORNIA NATURAL RESOURCES AGENCY, PARKS & RECREATION, DIVISION OF BOATING & WATERWAYS EXTENDING TIME OF AGREEMENT UNTIL FEBRUARY 2, 2019
B) RESOLUTION AUTHORIZING AMENDMENT NO. 1 TO THE SHELTER ISLAND BOAT LAUNCH REPLACEMENT GRANT AGREEMENT WITH THE STATE OF CALIFORNIA, WILDLIFE CONSERVATION BOARD EXTENDING TIME OF AGREEMENT UNTIL SEPTEMBER 30, 2019

Board Action no longer required.

This Consent Item no longer required Board Action.

15. 2018-0064 RESOLUTION APPROVING TENANT PERCENT FOR ART PROJECTS FOR THE LANE FIELD SOUTH HOTEL PURSUANT TO BPC POLICY NO. 608: TENANT PERCENT FOR ART PROGRAM

On a motion by Commissioner Merrifield, seconded by Commissioner Bonelli, the Board adopted Resolution 2018-044 as part of the Consent Agenda.

PUBLIC HEARING AGENDA

16. 2018-0067 ORDINANCE AMENDING DISTRICT CODE 4.09 OF THE SAN DIEGO UNIFIED PORT DISTRICT CODE - REGULATION OF VESSELS - G STREET MOLE MOORING; TO IMPLEMENT COMMERCIAL FISHING INDUSTRY BEST PRACTICES INCLUDING: LIABILITY INSURANCE REQUIREMENT, U.S. COAST GUARD SAFETY VESSEL INSPECTIONS, REGULATION FOR LIVE-ABOARD, VERIFICATION OF FISH RECEIPTS, CREDIT CHECKS, AND SECURITY DEPOSITS

The Board will consider staff's request to continue this item to a future Board meeting.

This Public Hearing Item was continued to a future Board meeting.

ACTION AGENDA

17. 2018-0009 PRESENTATION AND UPDATE ON THE REDEVELOPMENT OF THE CENTRAL EMBARCADERO, INCLUDING CHANGES TO THE PROPOSED DEVELOPMENT

Commissioner Moore announced that she is abstaining from this item and left the dais during the presentation and discussion.

Anthony Gordon, Director, Real Estate, addressed the Board with staff's report and presentation regarding Action Agenda Item 17 - File No. 2018-0009 (A copy of the staff report, presentations and any agenda related materials are on file with the Office of the

District Clerk.) Mr. Gordon then turned the presentation over to Lucy Contreras, Program Manager, Real Estate.

Wayne Raffesberger; Caryn Laveman spoke on behalf of Matthew Adams, Manchester Grand Hyatt San Diego; Sophie Barnhorst, San Diego Regional Chamber of Commerce; Daniel Reeves, Senior Vice President, Downtown San Diego Partnership; Peter Halmay, San Diego Fishermen's Working Group; Kerri Kapich, Chief Operating Officer, San Diego Tourism Authority; Margret Leinen, UCSD Vice Chancellor, Scripps Institution of Oceanography; Peter Flournoy, General Counsel, American Tunaboat Association; Mark Mazzarella, Mazzarella & Mazzarella; Don Wood, San Diego Waterfront Coalition.

Commissioner Malcolm, Commissioner Merrifield, Commissioner Zucchet, Commissioner Valderrama, Commissioner Bonelli, offered varied comments and asked clarifying questions.

18. 2017-0624 PRESENTATION AND UPDATE ON THE SAN DIEGO OCEAN PLANNING PARTNERSHIP, A COLLABORATIVE PARTNERSHIP BETWEEN THE CALIFORNIA STATE LANDS COMMISSION AND SAN DIEGO UNIFIED PORT DISTRICT

Jason Giffen, Assistant Vice President; Planning & Green Port, addressed the Board with staff's report and presentation regarding Action Agenda Item 18 - File No. 2017-0624 (A copy of the staff report, presentations and any agenda related materials are on file with the Office of the District Clerk). Mr. Giffen then turned the presentation over to Lily Tsukayama, Assistant Planner, Planning.

The following member of the public addressed the Board with agenda related comments: Peter Halmay, President, San Diego Fishermen's Working Group.

20. 2018-0039 REVIEW AND CONSIDERATION OF DRAFT PROPOSED BOARD AGENDA FOR THE APRIL 10, 2018 MEETING

On a motion by Commissioner Bonelli, seconded by Commissioner Malcolm, the Board adopted the draft agenda for April 10, 2018. The motion carried by the following vote:

Yeas: 6 - Bonelli, Castellanos, Malcolm, Merrifield, Moore, and Zucchet

Nays: 0

Excused: 1 - Valderrama

Absent: 0

Abstain: 0

Recused: 0

12. 2018-0101 A) RESOLUTION SELECTING PROTEA PROPERTY MANAGEMENT, INC. AS THE SUCCESSFUL PROPOSER OF THE REQUEST FOR PROPOSALS (RFP 17-52ME, WATERFRONT RETAIL OPPORTUNITY) (RFP) AND CONCLUDING THE RFP, RESERVING CERTAIN RIGHTS THEREUNDER
B) RESOLUTION CONSENTING TO A NEW THREE-YEAR MANAGEMENT AGREEMENT WITH TWO ONE-YEAR OPTIONS BETWEEN THE SAN DIEGO UNIFIED PORT DISTRICT (DISTRICT) AND PROTEA PROPERTY MANAGEMENT, INC.

The Board will consider staff's request to continue this item to a future Board meeting.

Chairman Castellanos asked if any public were present that wished to speak on Item 12 on the Consent Agenda, which has been continued to a future Board Meeting.

No public came forward.

Chairman Castellanos explained that General Counsel advised that an opportunity for public comment needs to be made on this item as speaker slips were submitted earlier, and the public may want to speak either for, or against, the continuance itself, and that the Board should re-vote on continuance of item.

On a motion by Commissioner Zucchet, seconded by Commissioner Bonelli, the Board approved staff's request to continue this item to a future Board meeting.

Yeas: 6 - Bonelli, Castellanos, Malcolm, Merrifield, Valderrama, and Zucchet

Nays: 0

Excused: 0

Absent: 0

Abstain: 1 - Moore

Recused: 0

19. 2018-0031 PRESENTATION AND DIRECTION TO STAFF PERTAINING TO THE REDEVELOPMENT OF THE ELBOW PARCEL ON EAST HARBOR ISLAND WHICH MAY INCLUDE:

A) TERMINATION OF THE EXCLUSIVE NEGOTIATING AGREEMENT WITH SUNROAD HIE HOTEL PARTNERS, L.P. AND DIRECTION TO STAFF TO RETURN AT A FUTURE MEETING WITH OPTIONS TO DEVELOP THE ELBOW PARCEL

B) NEGOTIATE AN AMENDMENT TO THE EXCLUSIVE NEGOTIATING AGREEMENT WITH SUNROAD HIE HOTEL PARTNERS, L.P. FOR THE DEVELOPMENT OF A SINGLE-PHASE HIGH QUALITY 500-ROOM HOTEL ON THE ELBOW PARCEL THAT CONFORMS TO THE PORT

MASTER PLAN

Chairman Castellanos recused himself from any participation in this item and turned the meeting over to Commissioner Bonelli.

Chairman Castellanos left the dais at 4:00 pm for the remainder of the meeting.

Anthony Gordon, Director of Real Estate, addressed the Board with staff's report and presentation regarding Action Agenda Item 19 - File No. 2018-0031 (A copy of the staff report, presentations and any agenda related materials are on file with the Office of the District Clerk). Mr. Gordon then turned the presentation over to Wendy Ong, Program Manager, Real Estate, to provide background of process, discuss the current status, and options for development. Ms. Ong then turned the presentation back to Mr. Gordon to discuss the options recommended by staff.

The following members of the public addressed the Board with agenda related comments: Uri Feldman, Sunroad Enterprises; Aaron Feldman, Sunroad Enterprises; Richard Vann, Sunroad Enterprises, was called but declined to speak; and Brigette Browning, President, UNITE HERE Local 30.

Commissioner Zucchet, Commissioner Valderrama, Commissioner Moore, Commissioner Malcolm, Commissioner Merrifield, and Commissioner Bonelli, asked clarifying questions, and offered varied comments. Anthony Gordon; Rebecca Harrington, Senior Deputy General Counsel, General Counsel's Office, Anna Buzaitis, Program Manager, Planning & Green Port; Elizabeth Alonso, Deputy General Counsel, General Counsel's Office; Thomas A. Russell, General Counsel; and Randa Coniglio, President/CEO, responded on behalf of staff; Uri Feldman, Sunroad Enterprises, responded on behalf of Sunroad.

On a motion by Commissioner Valderrama, seconded by Commissioner Malcolm, to accept Option B to negotiate an Amendment to the Exclusive Negotiating Agreement, failed by the following vote:

Yeas: 3 - Bonelli, Malcolm, and Valderrama

Nays: 3 - Merrifield, Moore, and Zucchet

Excused: 0

Absent: 0

Abstain: 0

Recused: 1 - Castellanos

On a motion by Commissioner Zucchet, seconded by Commissioner Moore, to accept Option A, to terminate the Exclusive Negotiating Agreement, failed by the following vote:

Yeas: 3 - Bonelli, Moore, and Zucchet

Nays: 3 - Malcolm, Merrifield, and Valderrama

Excused: 0

Absent: 0

Abstain: 0

Recused: 1 - Castellanos

On a motion by Commissioner Malcolm, seconded by Commissioner Valderrama, to enterain reconsideration of the first motion for Option B failed by the following vote:

Yeas: 2 - Malcolm, and Valderrama

Nays: 4 - Bonelli, Merrifield, Moore, and Zucchet

Excused: 0

Absent: 0

Abstain: 0

Recused: 1 - Castellanos

OFFICER'S REPORT

21. 2018-0081 MONTHLY NOTIFICATION REPORTS

Monthly Notification of Change Orders Pursuant to BPC Policy No. 110:

A) Change Order No. 1 to Contract No. 2016-25 with Abhe & Svoboda, Inc. / 38 Calendar Day Time Extension thru 01/12/18
B) Change Order No. 1 to Contract No. 2017-38 with Wayne Perry, Inc. / Reconciliation - 0 Calendar Day Time Extension thru 12/30/17

Monthly Notification of Cost Recovery User Fee Waivers Granted by the Executive Director Pursuant to BPC Policy No. 106:

A) Request for User Fee Waiver Form from Kevin Hernandez, ACE Parking Management, Inc. for Transportation Services Permit - ACE Parking, Summer Shuttle, for total amount $1,308.00
B) Request for User Fee Waiver Form from Dole Fresh Fruit Company for National Distribution Center Pavement Enhancements, for total amount $1,813.00
C) Request for User Fee Waiver Form from Bartell Hotels for Landscaping Maintenance TUOP, for total amount $1,308.00
D) Request for User Fee Waiver Form from National Steel and Shipbuilding Company c/o Walter Scott, Esq. for NASSCO Lease Amendments, for total amount $6,000.00

Monthly Notification of Rent Reviews Completed Administratively Pursuant

to BPC Policy No. 355 as Amended on January 10, 2017:

A) Amendment No. 1 to Lease with National Steel and Shipbuilding Company (NASSCO) (Chevron Tank Farm) / Amends Paragraph 2 Regarding Rent Review
B) Amendment No. 1 to Lease with National Steel and Shipbuilding Company (NASSCO) (Access Road) / Amends Paragraphs 3 & 9 Related to Rent Review and Sublease Restrictions

Monthly Notification of Encumbrances Consented to Administratively Pursuant to BPC Policy No. 355 as Amended on January 10, 2017:

A) Encumbrance Review and Approval Memo with Conditional Approval for Lease with Marina Cortez, Inc. in Favor of Silvergate Bank

Secretary, Board of Port Commissioners
San Diego Unified Port District

ATTEST:

Clerk of the San Diego Unified Port District

San Diego Unified Port District

3165 Pacific Hwy.
San Diego, CA 92101

Special Meeting Minutes

Board of Port Commissioners

Wednesday, March 21, 2018 | **9:00 AM** | **9:00 AM - Pacific Daylight Time**
Don L. Nay Port Administration Boardroom

Closed Session Agenda

Teleconference Locations
6:00 AM - Hawaii-Aleutian Standard Time
Residence Inn Maui-Wailea - Molokini Room
75 Wailea Ike, Wailea, Maui HI 96753

12:00 Noon - Eastern Daylight Time
Carpi & Clay, 601 New Jersey Avenue, NW
Suite 300 Washington, DC 20001

A. Roll Call.

Present: 6 - Commissioner Bonelli, Chairperson Castellanos, Commissioner Malcolm, Commissioner Merrifield, Commissioner Valderrama, and Commissioner Zucchet

Excused: 1 - Commissioner Moore

Absent: 0

Officers Present: Coniglio, DeAngelis, Russell, Monson, and Deuel.

B. Public Communications.

The following member(s) of the public addressed the Board with non-agenda related comments: None

CLOSED SESSION

Thomas A. Russell, General Counsel, announced the Closed Session items as follows:

1. 2018-0112 Closed Session Item No. 1

CONFERENCE WITH REAL PROPERTY NEGOTIATOR
Government Code Section 54956.8

Property: SDUPD - Parcels of land totaling approximately 147,642 square feet, 45,590 square feet, and 25,643 square feet located adjacent to Convention Way between Marina Park Way and Park Blvd in the City of San Diego, California
Negotiating Parties:
Fifth Avenue Landing, LLC - Arthur E. Engel and Raymond A. Carpenter
SDUPD - Adam Meyer, Tony Gordon, Shaun Sumner

Under Negotiations: Price and Terms

No reportable action was taken on this item.

2. 2018-0113 Closed Session Item No. 2

CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION
Significant exposure to litigation Government Code Section 54956.9(d)(2)

One (1) Case

No reportable action was taken on this item.

C. Moore

Secretary, Board of Port Commissioners
San Diego Unified Port District

ATTEST:

Donna Morales

Clerk of the San Diego Unified Port District

San Diego Unified Port District

3165 Pacific Hwy.
San Diego, CA 92101

Special Meeting Minutes

Board of Port Commissioners

Friday, March 23, 2018 | **5:00 PM** | **5:00 PM - Pacific Daylight Time**
Don L. Nay Port Administration Boardroom

Closed Session Agenda

Teleconference Location
5:00 PM - Pacific Daylight Time
Mammoth Lakes Branch Library
400 Sierra Park Road
Mammoth Lakes, CA 93546

A. Roll Call.

Present: 6 - Chairperson Castellanos, Commissioner Malcolm, Commissioner Merrifield, Commissioner Moore, Commissioner Valderrama, and Commissioner Zucchet

Excused: 1 - Commissioner Bonelli

Absent: 0

Officers Present: Coniglio, DeAngelis, Russell, and Morales.

B. Public Communications.

The following member(s) of the public addressed the Board with non-agenda related comments: None

CLOSED SESSION

Thomas A. Russell, General Counsel, announced the Closed Session items as follows:

1. 2018-0120 Closed Session Item No. 1

CONFERENCE WITH REAL PROPERTY NEGOTIATOR
Government Code Section 54956.8

Property: SDUPD - Parcels of land totaling approximately 147,642 square feet, 45,590 square feet, and 25,643 square feet located adjacent to Convention Way between Marina Park Way and Park Blvd in the City of San Diego, California
Negotiating Parties:
Fifth Avenue Landing, LLC - Arthur E. Engel and Raymond A. Carpenter
SDUPD - Adam Meyer, Tony Gordon, Shaun Sumner

Under Negotiations: Price and Terms

No reportable action was taken on this item.

2. 2018-0121 Closed Session Item No. 2

CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION
Significant exposure to litigation Government Code Section 54956.9(d)(2)

One (1) Case

No reportable action was taken on this item.

Secretary, Board of Port Commissioners
San Diego Unified Port District

ATTEST:

Clerk of the San Diego Unified Port District

San Diego Unified Port District

3165 Pacific Hwy.
San Diego, CA 92101

Special Meeting Minutes

Board of Port Commissioners

Wednesday, March 28, 2018 | **9:00 AM** | **9:00 AM - Pacific Daylight Time**
Don L. Nay Port Administration Boardroom

Closed Session Agenda

Teleconference Location
9:00 AM - Pacific Daylight Time
Town Administrative Offices
Suite 230
437 Old Mammoth Road
Mammoth Lakes, CA 93546

A. Roll Call.

Present: 7 - Commissioner Bonelli, Chairperson Castellanos, Commissioner Malcolm, Commissioner Merrifield, Commissioner Moore, Commissioner Valderrama, and Commissioner Zucchet

Excused: 0

Absent: 0

Via Teleconference: Commissioner Malcolm

Commissioner Moore was excused until she arrived at 9:53 a.m.

Officers Present: Coniglio, DeAngelis, Monson, Morales, and Russell.

B. Public Communications.

The following member(s) of the public addressed the Board with non agenda-related comments: None

CLOSED SESSION

Thomas A. Russell, General Counsel, announced the Closed Session items as follows:

1. 2018-0125 Closed Session Item No. 1

CONFERENCE WITH REAL PROPERTY NEGOTIATOR

Government Code Section 54956.8

Property: SDUPD - Parcels of land totaling approximately 147,642 square feet, 45,590 square feet, and 25,643 square feet located adjacent to Convention Way between Marina Park Way and Park Blvd in the City of San Diego, California
Negotiating Parties:
Fifth Avenue Landing, LLC - Arthur E. Engel and Raymond A. Carpenter
SDUPD - Adam Meyer, Tony Gordon, Shaun Sumner

Under Negotiations: Price and Terms

No reportable action was taken.

2. 2018-0126 Closed Session Item No. 2

CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION
Significant exposure to litigation Government Code Section 54956.9(d)(2)

One (1) Case

No reportable action was taken.

Secretary, Board of Port Commissioners
San Diego Unified Port District

ATTEST:

Clerk of the San Diego Unified Port District

San Diego Unified Port District

3165 Pacific Hwy.
San Diego, CA 92101

Special Meeting Minutes

Board of Port Commissioners

Wednesday, March 28, 2018 **10:00 AM** **Don L. Nay Port Administration Boardroom**

Port MasterPlan Update Workshop

A. Roll Call.

Present: 6 - Commissioner Bonelli, Chairperson Castellanos, Commissioner Merrifield, Commissioner Moore, Commissioner Valderrama, and Commissioner Zucchet

Excused: 1 - Commissioner Malcolm

Absent: 0

Officers Present: Coniglio, DeAngelis, Medina, Monson, Morales, and Russell.

B. Public Communications.

The following member(s) of the public addressed the Board with non agenda-related comments: None

C. District Clerk's Announcements.

Donna Morales, District Clerk, offered that copies of agenda-related materials submitted after the publication of the agenda were available at the Clerk's desk.

D. Closed Session Report Out.

Thomas A. Russell, General Counsel, announced that the Board did not complete consideration of all items on the Closed Session Agenda and will continue Closed Session discussion during lunch break.

E. Pledge of Allegiance.

Commissioner Bonelli led the Pledge of Allegiance.

ACTION AGENDA

1. 2018-0111 PRESENTATION AND DIRECTION TO STAFF ON THE PORT MASTER PLAN UPDATE REGARDING THE FOLLOWING TOPICS:

A) BAYWIDE LAND AND WATER USE DESIGNATIONS TABLE AND GLOSSARY OF COMMONLY USED TERMS
B) PLANNING DISTRICT 3 - NORTH EMBARCADERO SUB-DISTRICT

DRAFT POLICY CONCEPTS AND UPDATED LAND AND WATER USE MAP

C) PLANNING DISTRICT 3 - SOUTH EMBARCADERO SUB-DISTRICT DRAFT POLICY CONCEPTS AND UPDATED LAND AND WATER USE MAP

D) PLANNING DISTRICT 3 - CENTRAL EMBARCADERO SUB-DISTRICT DRAFT POLICY CONCEPTS AND UPDATED LAND AND WATER USE MAP

Jason Giffen, Assistant Vice President, Planning & Green Port, addressed the Board with staff's report and presentation regarding Action Agenda Item 1 - File No. 2018-0111 (A copy of the staff report, presentations and any agenda related materials are on file with the Office of the District Clerk). Mr. Giffen then turned the presentation over to Lesley Nishihira, Director, Planning, to discuss Item A: Baywide Land and Water Use Designations Table and Glossary of Commonly Used Terms.

Chairman Castellanos opened the meeting for public comment.

The following members of the public addressed the Board with agenda related comments for Item A - Baywide Land and Water Use Designations Table and Glossary of Commonly Used Terms: Peter Halmay, President, San Diego Fishermen's Working Group; Bill Tippets, Southwest Wetlands Interpretive Association; and Alex Buggy, CEO, Seaport San Diego.

Commissioner Moore, Commissioner Valderrama, Commissioner Merrifield, Commissioner Bonelli, and Chairman Castellanos offered comments and asked clarifying questions. Jason Giffen responded on behalf of staff. Bill Tippets responded to question from Commissioner Valderrama.

Jason Giffen then began staff presentation on Item B: Planning District 3 - North Embarcadero Sub-District Draft Policy Concepts and Updated Land and Water Use Map. Mr. Giffen then turned the presentation over to Lesley Nishihira.

Chairman Castellanos opened the meeting for public comment.

The following members of the public addressed the Board with agenda related comments for Item B: Planning District 3 - North Embarcadero Sub-District Draft Policy Concepts and Updated Land and Water Use Map: Mark Bastedo (non agenda public comment); Jim Garegnani, Facility Director, Solar Turbines; Mac McLaughlin, President/CEO, USS Midway Museum; Bret Arriola, Vice President, Asset Management, RLJ Lodging Trust; Ray Ashley, President/CEO, Maritime Museum; Alexander Fernandez; Don Wood, San Diego Waterfront Coalition; Allison Rolfe, Company Representative, Pacifica Companies; and Kevin Swanson.

Chair Castellanos recessed meeting at 12:30 for lunch and announced that the Commissioners will adjourn to Closed Session.

Chairman Castellanos called meeting back to order at 1:40 p.m.

Thomas A. Russell, General Counsel, announced that the Board considered the items on the Closed Session Agenda and that no reportable action was taken.

The meeting then returned to Item B: Planning District 3 - North Embarcadero Sub-District Draft Policy Concepts and Updated Land and Water Use Map.

Commissioner Zucchet returned to the dais at 2:15 p.m.

Commissioner Moore, Commissioner Merrifield, Commissioner Valderrama, Commissioner Bonelli, Commissioner Zucchet, and Chairman Castellanos offered comments and asked clarifying questions. Jason Giffen, Rebecca Harrington, Senior Deputy General Counsel, and Lesley Nishihira responded on behalf of staff.

Dennis Larson, Consultant, began staff presentation on Item C: Planning District 3 - South Embarcadero Sub-District Draft Policy Concept and Updated Land and Water use Map.

Chairman Castellanos opened the meeting for public comment.

The following members of the public addressed the Board with agenda related comments for Item C - Planning District 3 - South Embarcadero Sub-District Draft Policy Concept and Updated Land and Water use Map: Don Wood, San Diego Waterfront Coalition; Rip Rippetoe, President/CEO, San Diego Convention Center; and Kip Howard, President, Allegis Development.

Commissioner Moore offered comments and asked clarifying questions. Lesley Nishihira responded on behalf of staff.

Lesley Nishihira began staff presentation on Item D: Planning District 3 - Central Embarcadero Sub-District Draft Policy Concept and Updated Land and Water use Map.

Commissioner Merrifield asked a clarifying question, Lesley Nishihira and Jason Giffen responded on behalf of staff.

The following members of the public addressed the Board with agenda related comments for Item D - Planning District 3 - Central Embarcadero Sub-District Draft Policy Concept and Updated Land and Water use Map: Peter Halmay, San Diego Fishermen's Working Group; Don Wood, San Diego Waterfront Coalition; Matt Everingham, Chief Technologist, Everingham Bros. Bait Co.; and Alex Buggy, CEO, Seaport San Diego.

Lesley Nishihira responded to question posed by Peter Halmay. Commissioner Valderrama requested clarification regarding comment from Alex Buggy. Leslie Nishihira responded and clarified on behalf of staff.

Commissioner Moore, and Commissioner Merrifield offered comments and asked clarifying questions. Lesley Nishihira responded on behalf of staff.

Jason Giffen provided wrap up of the Workshop and explained the next steps for the process.

Chairman Castellanos thanked everyone for attending and adjourned the meeting.

Secretary, Board of Port Commissioners
San Diego Unified Port District

ATTEST:

Clerk of the San Diego Unified Port District

San Diego Unified Port District

3165 Pacific Hwy.
San Diego, CA 92101

Special Meeting Minutes

Board of Port Commissioners

Tuesday, April 3, 2018 **4:00 PM** **Don L. Nay Port Administration Boardroom**

Closed Session Agenda

A. Roll Call.

Present: 7 - Commissioner Bonelli, Chairperson Castellanos, Commissioner Malcolm, Commissioner Merrifield, Commissioner Moore, Commissioner Valderrama, and Commissioner Zucchet

Excused: 0

Absent: 0

Officers Present: Coniglio, DeAngelis, Morales, and Russell.

B. Public Communications.

The following member(s) of the public addressed the Board with non agenda-related comments: None

CLOSED SESSION

Thomas A. Russell, General Counsel, announced the Closed Session items as follows:

1. 2018-0137 Closed Session Item No. 1

CONFERENCE WITH REAL PROPERTY NEGOTIATOR
Government Code Section 54956.8

Property: SDUPD - Parcels of land totaling approximately 147,642 square feet, 45,590 square feet, and 25,643 square feet located adjacent to Convention Way between Marina Park Way and Park Blvd in the City of San Diego, California
Negotiating Parties:
Fifth Avenue Landing, LLC - Arthur E. Engel and Raymond A. Carpenter
SDUPD - Adam Meyer, Tony Gordon, Shaun Sumner

Under Negotiations: Price and Terms

No reportable action was taken.

2. 2018-0138 Closed Session Item No. 2

CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION
Significant exposure to litigation Government Code Section 54956.9(d)(2)

One (1) Case

No reportable action was taken.

Secretary, Board of Port Commissioners
San Diego Unified Port District

ATTEST:

Clerk of the San Diego Unified Port District

San Diego Unified Port District

3165 Pacific Hwy.
San Diego, CA 92101

Meeting Minutes

Board of Port Commissioners

Tuesday, April 10, 2018 | **10:00 AM** | **Don L. Nay Port Administration Boardroom**

Closed Session

A. Roll Call.

Present: 7 - Commissioner Bonelli, Chairperson Castellanos, Commissioner Malcolm, Commissioner Merrifield, Commissioner Moore, Commissioner Valderrama, and Commissioner Zucchet

Excused: 0

Absent: 0

Commissioner Moore was excused until she arrived at 10:03 a.m.

Officers Present: Coniglio, DeAngelis, Monson, Morales, and Russell.

B. Public Communications.

The following member(s) of the public addressed the Board with non agenda-related comments: None

CLOSED SESSION

Thomas A. Russell, General Counsel, announced the Closed Session items as follows:

1. 2018-0107 Closed Session Item No. 1

PUBLIC EMPLOYEE PERSONNEL EVALUATION:
PORT AUDITOR
Government Code Section 54957

No reportable action was taken.

2. 2018-0108 Closed Session Item No. 2

CONFERENCE WITH LABOR NEGOTIATOR
Government Code Section 54957.6

Agency Negotiators: Rafael Castellanos
Unrepresented Employees: Port Auditor

No reportable action was taken.

3. 2018-0144 Closed Session Item No. 3

CONFERENCE WITH REAL PROPERTY NEGOTIATOR
Government Code Section 54956.8

Property: SDUPD - Parcels of land totaling approximately 147,642 square feet, 45,590 square feet, and 25,643 square feet located adjacent to Convention Way between Marina Park Way and Park Blvd in the City of San Diego, California
Negotiating Parties:
Fifth Avenue Landing, LLC - Arthur E. Engel and Raymond A. Carpenter
SDUPD - Adam Meyer, Tony Gordon, Shaun Sumner

Under Negotiations: Price and Terms

No reportable action was taken.

4. 2018-0145 Closed Session Item No. 4

CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION
Significant exposure to litigation Government Code Section 54956.9(d)(2)

Three (3) Cases

No reportable action was taken.

5. 2018-0161 Closed Session Item No. 5

CONFERENCE WITH LEGAL COUNSEL - INITIATION OF LITIGATION
Pursuant to Subdivision (d)(4) Government Code Section 54956.9

One (1) Case

No reportable action was taken.

Secretary, Board of Port Commissioners
San Diego Unified Port District

ATTEST:

Clerk of the San Diego Unified Port District

San Diego Unified Port District

3165 Pacific Hwy.
San Diego, CA 92101

Meeting Minutes

Board of Port Commissioners

Tuesday, April 10, 2018 | **1:00 PM** | **Don L. Nay Port Administration Boardroom**

A. Roll Call.

Present: 7 - Commissioner Bonelli, Chairperson Castellanos, Commissioner Malcolm, Commissioner Merrifield, Commissioner Moore, Commissioner Valderrama, and Commissioner Zucchet

Excused: 0

Absent: 0

Officers Present: Coniglio, DeAngelis, Medina, Monson, Morales, and Russell.

B. Closed Session Report Out.

Thomas A. Russell, General Counsel, announced that the Board considered the items on the Closed Session Agenda and that no reportable action was taken.

C. Pledge of Allegiance.

Commissioner Malcolm led the Pledge of Allegiance.

D. Public Communications.

The following member(s) of the public addressed the Board with non-agenda related comments: Ned McMahon, CEO, Primo Wind.

E. Commissioners' Reports.

Commissioner Valderrama reported out on the Port's welcoming of the Mitsui OSK Lines' (MOL) MV Beluga Ace's Car Carrier Vessel at National City Marine Terminal. Commissioner Valderrama explained that this was the maiden voyage for the new ship, and that he, Bella Heule, Vice President/Chief Marketing Officer, Joel Valenzuela, Director, Maritime, and other Port staff, toured the impressive new ship and learned that the MV Beluga Ace has increased car carrying capability, and is a next generation Flexie series vessel that is designed to reduce carbon emissions. Commissioner Valderrama also thanked Pasha for the continued successful operations and partnership with the Port, and thanked Mazda Motor Corporation for their business and trust in MOL, Pasha, and the Port of San Diego.

Commissioner Bonelli reported that SANDAG is currently working on a long range plan through 2050. Their planning, to some extent, parallels the timing of the Port's Master Plan Update. He suggested that SANDAG provide an informational presentation as to their mobility planning at a future Board meeting.

Commissioner Merrifield reported he, along with Stephen Shafer, Program Manager, Government & Civic Relations, and Curtis Smith, Program Manager, Information Technology, traveled to Washington D.C. to meet with legislators regarding Port matters. They met with Congressman Vargas and Congressman Davis regarding IBWC (International Boundary and Water Commission), as well as other efforts of the Port. They also met with the Coast Guard to demonstrate how the Port is using Port Security Grant funds by presenting the Harbor Police Department's "Command Bridge". Staff also met with House Transportation Infrastructure Committee regarding the Blue Economy Incubator.

F. President's Report.

Randa Coniglio, President/CEO announced that the Port's Development Services Department received a Merit Award from the California Association of Environmental Professionals (AEP). Staff received this award for the San Diego Bay and Imperial Beach Oceanfront Fireworks Display Event EIR (Environmental Impact Report). The Port was recognized previously for this EIR by the San Diego Chapter of AEP last fall.

G. District Clerk's Announcements.

Donna Morales, District Clerk, reported that staff requested to continue: Consent Item 11 - File No. 2018-0150; Action Item 23 - File No. 2018-0143; and Action Item 28 - File No. 2018-0142. Additionally, Mr. Morales announced that Consent Agenda Item 18 - File No. 2018-0136 no longer required Board action.

On a motion by Commissioner Malcolm, seconded by Commissioner Bonelli, the Board approved the requested docket changes. The motion carried by the following vote:

Yeas: 7 - Bonelli, Castellanos, Malcolm, Merrifield, Moore, Valderrama, and Zucchet

Nays: 0

Excused: 0

Absent: 0

Abstain: 0

Recused: 0

CONSENT AGENDA

The Board pulled Agenda Item 3 and Item 5 from the Consent Agenda.

On a motion by Commissioner Valderrama, seconded by Commissioner Zucchet, the Board adopted the Consent Agenda as follows: February 22, 2018 Special Meeting Closed Session minutes; March 13, 2018 Closed Session minutes; March 13, 2018 Regular BPC Meeting minutes; March 21, 2018 Special Meeting Closed Session minutes; March 23, 2018 Special Meeting Closed Session minutes; Ordinance 2910; Resolution 2018-045; Resolution 2018-047; Resolution 2018-050; Resolution 2018-051; Resolution 2018-052; Resolution 2018-053; Resolution 2018-054; Resolution 2018-055; Resolution 2018-056; Resolution 2018-057; Resolution 2018-058; Resolution 2018-059; Resolution 2018-060; Resolution 2018-061; Resolution 2018-062; Resolution 2018-063; Resolution 2018-064; and Resolution 2018-065. The motion carried by the following vote:

Yeas: 7 - Bonelli, Castellanos, Malcolm, Merrifield, Moore, Valderrama, and Zucchet

Nays: 0

Excused: 0

Absent: 0

Abstain: 0

Recused: 0

1. 2018-0133 Approval of minutes for:
February 22, 2018 - SPECIAL MEETING - CLOSED SESSION
March 13, 2018 - CLOSED SESSION
March 13, 2018 - REGULAR BPC MEETING
March 21, 2018 - SPECIAL MEETING - CLOSED SESSION
March 23, 2018 - SPECIAL MEETING - CLOSED SESSION

Note: the Agenda Title on the Docket incorrectly listed the documents to be approved, however, the Staff Report and all attachments were correct.

On a motion by Commissioner Valderrama, seconded by Commissioner Zucchet, the board approved the minutes for: February 22, 2018 - Special Meeting - Closed Session; March 13, 2018 - Closed Session; March 13, 2018 - Regular BPC Meeting; March 21, 2018 - Special Meeting - Closed Session; and March 23, 2018 - Special Meeting - Closed Session.

2. 2017-0251 SOUTH CAMPUS DEMOLITION PHASE 4B IN CHULA VISTA:
A) ORDINANCE AMENDING THE FY 2018 BUDGET INCREASING THE FY 2018 CAPITAL IMPROVEMENT PROGRAM APPROPRIATION BY $6,118,100 TO BE FUNDED WITH $2,587,900 FROM RESTRICTED RESERVES AND $3,530,200 FROM CUMULATIVE UNDESIGNATED RESERVES FROM PREVIOUS YEARS RELATED TO THE CHULA VISTA BAYFRONT SOUTH CAMPUS PAVEMENT AND FOUNDATION DEMOLITION PROJECT
B) RESOLUTION APPROVING AN AMENDMENT TO THE FY 2014-2018 5-YEAR CAPITAL IMPROVEMENT PROGRAM TO INCREASE THE CHULA VISTA BAYFRONT SOUTH CAMPUS PAVEMENT AND FOUNDATION DEMOLITION PROJECT BUDGET BY $6,118,100 PURSUANT TO BOARD OF PORT COMMISSIONERS (BPC) POLICY NO. 120, CAPITAL IMPROVEMENT PROGRAM (CIP)

On a motion by Commissioner Valderrama, seconded by Commissioner Zucchet, the Board adopted Ordinance 2910 and Resolution 2018-045 as part of the Consent Agenda.

4. 2018-0033 RESOLUTION AUTHORIZING THREE TWO-YEAR AGREEMENTS WITH FAIRBANK, MASLIN, MAULLIN, METZ & ASSOCIATES, INC. (FM3); TRUE NORTH RESEARCH, INC.; AND LUTH RESEARCH, LLC TO CREATE AN ORGANIZATION-WIDE POOL OF QUALIFIED CONSULTANTS TO CONDUCT A VARIETY OF AS-NEEDED MARKET RESEARCH CONSULTING SERVICES SUCH AS INTERCEPT, TELEPHONE, OR ONLINE SURVEYS AND/OR OTHER TYPES OF MARKET AND PUBLIC PERCEPTION RESEARCH BEGINNING APRIL 11, 2018 TO APRIL 10, 2020 FOR AN AGGREGATE AMOUNT NOT TO EXCEED $450,000. FY 2018 EXPENDITURES, IF NEEDED, ARE BUDGETED. ALL FUNDS REQUIRED FOR FUTURE FISCAL YEARS WILL BE BUDGETED IN THE APPROPRIATE FISCAL YEAR, SUBJECT TO BOARD APPROVAL UPON ADOPTION OF EACH FISCAL YEAR'S BUDGET.

On a motion by Commissioner Valderrama, seconded by Commissioner Zucchet, the Board adopted Resolution 2018-047 as part of the Consent Agenda.

6. 2018-0040 RESOLUTION APPROVING THE 2018 ANNUAL WORK PLAN FOR THE AUDIT OVERSIGHT COMMITTEE PURSUANT TO BOARD OF PORT COMMISSIONERS (BPC) POLICY NO. 0776, PORT AUDIT OVERSIGHT COMMITTEE POLICY

On a motion by Commissioner Valderrama, seconded by Commissioner Zucchet, the Board adopted Resolution 2018-050 as part of the Consent Agenda.

7. 2018-0047 RESOLUTION REAPPOINTING MONA DICKERSON TO THE SAN DIEGO UNIFIED PORT DISTRICT AUDIT OVERSIGHT COMMITTEE (AOC) FOR A SECOND TERM OF THREE YEARS DURATION COMMENCING MARCH 1, 2018

On a motion by Commissioner Valderrama, seconded by Commissioner Zucchet, the Board adopted Resolution 2018-051 as part of the Consent Agenda.

8. 2018-0048 RESOLUTION AUTHORIZING AMENDMENT NO. 3 WITH MACIAS GINI & OCONNELL, LLP FOR PROFESSIONAL EXTERNAL AUDITING SERVICES, INCREASING THE AGREEMENT AMOUNT BY $364,370 WHICH INCREASES THE TOTAL TO THE AGREEMENT FROM $517,214 TO $881,584 AND EXTENDING THE AGREEMENT FROM APRIL 30, 2018 TO APRIL 30, 2021 AND INCLUDING A REQUIREMENT FOR ROTATION OF THE ENGAGMENT PARTNER. FY 2018 EXPENDITURES, IF NEEDED, ARE BUDGETED. FUNDS REQUIRED FOR FUTURE FISCAL YEARS WILL BE BUDGETED IN THE APPROPRIATE FISCAL YEAR, SUBJECT TO BOARD APPROVAL UPON ADOPTION OF EACH FISCAL YEAR'S BUDGET

On a motion by Commissioner Valderrama, seconded by Commissioner Zucchet, the Board adopted Resolution 2018-052 as part of the Consent Agenda.

9. 2018-0052 RESOLUTION AUTHORIZING $4,002,231 TO BE EXPENDED FOR LICENSING, PROFESSIONAL SERVICES, AND SYSTEM SUPPORT FROM MICROSOFT INC. FOR A PERIOD OF 5 YEARS; ANY AGREEMENTS UTILIZING THE $4,002,231 WILL BE AUTHORIZED PURSUANT TO BOARD OF PORT COMMISSIONERS (BPC) POLICY NO. 110; FY 2018 EXPENDITURES, IF NEEDED, ARE BUDGETED. ALL FUNDS REQUIRED FOR FUTURE FISCAL YEARS WILL BE BUDGETED IN THE APPROPRIATE FISCAL YEAR, SUBJECT TO BOARD APPROVAL UPON ADOPTION OF EACH FISCAL YEAR'S BUDGET

On a motion by Commissioner Valderrama, seconded by Commissioner Zucchet, the Board adopted Resolution 2018-053 as part of the Consent Agenda.

10. 2018-0054 RESOLUTION CONFIRMING EXECUTIVE DIRECTOR (PRESIDENT/CEO) APPOINTMENT OF DONNA MORALES AS DISTRICT CLERK

On a motion by Commissioner Valderrama, seconded by Commissioner Zucchet, the Board adopted Resolution 2018-054 as part of the Consent Agenda.

11. 2018-0150 RESOLUTION SELECTING AND AUTHORIZING AGREEMENTS WITH A TO Z ENTERPRISES, INC., RSQU TOWING, INC. AND SEVERIN MOBILE TOWING, INC. FOR AS-NEEDED TOWING SERVICES AT NO EXPENSE TO THE DISTRICT FOR A PERIOD OF FIVE YEARS

The Board will consider staff's request to continue this item to a future Board meeting.

This Consent Item was continued to a future Board meeting.

12. 2018-0071 RESOLUTION AUTHORIZING THE GENERAL COUNSEL TO EXECUTE AMENDMENT NO. 3 TO THE AGREEMENT FOR EXPERT CONSULTANT SERVICES WITH KLEINFELDER, INC. INCREASING THE MAXIMUM AMOUNT PAYABLE BY $159,950, FROM $175,000 TO $334,950; FY 2018 EXPENDITURES IF NEEDED, ARE BUDGETED

On a motion by Commissioner Valderrama, seconded by Commissioner Zucchet, the Board adopted Resolution 2018-055 as part of the Consent Agenda.

13. 2018-0076 RESOLUTION CONSENTING TO ASSIGNMENT AND ASSUMPTION OF AN AGREEMENT FOR AS NEEDED STRATEGIC MARKETING & COMMUNICATIONS SERVICES FROM MJE MARKETING SERVICES, INC. ("MJE") TO MOORE IACOFANO GOLTSMAN, INC. ("MIG")

On a motion by Commissioner Valderrama, seconded by Commissioner Zucchet, the Board adopted Resolution 2018-056 as part of the Consent Agenda.

14. 2018-0082 RESOLUTION APPROVING CALENDAR YEAR 2018 ANNUAL WORK PLAN FOR THE ENVIRONMENTAL ADVISORY COMMITTEE PURSUANT TO BOARD OF PORT COMMISSIONERS (BPC) POLICY NO. 018, BOARD ADVISORY COMMITTEES, FOR THE ENVIRONMENTAL ADVISORY COMMITTEE

On a motion by Commissioner Valderrama, seconded by Commissioner Zucchet, the Board adopted Resolution 2018-057 as part of the Consent Agenda.

15. 2018-0084 STATE OF CALIFORNIA NATURAL RESOURCES AGENCY GRANT FUNDS FOR THE SWEETWATER BICYCLE PATH AND PROMENADE PROJECT

A) RESOLUTION AUTHORIZING ACCEPTANCE OF GRANT FUNDS FROM THE STATE OF CALIFORNIA NATURAL RESOURCES AGENCY, URBAN GREENING PROGRAM FOR THE SWEETWATER BICYCLE PATH AND PROMENADE PROJECT IN THE AMOUNT OF $4,800,000, OBLIGATING MATCHING FUNDS IN THE AMOUNT OF $740,000, WHICH ARE REFLECTED IN THE CIP FUND, AND GRANTING INDEMNITY

B) RESOLUTION AUTHORIZING AN AMENDMENT TO THE FISCAL YEAR 2019-2023 CAPITAL IMPROVEMENT PROGRAM TO INCREASE THE SITE PREPARATION AT CHULA VISTA BAYFRONT PROJECT BUDGET BY $4,800,000 TO BE FUNDED BY AN URBAN GREENING GRANT FROM THE CALIFORNIA NATURAL RESOURCES AGENCY

On a motion by Commissioner Valderrama, seconded by Commissioner Zucchet, the Board adopted Resolution 2018-058 and Resolution 2018-059 as part of the Consent Agenda.

16. 2018-0085 RESOLUTION APPROVING THE CALENDAR YEAR 2018 ANNUAL WORK-PLAN OF THE MARITIME STAKEHOLDER FORUM PURSUANT TO BOARD OF PORT COMMISSIONERS (BPC) POLICY NO. 018A

On a motion by Commissioner Valderrama, seconded by Commissioner Zucchet, the Board adopted Resolution 2018-060 as part of the Consent Agenda.

17. 2018-0086 IMPLEMENTATION AND INSTALLATION OF A RENEWABLE MICROGRID AT THE TENTH AVENUE MARINE TERMINAL:
A) RESOLUTION APPROVING THE SECOND ADDENDUM TO THE FINAL ENVIRONMENTAL IMPACT REPORT FOR THE "TENTH AVENUE MARINE TERMINAL REDEVELOPMENT PLAN AND DEMOLITION AND INITIAL RAIL COMPONENT PROJECT," IN ACCORDANCE WITH MITIGATION MEASURE - GREENHOUSE GAS NO. 6;
B) RESOLUTION APPROVING INSTALLATION OF A RENEWABLE MICROGRID AT THE TENTH AVENUE MARINE TERMINAL, CONTINGENT ON GRANT FUNDING

On a motion by Commissioner Valderrama, seconded by Commissioner Zucchet, the Board adopted Resolution 2018-061 and Resolution 2018-062 as part of the Consent Agenda.

18. 2018-0136 RESOLUTION AUTHORIZING A MEMORANDUM OF UNDERSTANDING WITH THE CITY OF IMPERIAL BEACH TO SHARE COSTS FOR THE SANDAG ANNUAL BEACH MONITORING PROGRAM WHICH MONITORS BEACH EROSION AND ACCRETION IN IMPERIAL BEACH TO DETERMINE THE NEED FOR FUTURE SAND REPLENISHMENT PROJECTS. FY 2018 EXPENDITURES ARE BUDGETED, WITH A COST SHARE OF $4,520. FUNDS REQUIRED FOR FUTURE FISCAL YEARS IN AN AMOUNT NOT TO EXCEED $27,000, WILL BE BUDGETED IN THE APPROPRIATE FISCAL YEAR, SUBJECT TO BOARD APPROVAL UPON ADOPTION OF EACH FISCAL YEAR'S BUDGET

Board Action no longer required.

Board Action no longer required.

19. 2018-0089 RESOLUTION AUTHORIZING CHANGES TO BOARD OF PORT COMMISSIONERS POLICY NO. 730, THE PORT ENVIRONMENTAL ADVISORY COMMITTEE POLICY, TO REFLECT CURRENT ENVIRONMENTAL PROGRAMS, TO INCLUDE OTHER NON-SUBSTANTIVE ADMINISTRATIVE UPDATES, AND TO RESCIND THE TENANT ENVIRONMENTAL COMPLIANCE LOAN PROGRAM FOR WHICH NO APPLICATIONS HAVE BEEN RECEIVED SINCE BOARD ADOPTION OF THE PROGRAM IN 2001

On a motion by Commissioner Valderrama, seconded by Commissioner Zucchet, the Board adopted Resolution 2018-063 as part of the Consent Agenda.

20. 2018-0093 RESOLUTION AUTHORIZING AN AGREEMENT WITH EXTREME SAN DIEGO, LLC FOR SPONSORSHIP OF AN EXTREME SAILING SERIES EVENT IN OCTOBER 2018 IN AN AMOUNT NOT TO EXCEED $150,000 IN FUNDING AND UP TO $75,000 IN DISTRICT SERVICES; FUNDS REQUIRED FOR FY 2018 EXPENDITURES ARE BUDGETED, AND

FUNDS REQUIRED FOR FY 2019 WILL BE BUDGETED IN THAT FISCAL YEAR, SUBJECT TO BOARD APPROVAL UPON ADOPTION OF THAT FISCAL YEAR'S BUDGET

On a motion by Commissioner Valderrama, seconded by Commissioner Zucchet, the Board adopted Resolution 2018-064 as part of the Consent Agenda.

21. 2018-0149 RESOLUTION RESUMING COLLECTION OF PREVIOUSLY ADOPTED USER FEE TO BE COLLECTED BY TRANSPORTATION VENDORS DOING BUSINESS ON TIDELANDS

On a motion by Commissioner Valderrama, seconded by Commissioner Zucchet, the Board adopted Resolution 2018-065 as part of the Consent Agenda.

ACTION AGENDA

3. 2017-0645 RESOLUTION AUTHORIZING AMENDMENT NO. 2 TO THE AGREEMENT WITH KTU+A FOR CHULA VISTA PARKS DESIGN SERVICES TO INCREASE THE AGREEMENT AMOUNT BY $300,000 INCREASING THE AGGREGATE TOTAL OF THE AGREEMENT FROM $100,000 TO $400,000, WITHIN THE EXISTING APPROVED PROJECT BUDGET

On a motion by Commissioner Malcolm, seconded by Commissioner Valderrama, the Board adopted Resolution 2018-046. The motion carried by the following vote:

Yeas: 6 - Bonelli, Malcolm, Merrifield, Moore, Valderrama, and Zucchet

Nays: 0

Excused: 0

Absent: 0

Abstain: 0

Recused: 1 - Castellanos

5. 2018-0037 A) RESOLUTION SELECTING PROTEA PROPERTY MANAGEMENT, INC. AS THE SUCCESSFUL PROPOSER OF THE REQUEST FOR PROPOSALS (RFP 17-52ME, WATERFRONT RETAIL OPPORTUNITY) (RFP) AND CONCLUDING THE RFP, RESERVING CERTAIN RIGHTS THEREUNDER
B) RESOLUTION AUTHORIZING PROPERTY MANAGEMENT AGREEMENT BETWEEN THE SAN DIEGO UNIFIED PORT DISTRICT AND PROTEA PROPERTY MANAGEMENT, INC. (PROTEA) ENDING JUNE 30, 2021 WITH TWO OPTIONS TO EXTEND BY ONE YEAR EACH AND GRANTING PROTEA A LIMITATION OF LIABILITY AND A WAIVER OF CONSEQUENTIAL AND EXEMPLARY DAMAGES

Commissioner Moore announced that she was abstaining from Item 5 due to potential relationship with a firm that represents Protea.

The following members of the public addressed the Board with agenda related comments: Bret Morris, Managing Director, Stream Realty Partners; Elizabeth Henderson, Property Manager, Stream Realty Partners; Alex Fernandez; Peter Mackauf, Head Scooper, Ben & Jerry's Seaport Village; and Jeffrey Essakow, President, Protea Property Management.

Commissioner Valderrama, Commissioner Merrifield, and Commissioner Malcolm offered comments and asked clarifying questions. Penny Maus, Department Manager, Real Estate, Dave Catalino, Deputy General Counsel, General Counsel's Office, responded on behalf of staff.

On a motion by Commissioner Malcolm, seconded by Commissioner Valderrama, the Board adopted Resolution 2018-048 and Resolution 2018-049. The motion carried by the following vote:

Yeas: 6 - Bonelli, Castellanos, Malcolm, Merrifield, Valderrama, and Zucchet

Nays: 0

Excused: 0

Absent: 0

Abstain: 1 - Moore

Recused: 0

22. 2018-0092 RESOLUTION APPROVING A PROCLAMATION HONORING CHESTER MORDASINI ON THE OCCASION OF HIS RETIREMENT AFTER 34 YEARS OF SERVICE AT CALIFORNIA TEAMSTERS, PUBLIC, PROFESSIONAL & MEDICAL EMPLOYEES UNION LOCAL 911

Chairman Castellanos introduced Action Item 22 - File 2018-0092 and invited Karen Porteous, Vice President/Chief Administrative Officer, to provide the presentation (A copy of the staff report, presentations and any agenda related materials are on file with the Office of the District Clerk). Ms. Porteous then turned the presentation back to Chairman Castellanos.

Chester Mordicini provided various comments and thanked the Port.

Chairman Castellanos invited the following Port staff, and members of the public to speak: Joel Valenzuela, Director, Maritime, Dave Carillo, Wharfinger, Maritime; and Sharon Cloward, President, San Diego Port Tenants Association.

Commissioner Valderrama, Commissioner Zucchet, Commissioner Merrifield, Chairman Castellanos, and Commissioner Malcolm offered comments and thanked Chester for his service.

Lucero Chavez, Field Representative for Assemblywoman Lorena Gonzalez Fletcher, presented a proclamation to Mr. Mordicini in recognition of his lifetime achievements serving the labor unions and the community.

On a motion by Commissioner Zucchet, seconded by Commissioner Valderrama, the Board adopted Resolution 2018-066. The motion carried by the following vote:

Yeas: 7 - Bonelli, Castellanos, Malcolm, Merrifield, Moore, Valderrama, and Zucchet

Nays: 0

Excused: 0

Absent: 0

Abstain: 0

Recused: 0

Chairman Castellanos called for a short recess at 2:10 p.m. for a reception. Commissioner Zucchet left the dais and did not return for the remainder of the meeting.

Chairman Castellanos reconvened meeting at 2:30 p.m.

23. 2018-0143 INFORMATIONAL PRESENTATION FROM UC SAN DIEGO SCRIPPS INSTITUTE OF OCEANOGRAPHY'S NEWLY ESTABLISHED CENTER FOR CLIMATE CHANGE IMPACTS AND ADAPTATION, INCLUDING AN OVERVIEW OF ITS FUNCTION AND ROLE IN DEVELOPING STRATEGIES FOR CLIMATE ADAPTATION, INCLUDING COASTAL RESILIENCY FOR SAN DIEGO BAY

The Board will consider staff's request to continue this item to a future Board Meeting.

This Action Item was continued to a future Board meeting.

24. 2018-0065 RESOLUTION ADOPTING A LINE ITEM BUDGET IN AN AMOUNT NOT TO EXCEED $726,700 IN SPONSORSHIP FUNDING AND WAIVED DISTRICT SERVICES NOT TO EXCEED $1,148,096 TO SUPPORT 66 EVENTS THROUGH THE PORT OF SAN DIEGO FY 2019 TIDELANDS ACTIVATION PROGRAM; FUNDS REQUIRED FOR FY 2019 WILL BE BUDGETED IN THAT FISCAL YEAR, SUBJECT TO BOARD APPROVAL UPON ADOPTION OF THAT FISCAL YEAR'S BUDGET

Jim Hutzelman, Manager, Business Development & Recreation Services, Waterfront Arts & Activation, addressed the Board with staff's report and presentation regarding Action Agenda Item 24 - File No. 2018-0065 (A copy of the staff report, presentations and any agenda-related materials are on file with the Office of the District Clerk).

The following member(s) of the public addressed the Board with agenda-related comments: Stacy Berman, Recreation Programs Supervisor, City of Coronado; Shawna Schenk, Creator/Founder, San Diego Yoga Festival; Joyce Summer, President, 3D Art Expo LLC; Ken Franke, President, Sportfishing Association of California; Jacqueline Reynoso, President/CEO, National City Chamber of Commerce; Sandy Purdon, Executive Producer, Big Bay Boom; Maggie Young, Associate Executive Director, San Diego Fleet Week; Olga Berdial, Communications Coordinator, City of Chula Vista; Catherine Miller, Agency Representative for San diego Sportfishing Council; Ray Ashley,

President/CEO, Maritime Museum; Frank Ursitti, San Diego Sportfishing Council; Joseph Burke, Vice Chair, South Bay Alliance; Andrew Correia, General Manager, Fisherman's Landing; Matt Reynolds, Managing Director, Extreme San Diego.

Commissioner Moore, Commissioner Merrifield, Commissioner Valderrama, Commissioner Bonelli, Commissioner Malcolm, and Chairman Castellanos offered comments and asked clarifying questions. Mr. Hutzelman and Randa Coniglio, President/CEO, responded on behalf of staff.

The Commissioners discussed the funding recommendations proposed and requested the following changes: Award $7,500 to the Living Coast Discovery Center Farm to Bay Event ($7,500 increase to TAP budget); Fund Chula Vista Harbor Fest at $70,000 ($10,000 increase to TAP budget); Fund International Mariachi Festival at $65,000 ($5,000 increase to TAP Budget). Increase total funding amount for Big Bay Boom to $190,000 ($15,000 increase to TAP budget). Fund National City Binational Brew Fest at $10,000 ($5,000 increase to TAP budget). Fund Day at the Docks at $30,000 ($7,500 increase to TAP budget).

On a motion by Commissioner Bonelli, seconded by Commissioner Valderrama, the Board accepted the revised Line Item Budget for an increase of $50,000 to the Tidelands Activation Program, and adopted Resolution 2018-067. The motion carried by the following vote:

Yeas: 6 - Bonelli, Castellanos, Malcolm, Merrifield, Moore, and Valderrama

Nays: 0

Excused: 1 - Zucchet

Absent: 0

Abstain: 0

Recused: 0

25. 2018-0080 INFORMATIONAL PRESENTATION FROM THE MARITIME ALLIANCE INCLUDING A RECAP ON 2017 ACTIVITIES AND A LOOK AHEAD FOR 2018

Jason Giffen, Assistant Vice President, Planning & Green Port, addressed the Board with staff's report and presentation regarding Action Agenda Item 25 - File No. 2018-0080 (A copy of the staff report, presentations and any agenda-related materials are on file with the Office of the District Clerk). Mr. Giffen then turned the presentation over to Greg Murphy, Executive Director, The Maritime Alliance, to provide report on 2017 accomplishments, and plans for 2018.

Chairman Castellanos, Commissioner Bonelli, and Randa Coniglio, President/CEO, offered comments, and asked clarifying questions. Mr. Murphy responded on behalf of The Maritime Alliance.

26. 2017-0418 ORDINANCE APPROVING EASEMENTS IN SUBSTANTIAL FORM AND POWER YOUR DRIVE SITE HOST PARTICIPATION PROGRAM AGREEMENTS WITH SDG&E FOR ELECTRIC VEHICLE CHARGING SITES LOCATED AT: GENERAL SERVICES PARKING LOT, 1400 TIDELANDS AVENUE, NATIONAL CITY, CALIFORNIA, 91950 AND

HARBOR POLICE HEADQUARTERS PARKING LOT, 3380 NORTH HARBOR DRIVE, SAN DIEGO, CALIFORNIA, 92101, INCLUDING APPLICATION FEES OF $4,410. FY 2018 EXPENDITURES ARE BUDGETED

Zach Birmingham, Senior Environmental Specialist, Energy & Sustainability, addressed the Board with staff's report and presentation regarding Action Agenda Item 26 - File No. 2018-0418 (A copy of the staff report, presentations and any agenda-related materials are on file with the Office of the District Clerk).

The following member(s) of the public addressed the Board with agenda related comments: Gretchen Newsom was called to speak, but was not present.

Commissioner Merrifield, Commissioner Bonelli, and Commissioner Valderrama, offered comments and asked clarifying questions. Mr. Birmingham, Simon Kahn, Deputy General Counsel, and Randa Coniglio, President/CEO, responded on behalf of staff.

Commissioner Merrifield requested that staff see what can be done about the termination fees prior to executing the agreement.

On a motion by Commissioner Valderrama, seconded by Commissioner Bonelli, the Board adopted Ordinance 2911. The motion carried by the following vote:

Yeas: 6 - Bonelli, Castellanos, Malcolm, Merrifield, Moore, and Valderrama

Nays: 0

Excused: 1 - Zucchet

Absent: 0

Abstain: 0

Recused: 0

27. 2018-0094 REVIEW AND CONSIDERATION OF DRAFT PROPOSED BOARD AGENDA FOR THE MAY 8, 2018 MEETING

On a motion by Commissioner Malcolm, seconded by Commissioner Bonelli, the Board adopted the draft agenda for May 8, 2018. The motion carried by the following vote:

Yeas: 6 - Bonelli, Castellanos, Malcolm, Merrifield, Moore, and Valderrama

Nays: 0

Excused: 1 - Zucchet

Absent: 0

Abstain: 0

Recused: 0

28. 2018-0142 PRESENTATION OF SERVICE AWARDS TO EMPLOYEES WITH 15 OR MORE YEARS OF SERVICE

The Board will consider staff's request to continue this item to a future Board meeting.

This Action Item was continued to a future Board meeting.

PUBLIC HEARING AGENDA

29. 2018-0069 COSTA VISTA RV RESORT AT CHULA VISTA BAYFRONT:

A) RESOLUTION ADOPTING A SECOND ADDENDUM TO THE FINAL ENVIRONMENTAL IMPACT REPORT FOR THE "CHULA VISTA BAYFRONT MASTER PLAN PROJECT" AND AUTHORIZING STAFF TO FILE A NOTICE OF DETERMINATION
B) RESOLUTION GRANTING CONCEPT APPROVAL TO SUN COMMUNITIES, INC. FOR THE COSTA VISTA RV RESORT PROJECT CONDITIONED ON SATISFACTION OF CERTAIN CONDITIONS PRECEDENT
C) CONDUCT PUBLIC HEARING AND ADOPT RESOLUTION AUTHORIZING ISSUANCE OF AN APPEALABLE COASTAL DEVELOPMENT PERMIT (CDP) FOR THE COSTA VISTA RV RESORT PROJECT CONDITIONED ON SATISFACTION OF CERTAIN CONDITIONS PRECEDENT

Wileen Manaois, Director, Development Services, addressed the Board with staff's report and presentation regarding Public Hearing Agenda Item 29 - File No. 2018-0069 (A copy of the staff report, presentations and any agenda-related materials are on file with the Office of the District Clerk). Ms. Manaois then turned the presentation over to Joseph Smith, Development Manager, Development Services.

The following member(s) of the public addressed the Board with agenda related comments: Bill Raffoul, Director of Capital Investments, Sun Communities Inc.

Commissioner Moore, Commissioner Merrifield, Commissioner Malcolm, and Commissioner Valderrama, offered comments and asked clarifying questions. Austin Silva, Associate Planner, Development Services, Stephanie Shook, Department Manager, Real Estate, and Job Nelson, Assistant Vice President, External Relations, responded on behalf of staff. Greg Miller, Tucker Sadler Architects responded on behalf of applicant.

On a motion by Commissioner Moore, seconded by Commissioner Merrifield, the Board adopted Item A - Resolution 2018-068. The motion carried by the following vote:

Yeas: 6 - Bonelli, Castellanos, Malcolm, Merrifield, Moore, and Valderrama

Nays: 0

Excused: 1 - Zucchet

Absent: 0

Abstain: 0

Recused: 0

On a motion by Commissioner Moore, seconded by Commissioner Merrifield, the Board adopted Item B - Resolution 2018-069. The motion carried by the following vote:

Yeas: 6 - Bonelli, Castellanos, Malcolm, Merrifield, Moore, and Valderrama

Nays: 0

Excused: 1 - Zucchet

Absent: 0

Abstain: 0

Recused: 0

Chairman Castellanos opened the Public Hearing. No public came forward to speak.

On a motion by Commissioner Moore, seconded by Commissioner Bonelli, the Board adopted Item C - Resolution 2018-070. The motion carried by the following vote:

Yeas: 6 - Bonelli, Castellanos, Malcolm, Merrifield, Moore, and Valderrama

Nays: 0

Excused: 1 - Zucchet

Absent: 0

Abstain: 0

Recused: 0

OFFICER'S REPORT

30. 2018-0140 MONTHLY NOTIFICATION REPORTS

Monthly Notification of Change Orders Pursuant to BPC Policy No. 110:

A) Change Order No. 2 to Agreement No. 2017-13 with ABM Building Services, LLC / Reconciliation - $5,000.00 Decrease
B) Change Order No. 1 to Contract No. 2017-62 with 5 North Media / Increases Contract by $698.29

Monthly Notification of Cost Recovery User Fee Waivers Granted by the Executive Director Pursuant to BPC Policy No. 106:

A) Request for User Fee Waiver Form from National Oceanic and Atmospheric Administration for Installation of Secondary/Backup Water Level/Tsunami Sensor, for total amount $658.00
B) Request for User Fee Waiver Form from City of Chula Vista for (Subsurface) Utility Easement, for total amount $500.00
C) Request for User Fee Waiver Form from City of Chula Vista for Utility Easement, for total amount $1,208.00

Monthly Notification of Rent Reviews Completed Administratively Pursuant to BPC Policy No. 355 as Amended on January 10, 2017:

None to report

Monthly Notification of Encumbrances Consented to Administratively Pursuant to BPC Policy No. 355 as Amended on January 10, 2017:

None to report

Monthly Notification of Lease Amendments Consented to Administratively Pursuant to BPC Policy No. 355 as Amended on January 10, 2017:

A) Amended and Restated Lease with Marina Cortez, Inc. / Amends Percentage of Parking Rental and Other Lease Provisions

Secretary, Board of Port Commissioners
San Diego Unified Port District

ATTEST:

Clerk of the San Diego Unified Port District

San Diego Unified Port District

3165 Pacific Hwy.
San Diego, CA 92101

Special Meeting Minutes

Board of Port Commissioners

Tuesday, April 17, 2018 | **11:00 AM** | **Don L. Nay Port Administration Boardroom**

Closed Session

A. Roll Call.

Present: 7 - Commissioner Bonelli, Chairperson Castellanos, Commissioner Malcolm, Commissioner Merrifield, Commissioner Moore, Commissioner Valderrama, and Commissioner Zucchet

Excused: 0

Absent: 0

Commissioner Zucchet was excused until he arrived at 11:08 a.m.

Officers Present: Coniglio, DeAngelis, Monson, Morales, and Russell.

B. Public Communications.

The following member(s) of the public addressed the Board with non agenda-related comments: None

CLOSED SESSION

Thomas A. Russell, General Counsel, announced the Closed Session items as follows:

1. 2018-0166 Closed Session Item No. 1

CONFERENCE WITH REAL PROPERTY NEGOTIATOR
Government Code Section 54956.8

Property: SDUPD - Parcels of land totaling approximately 147,642 square feet, 45,590 square feet, and 25,643 square feet located adjacent to Convention Way between Marina Park Way and Park Blvd in the City of San Diego, California
Negotiating Parties:
Fifth Avenue Landing, LLC - Arthur E. Engel and Raymond A. Carpenter
SDUPD - Adam Meyer, Tony Gordon, Shaun Sumner

Under Negotiations: Price and Terms

No reportable action was taken.

2. 2018-0167 Closed Session Item No. 2

CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION
Significant exposure to litigation Government Code Section 54956.9(d)(2)

One (1) Case

No reportable action was taken.

Secretary, Board of Port Commissioners
San Diego Unified Port District

ATTEST:

Clerk of the San Diego Unified Port District

San Diego Unified Port District

3165 Pacific Hwy.
San Diego, CA 92101

Special Meeting Minutes

Board of Port Commissioners

Tuesday, April 17, 2018 | **1:00 PM** | **Don L. Nay Port Administration Boardroom**

Budget Workshop

A. Roll Call.

Present: 7 - Commissioner Bonelli, Chairperson Castellanos, Commissioner Malcolm, Commissioner Merrifield, Commissioner Moore, Commissioner Valderrama, and Commissioner Zucchet

Excused: 0

Absent: 0

Officers Present: Coniglio, DeAngelis, Russell, Medina, Monson, and Morales.

B. Closed Session Report Out.

Thomas A. Russell, General Counsel, announced that the Board considered the items on the Closed Session Agenda and that no reportable action was taken.

C. Public Communications.

The following member(s) of the public addressed the Board with non agenda-related comments: None

D. Pledge of Allegiance

Commissioner Bonelli led the Pledge of Allegiance.

ACTION AGENDA

1. 2018-0141

· ACCEPT THE FY 2019 PRELIMINARY BUDGET INFORMATION AND DIRECTION TO STAFF

· RESOLUTION TO MAINTAIN THE FY 2019-2023 CAPITAL IMPROVEMENT PROGRAM (CIP) BUDGET AND TO NOT SOLICIT PROJECT APPLICATIONS OR HOLD A CIP WORKSHOP IN FY 2019

Robert DeAngelis, CFO/Treasurer, addressed the Board with staff's report and presentation regarding Action Agenda Item 1 - File No. 2018-0141 (A copy of the staff report, presentations and any agenda-related materials are on file with the Office of the District Clerk). Mr. DeAngelis then turned the presentation over to Randa Coniglio, President/CEO to present the Port's 2018 Fiscal Year Achievements and 2019 Budget Development Improvements. Ms. Coniglio then turned the presentation back to Mr.

DeAngelis to review the proposed 2019 Budget. Mr. DeAngelis then turned the presentation over to Jason Giffen, Assistant Vice President, Planning & Green Port, to discuss the budget for Storm Water and Water Quality, and the Environmental Fund Highlights.

Commissioner Moore left the dais at 1:55 p.m. and did not return for the remainder of the meeting.

Commissioner Bonelli, and Commissioner Malcolm, asked clarifying questions. Mr. Giffen responded on behalf of staff.

Mr. Giffen then turned the presentation over to Cid Tesoro, Assistant Vice President, Infrastructure, to present the Asset Management Program, and Capital Improvement Budget.

Commissioner Malcolm, and Commissioner Merrifield asked clarifying questions. Mr. Tesoro, and Mr. DeAngelis, responded on behalf of staff.

Mr. Tesoro then turned the presentation back to Mr. DeAngelis to review the Unrestricted Resources Balance, and review staff's recommendations.

Commissioner Valderrama, and Commissioner Bonelli asked clarifying questions. Mr. DeAngelis, and Ms. Coniglio responded on behalf of staff.

The following member(s) of the public addressed the Board with agenda-related comments: Peter H. Flournoy, Counsel, International Law Offices; Tim Mulcahy, Owner, F/V Calogera; Arthur Lorton, Fisherman; David Haworth, Fisherman; Matt Everingham, Chief Technologist, Everingham Bros. Bait Co.; and Mark Lebeck, Captain/Owner, F/V Trailblazer.

Chairman Castellanos requested staff to respond to Public Comments related to dock repair. Cid Tesoro, and Ernesto Medina, Chief Engineer, Engineering-Construction, responded on behalf of staff.

Commissioner Valderrama thanked the public for attending and participating in the discussion.

Commissioner Merrifield, Commissioner Zucchet, Commissioner Malcolm, Commissioner Valderrama, Chairman Castellanos offered comments, and asked clarifying questions. Robert DeAngelis, Joel Valenzuela, Director, Maritime, Jason Giffen, Keith Coffey, Chief Technology Officer, Information Technology, Randa Coniglio, Rebecca Harrington, Senior Deputy General Counsel, Job Nelson, Assistant Vice President, Marketing & Communications, and Jenifer Barsell, Director, Marketing & Communications, responded on behalf of staff.

On a motion by Commissioner Valderrama, seconded by Commissioner Bonelli, the Board A) accepted the Fiscal Year 2019 Draft Preliminary Budget; directed use $5.6M Cumulative Unrestricted Resources to fund TIGER matching funds; directed to repair Navy Pier with the funds identified for Navy Pier Headhouse Demo in CIP; B) directed use of Cumulative Unrestricted Resources of $500k for Baywide Informational signage and Tidelands Activation Program; and C) adopted Resolution 2018-071 to maintain the Fiscal Year 2019-23 CIP budget and to not solicit project applications or hold a CIP Workshop in Fiscal Year 2019. The motion carried by the following vote:

Yeas:	6 -	Bonelli, Castellanos, Malcolm, Merrifield, Valderrama, and Zucchet
Nays:	0	
Excused:	1 -	Moore
Absent:	0	
Abstain:	0	
Recused:	0	

Secretary, Board of Port Commissioners
San Diego Unified Port District

ATTEST:

Clerk of the San Diego Unified Port District

San Diego Unified Port District

3165 Pacific Hwy.
San Diego, CA 92101

Special Meeting Minutes

Board of Port Commissioners

Friday, April 20, 2018 | **5:00 PM** | **Don L. Nay Port Administration Boardroom**

Closed Session

A. Roll Call.

Present: 7 - Commissioner Bonelli, Chairperson Castellanos, Commissioner Malcolm, Commissioner Merrifield, Commissioner Moore, Commissioner Valderrama, and Commissioner Zucchet

Excused: 0

Absent: 0

Officers Present: Coniglio, DeAngelis, Morales, and Russell.

B. Public Communications.

The following member(s) of the public addressed the Board with non-agenda related comments: None

CLOSED SESSION

Thomas A. Russell, General Counsel, announced the Closed Session items as follows:

1. 2018-0173 Closed Session Item No. 1

CONFERENCE WITH REAL PROPERTY NEGOTIATOR
Government Code Section 54956.8

Property: SDUPD - Parcels of land totaling approximately 147,642 square feet, 45,590 square feet, and 25,643 square feet located adjacent to Convention Way between Marina Park Way and Park Blvd in the City of San Diego, California
Negotiating Parties:
Fifth Avenue Landing, LLC - Arthur E. Engel and Raymond A. Carpenter
SDUPD - Adam Meyer, Tony Gordon, Shaun Sumner

Under Negotiations: Price and Terms

No reportable action was taken.

2. 2018-0174 Closed Session Item No. 2

CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION
Significant exposure to litigation Government Code Section 54956.9(d)(2)

One (1) Case

No reportable action was taken.

Secretary, Board of Port Commissioners
San Diego Unified Port District

ATTEST:

Clerk of the San Diego Unified Port District

San Diego Unified Port District

3165 Pacific Hwy.
San Diego, CA 92101

Special Meeting Minutes

Board of Port Commissioners

Tuesday, April 24, 2018 | **2:00 PM** | **City of Chula Vista Council Chambers, 276 4th Avenue, Building A, Chula Vista, CA 91910**

Special Joint Meeting
San Diego Unified Port District
Board of Port Commissioners
and
City of Chula Vista City Council

A. Roll Call.

Roll Call for Board of Commissioners, San Diego Unified Port District:

Present: 6 - Commissioner Bonelli, Chairperson Castellanos, Commissioner Malcolm, Commissioner Merrifield, Commissioner Moore, and Commissioner Valderrama

Excused: 1 - Commissioner Zucchet

Absent: 0

Roll Call for City of Chula Vista:

Present: 5 - Councilmember Aguilar, Councilmember Diaz, Councilmember McCann, Councilmember Padilla, and Mayor Casillas Salas.

Excused: 0

Absent: 0

Port of San Diego Officers Present: Coniglio, DeAngelis, Morales, and Russell

B. Pledge of Allegiance.

Commissioner Moore led the Pledge of Allegiance.

C. Public Communications.

The following member(s) of the public addressed the Chula Vista City Council and the Board of Port Commissioners with non agenda-related comments: JoAnn Fields, Director, Filipino Caucus.

ACTION AGENDA

1. 2018-0070 RIDA CHULA VISTA, LLC RESORT HOTEL AND CONVENTION CENTER:
A) RESOLUTION AUTHORIZING A DISPOSITION AND DEVELOPMENT AGREEMENT (DDA) WITH RIDA CHULA VISTA, LLC AND THE CITY OF CHULA VISTA FOR A RESORT HOTEL AND CONVENTION CENTER WITHIN THE CHULA VISTA BAYFRONT
B) RESOLUTION AUTHORIZING A REVENUE SHARING AGREEMENT WITH THE CITY OF CHULA VISTA

Gary Halbert, City Manager, City of Chula Vista, and Randa Coniglio, President/CEO, Port of San Diego, provided introductory comments.

Stephanie Shook, Program Manager, Real Estate, addressed the Chula Vista City Council and the Board of Port Commissioners with staff's report and presentation regarding Action Agenda Item 1 - File No. 2018-0070 (A copy of the staff report, presentations and any agenda-related materials are on file with the Office of the District Clerk). Ms. Shook then turned the presentation over to Ira Mitzner, President/CEO, RIDA Development Corporation.

Mayor Casillas Salas opened the meeting for public comment. The following member(s) of the public addressed the City Council and Port Commissioners with agenda-related comments: Jeff Phair; JoAnn Fields, Director, Filipino Caucus; and Cindy Gompper Graves, CEO, South County Economic Development Council.

The following members of the public did not want to speak, however, they asked for their names to be registered as part of the record in support of the agenda item: Patrice Milkovich; Rich Stevenson, Director of Finance, Sweetwater Authority; Valerie Acevez; Karen Odermatt; Patty Alvarez; Adam Sparks; Kathy Sparks; Eric W. Washington; Ana Melgoze; Susan Guerra; Susan Fuller; Lori Coons; Patricia E. Chavez; Clarissa Falcon; Pedro Anaya; Bob Salomon; Maggie Hannegan; Jacqueline Reynoso, National City Chamber of Commerce; Michelle Diaz Agha; and Sassan Rahimzadeh.

Mayor Casillas Salas announced that Chula Vista City Council will be taking a vote on Items A and B, contingent on the passing of City of Chula Vista Agenda Item C (Resolution of the City Council of the City of Chula Vista Accepting an Economic Development Subsidy Report Regarding a Hotel-Convention Center Project (Chula Vista Bayfront Master Plan Parcel H-3)) at 5:00 pm. The public hearing will continue through to the Regular City Council Meeting at 5:00 pm.

Councilmember Aguilar, Councilmember Padilla, Councilmember McCann, Mayor Casillas Salas, Councilmember Diaz, offered comments and asked clarifying questions. Mayor Casillas Salas, and Adam Meyer, Port of San Diego, responded.

The City of Chula Vista City Council took action on its respective agenda items.

Chairman Castellanos invited the Board of Port Commissioners to speak. Commissioner Malcolm, Commissioner Bonelli, Commissioner Merrifield, Commissioner Moore, Commissioner Valderrama, and Chairman Castellanos provided comments.

On a motion by Commissioner Moore, seconded by Commissioner Malcolm, the Board adopted A) Resolution 2018-072 Authorizing a Disposition and

Development Agreement with RIDA Chula Vista, LLC and the City of Chula Vista for a Resort Hotel and Convention Center within the Chula Vista Bayfront, and B) Resolution 2018-073 Authorizing a Revenue Sharing Agreement with the City of Chula Vista. The motion carried by the following vote:

Yeas: 6 - Bonelli, Castellanos, Malcolm, Merrifield, Moore, and Valderrama

Nays: 0

Excused: 1 - Zucchet

Absent: 0

Abstain: 0

Recused: 0

Mayor Casillas Salas thanked the Port Commissioners, particulary Commissioner Moore, as well as the community for their support. Mayor Casillas Salas and Chairman Castellanos then adjourned the meeting.

A Moore

Secretary, Board of Port Commissioners
San Diego Unified Port District

ATTEST:

Donna Morales

Clerk of the San Diego Unified Port District

San Diego Unified Port District

3165 Pacific Hwy.
San Diego, CA 92101

Special Meeting Minutes

Board of Port Commissioners

Tuesday, May 1, 2018 | **4:00 PM** | **Don L. Nay Port Administration Boardroom**

Closed Session

A. Roll Call.

Present: 7 - Commissioner Bonelli, Chairperson Castellanos, Commissioner Malcolm, Commissioner Merrifield, Commissioner Moore, Commissioner Valderrama, and Commissioner Zucchet

Excused: 0

Absent: 0

Commissioner Merrifield was excused until he arrived at 4:14 pm.

Officers Present: Coniglio, DeAngelis, Gross, Monson, and Morales.

B. Public Communications.

The following member(s) of the public addressed the Board with non agenda-related comments: None.

CLOSED SESSION

Ellen Gross, Assistant General Counsel, announced the Closed Session items as follows:

1. 2018-0198 Closed Session Item No. 1

CONFERENCE WITH REAL PROPERTY NEGOTIATOR
Government Code Section 54956.8

Property: SDUPD - Parcels of land totaling approximately 147,642 square feet, 45,590 square feet, and 25,643 square feet located adjacent to Convention Way between Marina Park Way and Park Blvd in the City of San Diego, California

Negotiating Parties:
Fifth Avenue Landing, LLC - Arthur E. Engel and Raymond A. Carpenter
SDUPD - Adam Meyer, Tony Gordon, Shaun Sumner

Under Negotiations: Price and Terms

No reportable action was taken.

2. 2018-0199 Closed Session Item No. 2

CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION
Significant exposure to litigation Government Code Section 54956.9(d)(2)

One (1) Case

No reportable action was taken.

Secretary, Board of Port Commissioners
San Diego Unified Port District

ATTEST:

Clerk of the San Diego Unified Port District

San Diego Unified Port District

3165 Pacific Hwy.
San Diego, CA 92101

Special Meeting Minutes

Board of Port Commissioners

Tuesday, May 8, 2018 | **10:00 AM** | **Don L. Nay Port Administration Boardroom**

Closed Session

A. Roll Call.

Present: 6 - Commissioner Bonelli, Chairperson Castellanos, Commissioner Malcolm, Commissioner Merrifield, Commissioner Valderrama, and Commissioner Zucchet

Excused: 1 - Commissioner Moore

Absent: 0

Commissioner Zucchet was excused until he arrived at 10:55 a.m.

Officers Present: Coniglio, DeAngelis, Morales, and Russell.

B. Public Communications.

The following member(s) of the public addressed the Board with agenda-related comments: Kevin Moriarty, General Partner, Chula Vista Marina.

CLOSED SESSION

Thomas A. Russell, General Counsel, announced the Closed Session items as follows:

1. 2018-0213 Closed Session Item No. 1

PUBLIC EMPLOYEE PERSONNEL EVALUATION:
PORT AUDITOR
Government Code Section 54957

No reportable action was taken.

2. 2018-0209 Closed Session Item No. 2

CONFERENCE WITH LABOR NEGOTIATOR
Government Code Section 54957.6

Agency Negotiators: Rafael Castellanos
Unrepresented Employees: Port Auditor

No reportable action was taken.

3. 2018-0207 Closed Session Item No. 3

CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
Pursuant to Subdivision (d)(1) of Government Code Section 54956.9

San Diego Unified Port District, et al. v. Monsanto Company, et al.
United States District Court Case No. 15-CV-0578 WQH (JLB)

No reportable action was taken.

4. 2018-0211 Closed Session Item No. 4

CONFERENCE WITH LEGAL COUNSEL - INITIATION OF LITIGATION
Pursuant to Subdivision (d)(4) Government Code Section 54956.9

One (1) Case

No reportable action was taken.

5. 2018-0208 Closed Session Item No. 5

CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
Pursuant to Subdivision (d)(1) of Government Code Section 54956.9

Stephen Jackson v San Diego Unified Port District, San Diego Harbor Police Department, et al.
San Diego Superior Court Court Case No.
37-2017-00017850-CU-PO-CTL

No reportable action was taken.

6. 2018-0210 Closed Session Item No. 6

CONFERENCE WITH REAL PROPERTY NEGOTIATOR
Government Code Section 54956.8

Property: SDUPD - Parcels of land totaling approximately 147,642 square feet, 45,590 square feet, and 25,643 square feet located adjacent to Convention Way between Marina Park Way and Park Blvd in the City of San Diego, California
Negotiating Parties:
Fifth Avenue Landing, LLC - Arthur E. Engel and Raymond A. Carpenter
SDUPD - Adam Meyer, Tony Gordon, Shaun Sumner

Under Negotiations: Price and Terms

No reportable action was taken.

7. 2018-0204 Closed Session Item No. 7

CONFERENCE WITH REAL PROPERTY NEGOTIATOR
Government Code Section 54956.8

Property: SDUPD - Chula Vista Marina consisting of approximately 223,549 square feet of land and 856,522 square feet of water at 550 Marina Parkway, Chula Vista

Negotiating Parties: Kevin Moriarty - Chula Vista Marina/RV Park, Ltd.; Randa Coniglio, Shaun Sumner, Adam Meyer, Stephanie Shook, and Tony Gordon - SDUPD

Under Negotiations: Price and Terms

No reportable action was taken.

8. 2018-0206 Closed Session Item No. 8

CONFERENCE WITH REAL PROPERTY NEGOTIATOR
Government Code Section 54956.8

Property: SDUPD - Approximately 128,009 square feet of tideland area and 467,650 square feet of water located at 2051 Shelter Island Drive and approximately 148,867 square feet of land area located at 1901 Shelter Island Drive in the City of San Diego, California

Negotiating Parties:
Best Western Island Palms and Island Palms West - Richard Bartell
SDUPD - Shaun Sumner, Tony Gordon, Chris Hargett, James Hammel, Sean Jones

Under Negotiations: Price and Terms

No reportable action was taken.

9. 2018-0205 Closed Session Item No. 9

CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION
Significant exposure to litigation Government Code Section 54956.9(d)(2)

Three (3) Cases

No reportable action was taken.

Secretary, Board of Port Commissioners
San Diego Unified Port District

ATTEST:

Clerk of the San Diego Unified Port District

San Diego Unified Port District

3165 Pacific Hwy.
San Diego, CA 92101

Meeting Minutes

Board of Port Commissioners

Tuesday, May 8, 2018 **1:00 PM** **Don L. Nay Port Administration Boardroom**

A. Roll Call.

Present: 6 - Commissioner Bonelli, Chairperson Castellanos, Commissioner Malcolm, Commissioner Merrifield, Commissioner Valderrama, and Commissioner Zucchet

Excused: 1 - Commissioner Moore

Absent: 0

B. Closed Session Report Out.

Thomas A. Russell, General Counsel, announced that the Board considered the items on the Closed Session Agenda and stated that no reportable action was taken.

C. Pledge of Allegiance.

Commissioner Zucchet led the Pledge of Allegiance.

D. Public Communications.

The following member(s) of the public addressed the Board with non agenda-related comments: Mark Stephens; Sandy Purdon, General Partner, Shelter Cove Marina; and Greg Boeh, C.O.O., GB Capital Holdings, LLC.

E. Commissioners' Reports.

Chairman Castellanos announced the passing of Commissioner Emeritus Louis Wolfsheimer and asked for a moment of silence in his honor.

Chairman Castellanos then spoke about his trip to Sacramento to testify on AB 3119 authored by Assemblywoman Gonzalez-Fletcher. The Bill has been amended to create a task force to develop solutions to Airport traffic and sea level rise, rather than to re-unify the Port with the Airport.

F. President's Report.

Randa Coniglio, President/CEO, announced that she had sad news that Joy Mercado from General Services passed away. Ms. Coniglio asked for a moment of silence in her honor.

Ms. Coniglio then announced that County Supervisor Greg Cox and Nick Macchione, Director of the County's Health and Human Services Agency, are here today to present the Port with a proclamation to commemorate the County of San Diego's Live Well San Diego program partnership. Ms. Coniglio then invited County Supervisor Cox to the podium. Mr. Cox and Mr. Macchione presented the proclamation commending the Port for outstanding service, leadership, and committment to county residents and announced

that May 8th will be recognized as Port of San Diego Live Well San Diego Day.

Ms. Coniglio then announced that May 22nd is National Maritime Day, and that the Port is holding a series of events this month under a campaign called "At the Heart of It All" to recognize the hardworking men and women of the working waterfront. Ms. Coniglio invited Joel Valenzuela, Director of Maritime, to the podium. Mr. Valenzuela explained that this year, the Port is honoring the San Diego Bay Harbor Safety Committee. The Harbor Safety Committee is responsible for the creation, maintenance, and promulgation of the Harbor Safety Plan. The Plan provides a guide to critical navigation issues and vessel safety with the ultimate goal of providing safety, pollution prevention, and resource protection for the Bay.

Ms. Coniglio announced that the Port was honored by the California Association of Public Information Officials (CAPIO) with first place in Community Relations/Participation at the Excellence in Public Information and Communications (EPIC) Awards for the community outreach efforts on the Port Master Plan Update. In addition, Tanya Casteneda, Port's Public Information Officer, was recognized by CAPIO as Communicator of the Year for 2018. This recognition is one of the highest honors for government communicators on the West Coast.

Ms. Coniglio also announced that the Port of San Diego received a first place award in the Government Social Media Policy category at the 2018 Government Social Media Convention & Expo (GSMCON) in Denver, Colorado. Led by Windee Freireich, the "Social Media Policy for Official District Social Media Accounts", was developed by a multi-department team to regulate how the Port establishes, manages and terminates official Port social media accounts.

Ms. Coniglio announced that this week (May 6 - 12) is Municipal Clerks Week, and a proclamation recognizing the important role of the Office of the District Clerk at the Port of San Diego is on the consent agenda today.

Ms. Coniglio announced that during April 16-21 the Port hosted numerous environmental events to celebrate Earth Week. Over 100 employees in the event which included: Green Cleaning Event; Daily Harvest Farm Stand; and a Lunch Power Walk and Yoga Event.

Ms. Coniglio then spoke about Take Your Child to Work Day. The Port has participated in this event for 20 years, and this year hosted 44 children ranging in age from 8 to 18 years old.

G. District Clerk's Announcements.

Donna Morales, District Clerk, offered that copies of agenda-related materials submitted after the publication of the agenda were available at the Clerk's desk. Additionally, Ms. Morales announced that a speaker request slip for Consent Item 3 - File No. 2017-0587 has been submitted and will need to be pulled from the Consent Agenda. Ms. Morales also reported that staff requested to continue the following items: Consent Agenda Item 18 - File No. 2018-0181; and Public Hearing Item 26 - File No. 2018-0200.

On a motion by Commissioner Malcolm, seconded by Commissioner Bonelli, the Board adopted the requested docket changes. The motion carried by the following vote:

Yeas: 6 - Bonelli, Castellanos, Malcolm, Merrifield, Valderrama, and Zucchet

Nays: 0

Excused: 1 - Moore

Absent: 0

Abstain: 0

Recused: 0

CONSENT AGENDA

On a motion by Commissioner Bonelli, seconded by Commissioner Merrifield, the Board adopted the Consent Agenda as follows: March 28, 2018 - Special Meeting - Closed Session Minutes; March 28, 2018 - Special Meeting - Port Masterplan Update Workshop; April 3, 2018 - Special Meeting - Closed Session minutes; April 10, 2018 - Closed Session minutes; April 10, 2018 - Regular BPC Meeting minutes; April 17, 2018 - Special Meeting - Closed Session minutes; April 17, 2018 - Special Meeting - Budget Workshop minutes; April 20, 2018 - Special Meeting - Closed Session minutes; Resolution 2018-074; Resolution 2018-076; Resolution 2018-077; Resolution 2018-078; Resolution 2018-079; Resolution 2018-080; Resolution 2018-081; Resolution 2018-082; Resolution 2018-083; Resolution 2018-084; Resolution 2018-085; Resolution 2018-086; Resolution 2018-087; Resolution 2018-088; Resolution 2018-089; Resolution 2018-090; Resolution 2018-091; Resolution 2018-092; Resolution 2018-093; Resolution 2018-094; Ordinance 2912. The motion carried by the following vote:

Yeas: 6 - Bonelli, Castellanos, Malcolm, Merrifield, Valderrama, and Zucchet

Nays: 0

Excused: 1 - Moore

Absent: 0

Abstain: 0

Recused: 0

1. 2018-0184 Approval of minutes for:
March 28, 2018 - SPECIAL MEETING - CLOSED SESSION
March 28, 2018 - SPECIAL MEETING - PORT MASTERPLAN UPDATE WORKSHOP
April 3, 2018 - SPECIAL MEETING - CLOSED SESSION
April 10, 2018 - CLOSED SESSION
April 10, 2018 - REGULAR BPC MEETING
April 17, 2018 - SPECIAL MEETING - CLOSED SESSION
April 17, 2018 - SPECIAL MEETING - BUDGET WORKSHOP
April 20, 2018 - SPECIAL MEETING - CLOSED SESSION

On a motion by Commissioner Bonelli, seconded by Commissioner Merrifield, the Board approved the minutes as part of the Consent Agenda.

2. 2017-0583 RESOLUTION SELECTING AND AUTHORIZING AN AGREEMENT WITH AZTEC LANDSCAPING, INC. FOR LANDSCAPE MAINTENANCE

SERVICES FROM JULY 1, 2018 THROUGH JUNE 30, 2023, FOR AN AMOUNT NOT TO EXCEED $880,000. ALL FUNDS REQUIRED FOR FUTURE FISCAL YEARS WILL BE BUDGETED IN THE APPROPRIATE FISCAL YEAR, SUBJECT TO BOARD APPROVAL UPON ADOPTION OF EACH FISCAL YEAR'S BUDGET

On a motion by Commissioner Bonelli, seconded by Commissioner Merrifield, the Board adopted Resolution 2018-074 as part of the Consent Agenda.

4. 2018-0058 RESOLUTION SELECTING AND AUTHORIZING AGREEMENTS WITH A TO Z ENTERPRISES, INC., RSQU TOWING, INC. AND SEVERIN MOBILE TOWING, INC. FOR AS-NEEDED TOWING SERVICES AT NO EXPENSE TO THE DISTRICT FOR A PERIOD OF UP TO FIVE YEARS FROM MAY 1, 2018 TO JUNE 30, 2023

On a motion by Commissioner Bonelli, seconded by Commissioner Merrifield, the Board adopted Resolution 2018-076 as part of the Consent Agenda.

5. 2018-0059 RESOLUTION AUTHORIZING AMENDMENT NO. 3 TO PURCHASE ORDER NO. 50000555 WITH GRAINGER, INC. FOR GENERAL MAINTENANCE SUPPLIES AND TOOLS, INCREASING THE MAXIMUM AMOUNT PAYABLE BY $230,000 FOR A NEW MAXIMUM AMOUNT OF $580,000, FY 2018 EXPENDITURES ARE BUDGETED, ALL FUNDS REQUIRED FOR FUTURE FISCAL YEARS WILL BE BUDGETED IN THE APPROPRIATE FISCAL YEAR, SUBJECT TO BOARD APPROVAL UPON ADOPTION OF EACH FISCAL YEAR'S BUDGET

On a motion by Commissioner Bonelli, seconded by Commissioner Merrifield, the Board adopted Resolution 2018-077 as part of the Consent Agenda.

6. 2018-0091 RESOLUTION AUTHORIZING A FIVE YEAR TOTAL COST OF OWNERSHIP OF $208,042 FOR ENTERPRISE BACKUP AND DISASTER RECOVERY SYSTEM PURSUANT TO BOARD POLICY NO.110 SECTIONS III.E AND III.F. FUNDS REQUIRED FOR FUTURE FISCAL YEARS WILL BE BUDGETED IN THE APPROPRIATE FISCAL YEAR, SUBJECT TO BOARD APPROVAL UPON ADOPTION OF EACH FISCAL YEAR'S BUDGET

On a motion by Commissioner Bonelli, seconded by Commissioner Merrifield, the Board adopted Resolution 2018-078 as part of the Consent Agenda.

7. 2018-0104 RESOLUTION SELECTING AND AUTHORIZING AGREEMENTS WITH BUREAU VERITAS NORTH AMERICA, INC.; DUDEK; AND MOORE IACOFANO GOLTSMAN, INC. DBA MIG FOR AS-NEEDED DEVELOPMENT SERVICES CONSULTING FOR A TOTAL AGGREGATE AMOUNT PAYABLE UNDER THE AGREEMENTS NOT TO EXCEED $500,000 FOR A PERIOD OF THREE YEARS BEGINNING ON JUNE 1, 2018 AND ENDING JUNE 30, 2021; FY 2018 EXPENDITURES, IF NEEDED, ARE BUDGETED, AND ALL FUNDS REQUIRED FOR FUTURE FISCAL YEARS WILL BE BUDGETED IN THE

APPROPRIATE FISCAL YEAR, SUBJECT TO BOARD APPROVAL UPON ADOPTION OF EACH FISCAL YEAR'S BUDGET

On a motion by Commissioner Bonelli, seconded by Commissioner Merrifield, the Board adopted Resolution 2018-079 as part of the Consent Agenda.

8. 2018-0106 RESOLUTION AUTHORIZING AMENDMENT NO. 1 TO AGREEMENT WITH CALIFORNIA TREE SERVICE, INC. FOR AS-NEEDED TREE MAINTENANCE SERVICES, INCREASING THE MAXIMUM AMOUNT PAYABLE UNDER THE AGREEMENT BY $113,000 FOR A NEW MAXIMUM AMOUNT OF $488,000. FY 2018 EXPENDITURES ARE BUDGETED. ALL FUNDS REQUIRED FOR FUTURE FISCAL YEARS WILL BE BUDGETED IN THE APPROPRIATE FISCAL YEAR, SUBJECT TO BOARD APPROVAL UPON ADOPTION OF EACH FISCAL YEAR'S BUDGET

On a motion by Commissioner Bonelli, seconded by Commissioner Merrifield, the Board adopted Resolution 2018-080 as part of the Consent Agenda.

9. 2018-0110 RESOLUTION WAIVING BPC POLICY NO. 110, PART 1.G.2, TO INCREASE THE EXECUTIVE DIRECTOR'S CHANGE ORDER AUTHORITY FROM 10% TO 20% OF THE ORIGINAL CONTRACT AMOUNT AND CONTRACT TIME EXTENSION AUTHORITY FROM 120 DAYS TO 220 DAYS FOR CONTRACT NO. 2012-06, SHELTER ISLAND BOAT LAUNCHING FACILITY IMPROVEMENTS PROJECT WITH NO INCREASE TO PROJECT BUDGET

On a motion by Commissioner Bonelli, seconded by Commissioner Merrifield, the Board adopted Resolution 2018-081 as part of the Consent Agenda.

10. 2018-0115 RESOLUTION AUTHORIZING A FIVE (5) YEAR TOTAL COST OF OWNERSHIP OF $1,620,000 FOR INFORMATION TECHNOLOGY EQUIPMENT OUTLAY AND SOFTWARE MAINTENANCE PURSUANT TO BOARD OF PORT COMMISSIONERS POLICY NO. 110 SECTION III.F. FY 2018 EXPENDITURES ARE BUDGETED. ALL FUNDS REQUIRED FOR FUTURE FISCAL YEARS WILL BE BUDGETED IN THE APPROPRIATE FISCAL YEAR SUBJECT TO BOARD APPROVAL UPON THE ADOPTION OF EACH FISCAL YEARS' BUDGET

On a motion by Commissioner Bonelli, seconded by Commissioner Merrifield, the Board adopted Resolution 2018-082 as part of the Consent Agenda.

11. 2018-0118 RESOLUTION PROCLAIMING SUPPORT OF NATIONAL PUBLIC WORKS WEEK, MAY 20-26, 2018

On a motion by Commissioner Bonelli, seconded by Commissioner Merrifield, the Board adopted Resolution 2018-083 as part of the Consent Agenda.

12. 2018-0124 RESOLUTION CONSENTING TO ASSIGNMENT AND ASSUMPTION OF MEDIA AGREEMENTS FOR AS NEEDED SAN DIEGO UNIFIED PORT DISTRICT MARKETING AND OUTREACH CAMPAIGNS FROM

MIDWEST TELEVISION, INC. TO KFMB TV, LLC (dba KFMB-TV, NFMB-TV, KFMB-FM, KFMB-AM) DUE TO A CHANGE IN STATION OWNERSHIP

On a motion by Commissioner Bonelli, seconded by Commissioner Merrifield, the Board adopted Resolution 2018-084 as part of the Consent Agenda.

13. 2018-0131 RESOLUTION APPROVING CALENDAR YEAR 2018 WORK PLAN FOR THE ACCESSIBILITY ADVISORY COMMITTEE PURSUANT TO BOARD OF PORT COMMISSIONERS POLICY NO. 018-BOARD ADVISORY COMMITTEES

On a motion by Commissioner Bonelli, seconded by Commissioner Merrifield, the Board adopted Resolution 2018-085 as part of the Consent Agenda.

14. 2018-0135 RESOLUTION AUTHORIZING A MEMORANDUM OF UNDERSTANDING BETWEEN THE DISTRICT AND THE CITY OF SAN DIEGO, CITY OF OCEANSIDE AND COUNTY OF ORANGE FROM JULY 1, 2018 THROUGH JUNE 30, 2023 TO WORK COLLABORATIVELY ON A REGIONAL HARBOR MONITORING PROGRAM TO EVALUATE THE STATUS AND TRENDS OF WATERS, SEDIMENT, AND AQUATIC LIFE IN THE REGIONS HARBORS AS REQUIRED BY THE SAN DIEGO REGIONAL QUALITY CONTROL BOARD PURSUANT TO §13225 OF THE CALIFORNIA WATER CODE. ALL FUNDS REQUIRED FOR FUTURE FISCAL YEARS WILL BE BUDGETED IN THE APPROPRIATE FISCAL YEAR, SUBJECT TO BOARD APPROVAL UPON ADOPTION OF EACH FISCAL YEAR'S BUDGET

On a motion by Commissioner Bonelli, seconded by Commissioner Merrifield, the Board adopted Resolution 2018-086 as part of the Consent Agenda.

15. 2018-0139 RESOLUTION WAIVING BOARD OF PORT COMMISSIONERS POLICY NO. 110 II(A) AND AUTHORIZING A SINGLE SOURCE AGREEMENT FROM JUNE 1, 2018 UNTIL MAY 31, 2021, WITH JGC GOVERNMENT RELATIONS, INC. FOR STATE LEGISLATIVE CONSULTING SERVICES FOR AN AMOUNT NOT TO EXCEED $360,000. ALL FUNDS REQUIRED FOR FUTURE FISCAL YEARS WILL BE BUDGETTED IN THE APPROPRIATE FISCAL YEAR, SUBJECT TO BOARD APPROVAL UPON ADOPTION OF EACH FISCAL YEAR'S BUDGET

On a motion by Commissioner Bonelli, seconded by Commissioner Merrifield, the Board adopted Resolution 2018-087 as part of the Consent Agenda.

16. 2018-0147 RESOLUTION PROCLAIMING SUPPORT OF MUNICIPAL CLERKS WEEK, MAY 6-12, 2018

On a motion by Commissioner Bonelli, seconded by Commissioner Merrifield, the Board adopted Resolution 2018-088 as part of the Consent Agenda.

17. 2018-0158 CONTRIBUTION AND REIMBURSEMENT OF DEVELOPMENT IMPACT FEES RELATED TO THE LANE FIELD SOUTH PROJECT LOCATED IN

THE CITY OF SAN DIEGO

A) RESOLUTION AUTHORIZING CONTRIBUTION AGREEMENT BETWEEN THE DISTRICT AND THE CITY OF SAN DIEGO FOR DEVELOPMENT IMPACT FEES IN THE AMOUNT OF $2,181,407.74 RELATED TO THE LANE FIELD SOUTH PROJECT LOCATED IN THE CITY OF SAN DIEGO, WITH CONDITIONS
B) RESOLUTION AUTHORIZING REIMBURSEMENT AGREEMENT BETWEEN THE DISTRICT AND LFS DEVELOPMENT, LLC FOR DEVELOPMENT IMPACT FEES IN THE AMOUNT OF $2,181,407.74 RELATED TO THE LANE FIELD SOUTH PROJECT LOCATED IN THE CITY OF SAN DIEGO, WITH CONDITIONS

On a motion by Commissioner Bonelli, seconded by Commissioner Merrifield, the Board adopted Resolution 2018-089 and Resolution 2018-090 as part of the Consent Agenda.

18. 2018-0181 RESOLUTION AUTHORIZING AN AGREEMENT WITH THE LIVING COAST DISCOVERY CENTER TO BE FUNDED BY THE ENVIRONMENTAL FUND, PURSUANT TO BOARD POLICY NO. 730 - THE PORT ENVIRONMENTAL ADVISORY COMMITTEE POLICY, FOR THE ENDANGERED RIDGWAY'S RAIL (FORMERLY LIGHT-FOOTED CLAPPER RAIL) PROPAGATION PROGRAM IN AN AMOUNT NOT TO EXCEED $80,000 FOR FOUR YEARS WITH $22,000 IN MATCHING FUNDS. FUNDS REQUIRED FOR FUTURE FISCAL YEARS WILL BE BUDGETED IN THE APPROPRIATE FISCAL YEAR, SUBJECT TO BOARD APPROVAL UPON ADOPTION OF EACH FISCAL YEAR'S BUDGET

The Board will consider staff's request to continue this item to a future Board Meeting.

This Consent Item was continued to a future Board meeting.

19. 2018-0119 RESOLUTION SELECTING AND AUTHORIZING AN AGREEMENT WITH RSM DESIGN FOR BAYWIDE SIGNAGE STRATEGIC PLANNING SERVICES FROM MAY 9, 2018 TO MAY 8, 2019, FOR AN AMOUNT NOT TO EXCEED $280,000. FY 2018 EXPENDITURES, IF NEEDED, ARE BUDGETED. ALL FUNDS REQUIRED FOR FUTURE FISCAL YEARS WILL BE BUDGETED IN THE APPROPRIATE FISCAL YEAR, SUBJECT TO BOARD APPROVAL UPON ADOPTION OF EACH FISCAL YEAR'S BUDGET

On a motion by Commissioner Bonelli, seconded by Commissioner Merrifield, the Board adopted Resolution 2018-091 as part of the Consent Agenda.

ACTION AGENDA

3. 2017-0587 RESOLUTION SELECTING AND AUTHORIZING AN AGREEMENT WITH

EDCO DISPOSAL CORPORATION FOR SOLID WASTE AND RECYCLING COLLECTION, DISPOSAL AND MANAGEMENT SERVICES FROM JULY 1, 2018 THROUGH JUNE 30, 2023, FOR AN AMOUNT NOT TO EXCEED $1,400,000. ALL FUNDS REQUIRED FOR FUTURE FISCAL YEARS WILL BE BUDGETED IN THE APPROPRIATE FISCAL YEAR, SUBJECT TO BOARD APPROVAL UPON ADOPTION OF EACH FISCAL YEAR'S BUDGET

The following member(s) of the public addressed the Board with agenda-related comments: Michael Simonsen, Municipal Relationship Manager, Republic Services.

Commissioner Zucchet, Commissioner Bonelli, and Commissioner Valderrama provided comments and asked clarifying questions. Marco Cromartie, Director, General Services, responded on behalf of staff.

On a motion by Commissioner Bonelli, seconded by Commissioner Merrifield, the Board adopted Resolution 2018-075. The motion carried by the following vote:

Yeas: 6 - Bonelli, Castellanos, Malcolm, Merrifield, Valderrama, and Zucchet

Nays: 0

Excused: 1 - Moore

Absent: 0

Abstain: 0

Recused: 0

20. 2018-0068 PRESENTATION OF SERVICE AWARDS TO EMPLOYEES WITH 15 OR MORE YEARS OF SERVICE

Maria Sarchi, Technician, Human Resources, addressed the Board with a presentation regarding Action Agenda Item 20 - File No. 2018-0068 (A copy of the presentation is on file with the Office of the District Clerk). Ms. Sarchi then turned the presentation over to Randa Coniglio, President/CEO. Ms. Conigilo introduced and acknowledged tenure of District employee Yvon Uribe, Real Estate, 15 years of Service, and Romero San Agustin, Information Technology, 15 years of Service.

Commissioner Malcolm left the dais at 2:02 pm for the remainder of the Board meeting.

21. 2018-0098 RESOLUTION APPROVING AND AUTHORIZING ENTERING INTO A MEMORANDUM OF AGREEMENT BETWEEN THE SAN DIEGO UNIFIED PORT DISTRICT AND COMMANDER, NAVY REGION SOUTHWEST REGARDING COORDINATION AND COOPERATION RELATED TO SEA LEVEL RISE IN THE SAN DIEGO REGION FOR A PERIOD OF SIX YEARS FROM THE EFFECTIVE DATE (FULL EXECUTION)

Jason Giffen, Assistant Vice President, Planning & Green Port, addressed the Board with staff's report and presentation regarding Action Agenda Item 21 - File No. 2018-0098

(A copy of the staff report, presentations and any agenda-related materials are on file with the Office of the District Clerk). Mr. Giffen then turned the presentation over to Phil Gibbons, Program Manager, Energy & Sustainability, to discuss the importance of the Memorandum of Agreement, past collaboration with the Navy, and details on the proposed agreement. Mr. Gibbons then invited Joe Stuyvesant, Executive Director, Navy Region Southwest, to the podium to speak.

The following member(s) of the public addressed the Board with agenda-related comments: James Nakagawa, City Planner, City of Imperial Beach.

Chairman Castellanos invited Admiral Len Hering, United States Navy, to the podium to speak.

Commissioner Bonelli, Commissioner Merrifield, Commissioner Valderrama, and Chairman Castellanos provided comments, and asked clarifying questions. Phil Gibbons responded on behalf of staff.

On a motion by Commissioner Bonelli, seconded by Commissioner Valderrama, the Board adopted Resolution 2018-092. The motion carried by the following vote:

Yeas: 5 - Bonelli, Castellanos, Merrifield, Valderrama, and Zucchet

Nays: 0

Excused: 2 - Malcolm, and Moore

Absent: 0

Abstain: 0

Recused: 0

22. 2018-0083 INFORMATIONAL PRESENTATION FROM UC SAN DIEGO SCRIPPS INSTITUTE OF OCEANOGRAPHY'S NEWLY ESTABLISHED CENTER FOR CLIMATE CHANGE IMPACTS AND ADAPTATION, INCLUDING AN OVERVIEW OF ITS FUNCTION AND ROLE IN DEVELOPING STRATEGIES FOR CLIMATE ADAPTATION, INCLUDING COASTAL RESILIENCY FOR SAN DIEGO BAY

Phil Gibbons, Program Manager, Energy & Sustainability, addressed the Board with staff's report and presentation regarding Action Agenda Item 22 - File No. 2018-0083 (A copy of the staff report, presentations and any agenda-related materials are on file with the Office of the District Clerk). Mr. Gibbons then invited Dr. Mark Merrifield, Scripps Institution of Oceanography, to discuss the new Center for Climate Change Impacts and Adaptation at Scripps, and the Center's strategies relating to climate change and sea level rise.

Commissioner Merrifield, Commissioner Zucchet, Commissioner Valderrama, Commissioner Bonelli, and Chairman Castellanos provided comments and ask clarifying questions. Dr. Merrifield responded on behalf of Scripps.

Commissioner Merrifield left the dais at 2:45 pm for the remainder of the Board meeting.

23. 2018-0175 RESOLUTION ADOPTING THE FISCAL YEAR 2019 PRELIMINARY BUDGET AND SETTING THE DATE FOR PUBLIC HEARING ON THE BUDGET AS JUNE 12, 2018

Robert DeAngelis, CFO/Treasurer, addressed the Board with staff's report and presentation regarding Action Agenda Item 23 - File No. 2018-0175 (A copy of the staff report, presentations and any agenda-related materials are on file with the Office of the District Clerk). Mr. DeAngelis then invited Jason Giffen, Assistant Vice President, Planning & Green Port, to discuss the receipt of an anticipated California Energy Commission Grant for Microgrid installation at the Tenth Avenue Marine Terminal and how this grant could impact the 2019 Budget.

Commissioner Valderrama, Commissioner Zucchet, and Commissioner Bonelli provided comments and asked clarifying questions. Mr. DeAngelis, and Randa Coniglio, President/CEO, responded on behalf of staff.

On a motion by Commissioner Valderrama, seconded by Commissioner Bonelli, the Board accepted staff recommendation to approve and adopt the Fiscal Year 2019 Preliminary Budget (which includes changes related to the CEC grant) and adopted Resolution 2018-093. The motion carried by the following vote:

Yeas: 4 - Bonelli, Castellanos, Valderrama, and Zucchet

Nays: 0

Excused: 3 - Malcolm, Merrifield, and Moore

Absent: 0

Abstain: 0

Recused: 0

24. 2018-0095 REVIEW AND CONSIDERATION OF DRAFT PROPOSED BOARD AGENDA FOR THE JUNE 12, 2018 MEETING

Commissioner Bonelli requested that an item be added to the June agenda to have SANDAG provide an informational presentation regarding their 2019 Proposed Regional Transportation Plan.

On a motion by Commissioner Valderrama, seconded by Commissioner Zucchet, the Board adopted the draft agenda, with the addition of the SANDAG item, for June 12, 2018. The motion carried by the following vote:

Yeas: 4 - Bonelli, Castellanos, Valderrama, and Zucchet

Nays: 0

Excused: 3 - Malcolm, Merrifield, and Moore

Absent: 0

Abstain: 0

Recused: 0

PUBLIC HEARING AGENDA

25. 2018-0129 AMENDMENT OF SAN DIEGO UNIFIED PORT DISTRICT TARIFF NO. 1-G, RATES AND CHARGES, AND UPDATED FORMAT AND LANGUAGE

A) RESOLUTION FINDING THE AMENDMENT TO THE SAN DIEGO UNIFIED PORT DISTRICT TARIFF NO. 1-G, RATES AND CHARGES, TO INCREASE RATES, ADD NEW RATES, AND UPDATE TARIFF FORMAT AND LANGUAGE EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) AS SPECIFIED UNDER SECTION 15273 OF THE CEQA GUIDELINES

B) CONDUCT A PUBLIC HEARING AND ADOPT AN ORDINANCE AMENDING THE SAN DIEGO UNIFIED PORT DISTRICT TARIFF NO. 1-G, RATES AND CHARGES, ADD NEW RATES, AND UPDATE TARIFF FORMAT AND LANGUAGE

Greg Borossay, Principal, Maritime Business Development, addressed the Board with staff's report and presentation regarding Action Agenda Item 25 - File No. 2018-0129 (A copy of the staff report, presentations and any agenda-related materials are on file with the Office of the District Clerk).

On a motion by Commissioner Valderrama, seconded by Commissioner Bonelli, the Board adopted Item A - Resolution 2018-094. The motion carried by the following vote:

Yeas: 4 - Bonelli, Castellanos, Valderrama, and Zucchet

Nays: 0

Excused: 3 - Malcolm, Merrifield, and Moore

Absent: 0

Abstain: 0

Recused: 0

Chairman Castellanos opened the Public Hearing. No public came forward to speak.

Commissioner Bonelli, Commissioner Valderrama, and Commissioner Zucchet provided comments and asked clarifying questions. Mr. Borossay, and Joel Valenzuela, Director, Maritime, responded on behalf of staff.

On a motion by Commissioner Valderrama, seconded by Commissioner Bonelli, the Board adopted Item B - Ordinance 2912. The motion carried by the following vote:

Yeas: 4 - Bonelli, Castellanos, Valderrama, and Zucchet

Nays: 0

Excused: 3 - Malcolm, Merrifield, and Moore

Absent: 0

Abstain: 0

Recused: 0

26. 2018-0200 FIFTH AVENUE LANDING AND PORT MASTER PLAN AMENDMENT PROJECT
A) CONDUCT PUBLIC HEARING AND ADOPT RESOLUTION CERTIFYING THE FINAL ENVIRONMENTAL IMPACT REPORT, ADOPTING FINDINGS OF FACT AND STATEMENT OF OVERRIDING CONSIDERATIONS, ADOPTING THE MITIGATION MONITORING AND REPORTING PROGRAM, AND DIRECTING THE FILING OF THE NOTICE OF DETERMINATION
B) RESOLUTION ADOPTING THE PHASE 1 ONLY MARINA ALTERNATIVE
C) CONDUCT PUBLIC HEARING AND ADOPT RESOLUTION APPROVING THE PORT MASTER PLAN AMENDMENT, AS AMENDED TO REFLECT THE PHASE 1 ONLY MARINA ALTERNATIVE, AND DIRECTING FILING WITH THE CALIFORNIA COASTAL COMMISSION FOR CERTIFICATION

The Board will consider staff's request to continue this item to a future Board meeting.

This Public Hearing Item was continued to a future Board meeting.

OFFICER'S REPORT

27. 2018-0192 Monthly Notification of Change Orders Pursuant to BPC Policy No. 110:

A) Change Order No. 1 to Contract No. 2016-08 with Conan Construction, Inc. / Decrease Contract by $23,828.20
B) Change Order No. 1 to Contract No. 2017-51 with APEX Contracting & Restoration / 21 Calendar Day Time Extension thru 04/06/18
C) Change Order No. 1 to Contract No. 2017-59 with Eagle Paving Company, Inc. dba Toro Engineering / $3,885.00 Increase, Amends Scope of Work & 73 Calendar Day Time Extension thru 05/30/18
D) Change Order No. 1 to Contract No. 2016-32 with Reyes Construction, Inc. / $63,628.80 Increase & 89 Calendar Day Time Extension thru 06/30/18

Monthly Notification of Cost Recovery User Fee Waivers Granted by the Executive Director Pursuant to BPC Policy No. 106:

A) Request for User Fee Waiver Form from IPS Group, Inc. - Patrick Smith for Right of Entry License Agreement (ROELA) for Installation and Removal

of In-Ground Vehicle Detection Sensors for Pilot Trail, for total amount $1,708.00
Monthly Notification of Rent Reviews Completed Administratively Pursuant to BPC Policy No. 355 as Amended on January 10, 2017:

A) Rent Review Administrative Approval Letter with Driscoll Marina, Ltd. dba Driscoll's Wharf for Rental Period Beginning 05/01/18 thru 04/30/23
B) Rent Review Administrative Approval Letter with Driscoll, Inc. dba Driscoll Boatworks for Rental Period Beginning 04/01/18 thru 03/31/28

Monthly Notification of Encumbrances Consented to Administratively Pursuant to BPC Policy No. 355 as Amended on January 10, 2017:

None to Report

Monthly Notification of Lease Amendments Consented to Administratively Pursuant to BPC Policy No. 355 as Amended on January 10, 2017:

A) Amendment No. 1 to Lease (#38279) with Driscoll, Inc. dba Driscoll Boatworks / Amends Paragraphs 2(a), 2(b), 2(c), 2.1 & 9 Regarding Annual Consumer Price Index (CPI) Adjustments and Elimination of Market Rent Review Every 10 Years

C. Moore

Secretary, Board of Port Commissioners
San Diego Unified Port District

ATTEST:

Donna Morales

Clerk of the San Diego Unified Port District

San Diego Unified Port District

3165 Pacific Hwy.
San Diego, CA 92101

Meeting Minutes

Board of Port Commissioners

Tuesday, June 12, 2018 | **11:00 AM** | **Don L. Nay Port Administration Boardroom**

Closed Session

Roll Call.

Present: 7 - Commissioner Bonelli, Chairperson Castellanos, Commissioner Malcolm, Commissioner Merrifield, Commissioner Moore, Commissioner Valderrama, and Commissioner Zucchet

Excused: 0

Absent: 0

Commissioner Merrifield was excused until he arrived at 11:03 am.
Commissioner Malcolm was excused until he arrived at 11:05 am.

Officers Present: Coniglio, DeAngelis, Monson, Morales, and Russell

B. Public Communications.

The following member(s) of the public addressed the Board with non agenda-related comments: None

CLOSED SESSION

Thomas A. Russell, General Counsel, announced the Closed Session items as follows:

1. 2018-0176 Closed Session Item No. 1

PERSONNEL EVALUATION:
EXECUTIVE DIRECTOR/PRESIDENT/CHIEF EXECUTIVE OFFICER
Government Code Section 54957

No reportable action was taken.

2. 2018-0177 Closed Session Item No. 2

CONFERENCE WITH LABOR NEGOTIATORS
Government Code Section 54957.6

Agency Negotiator: Rafael Castellanos
Unrepresented Employee: President/Chief Executive Officer/Executive

Director

No reportable action was taken.

3. 2018-0278 Closed Session Item No. 3

CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
Pursuant to Subdivision (d)(1) of Government Code Section 54956.9

CPUC Proceeding A.17-09-005: Application of San Diego Gas & Electric Company for Authority to Implement Rate Relief and Increase Spend in Support of the San Diego Unified Port District's Energy Management Plan

No reportable action was taken.

A Moore

Secretary, Board of Port Commissioners
San Diego Unified Port District

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Meeting Minutes

Board of Port Commissioners

Tuesday, June 12, 2018 | **1:00 PM** | **Don L. Nay Port Administration Boardroom**

A. Roll Call.

Present: 7 - Commissioner Bonelli, Chairperson Castellanos, Commissioner Malcolm, Commissioner Merrifield, Commissioner Moore, Commissioner Valderrama, and Commissioner Zucchet

Excused: 0

Absent: 0

Officers Present: Coniglio, DeAngelis, Monson, Morales, and Russell

B. Closed Session Report Out.

Thomas A. Russell, General Counsel, announced that the Board considered the items on the Closed Session Agenda and stated that no reportable action was taken.

C. Pledge of Allegiance.

Commissioner Valderrama led the Pledge of Allegiance.

ACTION AGENDA

18. 2018-0282 CITY OF SAN DIEGO, FIFTH AVENUE LANDING, AND SAN DIEGO UNIFIED PORT DISTRICT - PROPERTY LOCATED AT FIFTH AVENUE LANDING AND MARINA PARK WAY, SAN DIEGO, CALIFORNIA:

RESOLUTION APPROVING, SUBJECT TO APPROVAL OF THE CITY OF SAN DIEGO, A PURCHASE AND SALE AGREEMENT (PSA) BY AND AMONG THE CITY OF SAN DIEGO (CITY), FIFTH AVENUE LANDING (FAL) AND THE SAN DIEGO UNIFIED PORT DISTRICT (DISTRICT) FOR: (1) THE DISTRICT TO PURCHASE FROM FAL ITS INTEREST IN THE PROPERTY LOCATED AT FIFTH AVENUE LANDING AND MARINA PARK WAY (SITE) FOR UP TO $33.2 MILLION, SUBJECT TO TITLE CONDITIONS AND RECEIPT OF THE CITY'S PAYMENTS TO THE DISTRICT; THE CITY TO PURCHASE FROM THE DISTRICT LEASEHOLD INTEREST AND AN OPTION IN THE SITE FOR $28.2 MILLION IN ANTICIPATION OF THE SAN DIEGO CONVENTION CENTER PHASE III EXPANSION SUBJECT TO THE PASSAGE OF THE "FOR A

BETTER SAN DIEGO" CITIZEN'S BALLOT MEASURE, (COLLECTIVELY, ALTERNATIVE A CLOSING), OR (2) IF THE ALTERNATIVE A CLOSING DOES NOT OCCUR, FOR THE DISTRICT TO ENTER INTO LEASE AMENDMENTS AND AGREEMENTS WITH FAL, SUBJECT TO CERTAIN TITLE CONDITIONS (COLLECTIVELY, ALTERNATIVE B CLOSING), AS FOLLOWS:

A. IF THE ALTERNATIVE A CLOSING OCCURS THE FOLLOWING SHALL BE DEEMED APPROVED:

1. ORDINANCE GRANTING TO THE CITY AMENDMENT NO. 2 TO AMENDED, RESTATED AND COMBINED LEASE OF PROPERTY LOCATED AT FIFTH AVENUE LANDING AND MARINA PARK WAY, SAN DIEGO, CALIFORNIA TO ASSIGN THE LEASEHOLD INTEREST TO THE CITY, AMEND THE LEASED PREMISES AND EXTEND THE TERM OF THE LEASE;
2. ORDINANCE GRANTING TO FAL AMENDMENT NO. 1 TO LEASE OF PROPERTY LOCATED AT FIFTH AVENUE LANDING AND MARINA PARK WAY, SAN DIEGO, CALIFORNIA TO RELOCATE THE PREMISES, REINSTATE SHADING CREDITS AND GRANT AN OPTION FOR EXPANDED FERRY SERVICE SUBJECT TO A RESERVATION OF DISCRETION;
3. RESOLUTION APPROVING AND AUTHORIZING (A) THE ASSIGNMENT AND ASSUMPTION OF THE AMENDED, RESTATED AND COMBINED (ARC) LEASE BY AND BETWEEN FAL AND DISTRICT (B) THE CONSENT TO A QUITCLAIM DEED FROM FAL TO THE DISTRICT FOR THE MARINA LANDSIDE AREA; AND (C) UPON DISTRICT ASSUMPTION OF THE ARC LEASE, RELEASE OF GUARANTORS EXCLUDING INDEMNITY AND HOLD HARMLESS OBLIGATIONS

B. IF THE ALTERNATIVE B CLOSING OCCURS THE FOLLOWING SHALL BE DEEMED APPROVED:

1. ORDINANCE GRANTING TO FAL AMENDMENT NO. 2 TO AMENDED, RESTATED AND COMBINED LEASE FOR PROPERTY LOCATED AT FIFTH AVENUE LANDING AND MARINA PARK WAY, SAN DIEGO, CALIFORNIA TO INCLUDE A PROCESS FOR NEGOTIATION OF FUTURE LEASES SUBJECT TO A RESERVATION OF DISCRETION AND EXTEND THE TERM BY THREE (3) YEARS; AND
2. ORDINANCE GRANTING TO FAL AMENDMENT NO. 1 TO LEASE OF PROPERTY LOCATED AT FIFTH AVENUE LANDING AND MARINA PARK WAY, SAN DIEGO, CALIFORNIA TO REINSTATE SHADING CREDITS

C. RESOLUTION APPROVING AND AUTHORIZING DISTRICT OPTION AND CITY OPTION AND AUTHORIZING MEMORANDUM OF DISTRICT OPTION AND MEMORANDUM OF CITY OPTION

D. RESOLUTION APPROVING AND AUTHORIZING A NEW INDEMNITY AGREEMENT BY AND BETWEEN THE DISTRICT, THE CITY AND FAL FOR THE BENEFIT OF THE DISTRICT AND THE CITY

E. ORDINANCE AMENDING THE FISCAL YEAR 2018 BUDGET BY ADDING $5 MILLION TO THE NON-PERSONNEL APPROPRIATION FROM PREVIOUS YEARS' CUMULATIVE UNRESTRICTED RESOURCES

Shaun Sumner, Assistant Vice President, Real Estate & Development, addressed the Board with staff's report and presentation regarding Action Agenda Item 18 - File No. 2018-0282 (A copy of the staff report, presentations and any agenda-related materials are on file with the Office of the District Clerk).

Chairman Castellanos opened the item to public comment and invited San Diego Mayor Kevin Faulconer to speak.

The following members of the public addressed the Board with agenda-related comments: Keith Maddox, Trustee, San Diego & Imperial Counties Labor Council; Rick Bates, Unite Here Local 30; Robert Germann; Sharon Cloward, President, San Diego Port Tenants Association; Tom Lemmon, San Diego Building Trades; Carol Kim, San Diego Building Trades; Jaymie Bradford, Vice President/COO, San Diego Regional Chamber of Commerce; and Sophie Silvestri, Pasha Automative Services.

Donna Morales, District Clerk announced that additional agenda-related information was received by the Commissioners after the publication of the agenda for today's meeting on this item.

Commissioner Merrifield, Commissioner Malcolm, Commissioner Moore, Commissioner Zucchet, Commissioner Valderrama, and Chairman Castellanos provided comments and asked clarifying questions. Rebecca Harrington, Senior Deputy General Counsel; Thomas A. Russell, General Counsel; and Kevin Reisch, Chief Deputy City Attorney, City of San Diego, responded.

On a motion by Commissioner Merrifield, seconded by Commissioner Zucchet, the Board adopted Resolution 2018-113, Ordinance 2914, Ordinance 2915, Resolution 2018-114, Ordinance 2916, Ordinance 2917, Resolution 2018-115, Resolution 2018-116, and Ordinance 2918. The motion carried by the following vote:

Yeas: 7 - Bonelli, Castellanos, Malcolm, Merrifield, Moore, Valderrama, and Zucchet

Nays: 0

Excused: 0

Absent: 0

Abstain: 0

Recused: 0

Commissioner Malcolm and Commissioner Zucchet left the dais at 2:22 pm for the remainder of the Board meeting.

D. Public Communications.

The following members of the public addressed the Board with non agenda-related comments: Sharon Cloward, President, San Diego Port Tenants Association; and Don Wood.

E. Commissioners' Reports.

Commissioner Merrified reported on the annual California Energy Commission-Ports Energy Collaborative meeting at the Port of Los Angeles on June 7, 2018. Commissioner Merrifield explained that during the meeting they took a tour of the Port of Los Angeles and saw electric vehicles that work as well as diesel powered vehicles, the vehicles hold the power long enough to have a working shift. Each major California port currently has one, or more, electrification projects in progress.

F. President's Report.

No President's Report for June.

G. District Clerk's Announcements.

Donna Morales, District Clerk, offered that copies of agenda-related materials submitted after the publication of the agenda were available at the Clerk's desk.

Additionally, Ms. Morales reported, as required by the Brown Act and as directed by the Board of Port Commissioners, that on today's agenda is an item taking final action to amend the employment agreement of the Port Auditor of the San Diego Unified Port District that will modify his salary. Additional information can be found in the agenda prepared for that item. Ms. Morales also reported that staff requested to continue Action Agenda Item 23 - File No. 2018-0168 and Action Agenda Item 24 - File No. 2018-0212.

On a motion by Commissioner Valderrama, seconded by Commissioner Bonelli, the Board approved the requested docket changes. The motion carried by the following vote:

Yeas: 5 - Bonelli, Castellanos, Merrifield, Moore, and Valderrama

Nays: 0

Excused: 2 - Malcolm, and Zucchet

Absent: 0

Abstain: 0

Recused: 0

CONSENT AGENDA

On a motion by Commissioner Bonelli, seconded by Commissioner Merrifield, the Board adopted the Consent Agenda as follows: Resolution 2018-095; Resolution 2018-096; Resolution 2018-097; Ordinance No. 2913; Resolution 2018-098; Resolution 2018-099; Resolution 2018-100; Resolution 2018-101; Resolution 2018-102; Resolution 2018-103; Resolution 2018-104; Resolution 2018-105; Resolution 2018-106; Resolution 2018-107; Resolution 2018-108; Resolution 2018-109; Resolution 2018-110; Resolution 2018-111; and Resolution 2018-112. The motion carried by the following vote:

Yeas: 5 - Bonelli, Castellanos, Merrifield, Moore, and Valderrama

Nays: 0

Excused: 2 - Malcolm, and Zucchet

Absent: 0

Abstain: 0

Recused: 0

1. 2017-0508 RESOLUTION AUTHORIZING THE DISTRICT TO ENTER INTO AN AGREEMENT WITH THE COUNTY OF SAN DIEGO TO RECEIVE LAW ENFORCEMENT/HOMELAND SECURITY GRANT "OPERATION STONEGARDEN" FUNDS IN THE AMOUNT OF $150,000 FOR FEDERAL FY 2017 AND GRANTING INDEMNITY TO THE COUNTY OF SAN DIEGO

On a motion by Commissioner Bonelli, seconded by Commissioner Merrifield, the Board adopted Resolution 2018-095 as part of the Consent Agenda.

2. 2017-0543 RESOLUTION WAIVING BOARD OF PORT COMMISSIONERS POLICY NO. 110 II (E) AND AUTHORIZE A SOLE SOURCE AGREEMENT WITH ARES SECURITY CORPORATION DBA THE MARINER GROUP FROM JULY 1, 2018 UNTIL JUNE 30, 2021, FOR COMMANDBRIDGE MAINTENANCE AND SUPPORT FOR AN AMOUNT NOT TO EXCEED $210,576 AND A FIVE-YEAR TOTAL COST OF OWNERSHIP OF $646,665. FY 2019 EXPENDITURES FOR MAINTENANCE AND SUPPORT ARE BUDGETED. ALL FUNDS REQUIRED FOR FUTURE FISCAL YEARS WILL BE REQUESTED PER POLICY OR BUDGETED IN THE APPROPRIATE FISCAL YEAR SUBJECT TO BOARD APPROVAL UPON THE ADOPTION OF EACH FISCAL YEAR'S BUDGET

On a motion by Commissioner Bonelli, seconded by Commissioner Merrifield, the Board adopted Resolution 2018-096 as part of the Consent Agenda.

3. 2018-0057 RESOLUTION AUTHORIZING AMENDMENT NO. 5 TO AGREEMENT WITH NMS MANAGEMENT, INC. FOR JANITORIAL SERVICES, INCREASING THE MAXIMUM AMOUNT PAYABLE UNDER THE AGREEMENT BY $321,306.72 FOR A NEW MAXIMUM AMOUNT OF $3,218,600. FY 2018 EXPENDITURES ARE BUDGETED. ALL FUNDS REQUIRED FOR FUTURE FISCAL YEARS WILL BE BUDGETED IN THE APPROPRIATE FISCAL YEAR, SUBJECT TO BOARD APPROVAL UPON ADOPTION OF EACH FISCAL YEAR'S BUDGET

On a motion by Commissioner Bonelli, seconded by Commissioner Merrifield, the Board adopted Resolution 2018-097 as part of the Consent Agenda.

4. 2018-0122 ORDINANCE AMENDING SAN DIEGO UNIFIED PORT DISTRICT CODE, ARTICLE 8, SECTION 8.15 - PARKING REGULATIONS - ENFORCEMENT TO ADD SUB-SECTION (E) A PARKING CITATION PAYMENT PLAN ALLOWING INDIGENT PERSONS TO PAY FOR PARKING CITATIONS ON A PAYMENT PLAN PURSUANT TO CALIFORNIA VEHICLE CODE SECTION 40220

On a motion by Commissioner Bonelli, seconded by Commissioner Merrifield, the Board adopted Ordinance 2913 as part of the Consent Agenda.

5. 2018-0132 RESOLUTION AUTHORIZING AN AGREEMENT WITH THE LIVING COAST DISCOVERY CENTER TO BE FUNDED BY THE ENVIRONMENTAL FUND, PURSUANT TO BOARD POLICY NO. 730 - THE PORT ENVIRONMENTAL ADVISORY COMMITTEE POLICY, FOR THE ENDANGERED RIDGWAY'S RAIL PROPAGATION PROGRAM IN AN AMOUNT NOT TO EXCEED $80,000 FOR FOUR YEARS WITH $22,000 IN MATCHING FUNDS. FUNDS REQUIRED FOR FUTURE FISCAL YEARS WILL BE BUDGETED IN THE APPROPRIATE FISCAL YEAR, SUBJECT TO BOARD APPROVAL UPON ADOPTION OF EACH FISCAL YEAR'S BUDGET

On a motion by Commissioner Bonelli, seconded by Commissioner Merrifield, the Board adopted Resolution 2018-098 as part of the Consent Agenda.

6. 2018-0162 RESOLUTION AUTHORIZING AGREEMENTS WITH ICF JONES & STOKES, TIERRA DATA, INC., AND ENVIRONMENTAL SCIENCE ASSOCIATES TO PROVIDE AS-NEEDED NATURAL RESOURCES SERVICES FOR A TOTAL AGGREGATE AMOUNT PAYABLE UNDER THE AGREEMENT NOT TO EXCEED $300,000 FOR A PERIOD OF THREE YEARS BEGINNING JULY 1, 2018 AND ENDING JUNE 30, 2021. FUNDS REQUIRED FOR FUTURE FISCAL YEARS WILL BE BUDGETED IN THE APPROPRIATE FISCAL YEAR, SUBJECT TO BOARD APPROVAL UPON ADOPTION OF EACH FISCAL YEAR'S BUDGET

On a motion by Commissioner Bonelli, seconded by Commissioner Merrifield, the Board adopted Resolution 2018-099 as part of the Consent Agenda.

7. 2018-0171 RESOLUTIONS SELECTING AND AUTHORIZING AGREEMENTS WITH:

A) AECOM TECHNICAL SERVICES, INC.
B) BAE URBAN ECONOMICS, INC.
C) CIVITAS, INC.
D) CUSHMAN & WAKEFIELD WESTERN, INC.
E) ECONOMIC & PLANNING SYSTEMS, INC.
F) HR&A ADVISORS, INC.
G) ILLUMINAS CONSULTING, LLC
H) JONES LANG LASALLE AMERICAS, INC.
I) KEYSER MARSTON ASSOCIATES, INC.
J) LONDON MOEDER ADVISORS
K) MARISOLVE
L) MAURICE ROBINSON & ASSOCIATES, LLC
M) PARAGON PARTNERS LTD.
N) PRO FORMA ADVISORS, LLC
O) RASMUSON APPRAISAL SERVICES
P) ROBERT CHARLES LESSER & CO. DBA RCLCO
Q) GLENN A. RICK ENGINEERING & DEVELOPMENT CORPORATION DBA RICK
ENGINEERING CO.
R) STREAM REALTY PARTNERS, LP
S) THE DORE GROUP, INC.
T) XPERA, INC DBA XPERA GROUP

TO PROVIDE AS-NEEDED REAL ESTATE CONSULTING SERVICES FOR A TOTAL AGGREGATE AMOUNT PAYABLE UNDER THE AGREEMENTS NOT TO EXCEED $3,100,000 FOR A PERIOD OF UP TO THREE YEARS BEGINNING JULY 1, 2018 AND ENDING JUNE 30, 2021; ALL FUNDS FOR FUTURE FISCAL YEARS WILL BE BUDGETED IN THE APPROPRIATE FISCAL YEAR, SUBJECT TO BOARD APPROVAL UPON ADOPTION OF EACH FISCAL YEAR'S BUDGET

On a motion by Commissioner Bonelli, seconded by Commissioner Merrifield, the Board adopted Resolution 2018-100 as part of the Consent Agenda.

8. 2018-0183 RESOLUTION AUTHORIZING THE REQUIRED ANNUAL ADOPTION OF BPC POLICY NO. 115, GUIDELINES FOR PRUDENT INVESTMENTS, WITHOUT ANY RECOMMENDED CHANGES TO THE CURRENT BPC POLICY NO. 115

On a motion by Commissioner Bonelli, seconded by Commissioner Merrifield, the Board adopted Resolution 2018-101 as part of the Consent Agenda.

9. 2018-0185 ACTIONS RELATED TO THE RESILIENCY IN TERMINAL OPERATIONS PROJECT AT TENTH AVENUE MARINE TERMINAL

A) RESOLUTION AUTHORIZING ACCEPTANCE OF GRANT FUNDS IN THE AMOUNT OF $4,985,272 FROM THE CALIFORNIA ENERGY COMMISSION (CEC) TO PARTIALLY FUND THE PORT OF SAN DIEGO - RESILIENCY IN TERMINAL OPERATIONS PROJECT LOCATED AT TENTH AVENUE MARINE TERMINAL (TAMT) TO DEMONSTRATE BUSINESS CASE FOR ADVANCED MICROGRIDS IN SUPPORT OF CALIFORNIA'S ENERGY AND GREENHOUSE GAS POLICIES PROGRAM; AUTHORIZING STAFF TO ENTER INTO A GRANT AGREEMENT WITH CEC WHICH INCLUDES INDEMNITY PROVISIONS; AND ALLOCATING MATCH IN THE AMOUNT OF $4,427,973. DISTRICT MATCH FUNDS INCLUDE PLANNED MAJOR MAINTENANCE, EQUIPMENT OUTLAY AND STAFF COSTS. FUNDS REQUIRED FOR FUTURE YEARS WILL BE BUDGETED IN THE APPROPRIATE FISCAL YEAR, SUBJECT TO BOARD APPROVAL UPON ADOPTION OF EACH ANNUAL BUDGET.

B) RESOLUTION APPROVING AN AMENDMENT TO THE FY 2019-2023 FIVE-YEAR CAPITAL IMPROVEMENT PROGRAM (CIP) TO ADD THE MICROGRID INFRASTRUCTURE AT TAMT PROJECT AND INCREASE THE CIP APPROPRIATION BY $5,400,000, WITH $4,505,275 TO BE REIMBURSED BY THE CEC, AND THE REMAINING $894,725 TO BE FUNDED FROM THE DISTRICT'S OPERATIONAL EXPENSES AS CAPITAL LABOR.

On a motion by Commissioner Bonelli, seconded by Commissioner Merrifield, the Board adopted Resolution 2018-102 and Resolution 2018-103 as part of the Consent Agenda.

10. 2018-0189 RESOLUTION WAIVING BPC POLICY NO. 110, SECTION II.B, AND AUTHORIZING AN AGREEMENT WITH ALPHA PROJECT FOR THE HOMELESS TO PROVIDE OUTREACH AND INTERVENTION SERVICES FOR THE HOMELESS POPULATION ALONG TIDELANDS, IN AN AMOUNT NOT TO EXCEED $1,400,000.00 FOR A PERIOD OF FIVE YEARS BEGINNING JULY 1, 2018. FY 2019 EXPENDITURES ARE BUDGETED. ALL FUNDS REQUIRED FOR FUTURE FISCAL YEARS WILL BE BUDGETED IN THE APPROPRIATE FISCAL YEAR, SUBJECT TO BOARD APPROVAL UPON ADOPTION OF EACH FISCAL YEAR'S BUDGET

On a motion by Commissioner Bonelli, seconded by Commissioner Merrifield, the Board adopted Resolution 2018-104 as part of the Consent Agenda.

11. 2018-0197 RESOLUTION AUTHORIZING AMENDMENT NO. 2 TO THE AS-NEEDED TEMPORARY STAFFING SERVICES AGREEMENT WITH AMERIT CONSULTING, INC., INCREASING THE AGREEMENT AMOUNT BY $342,300.00, FOR A MAXIMUM AMOUNT NOT TO EXCEED $1,532,300. FY 2019 EXPENDITURES, IF NEEDED, ARE BUDGETED. ALL FUNDS REQUIRED FOR FUTURE FISCAL YEARS WILL BE BUDGETED IN THE APPROPRIATE FISCAL YEAR, SUBJECT TO BOARD APPROVAL UPON ADOPTION OF EACH FISCAL YEAR'S BUDGET

On a motion by Commissioner Bonelli, seconded by Commissioner Merrifield, the Board adopted Resolution 2018-105 as part of the Consent Agenda.

12. 2018-0214 RESOLUTION AUTHORIZING AN AGREEMENT WITH THE SAN DIEGO SYMPHONY ORCHESTRA ASSOCIATION FOR SPONSORSHIP OF THE 2018 BAYSIDE SUMMER NIGHTS CONCERT SERIES IN A NOT-TO-EXCEED AMOUNT OF $265,842 IN DISTRICT SERVICES. ALL FUNDS REQUIRED FOR FY2019 WILL BE BUDGETED IN THAT FISCAL YEAR, SUBJECT TO BOARD APPROVAL UPON ADOPTION OF THAT FISCAL YEAR'S BUDGET

On a motion by Commissioner Bonelli, seconded by Commissioner Merrifield, the Board adopted Resolution 2018-106 as part of the Consent Agenda.

13. 2018-0215 RESOLUTION AUTHORIZING AN AGREEMENT WITH LINKEDIN FROM JUNE 12, 2018 UNTIL JUNE 11, 2021, FOR SOCIAL MEDIA RECRUITING SERVICES FOR AN AMOUNT NOT TO EXCEED $141,000 AND A 5-YEAR TOTAL COST OF OWNERSHIP OF $235,000. ALL FUNDS REQUIRED FOR FUTURE FISCAL YEARS WILL BE BUDGETED IN THE APPROPRIATE FISCAL YEAR, SUBJECT TO BOARD APPROVAL UPON ADOPTION OF EACH FISCAL YEAR'S BUDGET

On a motion by Commissioner Bonelli, seconded by Commissioner Merrifield, the Board adopted Resolution 2018-107 as part of the Consent Agenda.

14. 2018-0231 ENVIRONMENTAL MITIGATION LAND MANAGEMENT GRANT PROGRAM FUNDED BY SAN DIEGO ASSOCIATION OF GOVERNMENTS

A) RESOLUTION AUTHORIZING THE ACCEPTANCE OF GRANT FUNDING, IF AWARDED, FROM THE SAN DIEGO ASSOCIATION OF GOVERNMENTS ENVIRONMENTAL MITIGATION LAND MANAGEMENT GRANT PROGRAM FOR THREATENED AND ENDANGERED SPECIES STEWARDSHIP AT THE D STREET FILL IN THE AMOUNT OF $75,400 AND;

B) RESOLUTION AUTHORIZING THE EXECUTIVE DIRECTOR OR DESIGNEE TO NEGOTIATE AND ENTER INTO AN AGREEMENT WITH THE SAN DIEGO ASSOCIATION OF GOVERNMENTS FOR GRANT FUNDING, IF AWARDED, IN THE AMOUNT OF $75,400, FOR A PERIOD

OF 18 MONTHS BEGINNING ON OR AROUND DECEMBER 1, 2018, AND ENDING ON OR AROUND JUNE 1, 2020

On a motion by Commissioner Bonelli, seconded by Commissioner Merrifield, the Board adopted Resolution 2018-108 and Resolution 2018-109 as part of the Consent Agenda.

15. 2018-0233 RESOLUTION APPROVING A FY 2018 BUDGET TRANSFER OF $800,000 FROM SAVINGS IN NON-PERSONNEL EXPENSE APPROPRIATION TO THE PERSONNEL EXPENSE APPROPRIATION PURSUANT TO BOARD OF PORT COMMISSIONERS POLICY NO. 90

On a motion by Commissioner Bonelli, seconded by Commissioner Merrifield, the Board adopted Resolution 2018-110 as part of the Consent Agenda.

16. 2018-0239 RESOLUTION APPROVING AMENDMENT TO THE EMPLOYMENT AGREEMENT FOR THE PORT AUDITOR

On a motion by Commissioner Bonelli, seconded by Commissioner Merrifield, the Board adopted Resolution 2018-111 as part of the Consent Agenda.

17. 2018-0244 RESOLUTION AUTHORIZING THE GENERAL COUNSEL TO EXECUTE AMENDMENT NO. 2 TO THE AGREEMENT FOR LEGAL SERVICES WITH PERKINS COIE, LLP INCREASING THE MAXIMUM AMOUNT PAYABLE BY $50,000 FROM $170,000 TO $220,000, AND AMENDMENT NO. 2 TO THE AGREEMENT FOR LEGAL SERVICES WITH KELLEY DRYE & WARREN LLP INCREASING THE MAXIMUM AMOUNT PAYABLE BY $13,000 FROM $175,000 TO $188,000; FY 2018 EXPENDITURES ARE BUDGETED

On a motion by Commissioner Bonelli, seconded by Commissioner Merrifield, the Board adopted Resolution 2018-112 as part of the Consent Agenda.

APPROVAL OF MINUTES

2018-0232 Approval of minutes for:
April 24, 2018 - SPECIAL MEETING - JOINT MEETING WITH CITY OF CHULA VISTA
May 1, 2018- SPECIAL MEETING - CLOSED SESSION
May 8, 2018 - CLOSED SESSION
May 8, 2018 - REGULAR BPC MEETING

On a motion by Commissioner Valderrama, seconded by Commissioner Bonelli, the Board approved the minutes. The motion carried by the following vote:

Yeas: 5 - Bonelli, Castellanos, Merrifield, Moore, and Valderrama

Nays: 0

Excused: 2 - Malcolm, and Zucchet

Absent: 0

Abstain: 0

Recused: 0

ACTION AGENDA

19. 2018-0190 INFORMATIONAL UPDATE ON THE SAN DIEGO ASSOCIATION OF GOVERNMENTS' REGIONAL TRANSPORTATION PLAN AND SUSTAINABLE COMMUNITIES STRATEGY

Commissioner Bonelli addressed the Board regarding Agenda Item 19 - File No. 2018-0190 and then turned the presentation over to Charles Stoll, Director of Land Use and Transportation Planning, San Diego Association of Governments (SANDAG), to speak about the SANDAG 2019-2050 Regional Transportation Plan. Mr. Stoll provided an overview of the process, elements of the plan, and timeline and next steps to develop the plan.

Commissioner Merrifield, and Commissioner Bonelli, provided comments and asked clarifying questions. Mr. Stoll responded on behalf of SANDAG.

20. 2018-0196 PRESENTATION ON THE 2017 COPPER LOAD REDUCTION EFFORTS RELATED TO THE SHELTER ISLAND YACHT BASIN TOTAL MAXIMUM DAILY LOAD

Karen Holman, Director of Environmental Protection, addressed the Board with staff's report and presentation regarding Action Agenda Item 20 - File No. 2018-0196 (A copy of the staff report, presentations and any agenda-related materials are on file with the Office of the District Clerk). Ms. Holman then turned the presentation over to Kelly Tait, Senior Environmental Specialist, Environmental Protection Program, Ms. Tait shared the results of the 2017 Annual Monitoring Program, and next steps for the Total Maximum Daily Load Program.

The following members of the public addressed the Board with agenda-related comments: Deborah Pennell, Chair, Shelter Island TMDL Group; John Adriany, SIMLG, San Diego Port Tenants Association; and Sharon Cloward, President, San Diego Port Tenants Association.

Commissioner Bonelli, Commissioner Merrifield, Commissioner Valderrama, and Chairman Castellanos provided comments and asked clarifying questions. Karen Holman responded on behalf of staff.

21. 2018-0187 PRESENTATION AND UPDATE ON THE SAN DIEGO OCEAN PLANNING PARTNERSHIP: EARLY LEARNINGS FROM STAKEHOLDER INPUT

Jason Giffen, Assistant Vice President, Planning & Green Port, addressed the Board with staff's report and presentation regarding Action Agenda Item 21 - File No. 2018-0187 (A copy of the staff report, presentations and any agenda-related materials are on file with the Office of the District Clerk). Mr. Giffen then turned the presentation over to Lesley Nishihira, Director, Planning, to provide anticipated timeline, milestones, and preliminary responses from the Focused Stakeholder Meetings. Ms. Nishihira then turned the presentation over to Lily Tsukayama, Assistant Planner, Planning, to discuss the second group of questions, and next steps.

The following member of the public addressed the Board with agenda-related comments: Peter Halmay, President, San Diego Fishermen's Working Group.

Commissioner Merrifield, Commissioner Moore, Commissioner Valderrama, and Chairman Castellanos provided comments and asked clarifying questions. Jason Giffen responded on behalf of staff.

22. 2018-0249 INFORMATIONAL PRESENTATION ON THE DESTINATION MARKETING CAMPAIGN

Job Nelson, Assistant Vice President, External Relations, addressed the Board with staff's report and presentation regarding Action Agenda Item 22 - File No. 2018-0249 (A copy of the staff report, presentations and any agenda-related materials are on file with the Office of the District Clerk). Mr. Nelson then turned the presentation over to Jenifer Barsell, Director, Marketing & Communications, to provide the objectives for the campaign, and the campaign development process. Ms. Barsell then turned the presentation over to Revekka Balancier, Manager, Marketing & Communications, to present the creative development, the media and marketing plan elements and examples, and initial response results. Ms. Balancier then turned the presentation back to Mr. Nelson to discuss the financial results, and next steps of the campaign.

The following member of the public addressed the Board with agenda-related comments: Sharon Cloward, President, San Diego Port Tenants Association.

Commissioner Merrifield, Commissioner Moore, Commissioner Valderrama, and Chairman Castellanos provided comments and asked clarifying questions. Job Nelson, and Jenifer Barsell responded on behalf of staff.

23. 2018-0168 PRESENTATION AND DIRECTION TO STAFF ON THE PORT MASTER PLAN UPDATE - POLICY DISCUSSION CONSIDERING PAID ADVERTISING IN SPECIFIC APPLICATIONS:
A) BUILDING WRAPS WITHIN AN ADVERTISING DISTRICT
B) DIGITAL INFORMATIONAL AND WAYFINDING SIGNAGE

The Item was continued to a future Board meeting.

24. 2018-0212 ORDINANCE AMENDING SAN DIEGO UNIFIED PORT DISTRICT CODE, ARTICLE 8, SECTION 8.32 TO CONTINUE PILOT PROGRAM REGULATING BUILDING WRAPS ON QUALIFYING BUILDINGS LOCATED IN A COMMERCIAL DISTRICT WITHIN THE DISTRICT'S JURISDICTION IN THE CITY OF SAN DIEGO FOR AN ADDITIONAL ONE YEAR PERIOD COMMENCING JUNE 17, 2018, AND ENDING JUNE 17, 2019, ADD A SUNSET PROVISION AND CORRECT TYPOGRAPHICAL ERRORS

This Item was continued to a future Board meeting.

25. 2018-0182 REVIEW AND CONSIDERATION OF DRAFT PROPOSED BOARD AGENDA FOR THE JULY 17, 2018 MEETING

On a motion by Commissioner Bonelli, seconded by Commissioner Moore, the Board adopted the draft agenda for July 17, 2018. The motion carried by the following vote:

Yeas: 5 - Bonelli, Castellanos, Merrifield, Moore, and Valderrama

Nays: 0

Excused: 0

Absent: 2 - Malcolm, and Zucchet

Abstain: 0

Recused: 0

PUBLIC HEARING AGENDA

26. A) 2018-0201 CONDUCT PUBLIC HEARING AND ADOPT AN ORDINANCE ADOPTING THE FISCAL YEAR 2019 FINAL BUDGET

Robert DeAngelis, CFO/Treasurer, addressed the Board with staff's report and presentation regarding Action Agenda Item 26.A) - File No. 2018-0201 and Action Agenda Item 26.B) - File No. 2018-0178 (A copy of the staff report, presentations and any agenda-related materials are on file with the Office of the District Clerk).

Commissioner Bonelli, Vice Chairman, opened the Public Hearing. No public came forward to speak.

Commissioner Merrifield and Commissioner Valderrama provided comments and asked clarifying questions. Robert DeAngelis responded on behalf of staff.

On a motion by Commissioner Valderrama, seconded by Commissioner Merrifield, the Board adopted Ordinance 2919. The motion carried by the following vote:

Yeas: 5 - Bonelli, Castellanos, Merrifield, Moore, and Valderrama

Nays: 0

Excused: 2 - Malcolm, and Zucchet

Absent: 0

Abstain: 0

Recused: 0

26. B) 2018-0178 ORDINANCE AMENDING SALARY ORDINANCE NO. 2906 AND RESOLUTION ESTABLISHING THE SAN DIEGO UNIFIED PORT DISTRICT (DISTRICT) DIRECTORY OF CLASSIFICATION SPECIFICATIONS FOR FY 2018/2019

On a motion by Commissioner Merrifield, seconded by Commissioner Valderrama, the Board adopted Ordinance 2920 and Resolution 2018-117. The motion carried by the following vote:

Yeas: 5 - Bonelli, Castellanos, Merrifield, Moore, and Valderrama

Nays: 0

Excused: 2 - Malcolm, and Zucchet

Absent: 0

Abstain: 0

Recused: 0

OFFICER'S REPORT

27. 2018-0276 OFFICER'S REPORT

Monthly Notification of Change Orders Pursuant to BPC Policy No. 110:

A) Change Order No. 2 to Contract No. 2017-62 with 5 North Media / 5 Calendar Day Time Extension thru 04/08/18

Monthly Notification of Cost Recovery User Fee Waivers Granted by the Executive Director Pursuant to BPC Policy No. 106:

A) Request for User Fee Waiver Form from JAMR Properties, LLC dba San Diego Park, Shuttle & Fly for Amendment No. 2 to Tideland Use and Occupancy Permit (TUOP) with JAMR Properties, LLC, for total amount $500.00

B) Request for User Fee Waiver Form from National Oceanic and Atmospheric Administration (NOAA) for Installation of High-Speed Telecom Line for Reuben Lasker at TAMT, for total amount $658.00

C) Request for User Fee Waiver Form from City of Imperial Beach for City of Imperial Beach - Tideland Use and Occupancy Permit (TUOP) for Elkwood Parking Lot, for total amount $1,358.00

D) Request for User Fee Waiver Form from City of Imperial Beach for 4th of July Fireworks Event, for total amount $500.00

E) Request for User Fee Waiver Form from City of Imperial Beach for Dunes Park Fitness Equipment, for total amount $500.00

Monthly Notification of Rent Reviews Completed Administratively Pursuant to BPC Policy No. 355 as Amended on January 10, 2017:

None to Report

Monthly Notification of Encumbrances Consented to Administratively Pursuant to BPC Policy No. 355 as Amended on January 10, 2017:

None to Report

Monthly Notification of Lease Amendments Consented to Administratively Pursuant to BPC Policy No. 355 as Amended on January 10, 2017:

A) Amendment No. 1 to Lease (#64559) with Harvest Meat Company, Inc. / Amends Description of Leased Premises, and Section 3 Regarding Rent

Secretary, Board of Port Commissioners
San Diego Unified Port District

ATTEST:

Clerk of the San Diego Unified Port District

San Diego Unified Port District

3165 Pacific Hwy.
San Diego, CA 92101

Special Meeting Minutes

Board of Port Commissioners

Tuesday, July 17, 2018 | **11:00 AM** | **Don L. Nay Port Administration Boardroom**

Closed Session

A. Roll Call.

Present: 6 - Chairperson Castellanos, Commissioner Malcolm, Commissioner Merrifield, Commissioner Moore, Commissioner Valderrama, and Commissioner Zucchet

Excused: 1 - Commissioner Bonelli

Absent: 0

Commissioner Moore was excused until she arrived at 11:07 am.

Officers Present: Coniglio, DeAngelis, Monson, Morales, and Russell

B. Public Communications.

The following member(s) of the public addressed the Board with non agenda-related comments: None

CLOSED SESSION

Thomas A. Russell, General Counsel, announced the Closed Session items as follows:

1. 2018-0316 Closed Session Item No. 1

CONFERENCE WITH LEGAL COUNSEL - INITIATION OF LITIGATION
Pursuant to Subdivision (d)(4) Government Code Section 54956.9

One (1) Case

No reportable action was taken.

2. 2018-0317 Closed Session Item No. 2

CONFERENCE WITH REAL PROPERTY NEGOTIATOR
Government Code Section 54956.8

Property: Approximately 9-acre site adjacent to the East Basin Industrial Subarea on Harbor Island located in the City of San Diego, California

Negotiating Parties:
Sunroad HIE Hotel Partners, L.P. - Uri Feldman
SDUPD - Shaun Sumner, Tony Gordon, Adam Meyer, Wendy Siao, Sean Jones

Under Negotiations: Price and Terms

Chairman Castellanos recused himself and did not participate in this item. No reportable action was taken.

3. 2018-0315 Closed Session Item No. 3

CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION
Significant exposure to litigation Government Code Section 54956.9(d)(2)

One (1) Case

No reportable action was taken.

4. 2018-0322 Closed Session Item No. 4

CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
Pursuant to Subdivision (d)(1) of Government Code Section 54956.9

Enterprise Rent-A-Car Co. of Los Angeles, LLC, et al. v San Diego Unified Port District, et al.
San Diego Superior Court Case No. 37-2018-00028276-CU-MC-CTL

No reportable action was taken.

Secretary, Board of Port Commissioners
San Diego Unified Port District

ATTEST:

Clerk of the San Diego Unified Port District

San Diego Unified Port District

3165 Pacific Hwy.
San Diego, CA 92101

Meeting Minutes

Board of Port Commissioners

Tuesday, July 17, 2018 | **1:00 PM** | **Don L. Nay Port Administration Boardroom**

A. Roll Call.

Present: 6 - Chairperson Castellanos, Commissioner Malcolm, Commissioner Merrifield, Commissioner Moore, Commissioner Valderrama, and Commissioner Zucchet

Excused: 1 - Commissioner Bonelli

Absent: 0

Officers Present: Coniglio, DeAngelis, Medina, Monson, Morales, and Russell

B. Closed Session Report Out.

Thomas A. Russell, General Counsel, announced that the Board considered the items on the Closed Session Agenda and stated that no reportable action was taken. Chairman Castellanos recused himself and did not participate in Closed Session Agenda Item 2 - File No. 2018-0317.

C. Pledge of Allegiance.

Commissioner Moore led the Pledge of Allegiance.

D. Public Communications.

The following member(s) of the public addressed the Board with non agenda-related comments: None

Chairman Castellanos invited Maya Grim, Leasing Representative, Retail Insite, to speak regarding Consent Agenda Item 8.

E. Commissioners' Reports.

Commissioner Merrifield reported out on his and Commissioner Bonelli's site visit of RIDA's Gaylord Rockies Resort in Aurora, Colorado. Commissioner Merrifield was impressed by this development and is optimistic about the success of the RIDA Chula Vista Bayfront Resort Hotel and Convention Center.

Chairman Castellanos reported out on his trip to the National Association of Latino Elected and Appointed Officials (NALEO) Conference in Phoenix, Arizona. Chairman Castellanos explained that some of the helpful topics presented at the conference included public private partnerships, financing infrastructure, and environmental stewardship and remediation.

F. President's Report.

Randa Coniglio, President/CEO, announced that the Port's Marketing and Communications Department earned international recognition from the American Association for Port Authorities which covers Canada, the United States, the Caribbean, and Latin America. The winning submissions were: Port Master Plan Update in the community outreach and education category; the Port's new Brand Video in the video category; and Discover Your Wonderfront destination marketing campaign in the overall marketing category. The "Welcome to the Port of Land and See" won the Overall Award of Communications Excellence. Ms. Coniglio congratulated Jen Barsell, Revekka Balancier, Tanya Castaneda, and their teams.

Ms. Coniglio then announced that the District's Comprehensive Annual Financial Report (CAFR) was awarded a Certificate of Achievement for Excellence in Financial Reporting for the 4th consecutive year. Ms. Coniglio congratulated the Finance Department for their achievement.

Ms. Coniglio then invited the Maritime Team to report on business development news relating to cargo and cruise lines. Joel Valenzuela, Director, Maritime, explained that securing the transatlantic liner services was the result of the redevelopment of the Tenth Avenue Marine Terminal (TAMT) and strategic business development efforts. Mr. Valenzuela recognized and thanked the Board and the Executive Leadership Group (ELG) for leadership in championing for, and investing in the TAMT. Mr. Valenzuela then turned the presentation over to Greg Borossay, Principal, Maritime Business Development, to speak about the G2 Liner Service that will provide monthly breakbulk service for San Diego. Mr. Borossay then invited Connie LeFevre, Senior Trade Account Representative to speak. Ms. LeFevre thanked Marketing, Finance, and IT Departments for the great teamwork during this process, and invited the Board to the formal ceremonial launch for the new liner service on September 26, 2018. Ms. LeFevre informed the Board that revenue from this new service is estimated at $600,000 per year. Adam Deaton, Senior Trade Account Representative, then spoke about the return of Carnival Cruise Line to San Diego. Carnival has booked 13 port calls which could bring an estimated 500,000 passengers to San Diego.

Commissioner Merrifield, Chairman Castellanos, and Commissioner Valderrama provided comments.

G. District Clerk's Announcements.

Donna Morales, District Clerk, offered that copies of agenda-related materials submitted after the publication of the agenda were available at the Clerk's desk.

Additionally, Ms. Morales reported, as required by the Brown Act and as directed by the Board of Port Commissioners, that on today's agenda is an item taking final action to amend the employment agreement for the Executive Director (President/Chief Executive Officer) of the San Diego Unified Port District that will modify her salary. Additional information can be found in the agenda prepared for that item.

Ms. Morales also reported that staff requested to continue Consent Agenda Item 5 - File No. 2018-0314, Consent Agenda Item 12 - File No. 2018-0308, and Action Agenda Item 21 - File No. 2018-0275.

On a motion by Commissioner Malcolm, seconded by Commissioner Zucchet, the Board approved the requested docket changes. The motion carried by the following vote:

Yeas: 6 - Castellanos, Malcolm, Merrifield, Moore, Valderrama, and Zucchet

Nays: 0

Excused: 1 - Bonelli

Absent: 0

Abstain: 0

Recused: 0

APPROVAL OF MINUTES

2018-0330 Approval of minutes for:
June 12, 2018 - CLOSED SESSION
June 12, 2018 - REGULAR BPC MEETING

On a motion by Commissioner Malcolm, seconded by Commissioner Merrifield, the Board approved the minutes. The motion carried by the following vote:

Yeas: 6 - Castellanos, Malcolm, Merrifield, Moore, Valderrama, and Zucchet

Nays: 0

Excused: 1 - Bonelli

Absent: 0

Abstain: 0

Recused: 0

CONSENT AGENDA

Consent Agenda Item 6 - File No. 2018-0248, Consent Agenda Item 8 - File No. 2018-0277, and Consent Agenda Item 16 - File No. 2018-0268 were pulled from Consent to the Action Agenda.

On a motion by Commissioner Merrifield, seconded by Commissioner Valderrama, the Board adopted the revised Consent Agenda as follows: Resolution 2018-118; Resolution 2018-119; Resolution 2018-120; Resolution 2018-121; Resolution 2018-124; Resolution 2018-126; Resolution 2018-127; Resolution 2018-128; Ordinance 2922; Ordinance 2923; and Resolution 2018-129. The motion carried by the following vote:

Yeas: 6 - Castellanos, Malcolm, Merrifield, Moore, Valderrama, and Zucchet

Nays: 0

Excused: 1 - Bonelli

Absent: 0

Abstain: 0

Recused: 0

1. 2018-0096 RESOLUTION SELECTING AND AUTHORIZING AN AGREEMENT WITH APEX COMPANIES, LLC FOR AS NEEDED INSPECTION AND MAINTENANCE SERVICES OF STRUCTURAL POLLUTANT CONTROL BEST MANAGEMENT PRACTICES FROM AUGUST 1, 2018, THROUGH JULY 31, 2021, FOR AN AMOUNT NOT TO EXCEED $1,068,000. FUNDS FOR FISCAL YEAR 2019 HAVE BEEN BUDGETED. ALL FUNDS REQUIRED FOR FUTURE FISCAL YEARS WILL BE BUDGETED IN THE APPROPRIATE FISCAL YEAR, SUBJECT TO BOARD APPROVAL UPON ADOPTION OF EACH FISCAL YEAR'S BUDGET

On a motion by Commissioner Merrifield, seconded by Commissioner Valderrama, the Board adopted Resolution 2018-118 as part of the Consent Agenda.

2. 2018-0186 RESOLUTION SELECTING AND AUTHORIZING AN AGREEMENT WITH BIO CLEAN ENVIRONMENTAL SERVICES TO PURCHASE AND INSTALL STORMDRAIN INLET FILTERS THAT WILL PROVIDE POLLUTANT AND SEDIMENT CONTROL IN STORMWATER RUNOFF AT THE TENTH AVENUE MARINE TERMINAL, NATIONAL CITY MARINE TERMINAL, AND B STREET PIER FOR A TOTAL CONTRACT AMOUNT OF $222,000; FY2019 EXPENDITURES ARE BUDGETED

On a motion by Commissioner Merrifield, seconded by Commissioner Valderrama, the Board adopted Resolution 2018-119 as part of the Consent Agenda.

3. 2018-0202 RESOLUTION APPROVING THE AUDIT PLAN FOR FY18/19 PURSUANT TO BOARD OF PORT COMMISSIONERS (BPC) POLICY NO. 035 - POWERS AND FUNCTIONS OF THE PORT AUDITOR

On a motion by Commissioner Merrifield, seconded by Commissioner Valderrama, the Board adopted Resolution 2018-120 as part of the Consent Agenda.

4. 2018-0220 RESOLUTION AUTHORIZING THE SAN DIEGO UNIFIED PORT DISTRICT TO ENTER INTO A LICENSE AGREEMENT WITH THE COUNTY OF SAN DIEGO FOR A PERIOD OF UP TO FIVE YEARS FOR USE OF THE SAN DIEGO REGIONAL FIREARMS TRAINING CENTER AND GRANTING INDEMNIFICATION TO THE COUNTY OF SAN DIEGO

On a motion by Commissioner Merrifield, seconded by Commissioner Valderrama, the Board adopted Resolution 2018-121 as part of the Consent Agenda.

5. 2018-0314 RESOLUTION AUTHORIZING AMENDMENT NO. 1 TO AGREEMENT WITH MARINE GROUP BOAT WORKS, LLC, FOR FULL SERVICE IMPOUNDED VESSEL SERVICES, INCREASING THE MAXIMUM

AMOUNT PAYABLE UNDER THE AGREEMENT BY $767,800 FOR A NEW MAXIMUM AMOUNT OF $1,367,800. ALL FUNDS REQUIRED FOR FUTURE FISCAL YEARS WILL BE BUDGETED IN THE APPROPRIATE FISCAL YEAR, SUBJECT TO BOARD APPROVAL UPON ADOPTION OF EACH FISCAL YEAR'S BUDGET.

The Board will consider staff's request to continue this item to a future Board meeting.

This item was continued to a future Board meeting.

7. 2018-0256 RESOLUTION CONSENTING TO AMENDMENT NO. 3 TO SUBLEASE BETWEEN PORT CORONADO ASSOCIATES, LLC DBA CORONADO FERRY LANDING MARKETPLACE AND CHEESE WINE DESSERTS, LLC DBA CANDELAS ON THE BAY LOCATED AT 1201 FIRST STREET, IN THE CITY OF CORONADO (RESTAURANT) FOR A ONE-YEAR MANAGEMENT AGREEMENT WITH BLUE BRIDGE HOSPITALITY MANAGEMENT, LLC TO OPERATE THE RESTAURANT WITH AN OPTION TO PURCHASE THE REMAINING TERM OF THE SUBLEASE

On a motion by Commissioner Merrifield, seconded by Commissioner Valderrama, the Board adopted Resolution 2018-124 as part of the Consent Agenda.

9. 2018-0292 RESOLUTION AUTHORIZING THE GENERAL COUNSEL TO EXECUTE AN AGREEMENT FOR EXPERT CONSULTANT SERVICES WITH KLEINFELDER, INC. FOR A MAXIMUM AMOUNT PAYABLE OF $290,000; AN AGREEMENT FOR EXPERT CONSULTANT SERVICES WITH WINDWARD ENVIRONMENTAL, LLC FOR A MAXIMUM AMOUNT PAYABLE OF $250,000; AND AN AGREEMENT FOR EXPERT CONSULTANT SERVICES WITH NEWFIELDS COMPANIES, LLC FOR A MAXIMUM AMOUNT PAYABLE OF $218,000; FY 2019 EXPENDITURES ARE BUDGETED

On a motion by Commissioner Merrifield, seconded by Commissioner Valderrama, the Board adopted Resolution 2018-126 as part of the Consent Agenda.

10. 2018-0304 RESOLUTION AUTHORIZING AN AGREEMENT UNDER THE BLUE ECONOMY INCUBATOR THIRD ROUND OF INCUBATOR PROPOSALS WITH SUNKEN SEAWEED LLC FOR A 1-YEAR PILOT PROJECT TO DEMONSTRATE FEASIBILITY OF SEAWEED AQUACULTURE IN SAN DIEGO BAY FOR A TOTAL AMOUNT NOT TO EXCEED $137,000

On a motion by Commissioner Merrifield, seconded by Commissioner Valderrama, the Board adopted Resolution 2018-127 as part of the Consent Agenda.

11. 2018-0305 RESOLUTION AUTHORIZING CHANGE ORDER NO. 1 TO THE DEMOLITION AND SITE IMPROVEMENTS OF TRANSIT SHED 1 AT TENTH AVENUE MARINE TERMINAL - TIGER PROJECT TO RECOGNIZE VALUE ENGINEERING RESULTING IN A NET SAVINGS OF $967,284 TO CONTRACT NO. 2017-03R WITH $619,035 FOR THE DISTRICT AND $348,249 FOR DICK MILLER, INC.

On a motion by Commissioner Merrifield, seconded by Commissioner Valderrama, the Board adopted Resolution 2018-128 as part of the Consent Agenda.

12. 2018-0308 RESOLUTION AUTHORIZING AMENDMENT NO. 4 TO INCREASE THE COMBINED AMOUNT OF AS-NEEDED AGREEMENTS WITH AGILIS GROUP INC. AND ACME BUSINESS CONSULTING, LLC. (ASSIGNED AND ASSUMED BY EXCELERATE LLC.) FOR PROJECT MANAGEMENT OFFICE SERVICES, INCREASING THE AGGREGATE TOTAL FROM $2,280,000 TO $4,225,000 THROUGH NOVEMBER 4, 2019. FY2019 EXPENDITURES, IF NEEDED, ARE BUDGETED. FUNDS REQUIRED FOR FUTURE FISCAL YEARS WILL BE BUDGETED IN THE APPROPRIATE FISCAL YEAR, SUBJECT TO BOARD APPROVAL UPON ADOPTION OF EACH FISCAL YEAR'S BUDGET

The Board will consider staff's request to continue this item to a future Board meeting.

This item was continued to a future Board meeting.

13. 2018-0310 ORDINANCE GRANTING AN APPROXIMATELY SIXTY-THREE (63) YEAR NINE (9) MONTH EASEMENT, IN SUBSTANTIAL FORM, TO THE CITY OF SAN DIEGO FOR WATER FACILITIES LOCATED WITHIN THE SETBACK PARK, NORTH OF WEST BROADWAY BETWEEN NORTH HARBOR DRIVE AND PACIFIC HIGHWAY IN THE CITY OF SAN DIEGO, TERMINATING MAY 31, 2082

On a motion by Commissioner Merrifield, seconded by Commissioner Valderrama, the Board adopted Ordinance 2922 as part of the Consent Agenda.

14. 2018-0258 ORDINANCE APPROVING SUBSTANTIALLY THE FORM OF GROUND LEASE BETWEEN THE DISTRICT AND RIDA CHULA VISTA, LLC FOR THE RESORT HOTEL AND CONVENTION CENTER PROJECT LOCATED IN THE CITY OF CHULA VISTA, FOR A 66-YEAR TERM, WITH CONDITIONS

On a motion by Commissioner Merrifield, seconded by Commissioner Valderrama, the Board adopted Ordinance 2923 as part of the Consent Agenda.

15. 2018-0329 RESOLUTION APPROVING AMENDMENT TO THE EMPLOYMENT AGREEMENT FOR THE EXECUTIVE DIRECTOR (PRESIDENT/CHIEF EXECUTIVE OFFICER)

On a motion by Commissioner Merrifield, seconded by Commissioner Valderrama, the Board adopted Resolution 2018-129 as part of the Consent Agenda.

ACTION AGENDA

17. 2018-0227 PRESENTATION OF SERVICE AWARDS TO EMPLOYEES WITH 15 OR MORE YEARS OF SERVICE

Nydia Salas, Technician, Human Resources, addressed the Board with staff's report and presentation regarding Action Agenda Item 17 - File No. 2018-0227 (A copy of the staff report, presentations and any agenda-related materials are on file with the Office of the District Clerk). Ms. Salas then turned the presentation over to Randa Coniglio, President/CEO. Ms. Coniglio introduced and acknowledged tenure of District Employee Christian Quimpo, Parking Meter Repair/Collector, 20 years of service; and Lori Poore, Assistant to Vice President, 25 years of service.

Commissioner Merrifield and Commissioner Zucchet provided comments, as well as congratulated and thanked the employees for their service.

18. 2018-0261 NEW RESTAURANT DEVELOPMENT ON THE VACANT LOT ON FERRY LANDING ASSOCIATES LEASEHOLD LOCATED AT 1311 FIRST STREET IN THE CITY OF CORONADO
A) RESOLUTION ADOPTING A SECOND ADDENDUM TO THE FINAL ENVIRONMENTAL IMPACT REPORT FOR THE "CORONADO BOATYARD PLAN AMENDMENT - THE WHARF DEVELOPMENT" AND AUTHORIZING STAFF TO FILE A NOTICE OF DETERMINATION
B) RESOLUTION GRANTING CONCEPT APPROVAL TO FERRY LANDING ASSOCIATES, LLC. FOR UP TO TWO NEW RESTAURANTS AT FERRY LANDING PROJECT

Wileen Manaois, Director, Development Services, addressed the Board with staff's report and presentation regarding Action Agenda Item 18 - File No. 2018-0261 (A copy of the staff report, presentations and any agenda-related materials are on file with the Office of the District Clerk). Ms. Manaois then turned the presentation over to Shahriar Afshar, Department Manager, Development Services, to provide more details regarding the project. Mr. Afshar then turned the presentation over to Dana Sclar, Senior Planner, Development Services, to discuss the proposed addendum.

The following member(s) of the public addressed the Board with agenda-related comments: None

Commissioner Malcolm provided comments and asked clarifying questions, Christian Anderson, Program Manager, Real Estate, responded on behalf of staff.

On a motion by Commissioner Merrifield, seconded by Commissioner Malcolm, the Board adopted Resolution 2018-131. The motion carried by the following vote:

Yeas: 6 - Castellanos, Malcolm, Merrifield, Moore, Valderrama, and Zucchet

Nays: 0

Excused: 1 - Bonelli

Absent: 0

Abstain: 0

Recused: 0

On a motion by Commissioner Valderrama, seconded by Commissioner Malcolm, the Board adopted Resolution 2018-132. The motion carried by the following vote:

Yeas: 6 - Castellanos, Malcolm, Merrifield, Moore, Valderrama, and Zucchet

Nays: 0

Excused: 1 - Bonelli

Absent: 0

Abstain: 0

Recused: 0

19. 2018-0328 RESOLUTION SELECTING THE NATIONAL CITY BAYSHORE BIKEWAY PROJECT FOR $900,000 FROM THE MARITIME INDUSTRIAL IMPACT FUND IN ACCORDANCE WITH BOARD OF PORT COMMISSIONERS POLICY NO. 773, TO FUND A PORTION OF THE PROJECT, CONTINGENT ON: NATIONAL CITY BEING AWARDED A CALIFORNIA DEPARTMENT OF TRANSPORTATION ACTIVE TRANSPORTATION GRANT; NATIONAL CITY ENTERING INTO AN AGREEMENT WITH THE SAN DIEGO UNIFED PORT DISTRICT TO RECEIVE MATCH FUNDS; AND EXPIRATION OF 60 DAY NOTICE PERIOD TO THE STATE LANDS COMMISSION UNDER PORT ACT SECTION 30.5, INTENT TO SPEND MONEY OFF TIDELANDS, WITHOUT OBJECTION

Job Nelson, Assistant Vice President, External Relations, addressed the Board with staff's report and presentation regarding Action Agenda Item 19 - File No. 2018-0328 (A copy of the staff report, presentations and any agenda-related materials are on file with the Office of the District Clerk).

The following member(s) of the public addressed the Board with agenda-related comments: None

Commissioner Valderrama, Commissioner Merrifield, and Chairman Castellanos, provided comments and asked clarifying questions. Mr. Nelson and Commissioner Valderrama responded.

On a motion by Commissioner Moore, seconded by Commissioner Malcolm, the Board adopted Resolution 2018-133. The motion carried by the following vote:

Yeas: 6 - Castellanos, Malcolm, Merrifield, Moore, Valderrama, and Zucchet

Nays: 0

Excused: 1 - Bonelli

Absent: 0

Abstain: 0

Recused: 0

20. 2018-0284 ACTIONS RELATED TO THE TRADE CORRIDOR ENHANCEMENT PROGRAM FUNDS ADMINISTERED BY THE CALIFORNIA TRANSPORTATION COMMISSION (CTC) AND THE CALIFORNIA DEPARTMENT OF TRANSPORTATION (CALTRANS) TO FUND AN ADVANCED MARINE EMISSIONS CONTROL SYSTEM AND SHORE POWER EXPANSION AT THE TENTH AVENUE MARINE TERMINAL:

A) RESOLUTION AUTHORIZING A MASTER AGREEMENT WITH THE STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION (CALTRANS), DIVISION OF RAIL AND MASS TRANSPORTATION FOR THE PURPOSES OF FUNDING DISTRICT PROJECTS UTILIZING GRANT FUNDING FROM THE CALIFORNIA TRANSPORTATION COMMISSION, AND GRANTING INDEMNITY TO CALTRANS.

B) RESOLUTION AUTHORIZING A BASELINE AGREEMENT WITH THE CALIFORNIA TRANSPORTATION COMMISSION FOR THE PURPOSES OF FUNDING THE TENTH AVENUE MARINE TERMINAL BEYOND COMPLIANCE ENVIRONMENTAL ENHANCEMENT PROJECT WITH $5,600,000 FROM THE TRADE CORRIDOR ENHANCEMENT PROGRAM (TCEP), AND OBLIGATING $2,400,000 IN MATCHING FUNDS. TCEP FUNDS AND DISTRICT MATCHING FUNDS WILL BECOME AVAILABLE FOR ALLOCATION DURING FISCAL YEAR 19/20 AND MUST BE EXPENDED WITHIN TWO FISCAL YEARS.

Aimee Heim, Grants & Policy Manager, Government & Civic Relations, addressed the Board with staff's report and presentation regarding Action Agenda Item 20 - File No. 2018-0284 (A copy of the staff report, presentations and any agenda-related materials are on file with the Office of the District Clerk).

The following member(s) of the public addressed the Board with agenda-related comments: None

Commissioner Merrifield, Commissioner Valderrama, Commissioner Moore, and Chairman Castellanos provided comments.

On a motion by Commissioner Merrifield, seconded by Commissioner Valderrama, the Board adopted Resolution 2018-134 and Resolution 2018-135. The motion carried by the following vote:

Yeas: 6 - Castellanos, Malcolm, Merrifield, Moore, Valderrama, and Zucchet

Nays: 0

Excused: 1 - Bonelli

Absent: 0

Abstain: 0

Recused: 0

21. 2018-0275 PRESENTATION AND DIRECTION TO STAFF ON THE PORT MASTER PLAN UPDATE - POLICY DISCUSSION CONSIDERING PUBLIC-PRIVATE PIERS

The Board will consider staff's request to continue this item to a future Board meeting.

This item was continued to a future Board meeting.

22. 2018-0290 PRESENTATION AND DIRECTION TO STAFF ON THE PORT MASTER PLAN UPDATE - POLICY DISCUSSION CONSIDERING SMALL FORMAT INFORMATIONAL AND WAYFINDING SIGNAGE, INCLUDING DIGITAL INTEGRATION AND PAID ADVERTISING

Lesley Nishihira, Director, Planning, addressed the Board with staff's report and presentation regarding Action Agenda Item 22 - File No. 2018-0290 (A copy of the staff report, presentations and any agenda-related materials are on file with the Office of the District Clerk). Ms. Nishihira then turned the presentation over to Ken Wallis, Director, Port as a Service, to provide potential funding scenarios for interactive kiosks. Mr. Wallis then turned the presentation back to Ms. Nishihira to discuss the focus questions for the Port Master Plan Update.

The following members of the public addressed the Board with agenda-related comments: Stephanie Jackel; Gary Smith, President, San Diego Downtown Residents Group; Nick Marinovich, Waterfront Committee; Pam Wilson, Director, Scenic San Diego; Mary Jo Barr, Scenic San Diego; Judy Radke; Sharon Cloward, President, San Diego Port Tenants Association; Diane Coombs, San Diego Waterfront Coalition; and Alexandra Berenter, Downtown San Diego Partnership.

Commissioner Merrifield provided comments and invited Gary Smith to the podium to answer questions. Commissioner Moore, Commissioner Zucchet, Commissioner Malcolm, Commissioner Valderrama, and Chairman Castellanos provided comments and asked clarifying questions. Ken Wallis, Rebecca Harrington, Senior Deputy Counsel, and Jason Giffen, Assistant Vice President, Planning & Green Port, responded on behalf of staff. Thomas A. Russell, General Counsel, and Randa Coniglio, President/CEO provided clarifying remarks.

The Board provided direction to not include Small Format Digital Integration and Paid Advertising Policies in the Port Master Plan Update and to have staff separately explore a pilot project for wayfinding using digital technology.

23. 2018-0271 PRESENTATION AND DIRECTION TO STAFF ON ARTICLE 12 OF THE SAN DIEGO UNIFIED PORT DISTRICT CODE - REQUIRED REPORTING OF UTILITY USAGE ON TIDELANDS, INCLUDING: AN UPDATE ON 2017 CALENDAR YEAR UTILITY DATA REPORTING PURSUANT TO ARTICLE 12 AND POLICY DISCUSSION CONSIDERING OPTIONS TO INCREASE THE EFFICIENCY AND RELIABILITY OF ENERGY USAGE DATA FOR CLIMATE ACTION PLAN MANAGEMENT

Renee Yarmy, Program Manager, Energy & Sustainability, addressed the Board with staff's report and presentation regarding Action Agenda Item 23 - File No. 2018-0271 (A copy of the staff report, presentations and any agenda-related materials are on file with the Office of the District Clerk).

The following members of the public addressed the Board with agenda-related comments: Sharon Cloward, President, San Diego Port Tenants Association; and Joy Williams, Environmental Health Coalition.

Commissioner Merrifield, Commissioner Zucchet, Commissioner Valderrama, Commissioner Malcolm, and Chairman Castellanos provided comments and asked clarifying questions. Ms. Yarmy, Jason Giffen, Simon Kann, Deputy General Counsel, and Rachel Stern, Senior Environmental Specialist, responded on behalf of staff. Joy Williams responded to questions on behalf of the Environmental Health Coalition posed by Commissioner Zucchet.

The Board provided direction to go forward with Option 1: for staff to amend language to the Local Government Partnership Agreement with SDG&E, staff will return to the Board with amended agreement for approval; Board also agreed to temporarily suspend reporting requirement (estimated 3-4 months) with the understanding that the Board will be kept apprised of the progress during the suspension.

24. 2018-0203 REVIEW AND CONSIDERATION OF DRAFT PROPOSED BOARD AGENDA FOR THE AUGUST 14, 2018 MEETING

On a motion by Commissioner Malcolm, seconded by Commissioner Valderrama, the Board adopted the draft agenda for August 14, 2018. The motion carried by the following vote:

Yeas: 6 - Castellanos, Malcolm, Merrifield, Moore, Valderrama, and Zucchet

Nays: 0

Excused: 1 - Bonelli

Absent: 0

Abstain: 0

Recused: 0

6. 2018-0248 CHULA VISTA BAYFRONT PARKS:

A) ORDINANCE AMENDING THE FISCAL YEAR (FY) 2019 BUDGET INCREASING THE FY 2019 CAPITAL IMPROVEMENT PROGRAM (CIP)

APPROPRIATION BY $1,653,750 TO BE FUNDED FROM RESTRICTED RESERVES RELATED TO THE CHULA VISTA BAYFRONT PROJECT

B) RESOLUTION APPROVING AN AMENDMENT TO THE FY 2019-2023 5-YEAR CIP TO INCREASE THE SITE PREPARATION AT CHULA VISTA BAYFRONT PROJECT BUDGET BY $1,653,750 PURSUANT TO BOARD OF PORT COMMISSIONERS POLICY NO. 120, CAPITAL IMPROVEMENT PROGRAM

C) RESOLUTION AUTHORIZING AMENDMENT NO. 3 TO THE AGREEMENT WITH KTU+A FOR CHULA VISTA PARKS DESIGN SERVICES INCREASING THE MAXIMUM AMOUNT PAYABLE UNDER THE AGREEMENT BY $1,676,460 FOR A NEW MAXIMUM AMOUNT OF $2,076,460, ADDING ADDITIONAL WORK, AND EXTENDING TERM THROUGH JUNE 30, 2020. FUNDS FOR FY 2019 ARE BUDGETED IN THE FY 2019 CIP APPROPRIATION; ALL FUNDS REQUIRED FOR FUTURE FISCAL YEARS WILL BE BUDGETED IN THE APPROPRIATE FISCAL YEAR, SUBJECT TO BOARD APPROVAL UPON ADOPTION OF EACH FISCAL YEAR'S BUDGET

This item was pulled from Consent. Chairman Castellanos recused himself and did not participate in the item.

On a motion by Commissioner Valderrama, seconded by Commissioner Merrifield, the Board adopted Ordinance 2921, Resolution 2018-122, and Resolution 2018-123. The motion carried by the following vote:

Yeas: 5 - Malcolm, Merrifield, Moore, Valderrama, and Zucchet

Nays: 0

Excused: 1 - Bonelli

Absent: 0

Abstain: 0

Recused: 1 - Castellanos

8. 2018-0277 RESOLUTION SELECTING AND AUTHORIZING AN AGREEMENT WITH RI PROPERTIES, INC., DBA RETAIL INSITE FOR COMMERCIAL REAL ESTATE BROKER SERVICES FOR THE SEAPORT VILLAGE SPECIALTY RETAIL CENTER FROM JULY 18, 2018 TO JUNE 30, 2021 IN AN AMOUNT NOT TO EXCEED $200,000, AND WAIVING BOARD OF PORT COMMISSIONERS POLICY NO. 114. ALL FUNDS REQUIRED FOR FUTURE FISCAL YEARS WILL BE BUDGETED IN THE APPROPRIATE FISCAL YEAR, SUBJECT TO BOARD APPROVAL UPON ADOPTION OF EACH FISCAL YEAR'S BUDGET

This item was pulled from Consent.

Public Comments: Maya Grim, was asked whether she would like to speak again (her

comment was taken before consent). She indicated from the audience that she was available for questions but had no additional comments. No other public came forward to speak.

Commissioner Merrifield provided comments and asked clarifying questions. Alexa Paulus, Asset Manager, Real Estate, and Penny Maus, Department Manager, Real Estate, responded on behalf of staff. Commissioner Malcolm and Chairman Castellanos provided clarifying comments.

On a motion by Commissioner Merrifield, sconded by Commissioner Valderrams, the Board adopted Resolution 2018-125. The motion carried by the following vote:

Yeas: 6 - Castellanos, Malcolm, Merrifield, Moore, Valderrama, and Zucchet

Nays: 0

Excused: 1 - Bonelli

Absent: 0

Abstain: 0

Recused: 0

16. 2018-0268 RESOLUTION WAIVING BOARD OF PORT COMMISSIONERS POLICY NO. 110 SECTION II E AND AUTHORIZING AN AGREEMENT WITH STAY CLASSY SAN DIEGO, LLC FOR SPONSORSHIP OF A SAN DIEGO FESTIVAL IN NOVEMBER 2019 ON THE DOWNTOWN SAN DIEGO WATERFRONT IN AN AMOUNT NOT TO EXCEED $100,000 IN FUNDING AND WAIVER OF DISTRICT SERVICES NOT TO EXCEED $350,000; FY 2019 EXPENDITURES ARE BUDGETED

This item was pulled from Consent.

Commissioner Moore, Commissioner Valderrama, Commissioner Merrifield, Commissioner Malcolm, and Commissioner Zucchet provided comments and asked clarifying questions. Jim Hutzelman, Manager, Business Development & Recreation Services, Thomas A. Russell, General Counsel, and Rebecca Harrington, Senior Deputy General Counsel, responded on behalf of staff. Paul Thornton, Stay Classy San Diego, responded on behalf of applicant.

On a motion by Commissioner Valderrama, seconded by Commissioner Moore, the Board adopted Resolution 2018-130 with modifications to the Resolution and Agreement to: include specific festival dates, specify the festival locations on the Tidelands; District services are not to exceed $350,000; and to remove the $100,000 grant and have Stay Classy San Diego, LLC compete for the $100,000 funding through the next Tidelands Activation Program Funding process. Also final acceptance will be contingent upon securing all required permits. The motion carried by the following vote.

Yeas: 6 - Castellanos, Malcolm, Merrifield, Moore, Valderrama, and Zucchet

Nays: 0

Excused: 1 - Bonelli

Absent: 0

Abstain: 0

Recused: 0

25. 2018-0326 OFFICER'S REPORT

MONTHLY NOTIFICATION OF CHANGE ORDERS PURSUANT TO BPC POLICY NO. 110:

A) Change Order No. 2 to Contract No. 2012-06 with R.E. Staite Engineering, Inc. / $21,413.01 Increase & 60 Calendar Day Time Extension thru 06/28/18
B) Change Order No. 2 to Contract No. 2016-08 with Conan Construction, Inc. / $23,355.20 Increase & 65 Calendar Day Time Extension thru 06/04/18
C) Change Order No. 1 to Contract No. 2016-05R with Jennette Company, Inc. / $19,476.00 Increase, Amends Scope of Work & 14 Calendar Day Time Extension thru 06/30/18
D) Change Order No. 1 to Contract No. 2017-53 with TL Veterans Construction, Inc. / 22 Calendar Day Time Reduction thru 06/28/18
E) Change Order No. 2 to Contract No. 2017-53 with TL Veterans Construction, Inc. / Increases Contract by $16,934.93

MONTHLY NOTIFICATION OF COST RECOVERY USER FEE WAIVERS GRANTED BY THE EXECUTIVE DIRECTOR PURSUANT TO BPC POLICY NO. 106:

A) Request for User Fee Waiver Form from Duncan McIntosh Company, Inc. for 2018 San Diego International Boat Show, for total amount $2,813.00
B) Request for User Fee Waiver Form from HUBBS-SeaWorld Research Institute for Operation of White Sea Bass Pens, for total amount $1,308.00

MONTHLY NOTIFICATION OF RENT REVIEWS CONSENTED TO ADMINISTRATIVELY PURSUANT TO BPC POLICY NO. 355 AS AMENDED ON JANUARY 10, 2017:

None to Report

MONTHLY NOTIFICATION OF ENCUMBRANCES CONSENTED TO ADMINISTRATIVELY PURSUANT TO BPC POLICY NO. 355 AS AMENDED ON JANUARY 10, 2017:

None to Report

MONTHLY NOTIFICATION OF LEASE AMENDMENTS CONSENTED TO ADMINISTRATIVELY PURSUANT TO BPC POLICY NO. 355 AS AMENDED ON JANUARY 10, 2017:

None to Report

A Moore

Secretary, Board of Port Commissioners
San Diego Unified Port District

ATTEST:

Donna Morales

Clerk of the San Diego Unified Port District

San Diego Unified Port District

3165 Pacific Hwy.
San Diego, CA 92101

Special Meeting Minutes

Board of Port Commissioners

Wednesday, July 25, 2018 **6:00 PM** **Don L. Nay Port Administration Boardroom**

REVISED CLOSED SESSION AGENDA

NO TELECONFERENCE
at the following location:
12:00 PM Hawaii Aleutian Standard Time
Residence Inn Maui Wailea Molokini Room
75 Wailea Ike, Wailea, Maui HI 96753

A. Roll Call.

Present: 5 - Chairperson Castellanos, Commissioner Merrifield, Commissioner Moore, Commissioner Valderrama, and Commissioner Zucchet

Excused: 2 - Commissioner Bonelli, and Commissioner Malcolm

Absent: 0

Commissioner Moore was excused until she arrived at 6:55 pm.

Officers Present: Coniglio, Morales, and Russell

B. Public Communications.

The following member(s) of the public addressed the Board with non agenda-related comments: None

CLOSED SESSION

Thomas A. Russell, General Counsel, announced the Closed Session items as follows:

1. 2018-0342 Closed Session Item No. 1

CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
Pursuant to Subdivision (d)(1) of Government Code Section 54956.9

Enterprise Rent-A-Car Co. of Los Angeles, LLC, et al. v San Diego Unified Port District, et al.
San Diego Superior Court Case No. 37-2018-00028276-CU-MC-CTL

No reportable action was taken on this item.

Secretary, Board of Port Commissioners
San Diego Unified Port District

ATTEST:

Clerk of the San Diego Unified Port District

San Diego Unified Port District

3165 Pacific Hwy.
San Diego, CA 92101

Special Meeting Minutes

Board of Port Commissioners

Thursday, August 9, 2018 | **12:00 PM** | **Pacifc Daylight Time**
Don L. Nay Port Administration Boardroom

Closed Session

Teleconference Locations:
9:00 AM - Hawaii Standard Time
Residence Inn Maui-Wailea, Molokini Room
75 Wailea Ike, Wailea, Maui, Hawaii 96753

12:00 Noon - Pacific Daylight Time
Avalon City Hall, 410 Avalon Canyon Rd.
Avalon, CA 90704

A. Roll Call.

Present: 7 - Commissioner Bonelli, Chairperson Castellanos, Commissioner Malcolm, Commissioner Merrifield, Commissioner Moore, Commissioner Valderrama, and Commissioner Zucchet

Excused: 0

Absent: 0

Commissioner Moore was excused until she arrived at 12:07 pm.

Officers Present: Coniglio, Morales, and Russell

B. Public Communications.

The following member(s) of the public addressed the Board with non agenda-related comments: None

CLOSED SESSION

Thomas A. Russell, General Counsel, announced the Closed Session items as follows:

1. 2018-0373 Closed Session Item No. 1

CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
Pursuant to Subdivision (d)(1) of Government Code Section 54956.9

Enterprise Rent-A-Car Co. of Los Angeles, LLC, et al. v San Diego Unified

Port District, et al.
San Diego Superior Court Case No. 37-2018-00028276-CU-MC-CTL

No reportable action was taken on this item.

2. 2018-0360 Closed Session Item No. 2

CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
Pursuant to Subdivision (d)(1) of Government Code Section 54956.9

Maria Esther Garcia v. San Diego Unified Port District, et al.
San Diego Superior Court Case No. 37-2017-00040548-CU-OE-CTL

No reportable action was taken on this item.

A Moore

Secretary, Board of Port Commissioners
San Diego Unified Port District

ATTEST:

Donna Morales

Clerk of the San Diego Unified Port District

San Diego Unified Port District

3165 Pacific Hwy.
San Diego, CA 92101

Meeting Minutes

Board of Port Commissioners

Tuesday, August 14, 2018 | **10:00 AM** | **Pacific Daylight Time**
Don L. Nay Port Administration Boardroom

Revised Closed Session Agenda

Teleconference Location
7:00 AM - Hawaii Standard Time
Residence Inn Maui-Wailea, Molokini Room
75 Wailea Ike, Wailea, Maui, Hawaii 96753

A. Roll Call.

Present: 6 - Commissioner Bonelli, Chairperson Castellanos, Commissioner Malcolm, Commissioner Moore, Commissioner Valderrama, and Commissioner Zucchet

Excused: 1 - Commissioner Merrifield

Absent: 0

Commissioner Moore was excused until she arrived at 10:57 am.

Officers Present: Coniglio, DeAngelis, Monson, Morales, and Russell

B. Public Communications.

The following member(s) of the public addressed the Board with non agenda-related comments: None

CLOSED SESSION

Thomas A. Russell, General Counsel, announced the Closed Session items as follows:

1. 2018-0376 Closed Session Item No. 1

CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
Pursuant to Subdivision (d)(1) of Government Code Section 54956.9

San Diego Unified Port District, et al. v. Monsanto Company, et al.
United States District Court Case No. 15-CV-0578 WQH (JLB)

No reportable action was taken on this item.

2. 2018-0353 Closed Session Item No. 2

CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
Pursuant to Subdivision (d)(1) of Government Code Section 54956.9

Enterprise Rent-A-Car Co. of Los Angeles, LLC, et al. v San Diego Unified Port District, et al.
San Diego Superior Court Case No. 37-2018-00028276-CU-MC-CTL

No reportable action was taken on this item.

3. 2018-0354 Closed Session Item No. 3

CONFERENCE WITH LEGAL COUNSEL - INITIATION OF LITIGATION
Pursuant to Subdivision (d)(4) Government Code Section 54956.9

One (1) Case

No reportable action was taken on this item.

4. 2018-0377 Closed Session Item No. 4

CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION
Significant exposure to litigation Government Code Section 54956.9(d)(2)

Two (2) Cases

No reportable action was taken on this item.

5. 2018-0355 Closed Session Item No. 5

CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
Pursuant to Subdivision (d)(1) of Government Code Section 54956.9

San Diego Unified Port District v. San Diego Gas & Electric Company, et al.
San Diego Superior Court Case No. 37-2017-00041251-CU-BC-CTL

No reportable action was taken on this item.

6. 2018-0351 Closed Session Item No. 6

CONFERENCE WITH REAL PROPERTY NEGOTIATOR
Government Code Section 54956.8

Property: SDUPD - Parcels consisting of approximately 432,741 square feet of land area and 358,756 of water area at North side of G Street at terminus of both Quay Avenue and Sandpiper Way, Chula Vista,

commonly known as 997 G Street, Chula Vista, CA
Negotiating Parties:
Marine Group Boat Works - Todd Roberts and George Palermo
SDUPD - Shaun Sumner, Anthony Gordon, Adam Meyer, Lucy Contreras

Under Negotiations: Price and Terms

No reportable action was taken on this item.

7. 2018-0375 Closed Session Item No. 7

CONFERENCE WITH REAL PROPERTY NEGOTIATOR
Government Code Section 54956.8

Property: SDUPD - Parcels consisting of approximately 47,475 square feet of land area and 42,570 square feet of water area at the southwestern end of America's Cup Harbor, which parcel is commonly known as 2702 Shelter Island Drive, San Diego, California 92106
Negotiating Parties:
Driscoll, Inc. dba Intrepid Boatworks - Thomas A. Driscoll, President
SDUPD - Christian de Manielle, Chris Hargett, Tony Gordon, Shaun Sumner and Simon Kann

Under Negotiations: Price and Terms

No reportable action was taken on this item.

8. 2018-0378 Closed Session Item No. 8

CONFERENCE WITH REAL PROPERTY NEGOTIATOR
Government Code Section 54956.8

Property: SDUPD - Parcels of land totaling approximately 147,642 square feet, 45,590 square feet, and 25,643 square feet located adjacent to Convention Way between Marina Park Way and Park Blvd in the City of San Diego, California
Negotiating Parties:
Fifth Avenue Landing, LLC - Arthur E. Engel and Raymond A. Carpenter
SDUPD - Adam Meyer, Tony Gordon, Shaun Sumner

Under Negotiations: Price and Terms

No reportable action was taken on this item.

Secretary, Board of Port Commissioners
San Diego Unified Port District

ATTEST:

Clerk of the San Diego Unified Port District

San Diego Unified Port District

3165 Pacific Hwy.
San Diego, CA 92101

Meeting Minutes

Board of Port Commissioners

Tuesday, August 14, 2018 | **1:00 PM** | **Pacific Daylight Time**
Don L. Nay Port Administration Boardroom

Teleconference Location
10:00 AM - Hawaii Standard Time
Residence Inn Maui-Wailea, Molokini Room
75 Wailea Ike, Wailea, Maui, Hawaii 96753

A. Roll Call.

Present: 6 - Commissioner Bonelli, Chairperson Castellanos, Commissioner Malcolm, Commissioner Moore, Commissioner Valderrama, and Commissioner Zucchet

Excused: 1 - Commissioner Merrifield

Absent: 0

Officers Present: Coniglio, DeAngelis, Medina, Monson, Morales, and Russell

B. Closed Session Report Out.

Thomas A. Russell, General Counsel, announced that the Board considered the items on the Closed Session Agenda. With respect to Closed Session Agenda Item 2 - File No. 2018-0353 the Board will again consider the matter at the conclusion of this meeting. No reportable action was taken.

C. Pledge of Allegiance.

Commissioner Valderrama led the Pledge of Allegiance.

D. Public Communications.

The following member(s) of the public addressed the Board with non agenda-related comments: None

E. Commissioners' Reports.

There were no reports from Commissioners.

F. President's Report.

Randa Coniglio, President/CEO, explained that she had five items to share. Ms. Coniglio first spoke about the Summer Student Worker Program. The District has participated in this program since 1982. The program provides students the opportunity to gain valuable work experience. Thirty seven students were hired this year and were able to select an

available position in a Department which interested them.

The Port received an award from Esri, the global leader in spatial analytics, in the field of GIS (Geographic Information System) for innovative application of mapping, data analytics, and thought leadership. Malcolm Meikle, GIS Supervisor, received the Special Achievement in GIS award on behalf of the Port. Currently six departments: Harbor Police, General Services, Engineering, Real Estate, Planning and Environmental, are actively using the internal ArcGIS Portal.

Ms. Coniglio then spoke about the groundbreaking for the Brigantine's Portside Pier on July 24. The restaurant development is being built on the North Embarcadero waterfront between the B Street cruise ship terminal and the Maritime Museum. Speakers included Chairman Castellanos and Brigantine President/CEO Mike Morton Jr.

Ms. Coniglio then announced that on July 26, the Port and the San Diego Port Tenants Association celebrated the delivery of two new electric freight vehicles that are being used by Dole Fresh Fruit at the Tenth Avenue Marine Terminal (TAMT). The trucks are funded by a $5.9 million grant awarded by the California Energy Commission to the Port Tenants Association. There will be a total of 10 vehicles delivered to the TAMT for use by tenants. The project supports cleaner air and less noise for surrounding communities.

San Diego was again named a Top Rated US & Canada Cruise Destination in Cruise Critics 2018 Cruisers' Choice Destination Awards. San Diego was ranked three out of five destinations, and the only California port. The awards are given exclusively on consumer ratings and reviews posted to the Cruise Critic website over the past year. A special thanks to port staff form Maritime, General Services, Harbor Police, Engineering, and Marketing & Communications who make each cruise call a positive experience for customers.

G. District Clerk's Announcements.

Donna Morales, District Clerk, offered that agenda-related materials for Agenda Item 13 - File No. 2018-0358, and Agenda Item 14 - File No. 2018-0332 were received after the publication of the agenda.

Additionally, Ms. Morales reported that staff requested the following docket changes: Consent Agenda Item 7 - File No. 2018-0327, and Action Agenda Item 12 - File No. 2018-0313 no longer require Board action; and staff requests to continue Action Agenda Item 10 - File No. 2018-0346 to a future Board meeting.

On a motion by Commissioner Zucchet, seconded by Commissioner Valderrama, the Board adopted the requested docket changes. The motion carried by the following vote:

Yeas: 6 - Bonelli, Castellanos, Malcolm, Moore, Valderrama, and Zucchet

Nays: 0

Excused: 1 - Merrifield

Absent: 0

Abstain: 0

Recused: 0

APPROVAL OF MINUTES

2018-0341 Approval of minutes for:
July 17, 2018 - CLOSED SESSION
July 17, 2018 - REGULAR BPC MEETING
July 25, 2018 - SPECIAL CLOSED SESSION

On a motion by Commissioner Malcolm, seconded by Commissioner Zucchet, the Board approved the minutes. The motion carried by the following vote:

Yeas: 6 - Bonelli, Castellanos, Malcolm, Moore, Valderrama, and Zucchet

Nays: 0

Excused: 1 - Merrifield

Absent: 0

Abstain: 0

Recused: 0

CONSENT AGENDA

Agenda Item 2 - File No. 2018-0293 was pulled from Consent to the Action agenda.

On a motion by Commissioner Malcolm, seconded by Commissioner Zucchet, the Board adopted the revised Consent Agenda as follows: Resolution 2018-136; Resolution 2018-137; Ordinance 2924; Ordinance 2925; Resolution 2018-138; and Resolution 2018-139. The motion carried by the following vote:

Yeas: 6 - Bonelli, Castellanos, Malcolm, Moore, Valderrama, and Zucchet

Nays: 0

Excused: 1 - Merrifield

Absent: 0

Abstain: 0

Recused: 0

1. 2018-0259 RESOLUTION AUTHORIZING AMENDMENT NO. 2 WITH AGILIS GROUP INC. AND AMENDMENT NO. 4 WITH EXCELERATE LLC. FOR PROJECT MANAGEMENT OFFICE SERVICES INCREASING THE TOTAL AGGREGATE AMOUNT PAYABLE UNDER THE AGREEMENTS BY $1,945,000 FOR A NEW AGGREGATE AMOUNT PAYABLE UNDER THE AGREEMENTS NOT-TO-EXCEED $4,225,000 THROUGH NOVEMBER 4, 2019. FY2019 EXPENDITURES, IF NEEDED, ARE BUDGETED. FUNDS REQUIRED FOR FUTURE FISCAL YEARS WILL BE BUDGETED IN THE APPROPRIATE FISCAL YEAR, SUBJECT TO BOARD APPROVAL UPON ADOPTION OF EACH FISCAL YEAR'S

BUDGET

On a motion by Commissioner Malcolm, seconded by Commissioner Zucchet, the Board adopted Resolution 2018-136 as part of the Consent Agenda.

3. 2018-0306 RESOLUTION SELECTING AND AUTHORIZING PURCHASE AGREEMENTS WITH:
A) 72 HOUR LLC dba NATIONAL AUTO FLEET GROUP FOR THE PURCHASE OF NINE RENEWABLE DIESEL AND GASOLINE POWERED PICKUP AND STAKEBED VEHICLES IN THE AMOUNT OF $424,000
B) HAAKER EQUIPMENT COMPANY FOR THE PURCHASE OF ONE RENEWABLE DIESEL POWERED STREET SWEEPER VEHICLE IN THE AMOUNT OF $286,000
C) WILLIAM E. MUNSON, INC. FOR THE PURCHASE OF ONE STANDARD DIESEL POWERED VESSEL IN THE AMOUNT OF $587,000. FOR A TOTAL AMOUNT NOT TO EXCEED $1,297,000. FUNDS FOR FISCAL YEAR 2019 HAVE BEEN BUDGETED.

Commissioner Bonelli asked a clarifying question. Marco Cromartie, Director, General Services responded on behalf of staff.

On a motion by Commissioner Malcolm, seconded by Commissioner Zucchet, the Board adopted Resolution 2018-137 as part of the Consent Agenda.

4. 2018-0307 ORDINANCE AMENDING THE CONFLICT OF INTEREST CODE OF THE SAN DIEGO UNIFIED PORT DISTRICT TO REFLECT CHANGES TO THE DIRECTORY OF CLASS SPECIFICATIONS, AND MODIFY AN EXISTING DISCLOSURE CATEGORY

On a motion by Commissioner Malcolm, seconded by Commissioner Zucchet, the Board adopted Ordinance 2924 as part of the Consent Agenda.

5. 2018-0309 ORDINANCE APPROVING AN EASEMENT IN SUBSTANTIAL FORM BEGINNING SEPTEMBER 15, 2018 AND TERMINATING SEPTEMBER 14, 2028, AND POWER YOUR DRIVE SITE HOST PARTICIPATION PROGRAM AGREEMENT WITH SDG&E FOR ELECTRIC VEHICLE CHARGING STATIONS LOCATED AT: ADMINISTRATION BUILDING PARKING LOT 3165 PACIFIC HWY SAN DIEGO, CALIFORNIA 92101, INCLUDING APPLICATION FEES OF $6,300. FY 2019 EXPENDITURES ARE BUDGETED

On a motion by Commissioner Malcolm, seconded by Commissioner Zucchet, the Board adopted Ordinance 2925 as part of the Consent Agenda.

6. 2018-0323 RESOLUTION CONSENTING TO A TEN-YEAR LICENSE AGREEMENT BETWEEN PASHA AUTOMOTIVE SERVICES AND SAN DIEGO GAS AND ELECTRIC FOR ELECTRIC VEHICLE CHARGING INFRASTRUCTURE AT NATIONAL CITY MARINE TERMINAL

On a motion by Commissioner Malcolm, seconded by Commissioner Zucchet, the Board adopted Resolution 2018-138 as part of the Consent Agenda.

7. 2018-0327 RIGHT OF ENTRY LICENSE AGREEMENT TO THE CITY OF SAN DIEGO FOR THE PARK BOULEVARD AT-GRADE CROSSING IMPROVEMENT PROJECT
A) RESOLUTION CONSIDERING THE FINAL SUBSEQUENT ENVIRONMENTAL IMPACT REPORT FOR THE "BALLPARK AND ANCILLARY DEVELOPMENT PROJECTS" PREPARED BY THE CITY OF SAN DIEGO, ADOPTING THE FINDINGS OF FACT, ADOPTING THE MITIGATION MONITORING AND REPORTING PROGRAM, ADOPTING THE STATEMENT OF OVERRIDING CONSIDERATIONS, AND AUTHORIZING STAFF TO FILE THE NOTICE OF DETERMINATION
B) RESOLUTION AUTHORIZING THE EXECUTIVE DIRECTOR TO EXECUTE A FORTY (40) MONTH RIGHT OF ENTRY LICENSE AGREEMENT TO THE CITY OF SAN DIEGO FOR INFRASTRUCTURE AND LANDSCAPE IMPROVEMENTS AT AND AROUND THE INTERSECTION OF HARBOR DRIVE AND PARK BOULEVARD, IN THE CITY OF SAN DIEGO, IN A FORM SUBSTANTIALLY THE SAME AS THE ATTACHED DRAFT RIGHT OF ENTRY LICENSE AGREEMENT

Board Action No Longer Required.

This Item no longer required Board action.

8. 2018-0364 RESOLUTION BY A 4/5 VOTE RATIFYING THE EMERGENCY ACTION TAKEN BY THE EXECUTIVE DIRECTOR AND AUTHORIZING CONTINUED ACTION FOR THE EMERGENCY MARINE FENDER REPLACEMENT AT BROADWAY PIER INCLUDING PROCUREMENT OF CONSULTANT FOR INVESTIGATING THE EXTENT OF THE DAMAGE, PROVIDING DESIGN RECOMMENDATIONS FOR REPAIR AND COST, AND PROCUREMENT OF A CONTRACTOR TO REPAIR THE DAMAGE

On a motion by Commissioner Malcolm, seconded by Commissioner Zucchet, the Board adopted Resolution 2018-139 as part of the Consent Agenda.

ACTION AGENDA

9. 2018-0312 PRESENTATION AND UPDATE ON THE SAN DIEGO OCEAN PLANNING PARTNERSHIP: DRAFT PRELIMINARY ASSESSMENT REPORT

Jason Giffen, Assistant Vice President, Planning & Green Port, addressed the Board with staff's report and presentation regarding Action Agenda Item 9 - File No. 2018-0312 (A copy of the staff report, presentations and any agenda-related materials are on file with the Office of the District Clerk). Mr. Giffen then turned the presentation over to Lily Tsukayama, Assistant Planner, Planning, to discuss the Memorandum of Agreement and provide recap of early learnings from stakeholder meetings. Ms. Tsukayama then turned the presentation over the Stephanie Gad, Sea Grant Fellow, to discuss the draft Preliminary Assessment Report and the remainder of the 2018 timeline.

The following member(s) of the public addressed the Board with agenda-related comments: Peter Halmay, President, San Diego Fishermen's Working Group.

Commissioner Valderrama, Chairman Castellanos, and Commissioner Malcolm provided comments.

10. 2018-0346 PRESENTATION AND DIRECTION TO STAFF ON THE STATUS UPDATE FOR THE NORTH HARBOR DRIVE MOBILITY AND ACCESS STUDY

This Item was continued to a future Board meeting.

11. 2018-0349 PRESENTATION AND DIRECTION TO STAFF ON THE PORT MASTER PLAN UPDATE - UPCOMING POLICY DISCUSSION TOPICS FOR THE REMAINDER OF 2018 AND A LOOK AHEAD TO NEXT YEAR

Lesley Nishihira, Director, Planning, addressed the Board with staff's report and presentation regarding Action Agenda Item 11 - File No. 2018-0349 (A copy of the staff report, presentations and any agenda-related materials are on file with the Office of the District Clerk).

The following member of the public addressed the Board with agenda-related comments: Suzanne Varco, Partner, Environmental Law Group.

Commissioner Valderrama, and Commissioner Zucchet, and Commissioner Moore, and Commissioner Bonelli, provided comments and asked clarifying questions. Ms. Nishihira and Jason Giffen, Assistant Vice President, Planning & Green Port, responded on behalf of staff.

12. 2018-0313 PRESENTATION AND DIRECTION TO STAFF ON THE DISTRICT'S APPROACH TO COMPLETE A SEA LEVEL RISE VULNERABILITY ASSESSMENT AND IDENTIFY ADAPTATION STRATEGIES FOR COASTAL FLOODING AND RESILIENCY RELATED TO ASSEMBLY BILL 691, "PROACTIVELY PLANNING FOR SEA LEVEL RISE IMPACTS ON GRANTED TRUST LANDS," AND THE PORT MASTER PLAN UPDATE

Board direction on completion of a sea level rise vulnerability assessment is no longer required because more prescriptive policy guidance was recently established by the State this year. It is anticipated that a Board discussion of related adaptation related goals and strategies will be scheduled for a future date in association with the release of the Draft Port Master Plan Update and accompanying Draft Programmatic Environmental Impact Report.

This Item no longer required Board action.

13. 2018-0358 PRELIMINARY PROJECT REVIEW PRESENTATION AND DIRECTION TO STAFF REGARDING THE PROPOSAL FROM SUNROAD HIE HOTEL PARTNERS, L.P. (SUNROAD) TO CONSTRUCT A 500-ROOM, TWO-PHASED, DUAL BRANDED HOTEL PROJECT (PROJECT) ON

THE ELBOW PARCEL ON EAST HARBOR ISLAND IN THE CITY OF SAN DIEGO PURSUANT TO THE EXCLUSIVE NEGOTIATING AGREEMENT WITH THE DISTRICT (ENA) FOR WHICH STAFF RECOMMENDS ONE OF THE FOLLOWING OPTIONS IN ADDITION TO THE BOARD PROVIDING FEEDBACK TO STAFF AND SUNROAD ON THE PROJECT:

A) RESOLUTION DIRECTING STAFF TO STUDY A TWO-PHASED, DUAL BRANDED, 500-ROOM HOTEL PROJECT ON THE ELBOW PARCEL AS PROPOSED BY SUNROAD, WAIVE THE REQUIREMENT IN SECTION 5(b)(i)(5) OF THE ENA THAT THE PROJECT BE IN CONFORMANCE WITH THE 2013 ENVIRONMENTAL IMPACT REPORT (EIR) , WAIVE THE RESTRICTION IN SECTION 4 OF THE ENA NOT TO PROPOSE ANY DEVELOPMENT THAT REQUIRES A PORT MASTER PLAN AMENDMENT, AND COMMENCE ENVIRONMENTAL REVIEW ON THE PROJECT; OR

B) RESOLUTION DIRECTING STAFF TO STUDY ONLY A SINGLE-PHASE, DUAL BRANDED, 325-ROOM HOTEL PROJECT ON THE ELBOW PARCEL, WAIVE THE RESTRICTION IN SECTION 4 OF THE ENA NOT TO PROPOSE ANY DEVELOPMENT THAT REQUIRES A PORT MASTER PLAN AMENDMENT, AND COMMENCE ENVIRONMENTAL REVIEW ON THE REVISED PROJECT.

Chairman Castellanos recused himself from this Item and turned the meeting over to Commissioner Moore.

Anthony Gordon, Director, Real Estate, addressed the Board with staff's report and presentation regarding Action Agenda Item 13 - File No. 2018-0358 (A copy of the staff report, presentations and any agenda-related materials are on file with the Office of the District Clerk). Mr. Gordon then turned the presentation over to Uri Feldman, Vice President, Sunroad Enterprises to discuss the project design. Mr. Feldman then turned the presentation over to Steven Kaufmann, Nossaman LLP, attorney for Sunroad Enterprises, to provide legal analysis of the 2013 EIR (Environmental Impact Report). Mr. Kaufmann then turned the presentation back to Mr. Feldman. Mr. Feldman then turned the presentation over to David Kim, Architect, Gensler, to discuss project design background. Mr. Kim then turned the presentation back to Mr. Feldman to provide closing remarks. Mr. Feldman then turned the presentation back to Mr. Gordon.

The following member(s) of the public addressed the Board with agenda-related comments: None

Commissioner Valderrama, Commissioner Malcolm, Commissioner Zucchet, Commissioner Bonelli, and Commissioner Moore, provided comments and asked clarifying questions. Anthony Gordon, Rebecca Harrington, Senior Deputy General Counsel, General Counsel's Office, Wileen Manaois, Director, Development Services, and Wendy Siao, Program Manager, Real Estate, responded on behalf of staff. Steve Kaufmann, Aaron Feldman, President, and Uri Feldman, responded on behalf of Sunroad Enterprises.

Commissioner Valderrama, seconded by Commissioner Malcolm, made a motion

to approve Option A and extend the Sunroad Enterprises Exclusive Negotiating Agreement for 10 months, the motion failed by the following vote:

Yeas: 2 - Malcolm, and Valderrama

Nays: 3 - Bonelli, Moore, and Zucchet

Excused: 1 - Merrifield

Absent: 0

Abstain: 0

Recused: 1 - Castellanos

Commissioner Valderrama, seconded by Commissioner Malcolm, made a motion to approve Option B and extend the Sunroad Enterprises Exclusive Negotiating Agreement for 18 - 24 months, the motion failed by the following vote:

Yeas: 2 - Malcolm, and Valderrama

Nays: 3 - Bonelli, Moore, and Zucchet

Excused: 1 - Merrifield

Absent: 0

Abstain: 0

Recused: 1 - Castellanos

14. 2018-0332 ORDINANCE AMENDING THE FISCAL YEAR 2019 FINAL BUDGET TO ADD TEN REGULAR POSITIONS WITH AN INCREASE IN THE PERSONNEL BUDGET FOR REGULAR POSITIONS OF $624,700, AN INCREASE IN THE VARIABLE STAFFING BUDGET OF $1,125,300 AND AN INCREASE IN OVERTIME OF $650,000 FOR THE HARBOR POLICE, RESULTING IN AN INCREASE IN THE PERSONNEL BUDGET BY $2,400,000 FOR FISCAL YEAR 2019

Robert DeAngelis, CFO/Treasurer, addressed the Board with staff's report and presentation regarding Action Agenda Item 14 - File No. 2018-0332 (A copy of the staff report, presentations and any agenda-related materials are on file with the Office of the District Clerk). Mr. DeAngelis then turned the presentation over to Jason Giffen, Assistant Vice President, Planning & Green Port, to discuss staffing for environmental protection services. Mr. Giffen then turned the presentation over to Cid Tesoro, Assistant Vice President, Infrastructure, to discuss staffing needs for General Services. Mr. Tesoro then turned the presentation back to Mr. DeAngelis to discuss variable staffing. Mr. DeAngelis then turned the presentation over to Mark Stainbrook, Vice President, Public Safety, Chief of Harbor Police, to discuss increase of overtime for Harbor Police staff. Chief Stainbrook then turned the presentation back to Mr. DeAngelis for closing comments.

Commissioner Zucchet, Commissioner Valderrama, Commissioner Moore, Commissioner Bonelli, and Chairman Castellanos, provided comments and asked clarifying questions. Randa Coniglio, President/CEO, Robert DeAngelis, and Karen Porteous, Vice President/Chief Administrative Officer, responded on behalf of staff.

Commissioner Zucchet made a motion to accept staff recommendation and for staff to choose between the two funding source options. Commissioner Bonelli seconded the motion and made a friendly amendment to modify the motion to switch the Retirement Plan Administrator from a Regular position to a Variable Staffing position. Commissioner Zucchet accepted the friendly amendment. The Board adopted Ordinance 2926. The motion carried by the following vote:

Yeas: 6 - Bonelli, Castellanos, Malcolm, Moore, Valderrama, and Zucchet

Nays: 0

Excused: 1 - Merrifield

Absent: 0

Abstain: 0

Recused: 0

15. 2018-0281 REVIEW AND CONSIDERATION OF DRAFT PROPOSED BOARD AGENDA FOR THE SEPTEMBER 12, 2018 MEETING

On a motion by Commissioner Valderrama, seconded by Commissioner Zucchet, the Board adopted the proposed agenda for the September 12, 2018 meeting. The motion carried by the following vote:

Yeas: 6 - Bonelli, Castellanos, Malcolm, Moore, Valderrama, and Zucchet

Nays: 0

Excused: 1 - Merrifield

Absent: 0

Abstain: 0

Recused: 0

2. 2018-0293 STRUCTURAL REPAIRS TO NAVY PIER
A) RESOLUTION APPROVING TRANSFER OF FUNDS FROM THE FY2018/19 CAPITAL MAJOR MAINTENANCE CONTINGENCY TO THE STRUCTURAL REPAIRS TO NAVY PIER PROJECT IN THE AMOUNT OF $350,000.00 PURSUANT TO BPC POLICY NO. 90
B) RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AWARDING CONTRACT NO. 2016-37 TO REYES CONSTRUCTION, INC. IN THE AMOUNT OF $3,585,140.00 FOR THE STRUCTURAL REPAIRS TO NAVY PIER PROJECT AS AUTHORIZED BY THE BOARD IN THE FY2018/19 MAJOR MAINTENANCE BUDGET

This Item was pulled from Consent.

Commissioner Malcolm, Commissioner Valderrama, Chairman Castellanos, Commissioner Zucchet, and Commissioner Moore provided comments and asked clarifying questions.

Ernesto Medina, Chief Engineer, Engineering-Construction, Rebecca Harrington, Senior Deputy General Counsel, Cid Tesoro, Assistant Vice President, Infrastructure, Dave Catalino, Deputy General Counsel, and Matt Earle, Director, Procurement Services/CPO, responded on behalf of staff.

The following member(s) of the public addressed the Board with agenda-related comments: None

The Board directed staff to bring back a presentation of the scope of work for this project and the anticipated work over the next 5 years to provide a more holistic view of the status of Navy Pier.

Matt Earle clarified for the record that staff can postpone awarding the bid for 30 days, however, there is little flexibility on modifying the scope, depending on the decision of the Board, the bid will need to be awarded as originally bid, or staff will need to rebid the project.

Commissioners took no action and directed staff to bring back item in September.

OFFICER'S REPORT

16. 2018-0368 MONTHLY NOTIFICATION OF CHANGE ORDERS PURSUANT TO BPC POLICY NO. 110:

A) Change Order No. 2 to Contract No. 2016-32 with Reyes Construction, Inc. / Increases Contract by $72,440.25
B) Change Order No. 1 to Contract No. 2017-25 with R.E. Staite Engineering, Inc. / Reconciliation - Increases Contract by $38,687.50
C) Change Order No. 3 to Contract No. 2012-06 with R.E. Staite Engineering, Inc. / 77 Calendar Day Time Extension thru 09/13/18

MONTHLY NOTIFICATION OF COST RECOVERY USER FEE WAIVERS GRANTED BY THE EXECUTIVE DIRECTOR PURSUANT TO BPC POLICY NO. 106:

A) Request for User Fee Waiver Form from Southern California Coastal Water Research Project Authority for ROE Permit, for total amount $500.00

MONTHLY NOTIFICATION OF RENT REVIEWS CONSENTED TO ADMINISTRATIVELY PURSUANT TO BPC POLICY NO. 355 AS AMENDED ON JANUARY 10, 2017:

None to Report

MONTHLY NOTIFICATION OF ENCUMBRANCES CONSENTED TO ADMINISTRATIVELY PURSUANT TO BPC POLICY NO. 355 AS AMENDED ON JANUARY 10, 2017:

None to Report

MONTHLY NOTIFICATION OF LEASE AMENDMENTS CONSENTED TO ADMINISTRATIVELY PURSUANT TO BPC POLICY NO. 355 AS AMENDED ON JANUARY 10, 2017:

None to Report

Secretary, Board of Port Commissioners
San Diego Unified Port District

ATTEST:

Clerk of the San Diego Unified Port District

3165 Pacific Hwy.
San Diego, CA 92101

San Diego Unified Port District

Special Meeting Minutes

Board of Port Commissioners

Monday, August 27, 2018 | **12:00 PM** | **Pacific Daylight Time**
Don L. Nay Port Administration Boardroom

Closed Session

Teleconference Location
9:00 AM Hawaii Standard Time
Residence Inn Maui Wailea, Molokini Room
75 Wailea Ike, Wailea, Maui, Hawaii 96753

A. Roll Call.

Present: 7 - Commissioner Bonelli, Chairperson Castellanos, Commissioner Malcolm, Commissioner Merrifield, Commissioner Moore, Commissioner Valderrama, and Commissioner Zucchet

Excused: 0

Absent: 0

Commissioner Bonelli participated via conference call.

Commissioner Moore was excused until she arrived at 12:15 pm.

Officers Present: Coniglio, DeAngelis, and Russell

B. Public Communications.

The following member(s) of the public addressed the Board with non agenda-related comments: None

CLOSED SESSION

Thomas A. Russell, General Counsel, announced the Closed Session items as follows:

1. 2018-0407 Closed Session Item No. 1

CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
Pursuant to Subdivision (d)(1) of Government Code Section 54956.9

Enterprise Rent-A-Car Co. of Los Angeles, LLC, et al. v San Diego Unified Port District, et al.

San Diego Superior Court Case No. 37-2018-00028276-CU-MC-CTL

No reportable action was taken on this item.

2. 2018-0411 Closed Session Item No. 2

CONFERENCE WITH REAL PROPERTY NEGOTIATOR
Government Code Section 54956.8

Property: SDUPD - Approximately 70 acres of land and water located in the City of San Diego situated between downtown and the Bay in the District's Central Embarcadero area and bordered by the USS Midway Museum and Harbor Drive to the north, Manchester Grand Hyatt and Kettner Boulevard to the east, and San Diego Bay to the south and west
Negotiating Parties: Yehudi Gaffen -1HWY1, LLC; Shaun Sumner, Adam Meyer, Anthony Gordon, Lucy Contreras - SDUPD
Under Negotiations: Price and Terms

No reportable action was taken on this item.

3. 2018-0410 Closed Session Item No. 3

CONFERENCE WITH LABOR NEGOTIATOR
Government Code Section 54957.6

District Negotiator: Executive Director/President/Chief Executive Officer

Employee Organizations: California Teamsters, Public Professional & Medical Employees Union Local 911, Service, Maintenance, Operations and Crafts Unit; California Teamsters, Public Professional & Medical Employees Union Local 911, Non-Sworn Safety Personnel Unit; California Teamsters, Public Professional & Medical Employees Union Local 911, Supervisory Unit

No reportable action was taken on this item.

A Moore

Secretary, Board of Port Commissioners
San Diego Unified Port District

ATTEST:

Donna Morales

Clerk of the San Diego Unified Port District

3165 Pacific Hwy.
San Diego, CA 92101

San Diego Unified Port District

Meeting Minutes

Board of Port Commissioners

Wednesday, September 12, 2018 **10:00 AM** **Don L. Nay Port Administration Boardroom**

Revised Closed Session Agenda

A. Roll Call.

Present: 6 - Commissioner Bonelli, Chairperson Castellanos, Commissioner Malcolm, Commissioner Merrifield, Commissioner Moore, and Commissioner Zucchet

Excused: 1 - Commissioner Valderrama

Absent: 0

Commissioner Malcolm was excused until he arrived at 10:05 am.

Officers Present: Coniglio, DeAngelis, Monson, Morales, and Russell

B. Public Communications.

The following member(s) of the public addressed the Board with non agenda-related comments: None

CLOSED SESSION

Thomas A. Russell, General Counsel, announced the Closed Session items as follows:

1. 2018-0421 Closed Session Item No. 1

CONFERENCE WITH REAL PROPERTY NEGOTIATOR
Government Code Section 54956.8
Property: SDUPD - Parcels of land totaling approximately 147,642 square feet, 45,590 square feet, and 25,643 square feet located adjacent to Convention Way between Marina Park Way and Park Blvd in the City of San Diego, California
Negotiating Parties:
Fifth Avenue Landing, LLC - Arthur E. Engel and Raymond A. Carpenter
SDUPD - Lucy Contreras, Adam Meyer, Tony Gordon, Shaun Sumner

Under Negotiations: Price and Terms

No reportable action was taken on this item.

2. 2018-0427 Closed Session Item No. 2

CONFERENCE WITH LEGAL COUNSEL - INITIATION OF LITIGATION
Pursuant to Subdivision (d)(4) Government Code Section 54956.9

Two (2) Cases

No reportable action was taken on this item.

3. 2018-0422 Closed Session Item No. 3

CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION
Significant exposure to litigation Government Code Section 54956.9(d)(2)

Two (2) Cases

No reportable action was taken on this item.

4. 2018-0424 Closed Session Item No. 4

CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
Pursuant to Subdivision (d)(1) of Government Code Section 54956.9

Enterprise Rent-A-Car Co. of Los Angeles, LLC, et al. v San Diego Unified Port District, et al.
San Diego Superior Court Case No. 37-2018-00028276-CU-MC-CTL

No reportable action was taken on this item.

5. 2018-0432 Closed Session Item No. 5

CONFERENCE WITH REAL PROPERTY NEGOTIATOR
Government Code Section 54956.8

Property: SDUPD - Parcels consisting of approximately 432,741 square feet of land area and 358,756 of water area at North side of G Street at terminus of both Quay Avenue and Sandpiper Way, Chula Vista; Parcels consisting of approximately 287,952 square feet of land area and 95,543 square feet of water area adjacent to 1313 West 24th Street, National City
Negotiating Parties: Todd Roberts and George Palermo - Marine Group Boat Works, LLC; Shaun Sumner, Tony Gordon, Adam Meyer, Lucy Contreras, Amber Jensen - SDUPD
Under Negotiations: Price and Terms

No reportable action was taken on this item.

6. 2018-0433 Closed Session Item No. 6

CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
Pursuant to Subdivision (d)(1) of Government Code Section 54956.9

San Diego Unified Port District v. California Coastal Commission, et al.
San Diego Superior Court Case No. 37-2015-00034288-CU-WM-CTL

Court of Appeal, Fourth District, Division One, Case No. D072954
(Appeal)
California Coastal Commission, *Defendant and Appellant*
v. San Diego Unified Port District, *Plaintiff and Respondent*
Sunroad Marina Partners, L.P., *Real Party in Interest*

Chairman Castellanos recused himself and did not participate in this item. No reportable action was taken on this item.

A Moore

Secretary, Board of Port Commissioners
San Diego Unified Port District

ATTEST:

Donna Morales

Clerk of the San Diego Unified Port District

3165 Pacific Hwy.
San Diego, CA 92101

San Diego Unified Port District

Meeting Minutes

Board of Port Commissioners

Wednesday, September 12, 2018 | **1:00 PM** | **Don L. Nay Port Administration Boardroom**

A. Roll Call.

Present: 6 - Commissioner Bonelli, Chairperson Castellanos, Commissioner Malcolm, Commissioner Merrifield, Commissioner Moore, and Commissioner Zucchet

Excused: 1 - Commissioner Valderrama

Absent: 0

Officers Present: Coniglio, DeAngelis, Medina, Monson, Morales, and Russell

B. Closed Session Report Out.

Thomas A. Russell, General Counsel, announced that the Board considered the items on the Closed Session Agenda and stated that no reportable action was taken. Additionally, Mr. Russell announced that Chairman Castellanos recused himself and did not participate in Closed Session Item 6 - File No. 2018-0433.

C. Pledge of Allegiance.

Commissioner Bonelli led the Pledge of Allegiance.

D. Public Communications.

Chairman Castellanos introduced Senator Ben Hueso, 40th District, State of California, and invited him to the podium. Senator Hueso presented the Port with Senate Concurrent Resolution 149 designating September 2018 as Green Port Month.

The following member(s) of the public addressed the Board with non agenda-related comments: Corchelle Worsham, Membership Services Coordinator, San Diego Port Tenants Association.

In the abundance of caution, due to the subject matter indicated by the remaining speakers, Chairman Castellanos recused himself and turned the dais to Commissioner Bonelli.

Public comment was continued. The following members addressed the Board with non agenda-related comments: Tom Lemmon, San Diego Building Trades; Ryan Karlgodt, Research Analyst, Unite Here Local 30; Kevin Heinly, Principal & Managing Director, Gensler; Steve Strauss, Attorney, Cooley LLP; and Uri Feldman, President, Sunroad.

Commissioner Malcolm provided comments.

Chairman Castellanos returned to the dais.

E. Commissioners' Reports.

Commissioner Bonelli spoke about the annual 9/11 ceremony conducted by the Port.

F. President's Report.

Randa Coniglio, President/CEO, invited Kellie Carlson, Senior Environmental Specialist, Planning & Green Port, to speak about Green Port Month. Ms. Carlson provided information regarding upcoming events and an overview of the 2018 accomplishments. Ms. Carlson then turned the presentation over to Heather Kramp, Assistant Planner, Planning & Green Port, to provide an update on the Port's Environmental Education program. Ms. Kramp then turned the presentation over to Melissa Dailey, Associate Environmental Specialist, Planning & Green Port, to present information on upcoming cleaning events. Jason Giffen, Assistant Vice President, Planning & Green Port then presented the Michelle White Environmental Awards.

Commissioner Merrifield provided comments.

Ms. Coniglio then spoke about the Small Business Enterprise Event held on Monday August 20th. Port staff provided a networking event tailored to small businesses. This event provided attendees insight into the types of products and services the Port needs. During the event attendees networked with key staff and learned valuable information on how to do business with the Port. Attendees were given information about our Capital Improvement Program and Major Maintenance program.

G. District Clerk's Announcements.

Donna Morales, District Clerk, reported that staff requested to continue the following items: Action Agenda Item 12 - File No. 2018-0420, Action Agenda Item 14 - File No. 2018-0431, and Action Agenda Item 15 - File No. 2018-0413. Additionally, Thomas A. Russell, General Counsel, requested to continue Consent Agenda Item 9 - File No. 2018-0372.

On a motion by Commissioner Malcolm, seconded by Commissioner Merrifield, the Board adopted the requested docket changes. The motion carried by the following vote:

Yeas:	6 -	Bonelli, Castellanos, Malcolm, Merrifield, Moore, and Zucchet
Nays:	0	
Excused:	1 -	Valderrama
Absent:	0	
Abstain:	0	
Recused:	0	

APPROVAL OF MINUTES

2018-0386 Approval of minutes for:
August 9, 2018 - SPECIAL CLOSED SESSION
August 14, 2018 - CLOSED SESSION
August 14, 2018 - REGULAR BPC MEETING

On a motion by Commissioner Bonelli, seconded by Commissioner Merrifield, the Board approved the minutes. The motion carried by the following vote:

Yeas: 6 - Bonelli, Castellanos, Malcolm, Merrifield, Moore, and Zucchet

Nays: 0

Excused: 1 - Valderrama

Absent: 0

Abstain: 0

Recused: 0

CONSENT AGENDA

3. 2018-0339 **RESOLUTION AUTHORIZING AMENDMENT NO. 3 TO TELECOMMUNICATIONS LICENSE AGREEMENT WITH THE IRVINE COMPANY, LLC, A DELAWARE LIMITED LIABILITY COMPANY, EXTENDING THE TERM FOR AN ADDITIONAL TWO (2) YEARS PLUS ONE (1), ONE (1) YEAR OPTION THROUGH JUNE 30, 2021 AND GRANTING INDEMNITY AND JURY TRIAL WAIVER UNDER THE TELECOMMUNICATIONS LICENSE AGREEMENT FOR ANY CLAIMS ARISING OUT OF THE USE, OPERATION, MAINTENANCE AND REPAIR OF THE TELECOMMUNICATIONS EQUIPMENT FOR THIS AGREEMENT AND FUTURE SIMILAR AGREEMENTS**

Commissioner Malcolm recused himself and did not participate in this item.

On a motion by Commissioner Merrifield, seconded by Commissioner Bonelli, the Board adopted Resolution 2018-142. The motion carried by the following vote:

Yeas: 5 - Bonelli, Castellanos, Merrifield, Moore, and Zucchet

Nays: 0

Excused: 1 - Valderrama

Absent: 0

Abstain: 0

Recused: 1 - Malcolm

Commissioner Malcolm returned to the dais.

On a motion by Commissioner Bonelli, seconded by Commissioner Zucchet, the Board adopted the remaining Consent Agenda Items, thereby adopting Resolution 2018-140; Ordinance 2927, Resolution 2018-141; Ordinance 2928; Resolution 2018-143; Resolution 2018-144; Resolution 2018-145; Resolution 2018-146 and Resolution 2018-147; Resolution 2018-148; and Ordinance 2929. The motion carried by the following vote:

Yeas: 6 - Bonelli, Castellanos, Malcolm, Merrifield, Moore, and Zucchet

Nays: 0

Excused: 1 - Valderrama

Absent: 0

Abstain: 0

Recused: 0

1. 2018-0291 **RESOLUTION APPOINTING LESLIE FREEMAN AS CHAIRPERSON OF THE PERSONNEL ADVISORY BOARD FROM SEPTEMBER 2, 2018 TO SEPTEMBER 1, 2019**

On a motion by Commissioner Bonelli, seconded by Commissioner Zucchet, the Board adopted Resolution 2018-140 as part of the Consent Agenda.

2. 2018-0334 **SCHEDULE OF COMPENSATION**

A)ORDINANCE ESTABLISHING A SCHEDULE OF COMPENSATION FOR ALL OFFICERS AND EMPLOYEES OF THE SAN DIEGO UNIFIED PORT DISTRICT

B) RESOLUTION AMENDING THE SAN DIEGO UNIFIED PORT DISTRICT DIRECTORY OF CLASSIFICATION SPECIFICATIONS FOR FY 18/19

On a motion by Commissioner Bonelli, seconded by Commissioner Zucchet, the Board adopted Ordinance 2927 and Resolution 2018-141 as part of the Consent Agenda.

4. 2018-0340 **ORDINANCE GRANTING A ONE (1) YEAR LEASE WITH NINETEEN (19) ADDITIONAL ONE (1) YEAR OPTION PERIODS TO THE UNITED STATES OF AMERICA, ACTING THROUGH THE UNITED STATES COAST GUARD, FOR THE OPERATION OF A REAR RANGE LIGHT LOCATED AT THE WEST END OF SHELTER ISLAND IN THE CITY OF SAN DIEGO**

On a motion by Commissioner Bonelli, seconded by Commissioner Zucchet, the Board adopted Ordinance 2928 as part of the Consent Agenda.

5. 2018-0343 **RESOLUTION SELECTING AND AUTHORIZING AN AGREEMENT WITH AGREEYA SOLUTIONS, INC. FOR INTERNAL INTRANET REDESIGN, DEVELOPMENT, IMPLEMENTATION, AND MAINTENANCE SERVICES FOR TWO YEARS IN AN AMOUNT NOT TO EXCEED $394,000. FY2019 EXPENDITURES ARE BUDGETED. FUNDS REQUIRED FOR FUTURE FISCAL YEARS WILL BE BUDGETED IN THE APPROPRIATE FISCAL YEAR, SUBJECT TO BOARD APPROVAL UPON ADOPTION OF EACH FISCAL YEAR'S BUDGET**

On a motion by Commissioner Bonelli, seconded by Commissioner Zucchet, the Board adopted Resolution 2018-143 as part of the Consent Agenda.

6. 2018-0357 **RESOLUTION AUTHORIZING AN ASSIGNMENT AND ASSUMPTION OF THE SPONSORSHIP AGREEMENT WITH EXTREME SAN DIEGO, LLC TO EXTREME SAILING SAN DIEGO, LLC FOR THE OCTOBER 2018 EXTREME SAILING SERIES, CLERK'S DOCUMENT NO. 68444, AND ADOPTED BY RESOLUTION 2018-064**

On a motion by Commissioner Bonelli, seconded by Commissioner Zucchet, the Board adopted Resolution 2018-144 as part of the Consent Agenda.

7. 2018-0369 **RESOLUTION AMENDING BOARD OF PORT COMMISSIONERS (BPC) POLICY No. 371, RECORDS RETENTION POLICY AND RENAMING THE POLICY TO RECORDS AND INFORMATION MANAGEMENT POLICY**

On a motion by Commissioner Bonelli, seconded by Commissioner Zucchet, the Board adopted Resolution 2018-145 as part of the Consent Agenda.

8. 2018-0371 **EMERGENCY MARINE FENDER REPLACEMENT AT BROADWAY PIER**

A) RESOLUTION BY A FOUR-FIFTHS VOTE AUTHORIZING CONTINUED ACTION FOR THE EMERGENCY MARINE FENDER REPLACEMENT AT BROADWAY PIER

B) RESOLUTION APPROVING THE TRANSFER OF FUNDS WITHIN THE FY 2018-19 BUDGET FROM DISTRICT CONTINGENCY TO CAPITAL MAJOR MAINTENANCE CONTINGENCY IN THE AMOUNT OF $250,000 PURSUANT TO BOARD POLICY 90, AND ALLOCATING FUTURE REIMBURSEMENT FROM VESSEL OPERATOR AND INSURANCE PROCEEDS TO DISTRICT CONTINGENCY

On a motion by Commissioner Bonelli, seconded by Commissioner Zucchet, the Board adopted Resolution 2018-146 and Resolution 2018-147 as part of the Consent Agenda.

9. 2018-0372 **ORDINANCE AMENDING ARTICLE 10 OF THE SAN DIEGO UNIFIED PORT DISTRICT CODE, STORMWATER MANAGEMENT AND DISCHARGE CONTROL, TO MAKE EDITORIAL AND CLARIFYING CHANGES IN CONFORMANCE WITH SAN DIEGO REGIONAL WATER QUALITY CONTROL BOARD ORDER NO. R9-2013-0001 (MUNICIPAL PERMIT)**

This Item was continued to a future Board meeting.

10. 2018-0379 **RESOLUTION CONSENTING TO A SUBLEASE BETWEEN LFS DEVELOPMENT, LLC, A DELAWARE LIMITED LIABILITY COMPANY, DBA INTERCONTINENTAL HOTEL AND GELATO & CO., A CALIFORNIA CORPORATION, DBA GELATO & FRIENDS, FOR A TEN (10) YEAR TERM WITH ONE (1) FIVE (5) YEAR OPTION, WITH CONDITIONS**

On a motion by Commissioner Bonelli, seconded by Commissioner Zucchet, the Board adopted Resolution 2018-148 as part of the Consent Agenda.

11. 2018-0381 **ORDINANCE GRANTING AMENDMENT NO. 1 TO LEASE WITH DRISCOLL, INC. AT 2702 SHELTER ISLAND DRIVE TO EXTEND THE CONSTRUCTION COMPLETION DEADLINE OF THE LEASE TO JANUARY 1, 2019**

On a motion by Commissioner Bonelli, seconded by Commissioner Zucchet, the Board adopted Ordinance 2929 as part of the Consent Agenda.

ACTION AGENDA

12. 2018-0420 **RESOLUTION AUTHORIZING BLUE ECONOMY INCUBATOR AGREEMENT WITH PACIFIC OCEAN AQUAFARMS, LLC (POA) FOR DISTRICT TO COOPERATE IN POA'S FEDERAL PERMIT APPLICATION AND NATIONAL ENVIRONMENTAL PROTECTION ACT (NEPA) REVIEW PROCESSES FOR POA'S PROPOSED PROJECT DEMONSTRATING SUSTAINABLE OFFSHORE AQUACULTURE IN FEDERAL WATERS**

This Item was continued to a future Board meeting.

13. 2018-0380 **NAVY PIER MAJOR MAINTENANCE AND REDEVELOPMENT**

A) **PRESENTATION OF THE TEN-YEAR MAJOR MAINTENANCE PLAN FOR NAVY PIER AND TIMELINE ON PLANNING PROCESS FOR FUTURE REDEVELOPMENT OF NAVY PIER**

B) **RESOLUTION APPROVING TRANSFER OF FUNDS FROM THE FY2018/19 CAPITAL MAJOR MAINTENANCE CONTINGENCY TO THE STRUCTURAL REPAIRS TO NAVY PIER PROJECT IN THE AMOUNT OF $350,000.00 PURSUANT TO BPC POLICY**

NO. 90

C) RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AWARDING CONTRACT NO. 2016-37 TO REYES CONSTRUCTION, INC. IN THE AMOUNT OF $3,585,140.00 FOR THE STRUCTURAL REPAIRS TO NAVY PIER PROJECT AS AUTHORIZED BY THE BOARD IN THE FY2018/19 MAJOR MAINTENANCE BUDGET

Ernesto Medina, Chief Engineer, Engineering-Construction, addressed the Board with staff's report and presentation regarding Action Agenda Item 13 - File No. 2018-0380 (A copy of the staff report, presentations and any agenda-related materials are on file with the Office of the District Clerk). Mr. Medina then turned the presentation over to Lesley Nishihira, Director, Planning, to review the upcoming planning process for the pier as part of the Port Master Plan Update. Ms. Nishihira then turned the presentation over to Christopher McGrath, Program Manager, Engineering, to discuss the Asset Management Program. Mr. McGrath then turned the presentation over to Noemi Aquino, Associate Engineer, Engineering, to discuss the first proposed project in the series. Ms. Aquino then turned the presentation back to Mr. Medina to discuss staff's recommendations.

The following member(s) of the public addressed the Board with agenda-related comments: None

Commissioner Bonelli, Commissioner Merrifield, Commissioner Moore, Commissioner Malcolm, and Chairman Castellanos provided comments and asked clarifying questions. Mr. Medina, Ken Wallis, Director, Port as a Service, Lesley Nishihira, Rebecca Harrington, Senior Deputy General Counsel, General Counsel's Office, Taylor Stack, Asset Manager, Real Estate, Kristine Love, Parking Manager, Port as a Service, and Tony Gordon, Director, Real Estate, responded on behalf of staff.

On a motion by Commissioner Merrifield, seconded by Commissioner Bonelli, the Board adopted Resolution 2018-149 and Resolution 2018-150. The motion carried by the following vote:

Yeas: 6 - Bonelli, Castellanos, Malcolm, Merrifield, Moore, and Zucchet

Nays: 0

Excused: 1 - Valderrama

Absent: 0

Abstain: 0

Recused: 0

14. 2018-0431 A) RESOLUTION AUTHORIZING AMENDED AND RESTATED JOINT EXERCISE OF POWERS AGREEMENT BETWEEN THE DISTRICT AND THE CITY OF CHULA VISTA (CITY) FOR THE CHULA VISTA BAYFRONT FACILITIES FINANCING AUTHORITY TO REFLECT CHANGES IN THE AMENDED AND RESTATED FINANCING AGEEMENT BETWEEN THE DISTRICT AND THE CITY DATED JUNE 20, 2017, AND CORRECT OTHER NON-SUBSTANTIVE CHANGES

B) RESOLUTION APPOINTING [_____] AND [_____] TO THE BOARD OF THE CHULA VISTA BAYFRONT FACILITIES FINANCING AUTHORITY, WITH CONDITIONS

The Board will consider staff's request to continue this item to a future Board meeting.

This Item was continued to a future Board meeting.

15. 2018-0413 **PRESENTATION OF THE SAN DIEGO UNIFIED PORT DISTRICT EQUAL OPPORTUNITY PROGRAM ANNUAL REPORT FOR FISCAL YEAR 17/18**

The Board will consider staff's request to continue this item to a future Board meeting.

This Item was continued to a future Board meeting.

16. 2018-0331 **REVIEW AND CONSIDERATION OF DRAFT PROPOSED BOARD AGENDA FOR THE OCTOBER 9, 2018 MEETING**

On a motion by Commissioner Bonelli, seconded by Commissioner Zucchet, the Board adopted the proposed agenda for October. The motion carried by the following vote:

Yeas: 6 - Bonelli, Castellanos, Malcolm, Merrifield, Moore, and Zucchet

Nays: 0

Excused: 1 - Valderrama

Absent: 0

Abstain: 0

Recused: 0

PUBLIC HEARING AGENDA

17. 2018-0390 **COSTA VISTA RV RESORT AT CHULA VISTA BAYFRONT:**

A) CONDUCT PUBLIC HEARING AND ADOPT RESOLUTION RE-AUTHORIZING ISSUANCE OF AN APPEALABLE COASTAL DEVELOPMENT PERMIT TO SUN COMMUNITIES, INC. FOR THE COSTA VISTA RV RESORT REVISED PROJECT, CONDITIONED ON SATISFACTION OF CERTAIN CONDITIONS PRECEDENT

B) RESOLUTION RESCINDING BOARD RESOLUTION 2018-070 AUTHORIZING ISSUANCE OF AN APPEALABLE COASTAL DEVELOPMENT PERMIT FOR THE COSTA VISTA RV RESORT

PROJECT CONDITIONED ON SATISFACTION OF CERTAIN CONDITIONS PRECEDENT

Wileen Manaois, Director, Development Services, addressed the Board with staff's report and presentation regarding Action Agenda Item 17 - File No. 2018-0390 (A copy of the staff report, presentations and any agenda-related materials are on file with the Office of the District Clerk). Ms. Manaois then turned the presentation over to Austin Silva, Associate Planner, Development Services, to provide a project overview, key milestones, and staff recommendations.

Commissioner Bonelli asked clarifying questions. Stephanie Shook, Program Manager, Real Estate, responded on behalf of staff.

Chairman Castellanos opened the Public Hearing for public comment. No public came forward to speak.

Chairman Castellanos and Commissioner Merrifled provided comments.

On a motion by Commissioner Moore, seconded by Commissioner Malcolm, the Board adopted Resolution 2018-151 and Resolution 2018-152. The motion carried by the following vote:

Yeas: 6 - Bonelli, Castellanos, Malcolm, Merrifield, Moore, and Zucchet

Nays: 0

Excused: 1 - Valderrama

Absent: 0

Abstain: 0

Recused: 0

OFFICER'S REPORT

18. 2018-0415 **OFFICER'S REPORT**

MONTHLY NOTIFICATION OF CHANGE ORDERS PURSUANT TO BPC POLICY NO. 110:

A) Change Order No. 1 to Contract No. 2018-03R with Conan Construction, Inc. / 41 Calendar Day Time Reduction thru 06/30/18

MONTHLY NOTIFICATION OF COST RECOVERY USER FEE WAIVERS GRANTED BY THE EXECUTIVE DIRECTOR PURSUANT TO BPC POLICY NO. 106:

None to Report

MONTHLY NOTIFICATION OF RENT REVIEWS CONSENTED TO ADMINISTRATIVELY PURSUANT TO BPC POLICY NO. 355 AS

AMENDED ON JANUARY 10, 2017:

None to Report

MONTHLY NOTIFICATION OF ENCUMBRANCES CONSENTED TO ADMINISTRATIVELY PURSUANT TO BPC POLICY NO. 355 AS AMENDED ON JANUARY 10, 2017:

None to Report

MONTHLY NOTIFICATION OF LEASE AMENDMENTS CONSENTED TO ADMINISTRATIVELY PURSUANT TO BPC POLICY NO. 355 AS AMENDED ON JANUARY 10, 2017:

A) Amended, Restated, and Combined Lease to Old Town Trolley Tours of San Diego, Inc. for Operation of Amphibious Seal Tours and Trolley Tours in the San Diego Bay, and Ticket Sales Kiosk thru 11/30/24

A Moore

Secretary, Board of Port Commissioners
San Diego Unified Port District

ATTEST:

Donna Morales

Clerk of the San Diego Unified Port District

3165 Pacific Hwy.
San Diego, CA 92101

San Diego Unified Port District

Meeting Minutes

Board of Port Commissioners

Tuesday, October 9, 2018 | **10:00 AM** | **Don L. Nay Port Administration Boardroom**

Closed Session

A. Roll Call.

Present: 5 - Commissioner Bonelli, Chairperson Castellanos, Commissioner Merrifield, Commissioner Valderrama, and Commissioner Zucchet

Excused: 2 - Commissioner Malcolm, and Commissioner Moore

Absent: 0

Commissioner Merrifield was excused until he arrived at 10:10 am.

Officers Present: Coniglio, DeAngelis, Monson, Morales, and Russell

B. Public Communications.

The following member(s) of the public addressed the Board with non agenda-related comments: None

CLOSED SESSION

Thomas A. Russell, General Counsel, announced the Closed Session items as follows:

1. 2018-0469 Closed Session Item No. 1

THREAT TO PUBLIC SERVICES OR FACILITIES
Government Code Section 54957

Consultation with San Diego Harbor Police Department; Assistant Chief of Police, Homeland Security Program Manager - SDUPD

No reportable action was taken on this item.

2. 2018-0452 Closed Session Item No. 2

CONFERENCE WITH REAL PROPERTY NEGOTIATOR
Government Code Section 54956.8
Property: SDUPD - Parcels of land totaling approximately 147,642 square feet, 45,590 square feet, and 25,643 square feet located adjacent to

Convention Way between Marina Park Way and Park Blvd in the City of San Diego, California
Negotiating Parties:
Fifth Avenue Landing, LLC - Arthur E. Engel and Raymond A. Carpenter
SDUPD - Lucy Contreras, Adam Meyer, Tony Gordon, Shaun Sumner

Under Negotiations: Price and Terms

No reportable action was taken on this item.

3. 2018-0453 Closed Session Item No. 3

CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION
Significant exposure to litigation Government Code Section 54956.9(d)(2)

One (1) Case

No reportable action was taken on this item.

4. 2018-0466 Closed Session Item No. 4

CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
Pursuant to Subdivision (d)(1) of Government Code Section 54956.9

Enterprise Rent-A-Car Co. of Los Angeles, LLC, et al. v San Diego Unified Port District, et al.
San Diego Superior Court Case No. 37-2018-00028276-CU-MC-CTL

No reportable action was taken on this item.

5. 2018-0451 Closed Session Item No. 5

CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
Pursuant to Subdivision (d)(1) of Government Code Section 54956.9

San Diego Unified Port District v. California Coastal Commission, et al.
San Diego Superior Court Case No. 37-2015-00034288-CU-WM-CTL

Court of Appeal, Fourth District, Division One, Case No. D072954
(Appeal)
California Coastal Commission, Defendant and Appellant
v. San Diego Unified Port District, Plaintiff and Respondent
Sunroad Marina Partners, L.P., Real Party in Interest

Chairman Castellanos recused himself and did not participate in this item. No reportable action was taken on this item.

6. 2018-0467 Closed Session Item No. 6

CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
Pursuant to Subdivision (d)(1) of Government Code Section 54956.9

San Diego Unified Port District v. Landmark Insurance Company, et al.
United States District Court Case No. 15-CV-1401 BEN-MDD

No reportable action was taken on this item.

7. 2018-0450 Closed Session Item No. 7

CONFERENCE WITH LEGAL COUNSEL - INITIATION OF LITIGATION
Pursuant to Subdivision (d)(4) Government Code Section 54956.9

One (1) Case

No reportable action was taken on this item.

A Moore

Secretary, Board of Port Commissioners
San Diego Unified Port District

ATTEST:

Donna Morales

Clerk of the San Diego Unified Port District

3165 Pacific Hwy.
San Diego, CA 92101

San Diego Unified Port District

Meeting Minutes

Board of Port Commissioners

Tuesday, October 9, 2018 | **1:00 PM** | **Don L. Nay Port Administration Boardroom**

A. Roll Call.

Present: 5 - Commissioner Bonelli, Chairperson Castellanos, Commissioner Merrifield, Commissioner Valderrama, and Commissioner Zucchet

Excused: 2 - Commissioner Malcolm, and Commissioner Moore

Absent: 0

Officers Present: Coniglio, DeAngelis, Medina, Monson, Morales, and Russell

B. Closed Session Report Out.

Thomas A. Russell, General Counsel, announced that the Board considered the items on the Closed Session Agenda. With respect to Agenda Item 5 - File No. 2018-0451 Commissioner Castellanos recused himself and did not participate in the item. No reportable action was taken.

C. Pledge of Allegiance.

Commissioner Merrifield led the Pledge of Allegiance.

D. Public Communications.

The following members of the public addressed the Board with non agenda-related comments: Ray Ashley, President/CEO, San Diego Maritime Museum; Yehudi Gaffen, Partner, Protea Properties; and Bjarke Ingels, Bjarke Ingels Group (BIG).

Commissioner Merrifield and Chairman Castellanos provided comments.

E. Commissioners' Reports.

Commissioner Zucchet, Commissioner Merrifield and Chairman Castellanos reported out on their trip to Washington D.C. as part of the annual San Diego Regional Chamber of Commerce's "One Region, One Voice, Mission to Washington D.C."delegation. Highlights included a security briefing at the Pentagon and a tour of the White House; a meeting with NOAA (National Oceanic and Atmospheric Agency) to discuss the Port's Blue Economy initiatives and projects; a meeting with the Department of the Navy to discuss sea level rise and resiliency; and a meeting with the Department of Transportation regarding the potential of future funding for major projects.

Commissioner Bonelli spoke about the San Diego Forward Network Concepts survey currently being conducted by SANDAG (San Diego Association of Governments) as part of their regional transportation plan update 2019 - 2050. There are three big transportation pieces in this survey: transit, highway/local streets, and technology. This survey provides the public an opportunity to give input in the development of the plan and shaping the future of transportation in our region. Commissioner Bonelli provided the link to the survey (SDForward.com/survey) and informed everyone that the survey ends October 31, 2018.

F. President's Report.

Randa Coniglio, President/CEO began with a tribute to honor the memory of Jack Dietenhofer, Terminal Manager for SSA at Tenth Avenue Marine Terminal. Ms. Coniglio then invited Joel Valenzuela, Director, Maritime, to the podium to say a few words and present a plaque to Mr. Dietenhofer's family recognizing his many contributions to the Port during his 27 years working at the Marine Terminal.

Ms. Coniglio then announced that the Port received a Gold Tier Diamond Award for Excellence in Commuter Programs as part of SANDAG's iCommute Diamond Award Program. The Port was recognized for instituting practices that encourage alternative forms of transportation to and from work.

Also, the Port received two merit awards for documents produced for the Pond 20 Wetland Mitigation Bank entitlement process from the San Diego Association of Environmental Professionals. The first award was for the South San Diego Bay Wetlands Mitigation Bank Prospectus for Outstanding Innovation in Green Planning and Design, the second was for the Pond 20 Wetland Delineation Report for an Outstanding Technical Report.

Ms. Coniglio also announced that on September 28 the Port teamed with the San Diego Audubon Society to conduct a cleanup of the Pond 20 area. Over 500 pounds of trash was removed. This was an outstanding wrap-up of the Port's annual Green Port Month.

Ms. Coniglio then spoke about the September 13 official grand opening of the Port's newest waterfront hotel, the InterContinental. Ms. Coniglio thanked the development team: Shaun Sumner, Tony Gordon, Stephanie Shook, James Hammel, Wileen Manois, Robert Amezquita, and Dave Catalino for their hard work. A short video was then presented.

G. District Clerk's Announcements.

Donna Morales, District Clerk, reported that staff requested to continue the following items: Consent Agenda Item 1 - File No. 2018-0473; Consent Agenda Item 2 - File No. 2018-0335; and Action Item 14 - File No. 2018-0472.

On a motion by Commissioner Merrifield, seconded by Commissioner Zucchet, the Board adopted the requested docket changes. The motion carried by the following vote:

Yeas: 5 - Bonelli, Castellanos, Merrifield, Valderrama, and Zucchet

Nays: 0

Excused: 2 - Malcolm, and Moore

Absent: 0

Abstain: 0

Recused: 0

APPROVAL OF MINUTES

2018-0456 Approval of minutes for:
August 27, 2018 - SPECIAL CLOSED SESSION
September 12, 2018 - CLOSED SESSION
September 12, 2018 - REGULAR BPC MEETING

On a motion by Commissioner Bonelli, seconded by Commisioner Merrifield, the Board approved the minutes. The motion carried by the following vote:

Yeas: 4 - Bonelli, Castellanos, Merrifield, and Zucchet

Nays: 0

Excused: 2 - Malcolm, and Moore

Absent: 0

Abstain: 1 - Valderrama

Recused: 0

CONSENT AGENDA

Consent Agenda Item 8 - File No. 2018-0444 was pulled to Action Agenda.

On a motion by Commissioner Bonelli, seconded by Commissioner Zucchet, the Board adopted the remaining Consent Agenda Items, thereby adopting Resolution 2018-153; Resolution 2018-154; Resolution 2018-155; Resolution 2018-156; Resolution 2018-157; Ordinance 2931; and Resolution 2018-158. The motion carried by the following vote:

Yeas: 5 - Bonelli, Castellanos, Merrifield, Valderrama, and Zucchet

Nays: 0

Excused: 2 - Malcolm, and Moore

Absent: 0

Abstain: 0

Recused: 0

1. 2018-0473 ORDINANCE AMENDING DISTRICT CODE 4.09 OF THE SAN DIEGO UNIFIED PORT DISTRICT CODE - REGULATION OF VESSELS - G STREET MOLE MOORING TO IMPLEMENT COMMERCIAL FISHING INDUSTRY BEST PRACTICES INCLUDING: VERIFICATION OF FISH LANDING RECEIPTS; MARINE INSURANCE LIABILITY REQUIREMENTS

FOR NEW PERMITEES AND INTRANSIT COMMERCIAL FISHERMET

The Board will consider staff's request to continue this item to a future Board meeting.

This item was continued to a future Board meeting.

2. 2018-0335 A) RESOLUTION AUTHORIZING AMENDMENT NO.1 TO THE AS-NEEDED AGREEMENTS WITH TUCKER SADLER ARCHITECTS, INC. AND SILLMAN WRIGHT ARCHITECTS FOR ARCHITECTURAL AND ADA CODE COMPLIANCE REVIEW SERVICES, INCREASING THE AGGREGATE TOTAL BY $250,000 FROM $500,000 TO $750,000 WITH NO INCREASE REQUIRED TO THE FY2019 BUDGET.
B) RESOLUTION AUTHORIZING AMENDMENT NO.1 TO THE AS-NEEDED AGREEMENTS WITH KTU+A AND SCHMIDT DESIGN GROUP, INC. FOR LANDSCAPE ARCHITECTURE SERVICES INCREASING THE AGGREGATE TOTAL BY $300,000 FROM $200,000 TO $500,000 WITH NO INCREASE REQUIRED TO THE FY2019 BUDGET.

This item was continued to a future Board meeting.

3. 2018-0414 RESOLUTION APPROVING PROCLAMATION IN RECOGNITION OF OCTOBER 2018 AS "CELEBRATION OF THE ARTS MONTH" IN SUPPORT OF NATIONAL ARTS AND HUMANITIES MONTH.

On a motion by Commissioner Bonelli, seconded by Commissioner Zucchet, the Board adopted Resolution 2018-153 as part of the Consent Agenda.

4. 2018-0418 RESOLUTION AUTHORIZING AMENDMENT NO. 3 TO AGREEMENT WITH WOOD ENVIRONMENTAL & INFRASTRUCTURE SOLUTIONS, INC., AND AMENDMENT NO. 2 TO AGREEMENTS WITH DUDEK, AND WESTON SOLUTIONS, INC. FOR AS-NEEDED ENVIRONMENTAL ANALYTICAL SERVICES, INCREASING THE AGREEMENTS' AMOUNT BY $600,000 WHICH INCREASES THE AGGREGATE TOTAL OF THE AGREEMENTS FROM $1,170,000 TO 1,770,000 AND EXTENDING THE AGREEMENTS' EXPIRATION DATES FROM APRIL 11, 2020 TO JULY 31, 2020; FY 2019 EXPENDITURES, IF NEEDED, ARE BUDGETED. FUNDS REQUIRED FOR FUTURE FISCAL YEARS WILL BE BUDGETED IN APPROPRIATE FISCAL YEAR, SUBJECT TO BOARD APPROVAL UPON ADOPTION OF EACH FISCAL YEAR'S BUDGET

On a motion by Commissioner Bonelli, seconded by Commissioner Zucchet, the Board adopted Resolution 2018-154 as part of the Consent Agenda.

5. 2018-0419 RESOLUTION GRANTING INDEMNITY PURSUANT TO A CONSTRUCTION MAINTENANCE AGREEMENT WITH THE SAN DIEGO AND ARIZONA EASTERN RAILWAY COMPANY FOR THE SAN DIEGO UNIFIED PORT DISTRICT'S IMPLEMENTATION OF THE

SWEETWATER BICYCLE PATH AND PROMENADE PROJECT AND E STREET AT-GRADE CROSSING IN CHULA VISTA.

On a motion by Commissioner Bonelli, seconded by Commissioner Zucchet, the Board adopted Resolution 2018-155 as part of the Consent Agenda.

6. 2018-0428 RESOLUTION AUTHORIZING A SINGLE SOURCE AGREEMENT, IN ACCORDANCE WITH BOARD POLICY 110 II.H, FROM JANUARY 1, 2019 UNTIL DECEMBER 31, 2021 WITH CARPI & CLAY, INC. FOR FEDERAL LEGISLATIVE CONSULTING SERVICES FOR AN AMOUNT NOT TO EXCEED $375,000. FUNDS FOR THE CURRENT FISCAL YEAR ARE BUDGETED; ALL FUNDS REQUIRED FOR FUTURE FISCAL YEARS WILL BE BUDGETED IN THE APPROPRIATE FISCAL YEAR, SUBJECT TO BOARD APPROVAL UPON ADOPTION OF EACH FISCAL YEAR'S BUDGET

On a motion by Commissioner Bonelli, seconded by Commissioner Zucchet, the Board adopted Resolution 2018-156 as part of the Consent Agenda.

7. 2018-0430 RESOLUTION CONSENTING TO A SUBLEASE BETWEEN LFS DEVELOPMENT, LLC, AND HOTEL CIRCLE CONVENIENCE, LLC, FOR A TEN-YEAR TERM WITH ONE FIVE-YEAR OPTION, WITH CONDITIONS

On a motion by Commissioner Bonelli, seconded by Commissioner Zucchet, the Board adopted Resolution 2018-157 as part of the Consent Agenda.

9. 2018-0462 ORDINANCE AMENDING ARTICLE 10 OF THE SAN DIEGO UNIFIED PORT DISTRICT CODE, STORMWATER MANAGEMENT AND DISCHARGE CONTROL, TO MAKE EDITORIAL AND CLARIFYING CHANGES IN CONFORMANCE WITH SAN DIEGO REGIONAL WATER QUALITY CONTROL BOARD ORDER NO. R9-2013-0001 (MUNICIPAL PERMIT)

On a motion by Commissioner Bonelli, seconded by Commissioner Zucchet, the Board adopted Ordinance 2931 as part of the Consent Agenda.

10. 2018-0470 RESOLUTION AUTHORIZING PURCHASE ORDER NOT TO EXCEED $500,000 AND SERVICE AGREEMENT NOT TO EXCEED $250,000 FOR INITIAL PURCHASE, IMPLEMENTATION, LICENSING, AND MAINTENANCE OF NETWORK SECURITY EQUIPMENT AND SYSTEM WITH A FIVE YEAR TOTAL COST OF OWNERSHIP OF $750,000. FY2019 EXPENDITURES ARE BUDGETED. FUNDS REQUIRED FOR FUTURE FISCAL YEARS WILL BE BUDGETED IN THE APPROPRIATE FISCAL YEAR, SUBJECT TO BOARD APPROVAL UPON ADOPTION OF EACH FISCAL YEAR'S BUDGET.

On a motion by Commissioner Bonelli, seconded by Commissioner Zucchet, the Board adopted Resolution 2018-158 as part of the Consent Agenda.

ACTION AGENDA

8. 2018-0444 ORDINANCE GRANTING AN AMENDED, RESTATED AND COMBINED LEASE WITH BARTELL HOTELS, A CALIFORNIA LIMITED PARTNERSHIP, TO COMBINE THE BEST WESTERN ISLAND PALMS AND ISLAND PALMS WEST LEASES, UPDATE LEASE PROVISIONS, AND EFFECTIVELY EXTEND THE TERM OF THE BEST WESTERN ISLAND PALMS LEASE BY 9 YEARS AND 5 MONTHS FOR AN EXTENSION FEE OF $1.4 MILLION

This item was pulled from consent.

The following member(s) of the public addressed the Board with agenda-related comments: None

Chairman Castellanos, and Commissioner Merrifield provided comments.

On a motion by Commissioner Valderrama, seconded by Commissioner Merrifield, the Board adopted Ordinance 2930. The motion carried by the following vote:

Yeas: 5 - Bonelli, Castellanos, Merrifield, Valderrama, and Zucchet

Nays: 0

Excused: 2 - Malcolm, and Moore

Absent: 0

Abstain: 0

Recused: 0

11. 2018-0416 PRESENTATION AND UPDATE ON THE SAN DIEGO OCEAN PLANNING PARTNERSHIP: WEB MAPPING APPLICATION PREVIEW

Jason Giffen, Assistant Vice President, Planning & Green Port, addressed the Board with staff's report and presentation regarding Action Agenda Item 11 - File No. 2018-0416 (A copy of the staff report, presentations and any agenda-related materials are on file with the Office of the District Clerk). Mr. Giffen then turned the presentation over to Maren Farnum, California State Lands Commission, to discuss the unique partnership between the Port and the California State Lands Commission as well as the public engagement efforts. Ms. Farnum then turned the presentation to Heather Kramp, Assistant Planner, Environmental Conservation, to discuss the data collection efforts and the web mapping application. Ms. Kramp then turned the presentation over to Chris Packer, California State Lands Commission, to provide a preview of the web mapping application. Mr. Packer then turned the presentation over to Lily Tsukayama, Assistant Planner, Planning, to discuss the timeline for the public release of the web mapping application.

Commissioner Merrifield and Chairman Castellanos provided comments and asked clarifying questions. Ms. Tsukayama, Mr. Packer, Ms. Farnum, and Mr. Giffen, responded on behalf of staff and State Lands Commission.

12. 2018-0289 PRESENTATION OF THE SAN DIEGO UNIFIED PORT DISTRICT EQUAL OPPORTUNITY PROGRAM ANNUAL REPORT FOR FISCAL YEAR 17/18

Shirley Hirai, Manager, Equal Opportunity, addressed the Board with staff's report and presentation regarding Action Agenda Item 12 - File No. 2018-0289 (A copy of the staff report, presentations and any agenda-related materials are on file with the Office of the District Clerk).

Commissioner Bonelli, Commissioner Valderrama, Commisisoner Merrifield, and Chairman Castellanos provided comments and asked clarifying questions. Ms. Hirai responded on behalf of staff.

13. 2018-0429 RESOLUTION ADOPTING THE 2018-2022 SAN DIEGO UNIFIED PORT DISTRICT LEGISLATIVE PLATFORM

Job Nelson, Assistant Vice President, External Relations, addressed the Board with staff's report and presentation regarding Action Agenda Item 13 - File No. 2018-0429 (A copy of the staff report, presentations and any agenda-related materials are on file with the Office of the District Clerk). Mr. Nelson then turned the presentation over to David Yow, Legislative Policy Administrator, Government & Civic Relations to outline the legislative platform. Mr. Yow began with clarifying for the record that the incorrect date range for the COMPASS Strategic Plan was listed on the fourth bullet point in the Executive Summary on the agenda sheet, and the correct date range is 2012-2017. Mr. Yow then continued with discussing the legislative outline.

The following member(s) of the public addressed the Board with agenda-related comments: None

Commissioner Bonelli, and Chairman Castellanos, provided comments and asked clarifying questions. Mr. Nelson responded on behalf of staff.

On a motion by Commissioner Zucchet, seconded by Commissioner Bonelli, the Board adopted Resolution 2018-159. The motion carried by the following vote:

Yeas: 5 - Bonelli, Castellanos, Merrifield, Valderrama, and Zucchet

Nays: 0

Excused: 2 - Malcolm, and Moore

Absent: 0

Abstain: 0

Recused: 0

14. 2018-0472 RESOLUTION ELECTING CHAIRPERSON, VICE CHAIRPERSON AND SECRETARY OF THE BOARD OF PORT COMMISSIONERS OF THE SAN DIEGO UNIFIED PORT DISTRICT FOR CALENDAR YEAR 2019

The Board will consider staff's request to continue this item to a future Board meeting.

This item was continued to a future Board meeting.

15. 2018-0370 REVIEW AND CONSIDERATION OF DRAFT PROPOSED BOARD AGENDA FOR THE NOVEMBER 6, 2018 MEETING

On a motion by Commissioner Bonelli, seconded by Commissioner Valderrama, the Board adopted the proposed agenda for November. The motion carried by the following vote:

Yeas:	5 -	Bonelli, Castellanos, Merrifield, Valderrama, and Zucchet
Nays:	0	
Excused:	2 -	Malcolm, and Moore
Absent:	0	
Abstain:	0	
Recused:	0	

A Moore

Secretary, Board of Port Commissioners
San Diego Unified Port District

ATTEST:

Donna Morales

Clerk of the San Diego Unified Port District,

San Diego Unified Port District

3165 Pacific Hwy.
San Diego, CA 92101

Special Meeting Minutes

Board of Port Commissioners

Thursday, November 1, 2018 | **2:00 PM** | **Don L. Nay Port Administration Boardroom**

PMPU Workshop

A. Roll Call.

Present: 6 - Commissioner Bonelli, Chairperson Castellanos, Commissioner Malcolm, Commissioner Merrifield, Commissioner Moore, and Commissioner Valderrama

Excused: 1 - Commissioner Zucchet

Absent: 0

Officers Present: Coniglio, DeAngelis, Medina, Monson, Morales, and Russell.

B. Pledge of Allegiance.

Commissioner Malcolm led the Pledge of Allegiance.

C. Public Communications.

The following member(s) of the public addressed the Board with non agenda-related comments: None

ACTION AGENDA

1. 2018-0488 RESOLUTION AUTHORIZING ENTERING INTO AN AGREEMENT THAT THE CITIZENS INITIATIVE "FOR A BETTER SAN DIEGO" HAS QUALIFIED AS A BALLOT MEASURE AND THAT THE CORRESPONDING CONDITIONS PRECEDENT IN THE PURCHASE AND SALE AGREEMENT (SECTIONS 6.1.1 AND 7.2.1) ENTERED INTO BY AND AMONG THE SAN DIEGO UNIFIED PORT DISTRICT, THE CITY OF SAN DIEGO AND FIFTH AVENUE LANDING, LLC HAVE BEEN SATISIFIED.

Lucy Contreras, Program Manager, Real Estate, addressed the Board with staff's report and presentation regarding Action Agenda Item 1 - File No. 2018-0488 (A copy of the staff report, presentations and any agenda-related materials are on file with the Office of the District Clerk).

The following member(s) of the public addressed the Board with agenda-related comments: None.

Commissioner Malcolm, Commissioner Moore, Commissioner Merrifield, Commissioner Valderrama, and Chairman Castellanos, provided comments and asked clarifying questions. Felipe Monroig, Deputy Chief of Staff & Strategic Initiatives, City of San Diego, and Rebecca Harrington, Senior Deputy General Counsel, Port of San Diego, responded.

On a motion by Commissioner Merrifield, seconded by Commissioner Bonelli, the Board adopted Resolution 2018-160. The motion carried by the following vote:

Yeas: 6 - Bonelli, Castellanos, Malcolm, Merrifield, Moore, and Valderrama

Nays: 0

Excused: 1 - Zucchet

Absent: 0

Abstain: 0

Recused: 0

WORKSHOP

2. 2018-0494 PRESENTATION AND DIRECTION TO STAFF ON THE PORT MASTER PLAN UPDATE - DRAFT GOALS AND POLICY CONCEPTS FOR THE ENVIRONMENTAL JUSTICE ELEMENT

Lesley Nishihira, Director, Planning, addressed the Board with staff's report and presentation regarding Workshop - Item 2 - File No. 2018-0494 (A copy of the staff report, presentations and any agenda-related materials are on file with the Office of the District Clerk). Ms. Nishihira then turned the presentation over to Jason Giffen, Assistant Vice President, Planning & Green Port to discuss the what, how, and why, of a stand-alone Environmental Justice Element as part of the Port Master Plan Update, as well as the Pollution Reduction and Public Health Environmental Justice goals. Mr. Giffen then turned the presentation back to Ms. Nishihira to discuss the Public Access Environmental Justice policy concepts. Ms. Nishihira then turned the presentation over the Mr. Giffen to discuss the Economic Opportunity Environmental Justice goal and concepts. Mr. Giffen then turned the presentation back to Ms. Nishihira to discuss the Public Engagement Environmental Justice goal and policy concepts.

The following members of the public addressed the Board with agenda-related comments: Sharon Cloward, President, San Diego Port Tenants Association; Dewey Youngerman EHS Manager, Huntington Ingalls Ship Yard; Rip Rippetoe, President/CEO, San Diego Convention Center; John Laun, San Diego Port Tenants Association, spoke on behalf of Sophie Silvestri, Pasha Automotive Services; Leah Yam, Director of Communication, Marine Group Boatworks; Joy Williams, Environmental Health Coalition; Dr. Murtaza Baxamusa, Director of Planning & Development, San Diego Building Trades Family Housing Corp.; Eric Christen, Executive Director, Coalition for Fair Employment in Construction; Brad Barnum, Executive Vice President, Associated General Contractors; Pete Saucedo, Executive Director, AGC Apprenticeship; and Richard Markuson, Western Electrical Contractors Association.

Commissioner Bonelli, Commissioner Moore, Commissioner Merrifield, Commissioner Valderrama, Commissioner Malcolm, and Chairman Castellanos, provided comments and asked clarifying questions. Jason Giffen responded on behalf of staff; and Brad Barnum, Executive Vice President, Associated General Contractors responded.

Present: 6 - Commissioner Bonelli, Chairperson Castellanos, Commissioner Malcolm, Commissioner Merrifield, Commissioner Moore, and Commissioner Valderrama

Excused: 1 - Commissioner Zucchet

Absent: 0

CLOSED SESSION

Thomas A. Russell, General Counsel, announced the Closed Session items as follows:

2018-0478 Closed Session Item No. 1

PUBLIC EMPLOYEE PERSONNEL EVALUATION:
GENERAL COUNSEL
Government Code Section 54957

No reportable action was taken on this item.

2018-0479 Closed Session Item No. 2

CONFERENCE WITH LABOR NEGOTIATORS
Government Code Section 54957.6

Agency Negotiator: Rafael Castellanos
Unrepresented Employee: General Counsel

No reportable action was taken on this item.

A Moore

Secretary, Board of Port Commissioners
San Diego Unified Port District

ATTEST:

Donna Morales

Clerk of the San Diego Unified Port District

San Diego Unified Port District

3165 Pacific Hwy.
San Diego, CA 92101

Meeting Minutes

Board of Port Commissioners

Tuesday, November 6, 2018 | **10:00 AM** | **Don L. Nay Port Administration Boardroom**

Closed Session

A. Roll Call.

Present: 7 - Commissioner Bonelli, Chairperson Castellanos, Commissioner Malcolm, Commissioner Merrifield, Commissioner Moore, Commissioner Valderrama, and Commissioner Zucchet

Excused: 0

Absent: 0

Commissioner Merrifield was excused until he arrived at 10:03 am.

Commissioner Moore was excused until she arrived at 10:06 am.

Officers Present: Coniglio, DeAngelis, Monson, Morales, and Russell.

B. Public Communications.

The following member(s) of the public addressed the Board with non agenda-related comments: None

CLOSED SESSION

Thomas A. Russell, General Counsel, announced the Closed Session items as follows:

1. 2018-0500 Closed Session Item No. 1

CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
Pursuant to Subdivision (d)(1) of Government Code Section 54956.9

San Diego Unified Port District v. Landmark Insurance Company, et al.
United States District Court Case No. 15-CV-1401 BEN-MDD

No reportable action was taken on this item.

2. 2018-0501 Closed Session Item No. 2

CONFERENCE WITH REAL PROPERTY NEGOTIATOR
Government Code Section 54956.8
Property: SDUPD - Parcels of land totaling approximately 147,642 square feet, 45,590 square feet, and 25,643 square feet located adjacent to Convention Way between Marina Park Way and Park Blvd in the City of San Diego, California
Negotiating Parties:
Fifth Avenue Landing, LLC - Arthur E. Engel and Raymond A. Carpenter
SDUPD - Lucy Contreras, Adam Meyer, Tony Gordon, Shaun Sumner

Under Negotiations: Price and Terms

No reportable action was taken on this item.

3. 2018-0502 Closed Session Item No. 3

CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION
Significant exposure to litigation Government Code Section 54956.9(d)(2)

One (1) Case

No reportable action was taken on this item.

4. 2018-0515 Closed Session Item No. 4

CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
Pursuant to Subdivision (d)(1) of Government Code Section 54956.9

San Diego Waterfront Coalition v. City of San Diego; San Diego Unified Port District, et al.
San Diego Superior Court Case No. 37-2018-00031832-CU-MC-CTL

No reportable action was taken on this item.

5. 2018-0503 Closed Session Item No. 5

CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
Pursuant to Subdivision (d)(1) of Government Code Section 54956.9

CPUC Proceeding A.17-09-005: Application of San Diego Gas & Electric Company for Authority to Implement Rate Relief and Increase Spend in Support of the San Diego Unified Port District's Energy Management Plan

No reportable action was taken on this item.

6. 2018-0504 Closed Session Item No. 6

CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
Pursuant to Subdivision (d)(1) of Government Code Section 54956.9

San Diego Unified Port District, et al. v. Monsanto Company, et al.
United States District Court Case No. 15-CV-0578 WQH (JLB)

No reportable action was taken on this item.

7. 2018-0505 Closed Session Item No. 7

CONFERENCE WITH REAL PROPERTY NEGOTIATOR
Government Code Section 54956.8

Property: Approximately 146,070 square feet of tideland area located at 1220 Pacific Highway in the City of San Diego, California

Negotiating Parties:
United States Navy - Joe Stuyvesant
LPP Lane Field, LLC - Rob Langford and Roger Zampell
SDUPD - Shaun Sumner, Anthony Gordon, Adam Meyer, Lucy Contreras, Christian deManielle

Under Negotiations: Price and Terms

No reportable action was taken on this item.

8. 2018-0506 Closed Session Item No. 8

CONFERENCE WITH REAL PROPERTY NEGOTIATOR
Government Code Section 54956.8

Property: Approximately 92,000 square feet of property located at the National Distribution Center located at 1022 Bay Marina Drive, National City, California

Negotiating Parties:
U.S. Coast Guard - Daniel McGrath
SDUPD - Shaun Sumner, Anthony Gordon, Joel Valenzuela, Ryan Donald, Lucy Contreras

Under Negotiations: Price and Terms

No reportable action was taken on this item.

Secretary, Board of Port Commissioners
San Diego Unified Port District

ATTEST:

Clerk of the San Diego Unified Port District

San Diego Unified Port District

3165 Pacific Hwy.
San Diego, CA 92101

Meeting Minutes

Board of Port Commissioners

Tuesday, November 6, 2018 | **1:00 PM** | **Don L. Nay Port Administration Boardroom**

A. Roll Call.

Present: 7 - Commissioner Bonelli, Chairperson Castellanos, Commissioner Malcolm, Commissioner Merrifield, Commissioner Moore, Commissioner Valderrama, and Commissioner Zucchet

Excused: 0

Absent: 0

Officers Present: Coniglio, DeAngelis, Medina, Monson, Morales, and Russell.

B. Closed Session Report Out.

Thomas A. Russell, General Counsel, announced that the Board considered the items on the Closed Session Agenda and stated that no reportable action was taken.

C. Pledge of Allegiance.

Commissioner Merrifield led the Pledge of Allegiance.

D. Public Communications.

The following members of the public addressed the Board with non agenda-related comments: Katheryn Rhodes; Matt Reynolds, CEO, Extreme Sailing San Diego; and Chris Glenn, San Diego Surf Company.

E. Commissioners' Reports.

Commissioner Malcolm reported on his recent trip to the International Council of Shopping Centers in Los Angeles. The event is for retailers, property owners, and developers that own shopping centers. Commissioner Malcolm explained that it was important for the Port of San Diego to be there as the Port now owns and operates Seaport Village. Commissioner Malcolm explained the highlight of the conference was a meeting with Dasher Lawless, a company which develops mechanized parking solutions that maximizes parking within limited spaces.

F. President's Report.

Randa Coniglio, President/CEO invited Philippe LeBlanc, Program Manager, Aquaculture and Blue Tech, to the podium. Mr. LeBlanc provided a brief overview of the new partnership agreement between the Port of San Diego and the Navy that supports blue tech innovation. Mr. LeBlanc then invited Jay Cavalieri of the Naval Undersea Warfare Center to the podium to discuss the Navy's local test facilities and the technology-related expertise they will provide.

Chairman Castellanos, and Commissioner Merrifield provided comments.

G. District Clerk's Announcements.

Donna Morales, District Clerk, reported, as required by the Brown Act and as directed by the Board of Port Commissioners, that on today's agenda is an item taking final action to amend the employment agreement for the General Counsel of the San Diego Unified Port District that will modify his terms, salary, and supplemental retirement plan. Additional information can be found in the agenda prepared for that item.

Ms. Morales announced that additional agenda-related material was received by the Board after the publication of the agenda for the following items: Item 8 - File No. 2018-0481; and Item 11 - File No. 2018-0442.

Ms. Morales also reported that staff requested to continue the following items: Consent Agenda Item 1 - File No. 2018-0510; Consent Agenda Item 2 - File No. 2018-0490; and Action Agenda Item 10 - File No. 2018-0484.

On a motion by Commissioner Malcolm, seconded by Commissioner Merrifield, the Board approved the requested docket changes. The motion carried by the following vote:

Yeas: 7 - Bonelli, Castellanos, Malcolm, Merrifield, Moore, Valderrama, and Zucchet

Nays: 0

Excused: 0

Absent: 0

Abstain: 0

Recused: 0

APPROVAL OF MINUTES

2018-0487 Approval of minutes for:
October 9, 2018 - CLOSED SESSION
October 9, 2018 - REGULAR BPC MEETING

On a motion by Commissioner Zucchet, seconded by Commissioner Bonelli, the Board approved the minutes. The motion carried by the following vote:

Yeas: 6 - Bonelli, Castellanos, Malcolm, Merrifield, Valderrama, and Zucchet

Nays: 0

Excused: 0

Absent: 0

Abstain: 1 - Moore

Recused: 0

CONSENT AGENDA

Chairman Castellanos announced that he is recusing himself and will not participate in Consent Item 9B.

On a motion by Commissioner Bonelli, seconded by Commissioner Merrifield, the Board adopted the balance of the Consent Agenda, thereby adopting: Resolution 2018-161; Resolution 2018-162; Resolution 2018-163; Resolution 2018-164; Resolution 2018-165; Resolution 2018-166; and Resoluiton 2018-167. The motion carried by the following vote:

Yeas: 7 - Bonelli, Castellanos, Malcolm, Merrifield, Moore, Valderrama, and Zucchet

Nays: 0

Excused: 0

Absent: 0

Abstain: 0

Recused: 0

1. 2018-0510 RESOLUTION SELECTING AND AUTHORIZING AN AGREEMENT WITH EDCO DISPOSAL CORPORATION FOR WASTE TRANSFER STATION SERVICES FROM JULY 1, 2019 THROUGH JUNE 30, 2024, FOR AN AMOUNT NOT TO EXCEED $500,000. ALL FUNDS REQUIRED FOR FUTURE FISCAL YEARS WILL BE BUDGETED IN THE APPROPRIATE FISCAL YEAR, SUBJECT TO BOARD APPROVAL UPON ADOPTION OF EACH FISCAL YEAR'S BUDGET.

The Board will consider staff's request to continue this item to a future Board meeting.

This item was continued to a future Board meeting.

2. 2018-0490 RESOLUTION SELECTING AND AUTHORIZING AN AGREEMENT WITH CALIFORNIA TREE SERVICE, INC. FOR AS NEEDED TREE MAINTENANCE SERVICES FROM JULY 1, 2019 THROUGH JUNE 30, 2024, FOR AN AMOUNT NOT TO EXCEED $1,000,000. ALL FUNDS REQUIRED FOR FUTURE FISCAL YEARS WILL BE BUDGETED IN THE APPROPRIATE FISCAL YEAR, SUBJECT TO BOARD APPROVAL UPON ADOPTION OF EACH FISCAL YEAR'S BUDGET

The Board will consider staff's request to continue this item to a future Board meeting.

This item was continued to a future Board meeting.

3. 2018-0385 RESOLUTION SELECTING AND AUTHORIZING AN AGREEMENT WITH NATURESCAPE SERVICES, INC. FOR BROADWAY LANDING AND PASEO MAINTENANCE SERVICES FROM JULY 1, 2019 THROUGH JUNE 30, 2024, FOR AN AMOUNT NOT TO EXCEED $1,524,000. ALL FUNDS REQUIRED FOR FUTURE FISCAL YEARS WILL BE BUDGETED IN THE APPROPRIATE FISCAL YEAR, SUBJECT TO BOARD APPROVAL UPON ADOPTION OF EACH FISCAL YEAR'S BUDGET.

On a motion by Commissioner Bonelli, seconded by Commissioner Merrifield, the Board adopted Resolution 2018-161 as part of the Consent Agenda.

4. 2018-0440 RESOLUTION ACCEPTING THE FY18 PORT SECURITY GRANT PROGRAM (PSGP) AWARDS FOR A TOTAL AMOUNT OF $936,985, REQUIRING A COST MATCH OF $312,329, AND AUTHORIZING THE SAN DIEGO UNIFIED PORT DISTRICT (DISTRICT) TO ENTER INTO AWARD AGREEMENTS WITH THE U.S. DEPARTMENT OF HOMELAND SECURITY, FEDERAL EMERGENCY MANAGEMENT AGENCY (DHS/FEMA). ALL FUNDS REQUIRED FOR FUTURE FISCAL YEARS WILL BE BUDGETED IN THE APPROPRIATE FISCAL YEAR, SUBJECT TO BOARD APPROVAL UPON ADOPTION OF EACH FISCAL YEAR'S BUDGET.

On a motion by Commissioner Bonelli, seconded by Commissioner Merrifield, the Board adopted Resolution 2018-162 as part of the Consent Agenda.

5. 2018-0454 RESOLUTION ESTABLISHING THE BOARD OF PORT COMMISSIONERS' REGULAR MEETING DATES FOR CALENDAR YEAR 2019

On a motion by Commissioner Bonelli, seconded by Commissioner Merrifield, the Board adopted Resolution 2018-163 as part of the Consent Agenda.

6. 2018-0471 RESOLUTION AUTHORIZING PURCHASE ORDERS WITH DELL TECHNOLOGIES INC. AND INSIGHT PUBLIC SECTOR INC. IN AN AGGREGATE AMOUNT NOT TO EXCEED $1,400,000 FOR THE WORKSTATION REFRESH PROGRAM OVER THE NEXT FIVE YEARS, WITH A FIVE-YEAR TOTAL COST OF OWNERSHIP OF $1,400,000. FY2019 EXPENDUTURES ARE BUDGETED. FUNDS FOR FUTURE FISCAL YEARS WILL BE BUDGETED IN THE APPROPRIATE FISCAL YEAR, SUBJECT TO BOARD APPROVAL UPON ADOPTION OF EACH FISCAL YEAR'S BUDGET.

On a motion by Commissioner Bonelli, seconded by Commissioner Merrifield, the Board adopted Resolution 2018-164 as part of the Consent Agenda.

7. 2018-0474 RESOLUTION AUTHORIZING APPENDIX 13 TO BOARD-APPROVED SOFTWARE END-USER LICENSE AGREEMENT WITH SAP PUBLIC SERVICES INC. TO ADD SINGLE SIGN-ON IN AN AMOUNT NOT TO EXCEED $35,377 WITH A FIVE-YEAR TOTAL COST OF OWNERSHIP OF $65,406.25. FY2019 EXPENDITURES ARE BUDGETED. FUNDS REQUIRED FOR FUTURE FISCAL YEARS WILL BE BUDGETED IN THE APPROPRIATE FISCAL YEAR, SUBJECT TO BOARD APPROVAL UPON ADOPTION OF EACH FISCAL YEAR'S BUDGET.

On a motion by Commissioner Bonelli, seconded by Commissioner Merrifield, the Board adopted Resolution 2018-165 as part of the Consent Agenda.

8. 2018-0481 RESOLUTION APPROVING AMENDMENT TO THE EMPLOYMENT AGREEMENT FOR THE GENERAL COUNSEL

On a motion by Commissioner Bonelli, seconded by Commissioner Merrifield, the Board adopted Resolution 2018-166 as part of the Consent Agenda.

9. 2018-0482 A) RESOLUTION AUTHORIZING AMENDMENT NO.1 TO THE AS-NEEDED AGREEMENTS WITH TUCKER SADLER ARCHITECTS, INC. AND SILLMAN WRIGHT ARCHITECTS FOR ARCHITECTURAL AND ADA CODE COMPLIANCE REVIEW SERVICES, INCREASING THE AGGREGATE TOTAL BY $250,000 FROM $500,000 TO $750,000 WITH NO INCREASE REQUIRED TO THE FY2019 BUDGET.

B) RESOLUTION AUTHORIZING AMENDMENT NO.1 TO INCREASE THE COMBINED BASE AMOUNT OF THE AS-NEEDED AGREEMENTS BY $300,000 WITH KTU+A AND SCHMIDT DESIGN GROUP, INC. FOR LANDSCAPE ARCHITECTURE SERVICES, INCREASING THE AGGREGATE TOTAL AMOUNT BY $300,000 FROM $500,000 TO $800,000 WITH NO INCREASE REQUIRED TO THE FY2019 BUDGET.

On a motion by Commissioner Bonelli, seconded by Commissioner Merrifield, the Board adopted Item 9A Resolution 2018-167 as part of the consent agenda.

Chairman Castellanos recused himself and did not participate in Item 9B.

On a motion by Commissioner Valderrama, seconded by Commissioner Malcolm, the Board adopted Item 9B Resolution 2018-168. The motion carried by the following vote:

Yeas: 6 - Bonelli, Malcolm, Merrifield, Moore, Valderrama, and Zucchet

Nays: 0

Excused: 0

Absent: 0

Abstain: 0

Recused: 1 - Castellanos

ACTION AGENDA

10. 2018-0484 PRESENTATION OF SERVICE AWARDS TO EMPLOYEES WITH 15 OR MORE YEARS OF SERVICE

The Board will reconsider staff's request to continue this item to a future Board meeting.

This item was continued to a future Board meeting.

11. 2018-0442 PRESENTATION AND UPDATE ON THE REDEVELOPMENT OF THE CENTRAL EMBARCADERO, INCLUDING CHANGES TO THE PROPOSED DEVELOPMENT

Tony Gordon, Director, Real Estate, addressed the Board with staff's report and presentation regarding Action Agenda Item 11 - File No. 2018-0442 (A copy of the staff report, presentations and any agenda-related materials are on file with the Office of the District Clerk). Mr. Gordon then turned the presentation over to Lucy Contreras, Program Manager, Real Estate, to provide a refresher on the project site process. Ms. Contreras then turned the presentation over to Yehudi Gaffen, representative from 1HWY1, LLC, to present the proposed site changes. Mr. Gaffen then turned the presentation back to Ms. Contreras.

The following members of the public addressed the Board with agenda-related comments: Alex Rolek; Dwight Colton, Vice President of Operations, Fish Market Restaurant; Margaret Leinen, Vice Chancellor for Marine Science, University of California San Diego; Matthew Peterson, Peterson & Price, representing The Fish Market Restaurant; Katheryn Rhodes; Alexandra Berenter, Downtown San Diego Partnership; Richard Ledford, San Diego Symphony; Stefanie Benvenoto, San Diego Regional Chamber of Commerce; Candice Eley, San Diego Tourism Authority; Chris Glenn, San Diego Surf Company; Mac McLaughlin, CEO, USS Midway Museum; Derrin Hill, Responsibility Foundation; Rick Mueller, President, North America AEG Live; Peter Halmay, President, San Diego Working Fishermen's Group; Dr. Murtaza Baxamusa, San Diego Building Trades Family Housing Corp.; Tom Lemmon, San Diego Building Trades; Rick Bates, UNITE - HERE Local 30; John McNab; and Don Wood, San Diego Waterfront Coalition.

Commissioner Merrifield, Commissioner Moore, Commissioner Malcolm, Commissioner Bonelli, Commissioner Zucchet, Commissioner Valderrama, Commissioner Merrifield, Commissioner Moore, and Chairman Castellanos, provided comments and asked clarifying questions. Lesley Nishihira, Director, Planning, Shaun Sumner, Assistant Vice President, Real Estate Development, Randa Coniglio, President/CEO, and Lucy Contreras, responded on behalf of staff; Yehudi Gaffen, responded on behalf of 1HWY1, Rick Mueller responded on behalf of North America AEG Live.

12. 2018-0483 RESOLUTION ELECTING CHAIRPERSON, VICE CHAIRPERSON AND SECRETARY OF THE BOARD OF PORT COMMISSIONERS OF THE SAN DIEGO UNIFIED PORT DISTRICT FOR CALENDAR YEAR 2019

Commissioner Merrified, Chairman Castellanos, and Commissioner Bonelli provided comments.

On a motion by Commissioner Merrifield, seconded by Commissioner Valderrama, the Board adopted Resolution 2018-169 electing Garry J. Bonelli as Chair; Ann Moore as Vice-Chair, and Michael Zucchet, as Secretary, for the 2019 term. The motion carried by the following vote:

Yeas: 7 - Bonelli, Castellanos, Malcolm, Merrifield, Moore, Valderrama, and Zucchet

Nays: 0

Excused: 0

Absent: 0

Abstain: 0

Recused: 0

13. 2018-0423 REVIEW AND CONSIDERATION OF DRAFT PROPOSED BOARD AGENDA FOR THE DECEMBER 11, 2018 MEETING

On a motion by Commissioner Malcolm, seconded by Commissioner Valderrama, the Board adopted the proposed agenda for the December 11, 2018 meeting. The motion carried by the following vote:

Yeas: 7 - Bonelli, Castellanos, Malcolm, Merrifield, Moore, Valderrama, and Zucchet

Nays: 0

Excused: 0

Absent: 0

Abstain: 0

Recused: 0

Secretary, Board of Port Commissioners
San Diego Unified Port District

ATTEST:

Clerk of the San Diego Unified Port District

3165 Pacific Hwy.
San Diego, CA 92101

San Diego Unified Port District

Meeting Minutes

Board of Port Commissioners

Tuesday, December 11, 2018 | **10:00 AM** | **Don L. Nay Port Administration Boardroom**

Closed Session

A. Roll Call.

Present: 5 - Commissioner Bonelli, Chairperson Castellanos, Commissioner Merrifield, Commissioner Valderrama, and Commissioner Zucchet

Excused: 2 - Commissioner Malcolm, and Commissioner Moore

Absent: 0

Commissioner Merrifield was excused until he arrived at 10:20 am.

Officers Present: Coniglio, DeAngelis, Monson, Morales, and Russell

B. Public Communications.

The following member(s) of the public addressed the Board with non agenda-related comments: None

CLOSED SESSION

Thomas A. Russell, General Counsel, announced the Closed Session items as follows:

1. 2018-0548 Closed Session Item No. 1

CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
Pursuant to Subdivision (d)(1) of Government Code Section 54956.9

Maria Esther Garcia v. San Diego Unified Port District, et al.
San Diego Superior Court Case No. 37-2017-00040548-CU-OE-CTL

No reportable action was taken on this item.

2. 2018-0523 Closed Session Item No. 2

CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
Pursuant to Subdivision (d)(1) of Government Code Section 54956.9

San Diego Unified Port District v. Landmark Insurance Company, et al.
United States District Court Case No. 3:15-cv-01401 BEN (MDD)

No reportable action was taken on this item.

3. 2018-0547 Closed Session Item No. 3

CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
Pursuant to Subdivision (d)(1) of Government Code Section 54956.9

In re Bankruptcy Embarcadero Restaurant Holdings
United States Bankruptcy Court, S.D. California
Case No. 18-06718-CL7

No reportable action was taken on this item.

4. 2018-0524 Closed Session Item No. 4

CONFERENCE WITH REAL PROPERTY NEGOTIATOR
Government Code Section 54956.8

Property: SDUPD - Chula Vista Marina consisting of approximately 223,549 square feet of land and 856,522 square feet of water at 550 Marina Parkway, Chula Vista

Negotiating Parties:
Chula Vista Marina/RV Park, Ltd. - Kevin Moriarty
SDUPD - Randa Coniglio, Shaun Sumner, Adam Meyer, Stephanie Shook, and Anthony Gordon

Under Negotiations: Price and Terms

No reportable action was taken on this item.

5. 2018-0526 Closed Session Item No. 5

CONFERENCE WITH REAL PROPERTY NEGOTIATOR
Government Code Section 54956.8

Property: Approximately 160,583 square feet of tideland area located at 200 Marina Park Way in the City of San Diego.
Negotiating Parties:

Symphony - Richard Ledford, Scott Williams, Robert Webster, Martha Gilmer, Katy McDonald;
SDUPD - Shaun Sumner, Tony Gordon, Adam Meyer, Stephanie Shook, Sean Jones, Joseph Smith

Under Negotiations: Price and Terms

No reportable action was taken on this item.

6. 2018-0536 Closed Session Item No. 6

CONFERENCE WITH REAL PROPERTY NEGOTIATOR
Government Code Section 54956.8
Property: SDUPD - Parcels of land totaling approximately 147,642 square feet, 45,590 square feet, and 25,643 square feet located adjacent to Convention Way between Marina Park Way and Park Blvd in the City of San Diego, California
Negotiating Parties:
Fifth Avenue Landing, LLC - Arthur E. Engel and Raymond A. Carpenter
SDUPD - Lucy Contreras, Adam Meyer, Tony Gordon, Shaun Sumner

Under Negotiations: Price and Terms

No reportable action was taken on this item.

7. 2018-0537 Closed Session Item No. 7

CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
Pursuant to Subdivision (d)(1) of Government Code Section 54956.9

San Diego Waterfront Coalition v. City of San Diego; San Diego Unified Port District, et al.
San Diego Superior Court Case No. 37-2018-00031832-CU-MC-CTL

No reportable action was taken on this item.

8. 2018-0527 Closed Session Item No. 8

CONFERENCE WITH LEGAL COUNSEL - INITIATION OF LITIGATION
Pursuant to Subdivision (d)(4) of Government Code Section 54956.9

One (1) Case

No reportable action was taken on this item.

9. 2018-0551 Closed Session Item No. 9

CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION
Significant exposure to litigation Government Code Section 54956.9(d)(2)

One (1) Case

No reportable action was taken on this item.

A Moore

Secretary, Board of Port Commissioners
San Diego Unified Port District

ATTEST:

Donna Morales

Clerk of the San Diego Unified Port District

3165 Pacific Hwy.
San Diego, CA 92101

San Diego Unified Port District

Meeting Minutes

Board of Port Commissioners

Tuesday, December 11, 2018 | **1:00 PM** | **Don L. Nay Port Administration Boardroom**

A. Roll Call.

Present: 5 - Commissioner Bonelli, Chairperson Castellanos, Commissioner Merrifield, Commissioner Valderrama, and Commissioner Zucchet

Excused: 2 - Commissioner Malcolm, and Commissioner Moore

Absent: 0

Officers Present: Coniglio, DeAngelis, Medina, Monson, Morales, and Russell

B. Closed Session Report Out.

Thomas A. Russell, General Counsel, announced that the Board considered the items on the Closed Session Agenda, and stated that no reportable action was taken.

Mr. Russell also reported that at the October 9, 2018 meeting, the Board voted 4 - 0 to authorize a Petition for Review in the California Supreme Court for the San Diego Unified Port District vs. the California Coastal Commission case, California Court of Appeal 27 Cal.App.5th 1111 (2018). Mr. Russell stated that Chairman Castellanos recused himself and Commissioners Malcolm and Moore were excused. The petition has been filed with the California Supreme Court and the Port is awaiting the decision.

C. Pledge of Allegiance.

Commissioner Zucchet led the Pledge of Allegiance.

Chairman Castellanos announced that the meeting order has changed and the meeting will begin with the Public Hearing Agenda Item 13.

PUBLIC HEARING AGENDA

13. 2018-0519 BAYSIDE PERFORMANCE PARK ENHANCEMENT PROJECT AT EMBARCADERO MARINA PARK SOUTH:

A) CONDUCT PUBLIC HEARING AND ADOPT RESOLUTION ADOPTING THE PORT MASTER PLAN AMENDMENT, AS CERTIFIED BY THE CALIFORNIA COASTAL COMMISSION, AND DIRECTING THE

FILING OF NOTICE OF SAID ADOPTION WITH THE CALIFORNIA COASTAL COMMISSION
B) ADOPT RESOLUTION GRANTING CONCEPT APPROVAL TO THE SAN DIEGO SYMPHONY ORCHESTRA ASSOCIATION FOR THE PROJECT, CONDITIONED ON SATISFACTION OF THE CALIFORNIA COASTAL COMMISSION'S ACCEPTANCE OF THE District's ADOPTION OF THE PORT MASTER PLAN AMENDMENT, AS CERTIFIED BY THE CALIFORNIA COASTAL COMMISSION, AND APPROVAL AND EXECUTION OF A LEASE BETWEEN THE DISTRICT AND THE SAN DIEGO SYMPHONY ORCHESTRA ASSOCIATION
C) ADOPT RESOLUTION AUTHORIZING ISSUANCE OF A NON-APPEALABLE COASTAL DEVELOPMENT PERMIT TO THE SAN DIEGO SYMPHONY ORCHESTRA ASSOCIATION FOR THE PROJECT, CONDITIONED ON SATISFACTION OF THE CALIFORNIA COASTAL COMMISSION'S ACCEPTANCE OF THE District's ADOPTION OF THE PORT MASTER PLAN AMENDMENT, AS CERTIFIED BY THE CALIFORNIA COASTAL COMMISSION, AND APPROVAL AND EXECUTION OF A LEASE BETWEEN THE DISTRICT AND THE SAN DIEGO SYMPHONY ORCHESTRA ASSOCIATION

Wileen Manaois, Director, Development Services, addressed the Board with staff's report and presentation regarding Public Hearing Agenda Item 13 - File No. 2018-0519 (A copy of the staff report, presentations and any agenda-related materials are on file with the Office of the District Clerk). Ms. Manaois then turned the presentation over to Joseph Smith, Manager, Development Services, to provide an overview of the project, programming highlights, the Port Master Plan Amendment elements, Coastal Development Permit conditions, and next steps for construction.

The following member(s) of the public addressed the Board with agenda-related comments: Martha Gilmer, President/CEO, San Diego Symphony.

Commissioner Merrifield, Commissioner Zucchet, and Chairman Castellanos provided comments.

Chairman Castellanos opened the Public Hearing for Item A: No public came forward to speak.

On a motion by Commissioner Merrifield, seconded by Commissioner Zucchet the Board adopted Item A: Resolution 2018-178. The motion carried by the following vote:

Yeas: 5 - Bonelli, Castellanos, Merrifield, Valderrama, and Zucchet

Nays: 0

Excused: 2 - Malcolm, and Moore

Absent: 0

Abstain: 0

Recused: 0

On a motion by Commissioner Merrifield, seconded by Commissioner Bonelli the Board adopted Item B: Resolution 2018-179. The motion carried by the following vote:

Yeas: 5 - Bonelli, Castellanos, Merrifield, Valderrama, and Zucchet

Nays: 0

Excused: 2 - Malcolm, and Moore

Absent: 0

Abstain: 0

Recused: 0

On a motion by Commissioner Merrifield, seconded by Commissioner Bonelli the Board adopted Item C: Resolution 2018-180. The motion carried by the following vote:

Yeas: 5 - Bonelli, Castellanos, Merrifield, Valderrama, and Zucchet

Nays: 0

Excused: 2 - Malcolm, and Moore

Absent: 0

Abstain: 0

Recused: 0

Commissioner Zucchet left the dais at 1:40 pm for the remainder of the Board meeting.

D. Public Communications.

The following member(s) of the public addressed the Board with non agenda-related comments: Carole Noska, Owner, Sail JADA Charters; John Valente, Owner/Captain, San Diego Bay Cruises; Daniel Kuperschmid, General Manager, Grand Hyatt San Diego; Maggie Young, Associate Director, San Diego Fleet Week Foundation; Dr. Jonathan Freeman, Safe Walkways; Janet Rogers, Safe Walkways; and Cory Briggs, San Diego Waterfront Coalition.

Chief Mark Stainbrook responded to public comment regarding illegal charters.

E. Commissioners' Reports.

Commissioner Merrifield reported on the California Coastal Committee Hearing in San Francisco relating to the Port Master Plan Amendment for the San Diego Symphony Bayside Performance Park. The Coastal Commission was supportive of the amendment and the project.

Commissioner Merrifield then reported on his tour of the San Diego Gas & Electric Vanadium Redox Flow Battery Energy Storage Facility in Bonita. This battery storage

project is connected to the grid and can be used to preserve solar power. The batteries have the ability to recharge while they discharge, and have a two mega-watt capacity which can power approximately 10,000 homes. The Port is considering this technology for the Tenth Avenue Marine Terminal Solar Microgrid project.

Commissioner Valderrama reported on the Accessibility Advisory Committee and how they are working with RIDA Developer regarding the Gaylord Chula Vista Resort to include accessibility through universal design at the resort. A member of the Accessibility Committee and Port staff traveled to the Gaylord property in Texas to experience a property first-hand and will use this information to provide report on areas for improvement for design in Chula Vista.

F. President's Report.

Randa Coniglio, President/CEO invited Chief Mark Stainbrook, Harbor Police, to the podium. Chief Stainbrook provided report on the Harbor Police-US State Department's trip to the Philippines to provide an underwater crime scene investigation course. This is the second mission to the Philippines.

Ms. Coniglio, in honor of Veteran's Day, recognized and thanked Port staff who have served our country in uniform, as well as staff who are currently serving and will be away from home during the holiday season.

Ms. Coniglio then shared that the Port's Marketing & Communications Department received eight prestigious international awards for professional marketing, communications and public outreach campaigns, including the Port's redesigned website and new overall brand. The Port received seven of the awards from the MarCom Awards and one from the WebAward Competition. Ms. Coniglio congratulated the entire Marketing & Communications team.

G. District Clerk's Announcements.

Donna Morales, District Clerk, announced for the record that the vote on Item 13 was unanimous with yes votes by Commissioners Bonelli, Castellanos, Merrifield, Valderrama, and Zucchet; with Commissioners Malcolm and Moore excused.

Ms. Morales offered that additional agenda-related materials were received after the publication of the agenda and copies are available at the Clerk's Station for: Consent Agenda Item 7 - File No. 2018-0492, and Action Agenda Item 17 - File No. 2018-0552.

Additionally, Ms. Morales reported that staff requested the following docket changes: staff requests to continue Consent Agenda Item 3 - File No. 2018-0545; Consent Agenda Item 4 - File No. 2018-0441; Consent Agenda Item 5 - File No. 2018-0533; Action Agenda Item 12 - File No. 2018-0509; Public Hearing Agenda Item 14 - File No. 2018-0534; and Action Agenda Item 15 - File No. 2018-0516 to a future Board meeting.

On a motion by Commissioner Bonelli, seconded by Commissioner Valderrama, the Board adopted the requested docket changes. The motion carried by the following vote:

Yeas: 4 - Bonelli, Castellanos, Merrifield, and Valderrama

Nays: 0

Excused: 3 - Malcolm, Moore, and Zucchet

Absent: 0

Abstain: 0

Recused: 0

APPROVAL OF MINUTES

2018-0520 Approval of minutes for:
November 1, 2018 - SPECIAL MEETING PMPU WORKSHOP
November 6, 2018 - CLOSED SESSION
November 6, 2018 - REGULAR BPC MEETING

On a motion by Commissioner Bonelli, seconded by Commissioner Merrifield, the Board approved the minutes. The motion carried by the following vote:

Yeas: 4 - Bonelli, Castellanos, Merrifield, and Valderrama

Nays: 0

Excused: 3 - Malcolm, Moore, and Zucchet

Absent: 0

Abstain: 0

Recused: 0

CONSENT AGENDA

On a motion by Commissioner Bonelli, seconded by Commissioner Merrifield, the Board adopted the Consent Agenda as follows: Ordinance 2932; Resolution 2018-170; Resolution 2018-171; Resolution 2018-172; Resolution 2018-173; Resolution 2018-174; Resolution 2018-175; Resolution 2018-176; and Resolution 2018-177. The motion carried by the following vote:

Yeas: 4 - Bonelli, Castellanos, Merrifield, and Valderrama

Nays: 0

Excused: 3 - Malcolm, Moore, and Zucchet

Absent: 0

Abstain: 0

Recused: 0

1. 2017-0651 ORDINANCE AMENDING DISTRICT CODE 4.09 OF THE SAN DIEGO UNIFIED PORT DISTRICT CODE - REGULATION OF VESSELS - G STREET MOLE MOORING TO IMPLEMENT COMMERCIAL FISHING INDUSTRY BEST PRACTICES INCLUDING: VERIFICATION OF FISH LANDING RECEIPTS; MARINE INSURANCE LIABILITY REQUIREMENTS FOR NEW PERMITEES AND INTRANSIT COMMERCIAL FISHERMEN;

U.S. COAST GUARD SAFETY VESSEL INSPECTIONS; APPLICANT CREDIT CHECKS; REGULATION OF OVERNIGHT COMMERCIAL FISHING ACTIVITIES OR PREPARATIONS, AND UPDATE/CLARIFICATION OF EXISTING CODE LANGUAGE

On a motion by Commissioner Bonelli, seconded by Commissioner Merrifield, the Board adopted Ordinance 2932 as part of the consent agenda.

2. 2018-0412 RESOLUTION SELECTING AND AUTHORIZING AN AGREEMENT WITH AZTEC LANDSCAPING, INC. FOR AS-NEEDED PRESSURE WASHING SERVICES EFFECTIVE JULY 1, 2019 THROUGH JUNE 30, 2024, FOR AN AMOUNT NOT TO EXCEED $441,000. All FUNDS REQUIRED FOR FUTURE FISCAL YEARS WILL BE BUDGETED IN THE APPROPRIATE FISCAL YEAR, SUBJECT TO BOARD APPROVAL UPON ADOPTION OF EACH FISCAL YEAR'S BUDGET.

On a motion by Commissioner Bonelli, seconded by Commissioner Merrifield, the Board adopted Resolution 2018-170 as part of the consent agenda.

3. 2018-0545 RESOLUTION AUTHORIZING AN AGREEMENT WITH MARINE GROUP BOAT WORKS LLC., REPOWERING HARBOR POLICE DEPARTMENT MARINE VESSELS #2 AND #5, AND PURCHASING A SPARE VESSEL ENGINE AND TRANSMISSION PACKAGE UNIT FOR A TOTAL AMOUNT NOT TO EXCEED $397,117 FUNDS FOR FISCAL YEAR 2018 HAS BEEN BUDGETED. ALL FUNDS REQUIRED FOR FUTURE FISCAL YEAR WILL BE BUDGETED IN THE APPROPRIATE FISCAL YEAR, SUBJECT TO BOARD APPROVAL UPON ADOPTION OF EACH FISCAL YEAR'S BUDGET

The Board will consider staff's request to continue this item to a future Board meeting.

This item was continued to a future Board meeting.

4. 2018-0441 RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AWARDING CONTRACT NO. 2018-04 TO R. E. STAITE ENGINEERING, INC. IN THE AMOUNT OF $3,219,360.00 FOR THE FENDER SYSTEM UPGRADE AT NORTH BERTH OF B STREET PIER PROJECT AS AUTHORIZED BY THE BOARD IN THE FY2018/19 MAJOR MAINTENANCE BUDGET

This item was continued to a future Board meeting.

5. 2018-0533 ORDINANCE APPROVING A 66-YEAR LEASE BETWEEN THE DISTRICT AND [_____] FOR A 246-STALL RECREATIONAL VEHICLE (RV) PARK LOCATED IN THE CITY OF CHULA VISTA

The Board will consider staff's request to continue item to a future Board meeting.

This item was continued to a future Board meeting.

6. 2018-0486 RESOLUTION AUTHORIZING ISSUANCE OF A NON-APPEALABLE COASTAL DEVELOPMENT PERMIT FOR THE CHULA VISTA BAYFRONT SWEETWATER PEDESTRIAN/BIKE PATHWAY PROJECT

On a motion by Commissioner Bonelli, seconded by Commissioner Merrifield, the Board adopted Resolution 2018-171 as part of the consent agenda.

7. 2018-0492 A) RESOLUTION AUTHORIZING THE SAN DIEGO UNIFIED PORT DISTRICT TO ACCEPT AN EASEMENT FROM AND GRANT INDEMNITY TO THE SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY OF THE CITY OF CHULA VISTA FOR THE IMPLEMENTATION OF THE SWEETWATER BICYCLE PATH AND PROMENADE PROJECT LOCATED IN THE CITY OF CHULA VISTA

B) RESOLUTION AUTHORIZING THE SAN DIEGO UNIFIED PORT DISTRICT TO ACCEPT AN EASEMENT FROM AND GRANT INDEMNITY TO UTC AEROSPACE SYSTEMS, INC., SUBJECT TO REASONABLE INDEMNITY PROVISIONS AND EXCLUDING PRE-EXISTING CONDITIONS OF THE EASEMENT AREA, AS APPROVED BY THE GENERAL COUNSEL, FOR THE IMPLEMENTATION OF THE SWEETWATER BICYCLE PATH AND PROMENADE PROJECT LOCATED IN THE CITY OF CHULA VISTA

C) RESOLUTION AUTHORIZING THE SAN DIEGO UNIFIED PORT DISTRICT TO ENTER INTO A CONSENT FOR THE USE OF LAND AGREEMENT and grant indemnity to SAN DIEGO GAS & ELECTRIC COMPANY FOR THE IMPLEMENTATION OF THE SWEETWATER BICYCLE PATH AND PROMENADE PROJECT LOCATED IN THE CITY OF CHULA VISTA

On a motion by Commissioner Bonelli, seconded by Commissioner Merrifield, the Board adopted Resolution 2018-172, Resolution 2018-173, and Resolution 2018-174 as part of the consent agenda.

8. 2018-0507 RESOLUTION APPROVING THE TRANSFER OF FUNDS WITHIN THE FY2019-2023 CAPITAL IMPROVEMENT PROGRAM BUDGET APPROPRIATION FROM CIP RESERVE AND CONTINGENCY TO CIP CAPITAL LABOR IN THE AMOUNT OF $1,500,000 PURSUANT TO BPC POLICIES NO. 90 AND NO. 120

On a motion by Commissioner Bonelli, seconded by Commissioner Merrifield, the Board adopted Resolution 2018-175 as part of the consent agenda.

9. 2018-0512 RESOLUTION AUTHORIZING AMENDMENT NO. 1 TO AGREEMENT TO JOINTLY DELIVER THE ENERGY EFFICIENCY PARTNERSHIP PROGRAM BETWEEN THE SAN DIEGO UNIFIED PORT DISTRICT AND SAN DIEGO GAS & ELECTRIC COMPANY, AMENDING NONDISCLOSURE PROVISIONS

Commissioner Bonelli asked a clarifying question, Jason Giffen, Assistant Vice President, Planning & Green Port, responded on behalf of staff.

On a motion by Commissioner Bonelli, seconded by Commissioner Merrifield, the Board adopted Resolution 2018-176 as part of the consent agenda.

10. 2018-0549 RESOLUTION GRANTING INDEMNITY AND AUTHORIZING AN AGREEMENT WITH FLEETCOR TECHNOLOGIES OPERATING COMPANY, LLC dba FUELMAN FOR OFFSITE FUELING OF HARBOR POLICE DEPARTMENT AND DISTRICT VEHICLES EFFECTIVE DECEMBER 12, 2018 THROUGH DECEMBER 11, 2020, FOR AN AMOUNT NOT TO EXCEED $350,000. ALL FUNDS REQUIRED FOR FUTURE FISCAL YEARS WILL BE BUDGETED IN THE APPROPRIATE FISCAL YEAR, SUBJECT TO BOARD APPROVAL UPON ADOPTION OF EACH FISCAL YEAR'S BUDGET.

On a motion by Commissioner Bonelli, seconded by Commissioner Merrifield, the Board adopted Resolution 2018-177 as part of the consent agenda.

ACTION AGENDA

11. 2018-0498 PRESENTATION AND ACCEPTANCE OF THE SAN DIEGO OCEAN PLANNING PARTNERSHIP PRELIMINARY ASSESSMENT REPORT

Jason Giffen, Assistant Vice President, Planning & Green Port, addressed the Board with staff's report and presentation regarding Action Agenda Item 11 - File No. 2018-0498 (A copy of the staff report, presentations and any agenda-related materials are on file with the Office of the District Clerk). Mr. Giffen then turned the presentation over to Maren Farnum, California State Lands Commission, to review the public trust use areas and the public engagement approach. Ms. Farnum then turned the presentation to Lily Tsukayama, Assistant Planner, Environmental Conservation, to review the data collection methods, a recap of the 2018 efforts to develop the report, and the elements of the Preliminary Assessment Report. Ms. Tsukayama then turned the presentation to Lesley Nishihira, Director, Planning, to discuss next steps for the partnership. Ms. Nishihira then turned the presentation back to Ms. Farnum to summarize the comments received from the California State Lands Commissioners just prior to their acceptance of the Preliminary Report. Ms. Farnum turned presentation to Ms. Nishihira to extend appreciation to all stakeholders and members of the public for their participation and contribution to the Preliminary Report.

The following member(s) of the public addressed the Board with agenda-related comments: Peter Halmay, San Diego Fishermen's Working Group.

Commissioner Bonelli, and Chairman Castellanos provided comments and asked

clarifying questions. Maren Farnum, California State Lands Commission responded.

On a motion by Commissioner Bonelli, seconded by Commissioner Merrifield, the Board accepted the San Diego Ocean Planning Partnership Preliminary Assessment Report. The motion carried by the following vote:

Yeas: 4 - Bonelli, Castellanos, Merrifield, and Valderrama

Nays: 0

Excused: 3 - Malcolm, Moore, and Zucchet

Absent: 0

Abstain: 0

Recused: 0

12. 2018-0509 PRESENTATION AND UPDATE ON THE NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION, NATIONAL CENTERS FOR COASTAL OCEAN SCIENCE'S EXCLUSION AND OPPORTUNITIES ANALYSIS FOR AQUACULTURE IN AND AROUND SAN DIEGO BAY

The Board will consider staff's request to continue this item to a future Board meeting.

This item was continued to a future Board meeting.

Meeting went into short recess and reconvened at approximately 2:40 pm.

PUBLIC HEARING AGENDA

14. 2018-0534 RIDA CHULA VISTA, LLC RESORT HOTEL AND CONVENTION CENTER AT CHULA VISTA BAYFRONT:

A) RESOLUTION GRANTING CONCEPT APPROVAL TO RIDA CHULA VISTA, LLC FOR A RESORT HOTEL AND CONVENTION CENTER
B) CONDUCT PUBLIC HEARING AND ADOPT RESOLUTION AUTHORIZING ISSUANCE OF AN APPEALABLE COASTAL DEVELOPMENT PERMIT FOR A RESORT HOTEL AND CONVENTION CENTER

The Board will consider staff's request to continue item to a future Board meeting.

This item was continued to a future Board meeting.

ACTION AGENDA (continued)

15. 2018-0516 PRESENTATION AND UPDATE ON THE REDEVELOPMENT OF THE 7-ACRE ELBOW PARCEL ON EAST HARBOR ISLAND, WHICH MAY INCLUDE DIRECTION TO STAFF AS FOLLOWS:

A) PROVIDE FEEDBACK TO STAFF ON THE REDEVELOPMENT PROPOSED BY SUNROAD HIE HOTEL PARTNERS, L.P. (SUNROAD) FOR THE 7-ACRE ELBOW PARCEL (SITE) ON EAST HARBOR ISLAND AND RESOLUTION DIRECTING STAFF TO NEGOTIATE AN AMENDMENT TO THE EXCLUSIVE NEGOTIATING AGREEMENT BETWEEN THE DISTRICT AND SUNROAD (SUNROAD ENA) THAT REQUIRES SUNROAD TO SUBMIT IN 90 DAYS A REVISED SECOND SUBMITTAL PURSUANT TO SECTION 5(b) OF THE SUNROAD ENA WITH THE FOLLOWING CHANGES:

I. DELETION OF THE REQUIREMENT IN SECTION 5(b)(i)(5) THAT THE PROPOSED DEVELOPMENT BE IN CONFORMANCE WITH THE SUNROAD HARBOR ISLAND HOTEL PROJECT & EAST HARBOR ISLAND SUBAREA PMPA REVISED FINAL ENVIRONMENTAL IMPACT REPORT, THE MITIGATION MONITORING AND REPORTING PROGRAM, AND FINDINGS OF FACT AND STATEMENT OF OVERRIDING CONSIDERATIONS ADOPTED BY THE BOARD OF PORT COMMISSIONERS (BOARD) ON MARCH 4, 2014 (COLLECTIVELY, 2013 EIR); AND

II. ADDITION OF THE FOLLOWING CRITERIA IN SECTION 5(b):

a) PROPOSED DEVELOPMENT WILL BE A HOTEL DEVELOPMENT WITH 450 TO 500 ROOMS BUILT IN ONE PHASE;
b) PROPOSED DEVELOPMENT HAS ONE OR TWO HOTEL BUILDINGS THAT CONTRAST EACH OTHER IN SCALE AND MASSING;
c) INTEGRATE PARKING FOR THE PROPOSED DEVELOPMENT INTO THE SITE INTERIOR BY MINIMIZING ITS VISIBILITY FROM HARBOR ISLAND DRIVE;
d) PROPOSED DEVELOPMENT INCORPORATES TEMPORARY AND PERMANENT MINI DESTINATION AREAS THROUGHOUT THE SITE THAT DRAWS THE PUBLIC TO AND THROUGH THE SITE BY CREATING ACTIVATING USES, INCLUDING ON THE GROUND LEVEL;
e) THE OPERATOR FOR THE HOTEL COMPONENT FOR THE PROPOSED DEVELOPMENT WILL BE AN UPSCALE HOTEL BRAND SIMILAR IN QUALITY AND AMENITIES TO AC HOTELS BY MARRIOTT, ELEMENT, ALOFT, HYATT PLACE, HYATT HOUSE, HILTON HOTELS & RESORTS, CURIO - A COLLECTION BY HILTON, TAPESTRY

COLLECTION BY HILTON, OR SWISSOTEL; AND
f) THE PROPOSED DEVELOPMENT INCORPORATES ANY OTHER CRITERIA RECEIVED FROM THE BOARD AS PART OF FEEDBACK.

This item was continued to a future Board meeting.

16. 2018-0495 PRESENTATION AND UPDATE ON THE ENTITLEMENT PROCESS FOR A WETLAND MITIGATION BANK AT POND 20, SOUTH SAN DIEGO BAY

On a motion by Commissioner Bonelli, seconded by Commissioner Merrifield, the Board continued this item to a future Board meeting. The motion carried by the following vote:

Yeas: 4 - Bonelli, Castellanos, Merrifield, and Valderrama

Nays: 0

Excused: 3 - Malcolm, Moore, and Zucchet

Absent: 0

Abstain: 0

Recused: 0

17. 2018-0552 PRESENTATION ON THE ECONOMIC CONSIDERATIONS RELATED TO TIDELANDS REAL ESTATE DEVELOPMENT AND CAUSES AND IMPACTS OF PROJECT DELAYS

Shaun Sumner, Assistant Vice President, Real Estate Development, addressed the Board with staff's report and presentation regarding Action Agenda Item 17 - File No. 2018-0552 (A copy of the staff report, presentations and any agenda-related materials are on file with the Office of the District Clerk). Mr. Sumner then turned the presentation over to Anthony Gordon, Director, Real Estate to discuss the lifecycle of a typical development project for the Port District, and primary risk categories. Mr. Gordon then turned the presentation over to Stephen Shafer, Program Manager, Government & Civic Relations, to discuss impacts of risks on development projects, and potential risk mitigation approaches.

The following member(s) of the public addressed the Board with agenda-related comments: Carol Kim, Business Representative, San Diego Building & Construction Trades Council; Gretchen Newsom, Organizer/Political Director, IBEW 569; Dr. Murtaza Baxamusa, Director of Planning & Development, San Diego Building Trades Family Housing Corp.; and Tom Lemmon, San Diego Building Trades.

Commissioner Merrifield, Commissioner Valderrama, Commissioner Bonelli, and Chairman Castellanos provided comments and asked clarifying questions. Shaun Sumner, Anthony Gordon, Randa Coniglio, President/CEO, and Thomas A. Russell, General Counsel, responded on behalf of staff.

18. 2018-0514 REVIEW AND CONSIDERATION OF DRAFT PROPOSED BOARD AGENDA FOR THE JANUARY 16, 2019 MEETING

On a motion by Commissioner Valderrama, seconded by Commissioner Bonelli, the Board adopted the proposed agenda for January, 2019. The motion passed by the following vote:

Yeas: 4 - Bonelli, Castellanos, Merrifield, and Valderrama

Nays: 0

Excused: 3 - Malcolm, Moore, and Zucchet

Absent: 0

Abstain: 0

Recused: 0

OFFICER'S REPORT

19. 2018-0540 OFFICER'S REPORT

MONTHLY NOTIFICATION OF CHANGE ORDERS PURSUANT TO BPC POLICY NO. 110:

A) Change Order No. 4 to Contract No. 2012-06 with R.E. Staite Engineering, Inc. / $224,383.16 Increase

MONTHLY NOTIFICATION OF COST RECOVERY USER FEE WAIVERS GRANTED BY THE EXECUTIVE DIRECTOR PURSUANT TO BPC POLICY NO. 106:

A) Request for User Fee Waiver Form from Dole Fresh Fruit Company for Dole Lease Amendment No. 1, for total amount $3,208.00
B) Request for User Fee Waiver Form from City of Coronado for Rehabilitation of an Existing Sewer Pump Station, for total amount $11,270.00
C) Request for User Fee Waiver Form from City of Imperial Beach for City of Imperial Beach - Tideland Use and Occupancy Permit (TUOP) for the Palm Parking Lot, for total amount $1,358.00
D) Request for User Fee Waiver Form from Sunken Seaweed, LLC for Sunken Seaweed Pilot Project, for total amount $1,308.00
E) Request for User Fee Waiver Form from Old Town Trolley Tours of San Diego, Inc. for Lease Amendment No. 1, for total amount $3,000.00

MONTHLY NOTIFICATION OF RENT REVIEWS CONSENTED TO ADMINISTRATIVELY PURSUANT TO BPC POLICY NO. 355 AS AMENDED ON JANUARY 10, 2017:

A) Rent Review Administrative Approval Letter with Eichenlaub Marine, Inc. dba Eichenlaub Marine for Rental Period Beginning 11/01/18 thru 10/31/28

MONTHLY NOTIFICATION OF ENCUMBRANCES CONSENTED TO ADMINISTRATIVELY PURSUANT TO BPC POLICY NO. 355 AS AMENDED ON JANUARY 10, 2017:

None to Report

MONTHLY NOTIFICATION OF LEASE AMENDMENTS CONSENTED TO ADMINISTRATIVELY PURSUANT TO BPC POLICY NO. 355 AS AMENDED ON JANUARY 10, 2017:

A) Amendment No. 1 to Lease (#62637) with Old Town Trolley Tours of San Diego, Inc. / Amends Paragraph 3(c) to Add Percentage Rent Categories
B) Amendment No. 1 to Letter Agreement to Lease (#67140) with San Diego Mooring Company / Adds Construction Work Regarding the Shelter Island Boat Launch Ramp Project

Secretary, Board of Port Commissioners
San Diego Unified Port District

ATTEST:

Clerk of the San Diego Unified Port District

3165 Pacific Hwy.
San Diego, CA 92101

San Diego Unified Port District

Special Meeting Minutes

Board of Port Commissioners

Tuesday, December 18, 2018 | **10:00 AM** | **Don L. Nay Port Administration Boardroom**

PMPU Workshop

A. Roll Call.

Present: 5 - Commissioner Bonelli, Chairperson Castellanos, Commissioner Merrifield, Commissioner Moore, and Commissioner Zucchet

Excused: 2 - Commissioner Malcolm, and Commissioner Valderrama

Absent: 0

Officers Present: Coniglio, DeAngelis, Medina, Monson, Morales, and Russell

B. Pledge of Allegiance.

Commissioner Bonelli led the Pledge of Allegiance.

C. Public Communications.

The following member(s) of the public addressed the Board with non agenda-related comments: Jill Pfeiffer.

D. District Clerk's Announcements.

Donna Morales, District Clerk, announced that copies of agenda-related materials were received after the publication of the agenda and were available at the Clerk's desk for Workshop Agenda Item 2 - File No. 2018-0555, and Workshop Agenda Item 3 - File No. 2018-0558.

CONSENT AGENDA

1. 2018-0563 ORDINANCE GRANTING AMENDMENT NO. 2 TO LEASE WITH DRISCOLL, INC. AT 2702 SHELTER ISLAND DRIVE TO EXTEND THE CONSTRUCTION COMPLETION DEADLINE OF THE LEASE TO MARCH 31, 2019

On a motion by Commissioner Zucchet, seconded by Commissioner Bonelli, the Board adopted Ordinance 2933 as part of the Consent Agenda. The motion carried by the following vote:

Yeas: 5 - Bonelli, Castellanos, Merrifield, Moore, and Zucchet

Nays: 0

Excused: 2 - Malcolm, and Valderrama

Absent: 0

Abstain: 0

Recused: 0

WORKSHOP

2. 2018-0555 PRESENTATION AND ACCEPTANCE OF THE NORTH HARBOR DRIVE MOBILITY AND ACCESS STUDY AND DIRECTION TO STAFF

Lesley Nishihira, Director, Planning, addressed the Board with staff's report and presentation regarding Workshop Agenda Item 2 - File No. 2018-0555 (A copy of the staff report, presentations and any agenda-related materials are on file with the Office of the District Clerk). Ms. Nishihira then turned the presentation to Larry Hofreiter, Program Manager, Planning, to explain why the study was prepared, who was involved, and stakeholder engagement throughout the process. Mr. Hofreiter then turned the presentation to Stephen Cook, Traffic Consultant, to discuss the study's recommended improvements and the transportation analysis that was performed for the study. Mr. Cook then turned the presentation back to Mr. Hofreiter to discuss other transit options and the regional mobility collaboration.

The following member(s) of the public addressed the Board with agenda-related comments: Gary Smith, President, San Diego Downtown Residents Group.

Commissioner Merrifield, Commissioner Moore, Commissioner Zucchet, Commissioner Bonelli, and Chairman Castellanos provided comments and asked clarifying questions. Mr. Cook, Mr. Hofreiter, and Ms. Nishihira, responded on behalf of staff. Victoria Stackwick, Principal Government Relations Analyst, San Diego Association of Governments (SANDAG), responded on behalf of SANDAG. Ted Anasis, Manager, Airport Planning, San Diego County Regional Airport Authority, responded on behalf of the Airport.

3. 2018-0558 PRESENTATION AND DIRECTION TO STAFF ON THE PORT MASTER PLAN UPDATE - WORK PLAN FOR COMPLETING THE DISCUSSION DRAFT

Lesley Nishihira, Director, Planning, addressed the Board with staff's report and presentation regarding Workshop Agenda Item 3 - File No. 2018-0558 (A copy of the staff report, presentations and any agenda-related materials are on file with the Office of the District Clerk).

The following member(s) of the public addressed the Board with agenda-related comments: Gary Smith, San Diego Downtown Residents Group; Suzanne Varco, Partner, Varco & Rosenbaum Environmental Law Group; Art Engel was called, however, he ceded his time to Ms. Varco.

Commissioner Moore, Commissioner Bonelli, Commissioner Zucchet, and Chairman Castellanos provided comments. Lesley Nishihira responded on behalf of staff.

On a motion by Commissioner Moore, seconded by Commissioner Bonelli, the Board approved the requested funding increase in the amount of $850,500. The motion carried by the following vote:

Yeas: 5 - Bonelli, Castellanos, Merrifield, Moore, and Zucchet

Nays: 0

Excused: 2 - Malcolm, and Valderrama

Absent: 0

Abstain: 0

Recused: 0

CLOSED SESSION

Thomas A. Russell, General Counsel, announced the Closed Session items as follows:

2018-0564 Closed Session Item No. 1

CONFERENCE WITH REAL PROPERTY NEGOTIATOR
Government Code Section 54956.8

Property: SDUPD - Approximately 400,400 square feet of tideland area located at 1140 North Harbor Drive in the City of San Diego

Negotiating Parties:
Carnival Corporation - Stefano Borzone
Disney Cruise Line - Russell Daya
Ports America - Steven Loevsky
SDUPD - Randa Coniglio, Joel Valenzuela, Adam Deaton

Under Negotiations: Price and Terms

No reportable action was taken on this item.

2018-0567 Closed Session Item No. 2

CONFERENCE WITH LEGAL COUNSEL - INITIATION OF LITIGATION
Pursuant to Subdivision (d)(4) of Government Code Section 54956.9

One (1) Case

No reportable action was taken on this item.

C. Moore

Secretary, Board of Port Commissioners
San Diego Unified Port District

ATTEST:

Donna Morales

Clerk of the San Diego Unified Port District