

San Diego Unified Port District

3165 Pacific Hwy. San Diego, CA 92101

Special Meeting Minutes

Board of Port Commissioners

Wednesday, January 16, 20	19	9:30 AM	Don L. Nay Port Administration Boardroom
	<u> </u>	Closed Session	
A. Roll Call.			
Present:		er Merrifield, Commissioner	ellanos, Commissioner Malcolm, Moore, Commissioner Valderrama, and
Excused:	0		
Absent:	0		
	Commissioner Moc	ore was excused until she ar	rived at 9:36 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. <u>2019-0004</u> Closed Session Item No. 1

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

No reportable action was taken on this item.

2. <u>2019-0020</u> Closed Session Item No. 2

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.

3. <u>2019-0007</u> Closed Session Item No. 3

CONFERENCE WITH REAL PROPERTY NEGOTIATOR Government Code Section 54956.8 Property: SDUPD

Approximately 8,664 sqf of land area and approximately 133,755 sqf of water area located at 1403 Scott Street, San Diego CA 92106;

Approximately 9,343 sqf of land area and approximately 140,138 sqf of water area located at 2803 Emerson Street, San Diego CA 92106;

Approximately 21,074 sqf of land area and approximately 165,024 sqf of water area located at 2838 Garrison Street, San Diego CA 92106;

Approximately 96,342 sqf of land area and approximately 163,172 sqf of water area located at 4960 North Harbor Drive, San Diego CA 92106;

Approximately 9,600 sqf of land area located at the Western end of the North Harbor Drive parking lot, near the intersection of North Harbor Drive and Scott Street;

Approximately 54,000 sqf of land area located at 4980 North Harbor Drive, commonly referred to as the Westy's Parking Lot;

Approximately 33,000 sqf of land area located at the Western section of the North Harbor Drive parking lot, adjacent to Sun Harbor Marina;

Approximately 51,000 sqf of land area located at the Eastern section of the North Harbor Drive parking lot, adjacent to Point Loma Marina;

Approximately 4,700 sqf of land area located at the Eastern section of the North Harbor Drive parking lot, adjacent to the Navy leased property located near the intersection of North Harbor Drive and Echo Lane.

Negotiating Parties: Frank Lo Preste - Point Loma Sportfishing Association, Inc., dba Point Loma Sportfishing; Frank Ursitti - United Sportfishers of San Diego, Inc., dba

H & M Landing; Frank Lo Preste, Tim Ekstrom, Doug Kern - Fisherman's Landing Corporation, dba Fisherman's Landing; Greg Boeh - Point Loma Marina, LLC, dba The Wharf

Randa Coniglio, Shaun Sumner, Tony Gordon, Ken Wallis, Chris Hargett, Christian de Manielle - SDUPD

Under Negotiations:Price and TermsNo reportable action was taken on this item.

4. <u>2019-0022</u> Closed Session Item No. 4

CONFERENCE WITH REAL PROPERTY NEGOTIATOR Government Code Section 54956.8

Property: Approximately 48 acres of tideland area located between 2900 to 3500 block of North Harbor Drive in the City of San Diego

Negotiating Parties: OliverMcMillan Harbor Island, LLC - Zach Adams SDUPD - Shaun Sumner, Tony Gordon, Adam Meyer, Wendy Siao

Under Negotiations: Price and Terms

Chairman Castellanos recused himself and did not participate in this item. No reportable action was taken.

5. <u>2019-0012</u> Closed Session Item No. 5

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

This item was pulled off calendar and not considered.

Secretary, Board of Port Commissioners San Diego Unified Port District

ATTEST:

Glerk of the San Diego Unified Port District

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, January 16, 2019	2:00 PM	Don L. Nay Port Administration Boardroom

A. Roll Call.

Present:	6 -	Chairperson Bonelli, Commissioner 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 Closed Session Item 1 - File No. 2019-0004; Closed Session Item 2 - File No. 2019-0020; and Closed Session Item 4 - File No. 2019-0022. With regards to Item 4, Commissioner Castellanos recused himself and did not participate. Mr. Russell added that Item 5 - File No. 2019-0012 was not considered, and Item 3 - File No. 2019-0007 will be considered at the conclusion of this meeting. No reportable action was taken.

C. Pledge of Allegiance.

Commissioner Merrifield led the Pledge of Allegiance.

Prior to Public Communications, Commissioners Merrifield, Zucchet, Malcolm, Moore, Chairman Bonelli, Randa Coniglio, President/CEO, and Thomas A. Russell, General Counsel, expressed their appreciation to former Chairman Castellanos for his incredible leadership during 2018.

Former Chairman Castellanos thanked staff and Commissioners for their support and the opportunity to serve as Chair; with a special thanks to his parents, who were present, without whom he would not have been able to accomplish all he has in his life and be the person he is today.

D. Public Communications.

The following member(s) of the public addressed the Board with non agenda-related comments: Sharon Cloward, President, San Diego Port Tenants Association.

E. Commissioners' Reports.

Commissioner Moore reported on her trip to the American Association of Port Authorities Annual Convention in Valparaiso, Chile in October, 2018. Commissioner Moore explained that the highlight of attending the convention is talking to other port leaders and learning about how other ports throughout the world operate; also Commissioner Moore has noticed increased recognition of the Port of San Diego during the past couple of years at this convention which is an indication that the Port is doing well.

Commissioner Malcolm reported on his trip to Tokyo and Yokohama, Japan as part of the "Cities of the Future - San Diego Trade Mission" to promote San Diego as a global business partner. Joining Commissioner Malcolm were Shaun Sumner, Assistant Vice President, Real Estate and Development, and Greg Borossay, Principal, Maritime Business, in conducting 11 sales calls with prospective customers, as well as existing customers such as Mitsubishi, which is invested in the long-term expansion/modernization of Tenth Avenue Marine Terminal services. Commissioner Malcolm added that nothing can substitute for face-to-face contact with people to discuss business, it is very important to continue in-person contact with customers to cultivate maritime commerce at the Port.

F. Board Committee Reports.

Audit Oversight Committee

Chairman Bonelli reported that during December, the committee met regarding activities related to the District's annual audit plan for fiscal year 2018/2019, the external auditor's review of the District's Comprehensive Annual Financial Report (CAFR) and the Single Audit on Federal Awards for fiscal year 2017/2018, and a presentation by external auditors staff from Macias, Gini, and O'Connell, of the results of their review of the District's financial statement and selected federal awards. Based on the auditor's results there were no adjustments required for the financial statements, nor audit findings. The Audit Oversight Committee unanimously voted to recommend the Board accept the external auditor's report of the CAFR and the Single Audit on Federal Awards for fiscal year 2017/2018, which is agendized under consent.

Airport Connectivity Subcommittee

Chairman Bonelli then reported on the SANDAG Airport Connectivity Subcommittee. Chairman Bonelli explained that this committee was formed by the request of the Mayor of San Diego to study ways to improve mobility to the San Diego Airport. Chairman Bonelli hopes that the work done by this subcommittee can help inform and support the Port Master Plan Update; he anticipates providing monthly progress updates.

Environmental Advisory Committee (EAC)

Commissioner Castellanos reported that the EAC met four times in 2018, and one of the important topics discussed was sea level rise. A Sea Level Rise Ad-Hoc Committee was established by the EAC to provide peer review and technical support to Port staff pursuant to Assembly Bill 691 which requires the Port to submit a vulnerability assessment of potential sea level rise impacts to the State Lands Commission by the end of June 2019. Port staff with provide a presentation to the Board later this year summarizing the AB 691 submittal.

G. President's Report.

Randa Coniglio, President/CEO, announced she had no report, however, she did want to thank all the staff that worked on the Swearing In Ceremony today, they all did a great job.

H. District Clerk's Announcements.

Donna Morales, District Clerk, offered that additional agenda-related materials were received after the publication of the agenda and copies are available at the Clerk's Station for Action Agenda Item 13 - File No. 2019-0014.

Also, the Port received Certificates of Recognition from State Controller Betty Yee for the outgoing and incoming officers for 2018/2019.

Additionally, Ms. Morales reported that staff requested the following docket changes: staff requests to continue Consent Agenda Item 7 - File No. 2019-0002, and Action Agenda Item 9 - File No. 2019-0021 to a future Board meeting.

On a motion by Commissioner Malcolm, seconded by Commissioner Castellanos, 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
- 14.

2018-0570 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 120 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

January 16, 2019

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.

Commissioner Malcolm requested that this item be continued to a future Board meeting. The Board asked staff if continuance of item would require additional Board action regarding the extension of the Exclusive Negotiation Agreement (ENA). Anthony Gordon, Director, Real Estate, responded and clarified for the Board that staff, per administrative rights, will grant 30 day extension to the ENA with Sunroad to get to the February Board meeting.

The following members of the public submitted speaker cards but were not called to speak as item was continued: Brigette Browning, President, Unite Here Local 30, indicated "In Favor" of item; Ryan Karlsgodt, Unite Here Local 30, indicated "In Favor" of item.

On a motion by Commissioner Malcolm, seconded by Commissioner Merrifield, the Board continued the item to the February Board meeting. The motion carried by the following vote:

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

Nays: 0

- Excused: 1 Valderrama
- Absent: 0

Abstain: 0

Recused: 1 - Castellanos

APPROVAL OF MINUTES

<u>2019-0008</u>	Approval of minutes for: December 11, 2018 - CLOSED SESSION December 11, 2018 - REGULAR BPC MEETING	
	December 18, 2018 - SPECIAL MEETING PMPU WORKSHOP	
	On a motion by Commissioner Zucchet, 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

On a motion by Commissioner Malcolm, seconded by Commissioner Moore, the Board adopted the Consent Agenda as follows: Resolution 2019-001; 2019-002; Resolution 2019-003; Resolution 2019-004; Resolution 2019-005; Resolution 2019-006; Resolution 2019-007; and Resolution 2019-008. 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. 2018-0434 RESOLUTION AUTHORIZING AN AGREEMENT WITH MARINE GROUP BOAT WORKS LLC., FOR REPOWERING HARBOR POLICE DEPARTMENT MARINE VESSELS #2 AND #5, AND PURCHASING A SPARE VESSEL ENGINE AND TRANSMISSION PACKAGE UNIT FOR AN AMOUNT NOT TO EXCEED \$398,000. 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 Malcolm, seconded by Commissioner Moore, the Board adopted Resolution 2019-001 as part of the consent agenda.

2. 2018-0522 RESOLUTION AUTHORIZING AMENDMENT NO. 5 TO THE AGREEMENT 235-2016SN WITH MOZAIK SOLUTIONS, INCREASING THE MAXIMUM AMOUNT PAYABLE UNDER THE AGREEMENT BY \$123,500.00 FROM A TOTAL OF \$574,895.50 TO \$698,395.50, REIMBURSABLE THROUGH THE PORT SECURITY GRANT PROGRAM, AND EXTENDING THE AGREEMENT TERM THROUGH DECEMBER 31, 2021, AND WAIVING BPC POLICY 110; FY19 EXPENDITURES, IF NEEDED, ARE BUDGETED

On a motion by Commissioner Malcolm, seconded by Commissioner Moore, the Board adopted Resolution 2019-002 as part of the consent agenda.

3. 2018-0542 RESOLUTION AUTHORIZING AMENDMENT NO. 2 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 \$138,778 FOR A NEW TOTAL OF \$452,798. FY2019 EXPENDITURES ARE BUDGETED.

On a motion by Commissioner Malcolm, seconded by Commissioner Moore, the Board adopted Resolution 2019-003 as part of the consent agenda.

4. 2018-0543 RESOLUTION AUTHORIZING AN AGREEMENT WITH H.P. PURDON & COMPANY FOR SPONSORSHIP OF THE 2019 JULY 4TH BIG BAY BOOM FIREWORKS SHOW IN THE AMOUNT OF \$190,000 IN FUNDING AND \$140,000 IN DISTRICT SERVICES FOR A MAXIMUM AMOUNT NOT TO EXCEED \$330,000. FY19 EXPENDITURES ARE BUDGETED.

On a motion by Commissioner Malcolm, seconded by Commissioner Moore, the Board adopted Resolution 2019-004 as part of the consent agenda.

5. <u>2018-0561</u> FENDER SYSTEM UPGRADE AT NORTH BERTH OF B STREET PIER PROJECT:

A) RESOLUTION AUTHORIZING ISSUANCE OF A NON-APPEALABLE
COASTAL DEVELOPMENT PERMIT FOR THE FENDER SYSTEM
UPGRADE AT NORTH BERTH OF B STREET PIER PROJECT
B) RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND
AWARDING CONTRACT NO. 2018-04 TO R. E. STAITE ENGINEERING,
INC. IN THE AMOUNT OF \$3,219,360 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

On a motion by Commissioner Malcolm, seconded by Commissioner Moore, the Board adopted Resolution 2019-005 and Resolution 2019-006 as part of the consent agenda.

January 16, 2019

6. 2018-0577 RESOLUTION BY A FOUR-FIFTHS (4/5) VOTE RATIFYING THE EMERGENCY ACTION TAKEN BY THE EXECUTIVE DIRECTOR AND AUTHORIZING CONTINUED ACTION FOR THE EMERGENCY STORM WATER MANAGEMENT AT THE CHULA VISTA BAYFRONT INCLUDING PROCUREMENT OF A CONSULTANT TO PROVIDE DESIGN FOR THE STORM WATER MANAGEMENT REVISIONS, AND PROCUREMENT OF A CONTRACTOR TO IMPLEMENT THE STORM WATER MANAGEMENT IMPROVEMENTS

On a motion by Commissioner Malcolm, seconded by Commissioner Moore, the Board adopted Resolution 2019-007 as part of the consent agenda.

7. 2019-0002 ORDINANCE GRANTING A 15-YEAR LEASE WITH THREE 10-YEAR OPTIONS AND ONE 5-YEAR OPTION TO EXTEND FOR A TOTAL OF 50 YEARS TO THE SAN DIEGO SYMPHONY ORCHESTRA ASSOCIATION FOR THE BAYSIDE PERFORMANCE PARK LOCATED IN EMBARCADERO MARINA PARK SOUTH IN SAN DIEGO

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.

8. 2018-0477 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, 2018

On a motion by Commissioner Malcolm, seconded by Commissioner Moore, the Board adopted Resolution 2019-008 as part of the consent agenda.

ACTION AGENDA

9. 2019-0021 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.

10. <u>2018-0532</u> WETLAND MITIGATION BANK AT POND 20, SOUTH SAN DIEGO BAY

A) PRESENTATION AND UPDATE ON THE ENTITLEMENT PROCESS

B) RESOLUTION AUTHORIZING AMENDMENT #3 TO THE AGREEMENT WITH GREAT ECOLOGY TO SUPPORT THE DEVELOPMENT OF A MITIGATION BANK AT POND 20 IN THE AMOUNT OF \$164,500 TO ASSESS HYDRODYNAMICS IN COORDINATION WITH AN ADJACENT RESTORATION PROJECT ON REFUGE LAND, PROVIDE SEA LEVEL RISE AND HYDRUALIC MODELING, AND PREPARE A DESIGN ALTERNATIVE FOR A NEW TOTAL NOT TO EXCEED \$857,220. FUNDING FOR FISCAL YEAR 2019 IS BUDGETED

Eileen Maher, Director, Environmental Conservation, addressed the Board with staff's report and presentation regarding Action Agenda Item 10 - File No. 2018-0532 (A copy of the staff report, presentations and any agenda-related materials are on file with the Office of the District Clerk). Ms. Maher then turned the presentation over to Brent Eastty, Senior Environmental Specialist, to discuss the entitlement process.

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

Commissioner Merrifield, Commissioner Malcolm, Commissioner Moore, and Chairman Bonelli provided comments and asked clarifying questions. Ms. Maher responded on behalf of staff.

Commissioner Malcolm provided brief background of project. Commissioner Malcolm explained that this started 1998 when the South Bay National Wildlife Refuge was created as mitigation for the Airport. Pond 20 was specifically excluded from the South Bay National Wildlife Refuge by agreement of the stakeholders in the area (Environmental Health Coalition (EHC), Southwest Wetlands Interpretive Association (SWIA) and Cities of Imperial Beach and San Diego) and was to be considered for economic development at a future time. During the 20 year time period, the Port of San Diego entered to a number of three party Memorandums of Understanding (MOU) looking at the potential for development of site. After numerous studies and going out to users/potential developers, it was determined that the cost to bring Pond 20 back to a developable area was far too high for any economic development projects. Much consideration and thoughtful analysis has been made to get to where the project is today.

On a motion by Commissioner Malcolm, seconded by Commissioner Zucchet, the Board adopted Resolution 2019-009. 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

11. <u>2018-0531</u> PRESENTATION ON 2019-2020 PORT OF SAN DIEGO LEGISLATIVE PRIORITIES AND DIRECTION TO STAFF

Job Nelson, Assistant Vice President, External Relations, addressed the Board with staff's report and presentation regarding Action Agenda Item 11 - File No. 2018-0531 (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 to Jonathan Clay, Legislative Advocate, Carpi & Clay, to discuss the State of California legislative landscape for 2019. Mr. Clay then turned the presentation over to David Yow, Legislative Policy Administrator, Government & Civic Relations, to provide an overview of 2018 legislative accomplishments and opportunities for 2019. Mr. Yow then turned the presentation back to Job Nelson for closing comments.

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

Commissioner Merrifield, Commissioner Moore, and Chairman Bonelli provided comments and asked clarifying questions. Mr. Nelson and Mr. Clay responded.

12. 2019-0016 RESOLUTION AMENDING BOARD OF PORT COMMISSIONERS POLICY NO. 356 - LESSEES' WAGE RATES - TO COMFORM WITH EXISTING STATE LAW AND RENAME THE POLICY - PAYMENT OF PREVAILING WAGES

David Catalino, Deputy General Counsel, General Counsel's Office, addressed the Board with staff's report and presentation regarding Action Agenda Item 12 - File No. 2019-0016 (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, Political Director, International Brotherhood of Electrical Workers; and Tom Lemmon, Business Manager, San Diego County Building and Construction Trades Council.

Thomas A. Russell, General Counsel, asked clarifying question; Brian Fish, Legal Consultant, Dentons, responded.

Commissioner Zucchet, Commissioner Moore, Commissioner Merrifield, Commissioner Castellanos, Commissioner Malcolm, and Chairman Bonelli provided comments and asked clarifying questions. Randa Coniglio, President/CEO, responded.

On a motion by Commissioner Zucchet, seconded by Commissioner Malcolm, the Board adopted Resolution 2019-010. 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

13. 2019-0014 RESOLUTION AMENDING BOARD OF PORT COMMISSIONERS POLICY NO. 360 - REQUEST FOR PROPOSALS - TO ADD LANGUAGE TO REDUCE RISKS OF DELAYS TO NEW HOTEL CONSTRUCTION AND OPERATIONS AND RELATED DIRECTION TO STAFF

Shaun Sumner, Assistant Vice President, Real Estate and Development, addressed the Board with staff's report and presentation regarding Action Agenda Item 13 - File No. 2019-0014 (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 to Stephen Shafer to discuss the approach to local hire and to close out presentation.

The following member(s) of the public addressed the Board with agenda-related comments: Sharon Cloward, President, San Diego Port Tenants Association.

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

On a motion by Commissioner Castellanos, seconded by Commissioner Zucchet, the Board adopted Resolution 2019-011. The motion carried by the following vote:

- Yeas: 5 Bonelli, Castellanos, Merrifield, Moore, and Zucchet
- Nays: 1 Malcolm
- Excused: 1 Valderrama
- Absent: 0
- Abstain: 0
- Recused: 0

15. <u>2018-0544</u> REVIEW AND CONSIDERATION OF DRAFT PROPOSED BOARD AGENDA FOR THE FEBRUARY 12, 2019 MEETING

On a motion by Commissioner Malcolm, seconded by Commissioner Merrifield, the Board adopted the proposed agenda with the addition of the Sunroad 7-Acre Elbow Parcel on East Harbor Island item, for February, 2019. 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

16. <u>2019-0005</u> MONTHLY NOTIFICATION OF CHANGE ORDERS PURSUANT TO BPC POLICY NO. 110:

A) Change Order No. 1 to Contract No. 2017-03R with Dick Miller, Inc. / \$633,927.00 Decrease & 37 Calendar Day Time Extension thru 02/14/19

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 (NOAA) for Right of Entry Permit for Annual Field Inspections and Maintenance for Water Level/Tsunami Sensor, for total amount \$1,208.00

B) Correction to December 11, 2018, File No. 2018-0540, reporting Item 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

a. Reported as \$1,358.00; correct amount of waiver was \$3,158.00

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:

A) Amendment No. 1 to Lease (#57269) with HII San Diego Shipyard, Inc. / Amends Legal Entity Name from Continental Maritime of San Diego, Inc. to HII San Diego Shipyard, Inc.

January 16, 2019

:a

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 29, 2019	10:00 AM	Coronado Boat House
		Club Room
		1985 Strand Way
		Coronado, CA 92118

Board Retreat

A. Roll Call.

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

Excused: 0

Absent: 0

Commissioner Valderrama was excused until he arrived at 12:41 pm.

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

ACTION AGENDA

1. <u>2019-0031</u> BOARD OF PORT COMMISSIONERS ANNUAL RETREAT TO DISCUSS STRATEGIC PRIORITIES AND BUDGETARY MATTERS FOR CALENDAR YEAR 2019 AND FISCAL YEAR 2020, TEAM BUILDING AND RELATED DIRECTION TO STAFF

Chairman Bonelli welcomed the Board, staff, and public to the retreat and provided an outline of what he hopes to accomplish at the retreat and during his term as Chair.

Steve Alexander, facilitator, introduced himself and led the discussion by reviewing the agenda, retreat objectives, ground rules, and guidelines. Mr. Alexander then conducted the Celebration Exercise and asked the Board and staff to share what accomplishments they were most proud of during 2018.

Randa Coniglio, President/CEO then led the discussion to review the fiscal year 2020 Strategic Plan and Service Review, and Overarching Goals. Shaun Sumner, Assistant Vice President, Real Estate and Development, Jason Giffen, Assistant Vice President, Planning & Green Port, and Job Nelson, Assistant Vice President, External Relations, provided milestones for the departments key strategic projects for 2019.

Mr. Alexander then facilitated the PESTLE (Political, Economic, Social, Technological, Legal, and Environmental) exercise with the Board.

Chairman Bonelli recessed the Board Retreat for lunch at approximately 12:00 pm the Board then adjourned to Closed Session. Chairman Bonelli called the retreat back to order at 1:05 pm.

Ms. Coniglio led the discussion regarding the Financial Overview which included a review of FY 19/20 revenue forecasts, cumulative reserve balance, and input regarding specific budget matters for 2020.

Ernesto Medina, Chief Engineer, Engineering-Construction, conducted an exercise (Projopoly) with the Board illustrating the current Major Maintenance Program process for completing projects, and to initiate discussion to consider a multi-year funding Major Maintenance Program.

Steve Alexander then facilitated discussion with Board to develop and adopt five principles regarding how the Board wants to behave/act with each other, the community/other agencies, and Port staff.

Mr. Alexander then conducted retreat evaluation/lessons learned, and confirmed the next steps and Board's direction to staff.

Chairman Bonelli concluded the retreat and thanked everyone for their participation.

CLOSED SESSION

The Board adjourned to Closed Session at 12:15 pm.

2019-0034 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.

2019-0036 Closed Session Item No. 2

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.

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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, February 12, 2019	10:00 AM	Don L. Nay Port Administration Boardroom

Port Master Plan Update Workshop

A. Roll Call.

Present:	6 -	Chairperson Bonelli, Commissioner Castellanos, Commissioner Malcolm,
		Commissioner Moore, Commissioner Valderrama, and Commissioner Zucchet
Excused:	1 -	Commissioner Merrifield

Absent: 0

Commissioner Moore was excused until she arrived at 10:02 am. Commissioner Zucchet was excused until he arrived at 10:15 am.

Officers Present: Coniglio, DeAngelis, 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: Jill Pfeiffer.

WORKSHOP

 <u>2019-0058</u> PRESENTATION AND DIRECTION TO STAFF ON THE PORT MASTER PLAN UPDATE:

 A) EMBARCADERO PLANNING DISTRICT PUBLIC OUTREACH RESULTS
 B) FOLLOW-UP DRAFT POLICY CONCEPTS SPECIFIC TO COMMERCIAL FISHING
 Lesley Nishihira, Director, Planning, addressed the Board with opening comments and presentation regarding Workshop Agenda Item 1 - File No. 2019-0058 (A conv of the

presentation regarding Workshop Agenda Item 1 - File No. 2019-0058 (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 Scott Jordan, Civitas, to discuss Item A: Embarcadero Planning District Public Outreach Results. Mr. Jordan then turned the presentation to Jason Giffen, Assistant Vice President, Planning & Green Port to close-out staff presentation relating to the Embarcadero Public Outreach.

The following member(s) of the public addressed the Board with agenda-related comments for Item A: Peter H. Flournoy, International Law Offices of San Diego; Janet Rodgers; Donna Jones, Partner, Donna Jones Law; Cory Briggs, Attorney, San Diego Waterfront Coalition; Yehudi Gaffen, CEO, 1HWY1; and Donald Wood.

Commissioner Moore, Commissioner Zucchet, Commissioner Malcolm, Commissioner Valderrama, Commissioner Castellanos, and Chairman Bonelli provided comments and asked clarifying questions. Mr. Giffen and Ms. Nishihira responded.

Lesley Nishihira then began staff presentation on Item B: Follow-up Draft Policy Concepts Specific to Commercial Fishing.

The following member(s) of the public addressed the Board with agenda-related comments for Item B: Nina Venuti, California Sea Grant Extension Program, University of California; Sarah Shoffler, Fishery Biologist, NOAA Fisheries, Southwest Fisheries Science Center; Matt Everingham, Chief Technologist, Everingham Brothers Bait Co.; Arthur Lorton; Cynthia Quinonez, Chef/Owner, Fit Catering; Mike Conroy, West Coast Fisheries Consultant; Kelly Fukushima, Captain/Owner F/V Three Boys; Peter H. Flournoy, General Counsel, American Tunaboat Association; Dave Rudy, Owner, Catalina Offshore Products.

In the interest of time and keeping with the public notices, Public Comments were suspended and the Workshop temporarily recessed to Closed Session.

On a motion by Commissioner Malcolm, seconded by Commissioner Valderrama, the Board approved to recess the Workshop and adjourn to Closed Session. 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

The Worshop reconvened at 12:05 pm.

Public Comments continued, the following member(s) of the public addressed the Board with agenda-related comments for Item B: Alex Buggy, CEO, ABBA PM; Peter Halmay, San Diego Fishermen Working Group; Ken Franke, President, Sportfishing Association; (Mr. Franke also spoke on behalf of Frank Lopreste, CEO, Fishermans Landing and Frank Ursitti, Manager, H & M Landing); Sharon Cloward, President, San Diego Port Tenants Assocation; and Tom Driscoll, Driscoll's Wharf. Commissioner Valderrama asked clarifying question, Mr. Driscoll responded.

Commissioner Malcolm, Commissioner Moore, Commissioner Castellanos, Commissioner Valderrama, provided comments and asked clarifying questions. Lesley Nishihira; Jason Giffen; Dwight Colton, Fish Market Restaurants; Alex Buggy; and Rebecca Harrington, Senior Deputy General Counsel, responded.

Jason Giffen then summarized the Board's direction and provided closing comments.

The Workshop then adjourned to Closed Session.

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, February 12, 2019	12:00 PM	Don L. Nay Port Administration Boardroom
	Closed Session	

A. Roll Call.

Present:	6 -	Chairperson Bonelli, Commissioner Castellanos, Commissioner Malcolm,
		Commissioner Moore, Commissioner Valderrama, and Commissioner Zucchet
Excused:	1 -	Commissioner Merrifield
Absent:	0	

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. <u>2019-0066</u> 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. <u>2019-0067</u> Closed Session Item No. 2

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.*

3. <u>2019-0068</u> 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. The California Coastal Commission, et al.

San Diego Superior Court Case No. 37-2017-00024449-CU-WM-CTL

Commissioner Castellanos recused himself and did not participate in this item. No reportable action was taken on this item.

4. <u>2019-0069</u> Closed Session Item No. 4

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.

5. <u>2019-0070</u> Closed Session Item No. 5

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

Carlsbad Police Officers Association, et al. v. City of Carlsbad, et al., San Diego Superior Court Case Number 37-2019-00005450-CU-WM-CTL

No reportable action was taken on this item.

February 12, 2019

Secretary, Board of Port Commissioners San Diego Unified Port District

ATTEST:

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 12, 2019	1:00 PM	Don L. Nay Port Administration Boardroom

A. Roll Call.

Present:	6 -	Chairperson Bonelli, Commissioner 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; Commissioner Castellanos recused himself and did not participate in Closed Session Item 3 - File No. 2019-0068. With respect to Closed Session Item 1- File No. 2019-0066 and Closed Session Item 2 - File No. 2019-0067 the Board commenced discussion and will resume during Closed Session discussions after the conclusion of this meeting.

C. Pledge of Allegiance.

Commissioner Zucchet led the Pledge of Allegiance.

Chairman Bonelli announced that the meeting order has changed and the meeting will begin with the Action Item 15.

ACTION AGENDA

15. 2019-0033 PRESENTATION ON THE REDEVELOPMENT OF THE 7-ACRE ELBOW PARCEL (ELBOW PARCEL) ON EAST HARBOR ISLAND, AND UPDATE ON THE REDEVELOPMENT OF THE 48-ACRE EAST BASIN INDUSTRIAL SUBAREA (EAST BASIN INDUSTRIAL SUBAREA) NORTH OF THE ELBOW PARCEL, 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 ELBOW PARCEL 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 120 DAYS FROM THE EFFECTIVE DATE OF THE AMENDMENT TO THE SUNROAD ENA 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 ELBOW PARCEL INTERIOR BY MINIMIZING ITS VISIBILITY FROM HARBOR ISLAND DRIVE;

d) PROPOSED DEVELOPMENT INCORPORATES TEMPORARY AND PERMANENT MINI DESTINATION AREAS THROUGHOUT THE ELBOW PARCEL THAT DRAWS THE PUBLIC TO AND THROUGH THE ELBOW PARCEL 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.

B) PROVIDE DIRECTION TO STAFF ON THE REDEVELOPMENT OF THE EAST BASIN INDUSTRIAL SUBAREA ON EAST HARBOR ISLAND

Anthony Gordon, Director, Real Estate, addressed the Board with staff's report and

Meeting Minutes

February 12, 2019

presentation regarding Action Agenda Item 15 - File No. 2019-0033 (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 to Wendy Siao, Program Manager, Real Estate, to provide project background, criteria, and recommended amendments to the Exclusive Negotiating Agreement (ENA). Ms. Siao then turned the presentation to Uri Feldman, Sunroad, Mr. Feldman then invited Gordon Carrier, Design Principal, Carrier Johnson Architects to provide concepts of designs. Mr. Carrier then turned the presentation back to Mr. Feldman to address some of the concerns expressed previously regarding development of the site. Mr. Feldman then turned the presentation back to Ms. Siao to discuss staff recommendations and close presentation.

The following member(s) of the public addressed the Board with agenda-related comments: Bridgette Browning, President, UNITE HERE Local 30; Dr. Murtaza Baxamusa, San Diego Building Trades Family Housing Corporation; Carol Kim, San Diego Building Trades (Ms. Kim was not present); Tom Lemmon, San Diego Building Trades; and Gretchen Newsom, Political Director, International Brotherhood of Electrial Workers 569.

Commissioner Zucchet, Commissioner Moore, Commissioner Valderrama, Commissioner Malcolm, and Chairman Bonelli, provided comments and asked clarifying questions. Mr. Feldman, Thomas A. Russell, General Counsel, Rebecca Harrington, Senior Deputy General Counsel, Wileen Manaois, Director, Development Services, Mr. Gordon, and Jason Giffen, Assistant Vice President, Planning & Green Port, responded.

Commissioner Valderrama, seconded by Commissioner Malcolm, called for a motion to accept staff recommendations. Commissioner Moore called for an amendment to add the following criteria: Sunroad to bring forward a feasibility analysis within 120 days that shows ability to build one vs. two buildings, and to have staff and Sunroad work with Coastal Commission to get better understanding of how they interpret buildings; Sunroad is to provide the public promenade concurrently with the construction of the hotel; Sunroad will provide financial participation in the Port's shuttle system in the manner determined by staff; Sunroad will site/place buildings so as to avoid encroachment into view corridors. Commissioner Valderrama and Commissioner Malcolm accepted the amendment. The amendment carried by the following vote:

- Yeas: 5 Bonelli, Malcolm, Moore, Valderrama, and Zucchet
- Nays: 0
- Excused: 1 Merrifield
- Absent: 0
- Abstain: 0
- Recused: 1 Castellanos

On the motion by Commissioner Valderrama, seconded by Commissioner Malcolm, the Board adopted the main motion as amended, thereby adopting Resolution 2019-020. The motion carried by the following vote:

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

Nays:0Excused:1 -Absent:0Abstain:0Recused:1 -Castellanos

D. Public Communications.

The following member(s) of the public addressed the Board with non agenda-related comments: Bridgette Browning, President, UNITE HERE Local 30; Araceli Gallegos, Sheraton; Ruben Quezada, Sheraton; Miles Robertson, Sheraton; and Rick Tripp, Principal, Tripp Development.

Commissioner Castellanos, Commissioner Zucchet, Commissioner Moore, Chairman Bonelli, Commissioner Valderrama, and Commissioner Malcolm provided comments and asked clarifying questions. Randa Coniglio, President/CEO, and Thomas A. Russell, General Counsel responded on behalf of staff.

Commissioner Zucchet left the dais at 3:02 pm for the remainder of the Board meeting.

E. Commissioners' Reports.

Commissioner Malcolm reported on his trip to the Association of Pacific Ports Winter Conference in Maui, Hawaii. Commissioner Malcolm explained that this is a really great conference as it brings together all Pacific ports (national/international), it gives attendees an opportunity learn what other ports are doing, helps to develop policies, and provides ideas to make the Port of San Diego as efficient as possible.

F. Board Committee Reports.

Commissioner Malcolm reported on the Seaport San Diego Development Ad Hoc Committee. Commissioner Malcolm (Committee Chair) explained that the Committee was formed this year to provide advice and guidance to staff regarding strategic recommendations involving Seaport San Diego Development including interim activation, placemaking strategies, and investment considerations. Members of the Committee also include Commissioner Merrifield and Commissioner Castellanos. The Committee received a presentation from staff related to the interim operations of Seaport Village which will also be presented today.

Chairman Bonelli provided background regarding the SANDAG Airport Connectivity Subcommittee, and then invited Jason Giffen, Assistant Vice President, Planning & Green Port to speak about the work that staff is doing right now. Mr. Giffen spoke about the potential site that is being considered for a transit-ready area to connect the Airport to the region, the elements of the Airport Connectivity schedule/timeline, and functions of the various working groups.

G. President's Report.

No President's Report was provided.

H. District Clerk's Announcements.

Donna Morales, District Clerk, offered that copies of agenda-related materials for Consent Agenda Item 9 - File No. 2019-0018 were submitted after the publication of the agenda and copies were available at the Clerk's desk.

Additionally, Ms. Morales reported that staff requested to continue the following items: Consent Agenda Item 5 - File No. 2019-0038; Consent Agenda Item 6 - File No. 2019-0039; Consent Agenda Item 9 - File No. 2019-0018; and Action Agenda Item 14 -File No. 2018-0554.

The following member(s) of the public addressed the Board regarding Consent Agenda Item 9 - File No. 2019-0018: Gretchen Newsom, Political Director, International Brotherhood of Electrical Workers 569; Bridgette Browning, President, UNITE HERE (was called to speak but relinquished turn); and Tom Lemmon, San Diego County Building Trades.

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

- Yeas: 5 Bonelli, Castellanos, Malcolm, Moore, and Valderrama
- Nays: 0
- Excused: 2 Merrifield, and Zucchet
- Absent: 0
- Abstain: 0
- Recused: 0

APPROVAL OF MINUTES

2019-0054 Approval of minutes for: January 16, 2019 - CLOSED SESSION January 16, 2019 - SPECIAL BPC MEETING

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

- Yeas: 5 Bonelli, Castellanos, Malcolm, Moore, and Valderrama
- Nays: 0
- Excused: 2 Merrifield, and Zucchet
- Absent: 0
- Abstain: 0
- Recused: 0

CONSENT AGENDA

On a motion by Commissioner Valderrama, seconded by Commissioner Castellanos, the Board adopted the Consent Agenda as follows: Resolution 2019-012; Ordinance 2934; Resolution 2019-013; Resolution 2019-014; Ordinance 2935; Resolution 2019-015; Resolution 2019-016; Resolution 2019-017; Resolution 2019-018; and Resolution 2019-019. The motion carried by the following vote:

- Yeas: 5 Bonelli, Castellanos, Malcolm, Moore, and Valderrama
- Nays: 0
- Excused: 2 Merrifield, and Zucchet
- Absent: 0
- Abstain: 0
- Recused: 0
- 1. 2018-0243 RESOLUTION AUTHORIZING AMENDMENT NO. 1 TO AGREEMENT WITH MARINE GROUP BOAT WORKS, LLC, FOR FULL SERVICE IMPOUNDED VESSEL SERVICES, INCREASING THE \$600,000 MAXIMUM AMOUNT PAYABLE UNDER THE AGREEMENT BY \$929,400 FOR A NEW MAXIMUM AMOUNT OF \$1,529,400; AND ADDING A NEW LOCATION WHERE SERVICES ARE PERFORMED. ADDITIONAL FUNDING REQUIRED IN THE CURRENT FISCAL YEAR WILL BE FUNDED USING AVAILABLE FAVORABLE VARIANCE. 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 Castellanos, the Board adopted Resolution 2019-012 as part of the Consent Agenda.

2. 2018-0535 ORDINANCE GRANTING A THIRTY (30) YEAR EASEMENT TO SAN DIEGO GAS & ELECTRIC COMPANY FOR A SUBSURFACE GAS LINE ON 19TH STREET AND TIDELANDS AVENUE IN NATIONAL CITY, CALIFORNIA

On a motion by Commissioner Valderrama, seconded by Commissioner Castellanos, the Board adopted Ordinance 2934 as part of the Consent Agenda.

Board of Port Commissioners

3. 2018-0559 RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AWARDING CONTRACT NO. 2018-10 TO CHAMBERS INC. IN THE AMOUNT OF \$1,598,963 FOR THE ROOF REPLACEMENT AT TAMT WAREHOUSE B PROJECT AS AUTHORIZED BY THE BOARD IN THE FY2018/19 MAJOR MAINTENANCE BUDGET

> On a motion by Commissioner Valderrama, seconded by Commissioner Castellanos, the Board adopted Resolution 2019-013 as part of the Consent Agenda.

4. 2018-0565 RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AWARDING CONTRACT NO. 2018-03 TO DICK MILLER, INC. IN THE AMOUNT OF \$7,999,999.99 FOR THE DEMOLITION AND SITE IMPROVEMENTS OF TRANSIT SHED 2 AND RAIL IMPROVEMENTS AT TENTH AVENUE MARINE TERMINAL - TIGER GRANT PROJECT, AS AUTHORIZED AND FUNDED BY THE BOARD IN THE FY 2019-2023 CAPITAL IMPROVEMENT PROGRAM

> On a motion by Commissioner Valderrama, seconded by Commissioner Castellanos, the Board adopted Resolution 2019-014 as part of the Consent Agenda.

5. 2019-0038 RESOLUTION SELECTING AND AUTHORIZING A SINGLE SOURCE AGREEMENT WITH ELECTRIC POWER RESEARCH INSITUTE, AN IDENTIFIED SUBCONTRACTOR IN THE SAN DIEGO UNIFIED PORT DISTRICT'S APPLICATION TO THE CALIFORNIA ENERGY COMMISSION'S GRANT FUNDING OPPORTUNITY-17-302, FROM FEBRUARY 13, 2019 UNTIL MARCH 31, 2023 FOR SUPPORT OF THE TENTH AVE MARINE TERMINAL RENEWABLE MICROGRID FOR AN AMOUNT NOT TO EXCEED \$419,997, REIMBURSIBLE THROUGH THE CALIFORNIA ENERGY COMMISSION GRANT AGREEMENT NUMBER EPC-17-049

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.

6. 2019-0039 RESOLUTION SELECTING AND AUTHORIZING A SINGLE SOURCE AGREEMENT WITH UNIVERSITY OF CALIFORNIA, SAN DIEGO, AN IDENTIFIED SUBCONTRACTOR IN THE SAN DIEGO UNIFIED PORT DISTRICT'S APPLICATION TO THE CALIFORNIA ENERGY COMMISSION'S GRANT FUNDING OPPORTUNITY-17-302, FROM FEBRUARY 13, 2019 UNTIL MARCH 31, 2023 FOR SUPPORT OF THE TENTH AVE MARINE TERMINAL RENEWABLE MICROGRID FOR AN AMOUNT NOT TO EXCEED \$327,593, REIMBURSIBLE THROUGH THE CALIFORNIA ENERGY COMMISSION GRANT AGREEMENT NUMBER EPC-17-049 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. 2018-0572 ORDINANCE GRANTING AN APPROXIMATE TWENTY-TWO (22) YEAR UTILITY EASEMENT TO SAN DIEGO GAS & ELECTRIC COMPANY FOR SUBSURFACE UTILITY EQUIPMENT TO PROVIDE ELECTRICAL AND GAS SERVICE TO NATIONAL CITY AQUATIC CENTER AND DISTRICT INFRASTRUCTURE

> On a motion by Commissioner Valderrama, seconded by Commissioner Castellanos, the Board adopted Ordinance 2935 as part of the Consent Agenda.

8. 2018-0578 RESOLUTION AUTHORIZING AMENDMENTS TO THE AS NEEDED AGREEMENTS FOR PROJECT MANAGEMENT CONSULTING SERVICES WITH EXCELERATE, LLC AND SZENBRIDGE ASSOCIATES, TO PROVIDE PROJECT MANAGEMENT SERVICES TO SUPPORT THE STRATEGIC PLANNING PROCESS, TO INCREASE THE MAXIMUM AMOUNT PAYABLE UNDER THE AGREEMENTS BY \$500,000 FOR A TOTAL AGGREGATE AMOUNT NOT TO EXCEED \$675,000 AND EXTEND THE TERM FOR THREE YEARS TO JUNE 30, 2022

> On a motion by Commissioner Valderrama, seconded by Commissioner Castellanos, the Board adopted Resolution 2019-015 as part of the Consent Agenda.

9. 2019-0018 A) ORDINANCE AUTHORIZING AMENDMENT NO. 2 TO THE SAN DIEGO UNIFIED PORT DISTRICT'S AMENDED, RESTATED, AND COMBINED LEASE WITH PACIFIC GATEWAY, LTD DBA SAN DIEGO MARRIOTT MARQUIS AND MARINA TO REPLACE FUTURE RENT REVIEWS WITH FIXED RENT INCREASES AND UPDATE CERTAIN LEASE TERMS.

B) ORDINANCE AUTHORIZING OPTION TO THE SAN DIEGO UNIFIED PORT DISTRICT'S AMENDED, RESTATED, AND COMBINED LEASE WITH PACIFIC GATEWAY, LTD DBA SAN DIEGO MARRIOTT MARQUIS AND MARINA FOR AN OPTION TO ADD TWENTY-TWO (22) YEARS TO THE LEASE TERM.

C) ORDINANCE AUTHORIZING OPTION TO THE SAN DIEGO UNIFIED PORT DISTRICT'S AMENDED AND RESTATED LEASE WITH MANCHESTER GRAND RESORTS, L.P. DBA MANCHESTER GRAND HYATT FOR AN OPTION TO ADD SIXTEEN (16) YEARS TO THE LEASE TERM.

This item was continued to a future Board meeting.

10.2019-0019RESOLUTION ESTABLISHING RENT FOR BARTELL HOTELS, DBA
HILTON SAN DIEGO AIRPORT LOCATED AT 1960 HARBOR ISLAND
DRIVE, IN THE CITY OF SAN DIEGO FOR THE PERIOD OF JANUARY 1,
2019 THROUGH DECEMBER 31, 2028

On a motion by Commissioner Valderrama, seconded by Commissioner Castellanos, the Board adopted Resolution 2019-016 as part of the Consent Agenda.

11.2019-0025RESOLUTION BY A FOUR-FIFTHS (4/5) VOTE AUTHORIZING
CONTINUED ACTION FOR EMERGENCY STORM WATER
MANAGEMENT AT THE CHULA VISTA BAYFRONT

On a motion by Commissioner Valderrama, seconded by Commissioner Castellanos, the Board adopted Resolution 2019-017 as part of the Consent Agenda.

12.2019-0045RESOLUTION AUTHORIZING THE GENERAL COUNSEL TO EXECUTE
AMENDMENT NO. 3 TO THE AGREEMENT FOR LEGAL SERVICES
WITH COLANTUONO, HIGHSMITH & WHATLEY, P.C. INCREASING THE
MAXIMUM AMOUNT PAYABLE BY \$85,000 FROM \$165,000 TO
\$250,000; FY 2019 EXPENDITURES ARE BUDGETED

On a motion by Commissioner Valderrama, seconded by Commissioner Castellanos, the Board adopted Resolution 2019-018 as part of the Consent Agenda.

 13.
 2019-0055
 RESOLUTION WAIVING BOARD OF PORT COMMISSIONERS (BPC)

 POLICY 018-A, SECTION 3 TO ALLOW THREE COMMISSIONERS TO

 SERVE AS FACILITATORS FOR THE MARITIME STAKEHOLDER

 FORUM DURING 2019

On a motion by Commissioner Valderrama, seconded by Commissioner Castellanos, the Board adopted Resolution 2019-019 as part of the Consent Agenda.

ACTION AGENDA

14.2018-0554PRESENTATION OF SERVICE AWARDS TO EMPLOYEES WITH 15 OR
MORE YEARS OF SERVICE

This item was continued to a future Board meeting.

16. 2019-0001 PRESENTATION AND DIRECTION TO STAFF ON THE INTERIM MANAGEMENT AND OPERATION OF SEAPORT VILLAGE INCLUDING MAINTENANCE, LEASING AND ACTIVATION

Anthony Gordon, Director, Real Estate addressed the Board with staff's report and presentation regarding Action Agenda Item 16 - File No. 2019-0001 (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 to Lucy Contreras, Program Manager, Real Estate, to provide a high-level anticipated timeline on the redevelopment of Seaport Village and high-level objectives for consideration. Ms. Contreras then turned the presentation to Alexa Paulus, Asset Manager, Real Estate, to provide update on the transition, interim Seaport operations, and preliminary investment recommendations. Ms. Paulus then turned the presentation to Yehudi Gaffen, to provide an overview of the recommended site enhancements and activation. Mr. Gaffen then turned the presentation to Stacey Pennington, SLP Urban Planning, to discuss activation, public spaces, strategic vision and interim strategy. Ms. Pennington then turned the presentation back to Mr. Gaffen to discuss the enhancements and activation underway, areas for intervention, and proposed budget for site enhancements during transition. Mr. Gaffen then turned the presentation to Don Moser, Retail Insite, to discuss proposed leasing and tenant improvements. Mr. Moser then turned the presentation back to Ms. Paulus to discuss the revised Property Management Agreement, staff recommendations, and next steps.

The following member(s) of the public addressed the Board with agenda-related comments: Kalei Levy, Downtown San Diego Partnership; Russ Sperling, Director, Visual & Performing Arts, San Diego Unified School District; Omar Farah, Tenant, Seaport Village; and Reed Vickerman, COO/CFO, New Childrens Museum.

Commissioner Malcolm, Commissioner Castellanos, Commissioner Moore, Commissioner Valderrama, and Chairman Bonelli provided comments and asked clarifying questions. Mr. Gaffen, Commissioner Malcolm, Mr. Gordon, Ms. Contreras, Mr. Moser, and Ms. Paulus responded.

On a motion by Commissioner Malcolm, seconded by Commissioner Castellanos, the Board approved staff recommendation as presented. The motion carried by the following vote:

- Yeas: 5 Bonelli, Castellanos, Malcolm, Moore, and Valderrama
- Nays: 0
- Excused: 2 Merrifield, and Zucchet
- Absent: 0
- Abstain: 0
- Recused: 0

17. <u>2018-0576</u> PRESENTATION AND UPDATE ON THE BAYWIDE INFORMATIONAL AND WAYFINDING PLAN

Job Nelson, Assistant Vice President, External Relations, addressed the Board with staff's report and presentation regarding Action Agenda Item 17 - File No. 2018-0576 (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 to Jenifer Barsell, Director, Marketing & Communications, to provide an overview of the signage analysis conducted, stakeholder outreach, and the initial design concept for wayfinding signage.

The following member(s) of the public addressed the Board with agenda-related comments: Sharon Cloward, President, San Diego Port Tenants Association.

Commissioner Valderrama, Commissioner Castellanos, and Chairman Bonelli provided comments and asked clarifying questions. Ms. Barsell, and Mr. Nelson responded.

Receive presentation and update on the baywide informational and wayfinding plan.

18. 2019-0009 REVIEW AND CONSIDERATION OF DRAFT PROPOSED BOARD AGENDA FOR THE MARCH 12, 2019 MEETING

On a motion by Commissioner Valderrama, seconded by Commissioner Malcolm, the Board adopted the proposed agenda for March. The motion carried by the following vote:

- Yeas: 5 Bonelli, Castellanos, Malcolm, Moore, and Valderrama
- Nays: 0
- Excused: 2 Merrifield, and Zucchet
- Absent: 0
- Abstain: 0
- Recused: 0

OFFICER'S REPORT

19. <u>2019-0052</u> MONTHLY NOTIFICATION OF CHANGE ORDERS PURSUANT TO BPC POLICY NO. 110:

A) Change Order No. 5 to Contract No. 2012-06 with R.E. Staite Engineering, Inc. / \$72,996.48 Increase & 23 Calendar Day Time Extension thru 10/06/18

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 City of San Diego for Park

February 12, 2019

Blvd at Grade Crossing, for total amount \$2,300.00

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



San Diego Unified Port District

3165 Pacific Hwy. San Diego, CA 92101

Special Meeting Minutes

Board of Port Commissioners

Monday, February 25, 2019	10:00 AM	Don L. Nay Port Administration Boardroom

Port Master Plan Update Workshop

A. Roll Call.

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

 Excused:
 1 Commissioner Castellanos

 Absent:
 0

B. Pledge of Allegiance.

Commissioner Valderrama led the Pledge of Allegiance.

C. Public Communications.

The following member(s) of the public addressed the Board with non agenda-related comments: Matt Everingham was called to speak but elected to postpone comment for PMPU Workshop Item A.

CONSENT AGENDA

On a motion by Commissioner Malcolm, seconded by Commissioner Merrifield, the Board adopted the Consent Agenda as follows: Ordinance 2936. The motion carried by the following vote:

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

Nays: 0

- Excused: 1 Castellanos
- Absent: 0
- Abstain: 0
- Recused: 0
- 1. 2019-0047 ORDINANCE GRANTING AMENDMENT NO. 3 TO CONDITIONAL AGREEMENT WITH MITSUBISHI CEMENT CORPORATION TO EXTEND THE TERM OF THE CONDITIONAL AGREEMENT FOR THE PROPOSED CEMENT IMPORT TERMINAL IN WAREHOUSE C AT THE TENTH AVENUE MARINE TERMINAL, IN SAN DIEGO

On a motion by Commissioner Malcolm, seconded by Commissioner Merrifield, the Board adopted Ordinance 2936 as part of the consent agenda.

WORKSHOP

2. <u>2019-0074</u> PRESENTATION AND DIRECTION TO STAFF ON THE PORT MASTER PLAN UPDATE:

A) FOLLOW-UP ITEMS FROM THE FEBRUARY 12, 2019 WORKSHOPB) PLANNING COMMITMENTS AND PREVIOUS STUDIES FOR NORTHEMBARCADERO SUB-DISTRICT

C) DRAFT POLICY CONCEPTS AND RECOMMENDED LAND AND WATER USE CONFIGURATION FOR NORTH EMBARCADERO SUB-DISTRICT

Lesley Nishihira, Director, Planning, addressed the Board with staff's report and presentation regarding Action Agenda Item 2 - File No. 2019-0074 (A copy of the staff report, presentations and any agenda-related materials are on file with the Office of the District Clerk). Ms. Nishihira discussed Item A - Follow-up Items from the February 12, 2019 Workshop.

Commissioner Moore, Commissioner Merrifield, Commissioner Malcolm, and Commissioner Valderrama asked technical/clarifying questions. Lesley Nishihira responded.

The following member(s) of the public addressed the Board with agenda-related comments for Item A: Matt Everingham, Board Member, San Diego Fisherman's Working Group; Janet Rogers; Peter H. Flournoy, Commercial Fisherman Steering Committee; and Theresa Barnes, Founder, HearCommunication.

Commissioner Merrifield, Commissioner Malcolm, Commissioner Valderrama, and Chairman Bonelli provided comments and asked clarifying questions. Lesley Nishihira; Jason Giffen, Assistance Vice President, Planning & Green Port; Shaun Sumner, Assistant Vice President, Real Estate and Development; and Thomas A. Russell, General Counsel responded.

Lesley Nishihira then led the discussion regarding Item B - North Embarcadero Planning Commitments & Previous Studies/Concepts. Ms. Nishihira then turned the presentation to Scott Jordan, Civitas, to provide a refresher of the results of the public outreach recently conducted, as well as an overview of previous studies and concepts of the area. Mr. Jordan then turned the presentation to Jason Giffen to conclude staff presentation regarding Item B.

The following member(s) of the public addressed the Board with agenda-related comments for Item B: Mac McLaughlin, CEO, USS Midway; and Don Wood, San Diego Waterfront Coalition, C-3.

Commisioner Valderrama, Commissioner Zucchet, Commissioner Merrifield, Commissioner Moore, and Commissioner Malcolm provided comments and asked clarifying questions. Rebecca Harrington, Jason Giffen, Scott Jordan, and Thomas A. Russell, responded.

Board of Port Commission	ners Special Meeting Minutes	February 25, 2019
	In the interest of time, Chairman Bonelli called for a recess for lunch and to Closed Session. Chairman Bonelli advised the public that the Workshop we at 1:00 p.m.	-
CLOSED SESSION		
	Thomas A. Russell, General Counsel, announced the Closed Session items	s as follows:
2019-0079	Closed Session Item No. 1	
	CONFERENCE WITH REAL PROPERTY NEGOTIATOR Pursuant to Subdivision (d)(1) of Government Code Section 54	956.8
	Property: Approximately 1,586,203 square feet of tideland area 333 West Harbor Drive in the City of San Diego, California Negotiating Parties:	
	Pacific Gateway, Ltd. dba San Diego Marriott Marquis and Mar Christopher Ostapovicz; SDUPD - Shaun Sumner, Tony Gordon and Christian Anderso	
	No reportable action was taken on this item.	
2019-0075	Closed Session Item No. 2	
	CONFERENCE WITH REAL PROPERTY NEGOTIATOR Government Code Section 54956.8 Property: SDUPD - Parcels of land totaling approximately 147 feet, 45,590 square feet, and 25,643 square feet located adjac Convention Way between Marina Park Way and Park Blvd in the San Diego, California Negotiating Parties: Fifth Avenue Landing, LLC - Arthur E. Engel and Raymond A. (SDUPD - Lucy Contreras, Adam Meyer, Tony Gordon, Shaun S	ent to ne City of Carpenter
	Under Negotiations: Price and Terms No reportable action was taken on this item.	
<u>2019-0076</u>	Closed Session Item No. 3	
	CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGA	ΓΙΟΝ

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.

2019-0077 Closed Session Item No. 4

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.

The Workshop reconvened at 1:05 pm.

Thomas A. Russell, General Counsel, announced that the Board considered Items 1 and 2 on the Closed Session Agenda, and discussion will continue on Item 1 and the remaining Closed Session items after the conclusion of this meeting.

2. <u>2019-0074</u> PRESENTATION AND DIRECTION TO STAFF ON THE PORT MASTER PLAN UPDATE:

A) FOLLOW-UP ITEMS FROM THE FEBRUARY 12, 2019 WORKSHOP

B) PLANNING COMMITMENTS AND PREVIOUS STUDIES FOR NORTH EMBARCADERO SUB-DISTRICT

C) DRAFT POLICY CONCEPTS AND RECOMMENDED LAND AND WATER USE CONFIGURATION FOR NORTH EMBARCADERO SUB-DISTRICT

Jason Giffen announced that Scott Jordan, Civitas, will be presenting Item C - Draft Policy Concepts and Recommended Land and Water Use Configuration for North Embarcadero Sub-District.

Commissioner Merrifield asked a clarifying question, Mr. Jordan responded.

Mr. Jordan then turned the presentation back to *Mr.* Giffen to conclude staff presentation for Item C.

The following member(s) of the public addressed the Board with agenda-related comments for Item C: Bret Arriola, Vice President of Asset Management, RLJ Lodging Trust; Mac Mclaughlin, CEO, USS Midway; Chris Neils, USS Midway; Ronne Froman-Blue, USS Midway; Susan Sirota, Vice President, Maritime Museum; Allison Rolfe, President, Collaborative Solutions, on behalf of Pacifica Companies; Ryan Karlsgodt, Unite Here Local 30; and Don Wood.

Commissioner Moore, Commissioner Malcolm, Commissioner Merrifield, Chairman Bonelli; Commissioner Zucchet, and Commissioner Valderrama provided comments and asked clarifying questions. Lesley Nishihira; Rebecca Harrington; Stephen Cook, Consultant, Chen Ryan Associates; Scott Jordan; Shaun Sumner; and Jason Giffen responded.

Randa Coniglio, President/CEO thanked staff for a great presentation and for all their hard work.

San Diego Unified Port District

Board of Port Commissioners

Special Meeting Minutes

February 25, 2019

Jason Giffen, in closing, summarized comments received, and confirmed direction from the Board. Lesley Nishihira concluded the Workshop by providing next steps for the Port Master Plan Update process.

Thomas A. Russell, General Counsel announced that the Board is adjourning to Closed Session to consider Items 1 and 4.

Closed session adjourned at 4:30 pm. 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

Tue	sday, March 12, 2019		10:00 AM	Don L. Nay Port Administration Boardroom
		Revised	Closed Session A	genda
A.	Roll Call.			
	Present:		rifield, Commissioner I	ellanos, Commissioner Malcolm, Moore, Commissioner Valderrama, and
	Excused:	0		
	Absent:	0		
		Commissioner Malcolm v	vas excused until he a	nrived at 10:10 am.
		Officers Present: Conigli	io, DeAngelis, Morales	s, and Russell
в.	Public Communie	cations.		
		The following member(s) comments: None	of the public addresse	ed the Board with non agenda-related
<u>CL</u>	OSED SESSION			
		Thomas A. Russell, Gene	eral Counsel, announc	ed the Closed Session items as follows:
1.	<u>2019-0093</u>	Closed Session Item	No. 1	
				EL - EXISTING LITIGATION mment Code Section 54956.9
		-		Monsanto Company, et al. 5-CV-0578 WQH (JLB)
		No reportable action was	taken on this item.	

2. <u>2019-0095</u> Closed Session Item No. 2

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.

3. <u>2019-0096</u> Closed Session Item No. 3

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.*

4. <u>2019-0094</u> Closed Session Item No. 4

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

Two (2) Cases

The Board unanimously authorized the initiation of litigation against California State University in relation to a vessel allision with a Port pier by the vessel Golden Bear occurring on or about June 25, 2018. No other reportable action was taken. **Board of Port Commissioners**

5. <u>2019-0112</u> Closed Session Item No. 5

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

Carlsbad Police Officers Association, et al. v. City of Carlsbad, et al., San Diego Superior Court Case Number 37-2019-00005450-CU-WM-CTL

No reportable action was taken on this item.

6. <u>2019-0113</u> Closed Session Item No. 6

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

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San Diego Unified Port District

3165 Pacific Hwy. San Diego, CA 92101

Meeting Minutes

Board of Port Commissioners

Tuesday, March 12, 2019			1:00 PM	Don L. Nay Port Administration Boardroom		
A. Roll Call.						
P	resent:	7 -		ield, Commissione	stellanos, Commissioner Malcolm, r Moore, Commissioner Valderrama, and	
Ex	ccused:	0				
	Absent:	0				

Officers Present: Coniglio, DeAngelis, Medina, 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 4 - File No. 2019-0094, the Board unanimously authorized the initiation of litigation against California State University in relation to a vessel allision with a Port pier by the vessel Golden Bear occurring on or about June 25, 2018.

No other 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: Brigette Browning, President, Unite Here Local 30 (Ms. Browning was called but not present); Mr. DiMaio, Sheraton; Maria Mora, Sheraton; John Carlo Vega, Sheraton; and Ryan Karlsgodt, Unite Here Local 30.

E. Commissioners' Reports.

Commissioner Merrifield reported on the San Diego Regional Chamber of Commerce Leadership Delegation to Sacramento February 26-27, 2019. Commissioner Merrifield explained that eighty-five leaders from various industries and fields travelled to Sacramento. The delegation met with representatives from the State Assembly and Senate regarding a variety of subjects such as regional transportation issues, progress at the Chula Vista Bayfront, upcoming legislation, and state budget issues. Commissioner Merrifield said a highlight of the trip was the conversation with Panorea Avdis, Chief of Staff for Lt. Governor Eleni Kounalakis. Ms. Avdis expressed a strong desire to assist with addressing border sewage down by Tijuana, and has expressed interest in visiting the Port District.

Commissioner Malcolm reported on the trip to the Aquaculture 2019 Conference in New Orleans, Louisiana. Commissioner Malcolm shared that the Port of San Diego is one of the few government agencies that is in the aquaculture business. A highlight of the trip included a demonstration of the National Oceanic and Atmoshperic Administration's (NOAA) GIS map overlays which provides layers of data showing viable areas for aquaculture enterprise by region; NOAA provided a detailed report to the Port specifically for San Diego. Another highlight was a meeting with NOAA and aquaculture companies looking to develop fish farms in San Diego.

Chairman Bonelli reported on a trip to Aurora, Colorado. Chairman Bonelli explained that he, along with Commissioner Moore and Randa Coniglio, President/CEO, attended the official grand opening of of Gaylord Rockies Resort & Convention Center, and had the opportunity to meet with RIDA who is also the developer for the Chula Vista Bayfront Hotel & Convention Center. Chairman Bonelli said it was interesting to see the final product, and the quality of work is heartening in relation to the potential for the Chula Vista Bayfront project.

F. Board Committee Reports.

Commissioner Valderrama reported on the Tidelands Activation Program Advisory Committee (TAPAC) which met on February 14, 2019. Commissioner Valderrama explained that the TAPAC's function is to activate the Port's tidelands. The committee is responsible for evaluating applications for the annual Tidelands Activation Program Grants and to make funding recommendations to the Board. TAPAC is currently evaluating the fiscal year 2020 funding grants and have received 77 applications with approximately \$1.5 million in funding requests and \$1.2 million in service requests. Commissioner Valderrama shared that he, along with Commissioner Castellanos, attended the 7th Annual International Mariachi Festival at Chula Vista Bayfront Park which was funded through the FY 2019 TAP grant program. In past years the event was located in National City Pepper Park, but was relocated to Chula Vista to provide needed room for expansion.

Commissioner Valderrama then reported on the March 7, 2019 Accessibility Advisory Committee (AAC) meeting. The AAC was appointed to assist the Port with evaluating services and programs to make them more fully usable and accessible to all. Commissioner Valderrama explained that the AAC received project presentations for the Lobby/Lobby Bar Renovation at the Manchester Grand Hyatt San Diego, Parking Garage Equipment for the Bayfront Parking Garage and the San Diego Convention Center Garage, and Wayfinding Signage Designs.

Commissioner Valderrama then spoke about the February 26, 2019, Maritime Stakeholder Forum. The Maritime Stakeholder Forum is comprised of Port tenants from the maritime industry. Commissioner Valderrama explained that this group is instrumental in providing important feedback to the Port to improve maritime operations, such as the current redevelopment of the Tenth Avenue Marine Terminal.

Chairman Bonelli, Commissioner Merrifield and Randa Coniglio, President/CEO, reported on the SANDAG Board of Directors Retreat and Airport Connectivity Subcommittee Meeting. Commissioner Merrifield explained that the retreat which comprised of area Mayors and the SANDAG's new Executive Director, Hasan Ikhrata, dedicated a day to discuss mobility and transportation in and around Downtown San Diego, focusing on the Airport in particular. Ms. Coniglio attended the CEO panel at the Airport Connectivity

Board of Port Commissioners

Meeting Minutes

March 12, 2019

Subcommittee. Ms. Coniglio stated that she was encouraged by the level of cooperation from all the regional organizations at the meeting, and that the timing provides a great opportunity to synchronize mobility and transportation efforts to reduce/mitigate congestion around the Airport and the harbor in general, as the Port, SANDAG and the Airport are in the process of updating their key plans (Port Master Plan, SANDAG Regional Transportation Plan, and Airport Development Plan).

G. President's Report.

Randa Coniglio, President/CEO, provided follow-up report regarding public comments made by employees of the Sheraton Harbor Island Hotel at the February 12, 2019 Board meeting. Ms. Coniglio stated, in response to the public testimony given, Port staff inspected both towers at the Sheraton Harbor Island on March 1 for issues relating to safety protocols, maintenance, and cleanliness. The inspection revealed that the conditions reported appear to have been remedied. Ms. Coniglio added that there is a current California OSHA inspection in progress with preliminary reports being positive, with only minor corrective issues. The County's Department of Environmental Health completed inspections on March 5, resulting in an "A" rating in all restaurant and food handling areas.

Ms. Coniglio then informed the Board that she will be unable to provide an update regarding the expansion of the District's Prevailing Wage Policy. Ms. Coniglio stated that staff is working on this complex matter, and she will provide an update when possible.

Ms. Coniglio then invited Mark Stainbrook, Chief, Harbor Police, to the podium. Chief Stainbrook recognized Daryl Mayekawa, Public Safety Assistant Manager, San Diego Convention Center, for his 20 plus years of outstanding partnership with the Port of San Diego, in thanks for his vigilance and assistance in crime prevention and homeland security efforts.

Chief Stainbrook then presented the Life Saving Award to Officer James MacMaster for providing CPR at Disneyland which was instrumental in saving a man's life.

Ms. Coniglio then presented the Compass Award to Martin Corona, Equipment Operator, for being the longest serving employee. Mr. Corona has worked for the Port for 32 years.

Ms. Coniglio then turned the presentation to Kelly Tate, Senior Environmental Specialist, Environmental Protection, to provide a report on the Oceanology International Americas 50th Annual Conference in February, 2019. Ms. Tate explained that the Port not only sponsored the event, but also had staff participate in various ways during the three-day conference. Ms. Tate thanked Marketing & Communication for their work on promoting the "That's My Bay" Environmental Champions outreach campaign. Ms. Tate also recognized staff from General Services, Human Resources, Planning and Green Port, and Harbor Police, for making the "Meet the Port" event a success.

H. District Clerk's Announcements.

Donna Morales, District Clerk, offered that copies of agenda-related materials for Consent Agenda Item 15 - File No. 2019-0085 were submitted after the publication of the agenda and copies were available at the Clerk's desk.

Ms. Morales then reported that staff requested to continue the following items: Consent Agenda Item 4 - File No. 2019-0082 and Action Agenda Item 19 - File No. 2019-0109. Ms. Morales then announced that Consent Agenda Item 13 - File No. 2019-0105 was rescheduled and adopted at the February 25, 2019 Board Workshop, and the following

Board of Port Commissioners	Meeting Minutes	March 12, 2019
	ger required Board action: Consent Agenda Item nda Item 10 - File No. 2019-0080; and Consent	
	by Commissioner Malcolm, seconded by Con	,

the Board accepted 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

<u>2019-0110</u>	Approval of minutes for: January 29, 2019 - SPECIAL MEETING - BOARD RETREAT February 12, 2019 - SPECIAL MEETING - PMPU WORKSHOP February 12, 2019 - CLOSED SESSION February 12, 2019 - BPC MEETING February 25, 2019 - SPECIAL MEETING - PMPU WORKSHOP
	On a motion by Commissioner Castellanos, seconded by Commissioner Valderrama, the Board approved the minutes. 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 Malcolm, the Board adopted the Consent Agenda as follows: Resolution 2019-021; Resolution 2019-022; Resolution 2019-023; Resolution 2019-024; Resolution No. 2019-025; Resolution No. 2019-026; Ordinance 2937; Resolution No. 2019-027; Resolution No. 2019-028; Ordinance 2938; Ordinance 2939; and Ordinance 2940.

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. 2018-0384 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.

On a motion by Commissioner Merrifield, seconded by Commissioner Malcolm, the Board adopted Resolution 2019-021 as part of the Consent Agenda.

2. 2018-0521 RESOLUTION AUTHORIZING A MEMORANDUM OF UNDERSTANDING BETWEEN THE SAN DIEGO UNIFIED PORT DISTRICT AND THE CITY OF IMPERIAL BEACH FOR THE CONSTRUCTION OF THE REGIONAL FIBER OPTIC INFRASTRUCTURE PHASE 4A PROJECT FOR A NOT TO EXCEED AMOUNT OF \$1,047,795 FUNDED BY HOMELAND SECURITY PORT SECURITY GRANT PROGRAM FY16

On a motion by Commissioner Merrifield, seconded by Commissioner Malcolm, the Board adopted Resolution 2019-022 as part of the Consent Agenda.

3. 2018-0560 RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AWARDING CONTRACT NO. 2018-19 TO BELLINGHAM MARINE INDUSTRIES IN THE AMOUNT OF \$591,842.00 FOR THE STRUCTURAL REPAIRS AT TUNA HARBOR DOCK #1 PROJECT AS AUTHORIZED BY THE BOARD IN THE FY2018/19 MAJOR MAINTENANCE BUDGET

On a motion by Commissioner Merrifield, seconded by Commissioner Malcolm, the Board adopted Resolution 2019-023 as part of the Consent Agenda.

4. 2019-0082 RESOLUTION AUTHORIZING AGREEMENT WITH SALESFORCE INC. FOR ENTERPRISE SOLUTIONS PLATFORM LICENSING IN AN AMOUNT NOT TO EXCEED \$XXX,XXX, FOR 5 YEARS, AND RESOLUTION AUTHORIZING AGREEMENT WITH DELOITTE CONSULTING, LLP IN AN AMOUNT NOT TO EXCEED \$XXX,XXX FOR SALESFORCE IMPLEMENTATION SERVICES. FUNDS REQUIRED FOR FUTURE FISCAL YEARS WILL BE BUDGETED IN THE APPROPRIATE FISCAL YEAR, SUBJECT TO BOARD APPROVAL UPON THE 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.

5. 2019-0023 RESOLUTION APPROVING THE ENHANCED MILITARY LEAVE POLICY FOR ALL CLASSIFIED AND UNCLASSIFIED EMPLOYEES THROUGH MARCH 31, 2021

On a motion by Commissioner Merrifield, seconded by Commissioner Malcolm, the Board adopted Resolution 2019-024 as part of the Consent Agenda.

6. 2019-0028 RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AWARDING CONTRACT NO. 2018-17 TO GOOD-MEN ROOFING & CONSTRUCTION, INC. IN THE AMOUNT OF \$353,573.44 (BID SCHEDULES A AND B) FOR THE ROOF REPLACEMENT PROJECT OF THE BUILDINGS AT 1411 WEST PALM STREET, SAN DIEGO, CA 92101, AS AUTHORIZED BY THE BOARD IN THE FY2018/19 MAJOR MAINTENANCE BUDGET

On a motion by Commissioner Merrifield, seconded by Commissioner Malcolm, the Board adopted Resolution 2019-025 as part of the Consent Agenda.

7. <u>2019-0029</u> RESOLUTION BY A FOUR-FIFTHS (4/5) VOTE AUTHORIZING CONTINUED ACTION FOR THE EMERGENCY STORM WATER MANAGEMENT AT THE CHULA VISTA BAYFRONT

On a motion by Commissioner Merrifield, seconded by Commissioner Malcolm, the Board adopted Resolution 2019-026 as part of the Consent Agenda.

8. 2019-0040 ORDINANCE GRANTING THE TERMINATION AND SURRENDER OF LEASE WITH THE CITY OF NATIONAL CITY FOR THE OPERATION OF AN AQUATIC AND RECREATIONAL CENTER AND THE ACCEPTANCE OF A QUITCLAIM DEED FROM THE CITY OF NATIONAL CITY FOR 8,412 SQUARE FEET OF PROPERTY LOCATED AT PEPPER PARK, IN NATIONAL CITY

On a motion by Commissioner Merrifield, seconded by Commissioner Malcolm, the Board adopted Ordinance 2937 as part of the Consent Agenda.

9. 2019-0106 RESOLUTION REQUESTING WAVING OF BOARD OF PORT COMMISSIONER POLICY (BPC NO. 110 SECTION II. D.) IN SELECTING AND AUTHORIZING AN AGREEMENT WITH DELOITTE & TOUCHE LLC FOR ANNUAL CYBER SECURITY STAFF AUGMENTATION IN AN AMOUNT NOT TO EXCEED \$420,000 PER YEAR. THIS IS A SUPPLEMENTAL EXPENDITURE REQUEST IN ADDITION TO THE APPROVED FY2019 BUDGET. FUNDS REQUIRED FOR FUTURE YEARS 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.

This Consent Item no longer required Board Action.

10. 2019-0080 RESOLUTION REQUESTING WAVING OF BOARD OF PORT COMMISSIONER POLICY (BPC NO.110 SECTION II. D.) FOR NETWORK SERVICES ENABLEMENT SPRINT PROJECT IN AN AMOUNT NOT TO EXCEED \$220,000. THIS IS A SUPPLEMENTAL EXPENDITURE REQUEST IN ADDITION TO THE APPROVED FY2019 BUDGET. FUNDS REQUIRED FOR FUTURE YEARS WILL BE BUDGETTED IN THE APPROPRIATE FISCAL YEAR, SUBJECT TO BOARD APPROVAL UPON ADOPTION OF EACH FISCAL YEAR'S BUDGET.

Board Action No Longer Required.

This Consent item no longer required Board action.

11. 2019-0044 RESOLUTION WAIVING BPC POLICY NO. 110 AND AUTHORIZING SINGLE SOURCE AGREEMENT BETWEEN THE SAN DIEGO UNIFIED PORT DISTRICT AND EY (ERNST & YOUNG) FOR LONG TERM RECOVERY PLANNING CONSULTING SERVICES BEGINNING ON MARCH 18, 2019 AND TERMINATING ON AUGUST 31, 2021 FOR AN AMOUNT NOT TO EXCEED \$262,641.00, THE FULL AMOUNT OF WHICH IS REIMBURSEABLE THROUGH PORT SECURITY GRANTS 2017 AND 2018

On a motion by Commissioner Merrifield, seconded by Commissioner Malcolm, the Board adopted Resolution 2019-027 as part of the Consent Agenda.

12.2019-0046RESOLUTION APPROVING THE CALENDAR YEAR 2019 ANNUAL
WORK-PLAN OF THE MARITIME STAKEHOLDER FORUM PURSUANT
TO BOARD OF PORT COMMISSIONERS (BPC) POLICY NO. 018A

On a motion by Commissioner Merrifield, seconded by Commissioner Malcolm, the Board adopted Resolution 2019-028 as part of the Consent Agenda.

13. 2019-0105 ORDINANCE GRANTING AMENDMENT NO. 3 TO CONDITIONAL AGREEMENT WITH MITSUBISHI CEMENT CORPORATION TO EXTEND THE TERM OF THE CONDITIONAL AGREEMENT FOR THE PROPOSED CEMENT IMPORT TERMINAL IN WAREHOUSE C AT THE TENTH AVENUE MARINE TERMINAL, IN SAN DIEGO

Rescheduled to the February 25, 2019 Board Workshop.

Rescheduled and adopted at the February 25, 2019 Board Workshop.

14. 2019-0065 RESOLUTION SELECTING AND AUTHORIZING A PURCHASE ORDER WITH MUNICIPAL EMERGENCY SERVICES, INC., IN AN AMOUNT NOT TO EXCEED \$203,070.00 FOR PURCHASE OF PERSONAL PROTECTIVE EQUIPMENT FOR HARBOR POLICE MARINE FIREFIGHTING OPERATIONS FOR A PERIOD OF UP TO THREE YEARS FROM APRIL 1, 2019 THROUGH MARCH 31, 2022. ANY FUNDS EXPENDED IN FISCAL YEAR 18/19 ARE BUDGETED AND ALL OTHER FUNDS EXPENDED WILL BE BUDGETED IN THE APPROPRIATE FISCAL YEAR

Board Action No Longer Required.

This Consent Item no longer required Board action.

 15.
 2019-0085
 A) ORDINANCE AUTHORIZING AMENDMENT NO. 2 TO THE SAN DIEGO UNIFIED PORT DISTRICT'S AMENDED, RESTATED, AND COMBINED LEASE WITH PACIFIC GATEWAY, LTD DBA SAN DIEGO MARRIOTT MARQUIS AND MARINA TO REPLACE FUTURE RENT REVIEWS WITH FIXED RENT INCREASES AND UPDATE CERTAIN LEASE TERMS.

B) ORDINANCE AUTHORIZING OPTION TO THE SAN DIEGO UNIFIED PORT DISTRICT'S AMENDED, RESTATED, AND COMBINED LEASE WITH PACIFIC GATEWAY, LTD DBA SAN DIEGO MARRIOTT MARQUIS AND MARINA FOR AN OPTION TO ADD TWENTY-TWO (22) YEARS TO THE LEASE TERM.

C) ORDINANCE AUTHORIZING OPTION TO THE SAN DIEGO UNIFIED PORT DISTRICT'S AMENDED AND RESTATED LEASE WITH MANCHESTER GRAND RESORTS, L.P. DBA MANCHESTER GRAND HYATT FOR AN OPTION TO ADD SIXTEEN (16) YEARS TO THE LEASE TERM.

The following member(s) of the public addressed the Board with agenda-related comments: Gretchen Newsom, Political Director, International Brotherhood of Electrical Workers 569.

Commissioner Zucchet, Commissioner Moore, and Commissioner Castellanos provided comments.

On a motion by Commissioner Merrifield, seconded by Commissioner Malcolm, the Board adopted Ordinance 2938, 2939, and 2940 as part of the Consent Agenda.

ACTION AGENDA

16.2019-0081PRESENTATION OF SERVICE AWARDS TO EMPLOYEES WITH 15 OR
MORE YEARS OF SERVICE

Vanessa Lopez, Technician, Human Resources, addressed the Board with staff's report and presentation regarding Action Agenda Item 16 - File No. 2019-0081 (A copy of the staff report, presentations and any agenda-related materials are on file with the Office of

Board	of Port Commissio	oners Meeting Minutes	March 12, 2019
<u>+</u>		the District Clerk). Ms. Lopez then turned the presentation over to Randa Conigl President/CEO. Ms. Coniglio introduced and acknowledged tenure of Rita Smith-Pomatto, Maritime, 25 years of service, and Ralph Carpio, Harbor Police Department, 15 years of service.	
17.	<u>2019-0003</u>	INFORMATIONAL PRESENTATION ON THE SAN DIEGO AIR POLLUTION CONTROL DISTRICT'S COMMUNITY AIR PROTECT PROGRAM AND FORMATION OF ITS PORTSIDE COMMUNITY STEERING COMMITTEE IN RELATION TO ASSEMBLY BILL 617 LEGISLATION	ΓΙΟΝ
		Larry Hofreiter, Program Manager, Planning, addressed the Board with staff's rep presentation regarding Action Agenda Item 17 - File No. 2019-0003 (A copy of the report, presentations and any agenda-related materials are on file with the Office District Clerk). Mr. Hofreiter then turned the presentation to John Adams, San Do County Air Pollution Control District, to provide overview of Assembly Bill 617 and Community Air Protection Program. Mr. Adams then turned the presentation to J Giffen, Assistant Vice President, Planning & Green Port to discuss recent initiative next steps.	he staff of the iego Id the lason
		The following member(s) of the public addressed the Board with agenda-related comments: Joy Williams, Environmental Health Coalition; Salvador Razo Abrica, Organizer Political Coordinator, Teamsters Local Union 542; Alicia Sanchez, Environmental Health Coalition; Jerry Rivero, TPN Director, Environmental Healt Coaltion; Jiapsi Gomez, Chair, AB 617 Committee; Jorge Gonzalez, Environmen Health Coalition (relinquished turn to Jiapsi Gomez).	
		Commissioner Merrifield, Commissioner Zucchet, Commissioner Valderrama, Commissioner Castellanos, Commissioner Malcolm, Chairman Bonelli provided comments and asked clarifying questions, Mr. Adams and Mr. Giffen responded.	
		Commissioner Moore left the dais at 2:45 pm and did not return for the remainde meeting.	r of the
		Commissioner Zucchet left the dais at 3:00 pm and did not return for the remaind meeting.	ler of the
18.	<u>2019-0060</u>	PRESENTATION ON MULTI-YEAR PROJECT FUNDING STRATE FOR THE MAJOR MAINTENANCE PROGRAM AND DIRECTION STAFF	
		Ernesto Medina, Chief Engineer, Engineering-Construction, addressed the Board staff's report and presentation regarding Action Agenda Item 18 - File No. 2019-0 copy of the staff report, presentations and any agenda-related materials are on fi the Office of the District Clerk). Mr. Medina then turned the presentation over to Christopher McGrath, Program Manager, Engineering-Construction, to discuss the maintenance project process, modifications to BPC Policy 130 for consideration, benefits of the multi-year project funding.	0060 (A le with ne major

The following member(s) of the public addressed the Board with agenda-related comments: Sharon Cloward, President, San Diego Port Tenants Association.

Board o	f Port Commission	ners Meeting Minutes March 12,	2019
		Commissioner Merrifield, Commissioner Malcolm, Chairman Bonelli, and Commissioner Valderrama provided comments and asked clarifying questions. Robert DeAngelis, CFO/Treasurer, Mr. Medina, and Randa Coniglio, President/CEO, responded.	
19.	<u>2019-0109</u>	FOLLOW-UP PRESENTATION AND DISCUSSION OF WAGE POLICY ON TIDELANDS AND BOARD POLICY NO. 356: PAYMENT OF PREVAILING WAGES AND DIRECTION TO STAFF	
		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.	
20.	2019-0013	REVIEW AND CONSIDERATION OF DRAFT PROPOSED BOARD AGENDA FOR THE APRIL 9, 2019 MEETING	
		On a motion by Commissioner Malcolm, seconded by Commissioner Valderrama, the Board adopted the draft agenda. The motion carried by the following vote:	
	Yeas:	5 - Bonelli, Castellanos, Malcolm, Merrifield, and Valderrama	
	Nays:	0	
	Excused:	2 - Moore, and Zucchet	
	Absent:	0	
	Abstain:	0	
	Recused:	0	
OFFIC	ER'S REPORT		
21.	<u>2019-0092</u>	MONTHLY NOTIFICATION OF CHANGE ORDERS PURSUANT TO BPC POLICY NO. 110:	
		None to Report	
		MONTHLY NOTIFICATION OF COST RECOVERY USER FEE WAIVERS	

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 Wayne Warrington for Renewal of TUOP Between the Federal Aviation Administration (FAA) and SDUPD, Clerk's Doc. No. 62078, 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

March 12, 2019

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 Polt Commissioners San Diego Unified Port District

ATTEST:

Clerk of the San Diego Unified Port District

OF SANOREO CUNTRO TOTO

San Diego Unified Port District

3165 Pacific Hwy. San Diego, CA 92101

Special Meeting Minutes

Board of Port Commissioners

Thursday, March 14, 2019		10:00 AM	Don L. Nay Port Administration Boardroom
		Port Master Plan Upc	late
A. Roll Call.			
Present:	5 -	Chairperson Bonelli, Commissioner Cas Commissioner Moore, and Commission	
Excused:	2 -	Commissioner Merrifield, and Commiss	
Absent: 0			
	Corr	missioner Castellanos was excused until	he arrived at 10:23 am.

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

B. Pledge of Allegiance.

Chairman Bonelli led the Pledge of Allegiance.

C. Public Communications.

The following member(s) of the public addressed the Board with agenda-related comments: Teresa Barnes, RN, Hear Communication; Qamar Bradford, Business Specialist, Department of Rehabilitation, State of California.

Chairman Bonelli, and Commissioner Valderrama provided comments.

District Clerk Announcements

Donna Morales, District Clerk, offered that copies of agenda-related materials for Workshop Item 1A - File No. 2019-0088 were submitted after the publication of the agenda and copies were available at the Clerk's desk.

WORKSHOP

 1.
 2019-0088
 PRESENTATION AND DIRECTION TO STAFF ON THE PORT MASTER

 PLAN UPDATE:
 A) DRAFT POLICY CONCEPTS RELATED TO BAYWIDE COMMERCIAL

 FISHING
 B) DRAFT POLICY CONCEPTS FOR THE CENTRAL EMBARCADERO

 SUBDISTRICT
 SUBDISTRICT

C) DRAFT POLICY CONCEPTS FOR THE SOUTH EMBARCADERO SUBDISTRICT

Jason Giffen, Assistant Vice President, Planning and Green Port, addressed the Board with staff's report and presentation regarding Workshop Agenda Item 1 - File No. 2019-0088 (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 to Lesley Nishihira, Director, Planning, to discuss Item A - Draft Policy Concepts Related to Baywide Commercial Fishing.

Commissioner Moore, Commissioner Malcolm, Commissioner Valderrama, and Commissioner Castellanos asked clarifying technical questions. Lesley Nishihira and Jason Giffen responded.

The following member(s) of the public addressed the Board with agenda-related comments for Item A - Draft Policy Concepts Related to Baywide Commercial Fishing: Peter Halmay, President, San Diego Fishermen's Working Group; Matt Everingham, Director, San Diego Fishermen's Working Group; Donald Krebs, Commercial Fishermen, Driscoll's Wharf; David Stephens, Secretary, San Diego Fishermen's Working Group; Tom Driscoll, Driscoll's Wharf; Alex Buggy, Project Manager, 1HWY1; and Yehudi Gaffen, 1HWY1.

Rebecca Harrington, Senior Deputy General Counsel, General Counsel's Office, provided clarifying response to public comment.

Written comment was received in opposition regarding commercial fishing (land use changes) from Daphne Galang, Life Member, UCSD Alumni Association.

Commissioner Moore, Chairman Bonelli, Commissioner Malcolm, Commissioner Castellanos, and Commissioner Valderrama provided comments and asked clarifying questions. Jason Giffen, Anthony Gordon, Director, Real Estate, Lesley Nishihira, and Matt Everingham, San Diego Fishermen's Working Group, responded.

The Workshop recessed for lunch at 12:19 pm.

The Workshop Reconvened at 1:00 pm.

Jason Giffen and Lesley Nishihira provided recap and clarification from staff regarding Item A. Commissioner Moore, and Commissioner Valderrama, provided clarifying responses. Chairman Bonelli asked clarifying question. Rebecca Harrington responded.

Scott Jordan, Civitas, addressed the Board with staff's report and presentation regarding Item B - Draft Policy Concepts for the Central Embarcadero Subdistrict (A copy of the staff report, presentations and any agenda-related materials are on file with the Office of the District Clerk). Mr. Jordan then turned the presentation to Lesley Nishihira to discuss options for land and water use designations for the Central Embarcadero Subdistrict. Ms. Nishihira then turned the presentation to Jason Giffen to conclude staff presentation.

The following member(s) of the public addressed the Board with agenda-related comments for Item B - Draft Policy Concepts for the Central Embarcadero Subdistrict: Dwight Colton, Vice President of Operations, Fish Market Restaurant; Frank Ursitti, Managing Partner, H & M Landing; Matt Everingham, Director, San Diego Fishermen's Working Group; Peter H. Flournoy, General Counsel, American Tunaboat Association; Yehudi Gaffen, 1HWY1; Don Wood, Member, C-3, SDWC, etc.; Alex Buggy, CEO, ABBA PM; and Susan Simon.

Written comment was received in opposition regarding Central Embarcadero (reconfiguring Harbor Drive), from Daphne Galang, Life Member, UCSD Alumni Association.

Chairman Bonelli provided comments, then turned meeting over to Vice Chair Moore.

Chairman Bonelli left the dais and did not return for the remainder of the meeting.

Commissioner Malcolm, Commissioner Valderrama, Commissioner Castellanos, Commissioner Moore, and Commissioner Valderrama provided comments and asked clarifying questions. Jason Giffen, Lesley Nishihira, Yehudi Gaffen, Frank Ursitti, Alex Buggy, Matt Everingham, and Rebecca Harrington responded.

Scott Jordan, Civitas, addressed the Board with staff's report and presentation regarding Item C - Draft Policy Concepts for the South Embarcadero Subdistrict (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 for Item C - Draft Policy Concepts for the South Embarcadero Subdistrict: Don Wood.

Written comment was received in opposition regarding South Embarcadero (reconfiguring Harbor Drive) from Daphne Galang, Life Member, UCSD Alumni Association.

Commissioner Moore, Commission Malcolm, Commissioner Castellanos, and Commissioner Valderrama provided comments and asked clarifying questions. Scott Jordan responded.

Lesley Nishihira provided closing comments and next steps for the Port Master Plan Update.

Vice Chair Moore thanked the public for their participation in the process, and thanked staff for their stellar work and dedication to the Port Master Plan Update.

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 9, 2019	10:30 AM	Don L. Nay Port Administration Boardroom
	Closed Session	
A. Roll Call.		
Present:	 6 - Chairperson Bonelli, Commissioner Castel Commissioner Moore, Commissioner Vald 	
Excused:		
Absent:	0	
	Commissioner Zucchet was excused until he arr	ived at 10:55 am.
	Officers Present: Coniglio, DeAngelis, Monson,	Morales, and Russell
B. Public Communi	cations.	
	The following member(s) of the public addressed comments: None	d the Board with non agenda-related
CLOSED SESSION		
	Thomas A. Russell, General Counsel, announce	d the Closed Session items as follows:
1. <u>2019-0138</u>	Closed Session Item No. 1	
	CONFERENCE WITH LEGAL COUNSE Pursuant to Subdivision (d)(1) of Govern	
	San Diego Unified Port District v. Landm United States District Court Case No. 3:	
	The Board unanimously authorized the Port to ta	ake an appeal on this item.
2. <u>2019-0140</u>	Closed Session Item No. 2	
	CONFERENCE WITH REAL PROPERT Government Code Section 54956.8	Y NEGOTIATOR
	Property: Approximately 160,583 squa	re feet of tideland area located at

Board	of Port Commissio	oners Special Meeting Minutes	April 9, 2019
		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 Sho Sean Jones, Joseph Smith	
		Under Negotiations: Price and Terms	
		No reportable action was taken on this item.	
3.	2019-0141	Closed Session Item No. 3	
		CONFERENCE WITH REAL PROPERTY NEGOTIATOR Government Code Section 54956.8 Property: SDUPD - Parcels of land totaling approximately 147,642 s 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 San Diego, California Negotiating Parties: Fifth Avenue Landing, LLC - Arthur E. Engel and Raymond A. Carper SDUPD - Lucy Contreras, Adam Meyer, Tony Gordon, Shaun Sumne	of
		Under Negotiations: Price and Terms	
		No reportable action was taken on this item.	
4.	2019-0142	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 Unificient Port District, et al.	ed
		San Diego Superior Court Case No. 37-2018-00031832-CU-MC-CTL	
		No reportable action was taken on this item.	
5.	2019-0143	Closed Session Item No. 5	
		CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATIO Significant exposure to litigation Government Code Section 54956.9(

One (1) Case

No reportable action was taken on this item.

Board of Port Commissioners

April 9, 2019

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Secretary, Board of Port Commissioners San Diego Unified Port District

ATTEST:

onna 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, April 9, 2019 ————————————————————————————————————		1:00 PM	Don L. Nay Port Administration Boardroom
•		Chairperson Bonelli, Commissioner Castel Commissioner Moore, and Commissioner	
F actoria e de	2	Commissioner Malaslm, and Commissions	r Zucchot

Excused: 2 - Commissioner Malcolm, and Commissioner Zucchet

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

B. Closed Session Report Out.

Absent: 0

Thomas A. Russell, General Counsel, announced that the Board considered the items on the Closed Session Agenda; with regard to Item No. 1 (File No. 2019-0138) San Diego Unified Port District v. Landmark Insurance Company, et al., the Board unanimously authorized the Port to take an appeal. No other reportable action was taken.

C. Pledge of Allegiance.

Randa Coniglio, President/CEO, 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 Merrifield reported on his visit to Port Hueneme for the Ports Energy Collaborative Meeting in March. Commissioner Merrifield explained that he, along with the Port's Energy and Maritime teams, and California Energy Commission (CEC) staff, met at Port Hueneme as part of collaboration to advance zero-emission freight equipment and microgrid technologies to electrify terminal cargo operations at the major six California ports. During the meeting the CEC presented information regarding the diversification of energy storage technologies and new wireless vehicle charging capabilities where vehicles and equipment won't need to be plugged-in to refuel. Also, the Port of Long Beach presented their EV Blueprint for future electrification of their operations which is intended to be used as a model across all ports. Commissioner Merrifield stated that the Port of San Diego, led by Port Tenants and the Energy Team, is clearly at the forefront in deploying zero-emission vehicles and equipment as there are already electric drayage trucks and cargo handling equipment operating at the terminals and other Ports are still waiting to deploy. Chairman Bonelli reported that on March 27, he had the pleasure of hosting a tour for Michael Stoker, the U.S. Environmental Protection Agency Regional Administrator for Region 9, which covers the Pacific Southwest (California, Hawaii, Arizona, Nevada and U.S. Pacific Islands). Chairman Bonelli, along with Port staff, provided a tour of San Diego Bay--from Ballast Point to Chula Vista--via Harbor Police Vessel. During this tour Mr. Stoker was provided insights regarding the constant ongoing challenges, as well as opportunities, the Port has on the Bay. Chairman Bonelli explained this tour provided a great opportunity to build relationships with the Regional Administrator and show him how the Port "thinks globally, plans regionally, but acts locally".

Chairman Bonelli then reported that later that day he, along with staff, met at the Scripps Institution of Oceanography with the Director of Scripps and representatives from the U.S. Coastguard's research and development department to discuss the San Diego region's blue technology intiatives. Chairman Bonelli explained that Congress passed a bill last year--supported by the Port of San Diego--that would locate a Blue Tech Center of Expertise somewhere on the west coast, which is to be determined by the Coast Guard . This meeting with Scripps and the Coast Guard was to discuss San Diego as a potential location for the Center.

F. Board Committee Reports.

Commissioner Moore reported on the March 26 Audit Oversight Committee and provided the following highlights from the meeting:

• The Committee reviewed their 2019 work plan and voted to recommend for Board approval

• The Port Auditor discussed the status of four reports received through District's Ethics Hotline

 The Port Auditor presented the engagement letter from the District's external auditors MGO (Macias, Gini and O'Connell) which included their proposed fees for the audit of the District's financial statements and compliance review of federal awards for FY18/19
 Keith Coffey, Chief Technology Officer, presented an update on the District's IT Disaster Recovery Program

• Mark Yeilding Assistant Port Auditor, updated the Committee on year-to-date activities related to the District's audit plan for FY 18/19.

Commissioner Castellanos provided a report on the Environmental Advisory Committee (EAC). Commissioner Castellanos explained that the EAC held its first meeting of the year on March 13. The EAC discussed the 2019 work plan which is being considered by the Board on today's consent agenda, and an update from the 2018 Sea Level Rise Ad-hoc Committee. Topics for the work plan include: presentations on Blue Economy Incubator projects; climate planning implementation, Environmental Fund projects, natural resources, water quality, and the air quality initiative discussed at the March Board meeting. Staff presented the Sea Level Rise Ad-hoc Committee's work and the EAC held an active discussion on relevant adaptation strategies, a decision-making process to select appropriate strategies, and next steps for finalizing the Port's AB 691 seal level rise assessment report due to the State Lands Commission in June 2019.

Commissioner Valderrama provided a report on the March 19, 2019 Tidelands Activation Program Advisory (TAPAC) Committee meeting. Commissioner Valderrama explained that the TAPAC conducted a 4 hour meeting, during which the committee received presentations from each of the 77 applicants, they deliberated and voted on each application, and then developed final recommendations which will be presented by staff later at this Board meeting. Commissioner Valderrama praised staff for the great job they did in managing the process.

Chairman Bonelli reported on the SANDAG Airport Connectivity Subcommittee meeting held on March 25. Chairman Bonelli explained that this committee is working to identify a variety of ways of getting people to and from the airport. The subcommittee has been evaluating sites for a San Diego Grand Central Station Concept. The subcommittee had narrowed down to four potential sites, however, at the last meeting they eliminated the Old Town Transit Center and the Santa Fe Depot as potential sites as they are too limited for space. Based on the direction from the committee, SANDAG will be looking at either the SPAWAR site, which is 200 acres, or the Intermodal Transportation Center site which is 106 acres.

G. President's Report.

Randa Coniglio, President/CEO, began with announcing she was sad to report the loss of a member of our Port family, Andres Iniguez. Mr. Iniguez worked in the General Services department for over 12 years. Ms. Coniglio added that he will be remembered for his excellent sense of humor. Ms. Coniglio then asked for a moment of silence.

Ms. Coniglio then invited Chief of Harbor Police, Mark Stainbrook, to the podium. Chief Stainbrook presented Life Saving Awards to Officer Patrick Hennigan, Corporal Dave Marshall, and Officer Haley Ferrer; and Citizen Heroism Medals to Eric Keane, Patel Harsadbhai, and Kirsty Chartier, whose immediate actions were instrumental in saving a man's life at the San Diego Airport.

Ms. Coniglio then invited Lily Tsukayama, Assistant Planner, Planning & Green Port, to provide an update on the California Sea Grant Fellowship program. Ms. Tsukayama explained that this is the Port's third year hosting Sea Grant Fellows. Each year Sea Grant Fellows are placed for one year with a host state agency to learn about coastal and marine policy. The Port was fortunate to match with two outstanding fellows--Madelyn and Meghan--who will be working closely with the Port's Aquaculture and Blue Technology team, and the Environmental Conservation Department.

Ms. Coniglio then reported that there has been continued growth in waterfront jobs at the Port. The Pacific Maritime Association (PMA) and the International Longshore and Warehouse Union (ILWU), will be bringing in 40 casual workers, 10 new Class B registrants, and 6 clerk transfers to the San Diego longshore worker pool. In the last twelve months, there have been 100 new casual workers, 25 new class B registrants and 11 clerk transfers, to the ILWU labor pool. These additions are a reflection of growth in our maritime business here at the Port.

Next, Ms. Coniglio explained that the Port held a job fair on March 14 at the San Diego Continuing Education Center in Barrio Logan to provide information regarding job opportunities associated with the Tenth Avenue Marine Terminal (TAMT) Redevelopment Project, the Port, and other projects in the area. Along with the Port, there were representatives from the ILWU, Dick Miller, Inc., and Huntington Ingalls Industries.

Ms. Coniglio then announced that the Port is celebrating Earth Week from April 22 - 27, and is hosting a variety of employee and public events throughout the week, which include: lunch and learn hosted by I Love a Clean San Diego; Goodwill donation and electronic recycling event; a planting demonstration on how to successfully grow native seeds at home; and the annual Creek to Bay Clean-Up event which will be located at Chula Vista J Street Marsh which the public and Port employees are invited to participate.

Meeting Minutes

Ms. Coniglio then provided a critical update that the FLUPSY (Floating Upweller System--a barge that circulates water through compartments to grow shellfish) was damaged after a series of strong storm events and intense wake from the bay. Two pilings that attached the FLUPSY became compromised causing severe stress on the structural integrity and stability of the floating barge. Ms. Coniglio explained that General Services, Engineering and Maritime staff immediately responded and have provided temporary repairs to stabilize the FLUPSY. Ms. Coniglio declared an emergency so work can be expedited on this essential equipment before more structural damage occurs. This item will be brought to Commissioners for consideration at the next regular Board meeting.

H. District Clerk's Announcements.

Donna Morales, District Clerk, reported that staff requested to continue the following items: Consent Agenda Item 1 - File No. 2019-0128; Consent Agenda Item 9 - File No. 2019-0123; and Consent Agenda Item 10 - File No. 2019-0124, to a future Board meeting.

On a motion by Commissioner Valderrama, seconded by Commissioner Merrifield, the Board adopted 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 Valderrama, seconded by Commissioner Castellanos, the Board adopted the Consent Agenda as follows: Resolution 2019-029; Ordinance 2941; Resolution 2019-030; Resolution 2019-031; Resolution 2019-032; Resolution 2019-033; Resolution 2019-034; Resolution 2019-035; Resolution 2019-036; Resolution 2019-037; and Resolution 2019-038. 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. 2019-0128 RESOLUTION AUTHORIZING AGREEMENT WITH SALESFORCE INC. FOR ENTERPRISE SOLUTIONS PLATFORM LICENSING IN AN AMOUNT NOT TO EXCEED \$XXX,XXX, FOR 5 YEARS, AND RESOLUTION AUTHORIZING AGREEMENT WITH DELOITTE CONSULTING, LLP IN AN AMOUNT NOT TO EXCEED \$XXX,XXX FOR SALESFORCE IMPLEMENTATION SERVICES. FUNDS REQUIRED FOR FUTURE FISCAL YEARS WILL BE BUDGETED IN THE APPROPRIATE FISCAL YEAR, SUBJECT TO BOARD APPROVAL UPON THE 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. <u>2019-0030</u> A) RESOLUTION BY A FOUR-FIFTHS (4/5) VOTE AUTHORIZING CONTINUED ACTION FOR THE EMERGENCY STORM WATER MANAGEMENT AT THE CHULA VISTA BAYFRONT

> B) ORDINANCE AMENDING THE FISCAL YEAR (FY) 2019 BUDGET INCREASING THE FY 2019 CAPITAL IMPROVEMENT PROGRAM (CIP) APPROPRIATION BY \$650,000 TO BE FUNDED FROM CUMULATIVE UNRESTRICTED RESOURCES PURSUANT TO BPC POLICY NO. 90

> C) RESOLUTION APPROVING AN AMENDMENT TO THE FY 2019-2023 5-YEAR CIP TO INCREASE THE SITE PREPARATION AT CHULA VISTA BAYFRONT PROJECT BUDGET BY \$650,000 PURSUANT TO BPC POLICY NO. 90 AND BPC POLICY NO. 120

On a motion by Commissioner Valderrama, seconded by Commissioner Castellanos, the Board adopted Resolution 2019-029, Ordinance 2941, and Resolution 2019-030 as part of the Consent Agenda.

3. 2019-0032 RESOLUTION APPROVING CALENDAR YEAR 2019 ANNUAL WORK PLAN FOR THE ENVIRONMENTAL ADVISORY COMMITTEE PURSUANT TO THE BOARD OF PORT COMMISSIONERS (BPC) POLICY NO. 018, BOARD ADVISORY COMMITTEES

> On a motion by Commissioner Valderrama, seconded by Commissioner Castellanos, the Board adopted Resolution 2019-031 as part of the Consent Agenda.

4. 2019-0073 AMENDMENTS TO BOARD OF PORT COMMISSIONERS POLICIES TO INCORPORATE BOARD FEEDBACK REGARDING MAJOR MAINTENANCE MULTI-YEAR FUNDING RECEIVED AT THE MARCH 12, 2019 BOARD MEETING

A) RESOLUTION APPROVING AN AMENDMENT TO BOARD POLICY NO. 90 - TRANSFER BETWEEN OR WITHIN APPROPRIATED ITEMS

B) RESOLUTION APPROVING AN AMENDMENT TO BOARD POLICY
 NO. 130 - MAJOR MAINTENANCE PROGRAM

On a motion by Commissioner Valderrama, seconded by Commissioner Castellanos, the Board adopted Resolution 2019-032, and Resolution 2019-033 as part of the Consent Agenda.

5. 2019-0078 RESOLUTION APPROVING THE 2019 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 Castellanos, the Board adopted Resolution 2019-034 as part of the Consent Agenda.

6. 2019-0090 RESOLUTION AUTHORIZING AMENDMENT NO. 4 TO THE MEMORANDUM OF UNDERSTANDING (MOU) BETWEEN THE SAN DIEGO REGIONAL STORMWATER COPERMITTEES TO SHARE COSTS AND PROGRAM RESPONSIBILITIES FOR ACTIVITIES REQUIRED UNDER ORDER NO. R9-2013-0001 AS AMENDED BY ORDERS R9-2015-0001 AND R9-2015-0100, THE MUNICIPAL STORMWATER PERMIT; THE DISTRICT'S SHARE NOT TO EXCEED \$111,027. FY 2019 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 Valderrama, seconded by Commissioner Castellanos, the Board adopted Resolution 2019-035 as part of the Consent Agenda.

 7.
 2019-0107
 RESOLUTION PROCLAIMING SUPPORT OF THE 50th ANNIVERSARY

 OF MUNICIPAL CLERKS WEEK, MAY 5-11, 2019
 0

On a motion by Commissioner Valderrama, seconded by Commissioner Castellanos, the Board adopted Resolution 2019-036 as part of the Consent Agenda. 8. 2019-0120
 A) RESOLUTION APPROVING A FY 2019 BUDGET TRANSFER OF \$145,400 FROM SAVINGS IN PERSONNEL EXPENSE APPROPRIATION TO THE EQUIPMENT OUTLAY AND OTHER CAPITAL PROJECTS APPROPRIATION PURSUANT TO BOARD OF PORT COMMISSIONERS POLICY NO. 90

> B) RESOLUTION AWARDING AGREEMENT NO. 58-2019JR TO BELLINGHAM MARINE INDUSTRIES IN THE AMOUNT OF \$ 295,304 FOR THE STORAGE BARGES FOR COMMERCIAL FISHING EQUIPMENT AT G-STREET FISHING TERMINAL, AS AUTHORIZED BY THE BOARD IN THE FY 2019 EQUIPMENT OUTLAY AND OTHER CAPITAL PROJECTS APPROPRIATION

On a motion by Commissioner Valderrama, seconded by Commissioner Castellanos, the Board adopted Resolution 2019-037 as part of the Consent Agenda.

9. 2019-0123 RESOLUTION AUTHORIZING AMENDED AND RESTATED PROPERTY MANAGEMENT AGREEMENT AND COMMON AREA OPERATING PERMIT FOR SEAPORT VILLAGE BETWEEN THE SAN DIEGO UNIFIED PORT DISTRICT AND ______ ENDING JUNE 30, 2022 WITH TWO OPTIONS TO EXTEND BY ONE YEAR EACH AND GRANTING ______ A LIMITATION OF LIABILITY AND A WAIVER OF CONSEQUENTIAL AND EXEMPLARY DAMAGES

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.

 10.
 2019-0124
 RESOLUTION AUTHORIZING AMENDMENT NO. 1 TO THE AGREEMENT WITH RI PROPERTIES, INC., DBA RETAIL INSITE FOR COMMERCIAL REAL ESTATE BROKER SERVICES FOR SEAPORT VILLAGE, TO INCREASE THE MAXIMUM AMOUNT PAYABLE UNDER THE AGREEMENT BY ______ FOR A TOTAL AGGREGATE AMOUNT NOT TO EXCEED _____.

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.

APPROVAL OF MINUTES

<u>2019-0134</u>	Approval of minutes for: March 12, 2019 - CLOSED SESSION March 12, 2019 - BPC MEETING March 14, 2019 - SPECIAL MEETING - PMPU WORKSHOP		
	Vald	On a motion by Commissioner Castellanos, seconded by Commissioner Valderrama, 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

11.2018-0546PRESENTATION 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

Jason Giffen, Assistant Vice President, Planning & Green Port, addressed the Board with staff's report and presentation regarding Action Agenda Item 11 - File No. 2018-0546 (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 Dr. James Morris, National Oceanic and Atmospheric Administration to provide an overview of the Coastal Aquaculture Siting and Sustainability Program, and a demonstration of the new public web mapping application for aquaculture development analysis.

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

Commissioner Merrifield, and Commissioner Castellanos, and Chairman Bonelli, provided comments and asked clarifying questions. Dr. Morris responded.

Commissioner Moore left the dais at 2:15 pm and did not return for the remainder of the Board meeting.

12.2019-0084INFORMATIONAL PRESENTATION FROM WORLD TRADE CENTER
SAN DIEGO (WTCSD) ON THE WTCSD 2018 ANNUAL REPORT

Joel Valenzuela, Director, Maritime, addressed the Board with staff's report and presentation regarding Action Agenda Item 12 - File No. 2019-0084 (A copy of the staff report, presentations and any agenda-related materials are on file with the Office of the District Clerk). Mr. Valenzuela then turned the presentation to Nikia Clarke, Ph.D.,Executive Director, World Trade Center San Diego, to provide a general annual update on the operations of the World Trade Center San Diego.

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

Commissioner Merrifield, Commissioner Castellanos, and Chairman Bonelli, provided comments and asked clarifying questions, Dr. Clarke responded.

Receive an informational presentation on the WTCSD's 2018 Annual Report from WTCSD staff.

Chairman Bonelli called for a short recess at 2:57 pm.

The meeting reconvened at 3:10 pm.

14. 2019-0011 CONDUCT PUBLIC HEARING AND ADOPT AN ORDINANCE AMENDING SAN DIEGO UNIFIED PORT DISTRICT CODE ARTICLE 8, SECTION 8.14 PARKING METERS - TIME OF OPERATION, REVISING THE LISTED PARKING METER HOLIDAYS TO ADD PRESIDENT'S DAY AND CESAR CHAVEZ DAY AND REMOVE COLUMBUS DAY TO ALIGN WITH THE CITY OF SAN DIEGO'S PARKING METER HOLIDAYS

Chairman Bonelli conferred with fellow Commissioners and determined that a staff presentation was not required for this item.

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

On a motion by Commissioner Castellanos, seconded by Commissioner Merrifield, the Board adopted Ordinance 2942. 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

15. <u>2019-0086</u> HUNTINGTON INGALLS INDUSTRIES (HII) SAN DIEGO SHIPYARD INC. MARGINAL WHARF REPAIR AND AS-NEEDED PILE REPLACEMENT PROJECT

> A) PRESENTATION AND DIRECTION TO STAFF ON THE HII SAN DIEGO SHIPYARD INC. MARGINAL WHARF REPAIR AND AS-NEEDED PILE REPLACEMENT PROJECT; AND/OR

> B) CONDUCT PUBLIC HEARING AND ADOPT RESOLUTION ADOPTING THE FINAL MITIGATED NEGATIVE DECLARATION FOR THE HII SAN DIEGO SHIPYARD INC. MARGINAL WHARF REPAIR AND AS-NEEDED PILE REPLACEMENT PROJECT, ADOPTING THE MITIGATION MONITORING AND REPORTING PROGRAM, AND DIRECTING THE FILING OF THE NOTICE OF DETERMINATION; AND

C) RESOLUTION GRANTING CONCEPT APPROVAL TO HII SAN DIEGO SHIPYARD INC. FOR THE MARGINAL WHARF REPAIR AND AS-NEEDED PILE REPLACEMENT PROJECT; AND

D) RESOLUTION AUTHORIZING ISSUANCE OF A NON-APPEALABLE COASTAL DEVELOPMENT PERMIT TO HII SAN DIEGO SHIPYARD INC. FOR MARGINAL WHARF REPAIR AND AS-NEEDED PILE REPLACEMENT

Chairman Bonelli conferred with fellow Commissioners and determined that a staff presentation was not required for this item.

Chairman Bonelli opened the Public Hearing.

The following member(s) of the public addressed the Board with agenda-related comments: Dewey Youngerman, EHS Manager, Huntington Ingalls Industries San Diego Shipyard Inc.

On a motion by Commissioner Valderrama, seconded by Commissioner Castellanos, the Board adopted Item B - Resolution 2019-040. 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

On a motion by Commissioner Valderrama, seconded by Commissioner Castellanos, the Board adopted Items C and D - Resolution 2019-041 and Resolution 2019-042. The motion carried by the following vote:

Board of Port Commissioners		ners Meeting Minutes	April 9, 2019
	Yeas:	4 - Bonelli, Castellanos, Merrifield, and Valderrama	
	Nays:	0	
	Excused:	3 - Malcolm, Moore, and Zucchet	
	Absent:	0	
	Abstain:	0	
	Recused:	0	
16.	<u>2019-0056</u>	REVIEW AND CONSIDERATION OF DRAFT PROPOSED BOARD AGENDA FOR THE MAY 14, 2019 MEETING	
		On a motion by Commissioner Valderrama, seconded by Commissioner	

Castellanos, the Board adopted the proposed agenda for May. 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
- 13. 2019-0091 RESOLUTION ADOPTING A LINE ITEM BUDGET IN AN AMOUNT NOT TO EXCEED \$420,200 IN SPONSORSHIP FUNDING AND NOT TO EXCEED \$1,079,387 IN WAIVED DISTRICT SERVICES TO SUPPORT 68 EVENTS THROUGH THE PORT OF SAN DIEGO FY20 TIDELANDS ACTIVATION PROGRAM; FUNDS REQUIRED FOR FY20 WILL BE BUDGETED IN THAT FISCAL YEAR, SUBJECT TO BOARD APPROVAL UPON ADOPTION OF THAT FISCAL YEAR'S BUDGET

Yvonne Wise, Director, Waterfront Arts & Activation, addressed the Board with staff's report and presentation regarding Action Agenda Item 13 - File No. 2019-0091 (A copy of the staff report, presentations and any agenda-related materials are on file with the Office of the District Clerk). Ms. Wise then turned the presentation to Jim Hutzelman, Manager, Waterfront Arts & Activation, to provide overview of the application process and the evaluation process, and summary of funding recommendations.

Commissioner Valderrama provided clarifying comments.

The following member(s) of the public addressed the Board with agenda-related comments: Rip Rippetoe, President/CEO, San Diego Convention Center; Konrad Goldau, Director, Point Loma Rotary Club (was called but not present); David Dearie, Founder/President, Enlisted Leadership Foundation; Michael Beltran, Partner/Organizer, San Diego Bayfest; Penny Rothschild and Jennifer Franks, Founders, Coronado Music Festival; Joyce Summer, Co-Producer, 3D Art Expo, LLC; Catherine Miller,

Board of Port Commission	ers Meeting Minutes April 9, 2	2019
	Representative, San Diego Sportsfishing; Stacy Berman, Recreation Supervisor, City of Coronado; and Miranda Evans, Economic Development Specialist, City of Chula Vista.;	
	Commissioner Valderrama, Commissioner Merrifield, and Chairman Bonelli, provided comments and asked clarifying questions. Jim Hutzelman, and Rip Rippetoe responded.	
	Chairman Bonelli proposed the following modifications to the funding recommendations: San Diego Sportsfishing - Day at the Docks, to receive increase of \$5,000 for total of \$30,000 in funding; Coronado Music Festival to receive \$5,000 in funding in addition to the services; Enlisted Leadership Foundation to receive increase of \$4,500 in services; and San Diego Convention Center, to add \$10,000 to the "not to exceed" amount for parking.	
	On a motion by Chairperson Bonelli, seconded by Commissioner Merrifield, the Board adopted the recommendations including the modifications proposed by Chairman Bonelli, thereby adopting Resolution 2019-039 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	
OFFICER'S REPORT		
17. <u>2019-0131</u>	MONTHLY NOTIFICATION OF CHANGE ORDERS PURSUANT TO BPC POLICY NO. 110:	
	None to Report	

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: **Board of Port Commissioners**

April 9, 2019

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

Mail

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 23, 2019		10:00 AM	Don L. Nay Port Administration Boardroom
		Budget Workshop	
A. Roll Call.			
Present:	6 -	Chairperson Bonelli, Commissioner Caste Commissioner Merrifield, Commissioner N	
Excused:	1 -	Commissioner Moore	
Absent:	0		

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

B. Pledge of Allegiance.

Thomas A. Russell, General Counsel, led the Pledge of Allegiance.

C. Public Communications.

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

D. District Clerk's Announcements.

Donna Morales, District Clerk, announced that agenda-related materials were received after the publication of the agenda and copies are available at the Clerk's Station for Action Agenda Item 1 - File No. 2019-0108.

WORKSHOP

 <u>2019-0108</u> A) ACCEPT THE FISCAL YEAR (FY) 2020 PRELIMINARY BUDGET INFORMATION AND PROVIDE DIRECTION TO STAFF, WHICH INCLUDES THE USE OF CUMULATIVE UNRESTRICTED RESOURCES OF \$4.2M
 B) 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 2020 PURSUANT TO BOARD POLICY NO. 120
 C) RESOLUTION, PER BOARD POLICY NO. 90, TO REALLOCATE THE REMAINING BALANCE OF \$2,485,000 FROM THE NAVY PIER

April 23, 2019

HEADHOUSE DEMOLITION PROJECT WITHIN CIP BY TRANSFERRING \$900K FROM THIS AMOUNT TOWARDS CAPITAL LABOR AND TRANSFERRING THE REMAINING \$1,585,000 INTO CIP CONTINGENCY FOR FUTURE NEEDS

Robert DeAngelis, CFO/Treasurer, addressed the Board with staff's report and presentation regarding Action Agenda Item 1 - File No. 2019-0108 (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 to Randa Coniglio, President/CEO, to provide the Port's fiscal year 2019 accomplishments to date. Ms. Coniglio then turned the presentation back to Mr. DeAngelis to provide a mid-year budget recap, the fiscal year 2020 budget development changes, and projected revenues. Mr. DeAngelis then turned the presentation to Joel Valenzuela, Director, Maritime, to discuss Maritime revenue budget by location for fiscal year 2020. Mr. Valenzuela then turned the presentation back to Mr. DeAngelis to discuss the non-personnel and personnel expense budgets, and the unrestricted resources balance. Mr. DeAngelis then turned the presentation to Cid Tesoro, Assistant Vice President, Infrastructure, to discuss the Major Maintenance and Capital Improvement Programs. Mr. Tesoro then turned the presentation to Mr. DeAngelis to provide staff recommendations and close presentation.

The following member(s) of the public addressed the Board with agenda-related comments: Peter Flournoy, American Tunaboat Association.

Commissioner Merrifield, Commissioner Malcolm, Commissioner Valderrama, Commissioner Zucchet, Commissioner Castellanos, and Chairman Bonelli provided comments and asked clarifying questions. Jason Giffen, Assistant Vice President, Planning & Green Port; Cid Tesoro, Assistant Vice President, Infrastructure; Randa Coniglio, President/CEO; Jeanette Sales, Director, Financial Services; Michelle Corbin, Director, Human Resources; Keith Coffey, Chief Technology Officer, Information Technology; Mr. DeAngelis; and Shaun Sumner, Assistant Vice President, Operations, responded.

On a motion by Commissioner Merrifield, seconded by Commissioner Castellanos, the Board adopted Resolution 2019-043 and Resolution 2019-044. 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

Board of Port Commissioners

April 23, 2019

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Secretary, Board of Port Commissioners San Diego Unified Port District

ATTEST:

ma Morale

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 30, 2019	10:00 AM	Don L. Nay Port Administration Boardroom
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Port Master Plan Update Workshop

A. Roll Call.

Present:	6 -	Chairperson Bonelli, Commissioner Castellanos, Commissioner Merrifield,
		Commissioner Moore, Commissioner Valderrama, and Commissioner Zucchet
Excused:	1 -	Commissioner Malcolm

Absent: 0

Commissioner Moore was excused until she arrived at 10:15 am.

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

B. Pledge of Allegiance.

Commissioner Valderrama led the Pledge of Allegiance.

C. Public Communications.

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

D. District Clerk's Announcements.

Donna Morales, District Clerk, announced that agenda-related materials were received after the publication of the agenda and copies are available at the Clerk's Station for Workshop Agenda Item 1 - File Number 2019-0151.

WORKSHOP

1. 2019-0151 PRESENTATION ON THE PORT MASTER PLAN UPDATE (PMPU) DISCUSSION DRAFT AND DIRECTION TO STAFF, INCLUDING, BUT NOT LIMITED TO, CIRCULATION OF THE PMPU DISCUSSION DRAFT FOR PUBLIC REVIEW

> Jason Giffen, Assistant Vice President, Planning & Green Port, addressed the Board with staff's report and presentation regarding Workshop Agenda Item 1 - File No. 2019-0151 (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 to Lesley Nishihira, Director, Planning, to discuss the Planning Districts, new concepts and

terminology, the Tiered Baywide & Planning District Approach, and next steps.

Commissioner Valderrama, for the record and edification of the public, asked staff how they are processing the public written comments received during the 90-day review period, which ends on July 31, 2019. Ms. Nishihira responded that staff will compile all comments and make publicly available in batches to provide the opportunity for all to see. Ms. Nishihira explained that staff will incorporate/address the comments where appropriate, and may need to seek additional Board direction on the best way to resolve any complicated issues raised by the comments.

The following member(s) of the public addressed the Board with agenda-related comments: Commissioner Emeritus Mike Bixler; Dwight Colton, Vice President of Operations, Fish Market Restaurant; Grant Olsson, Environmental Law Group; Janet Rogers; Peter Flournoy, General Counsel, American Tunaboat Association; Bill Tippets, Board Member, Southwest Wetlands Interpretive Association; Chuck Driscoll; Matt Everingham, Board Member, San Diego Fishermen's Working Group; Suzanne Varco, Environmental Law Group was called - it was announced she had no additional comments and she did not speak; Sharon Cloward, President, San Diego Port Tenants Association; Andrea Rosati, Vice President for Development, Sunroad Enterprises; Peter Halmay, President, San Diego Fishermen's Working Group; Mac McLaughlin, CEO, USS Midway; Don Wood, C-3, SDWC; and Kyle Corbett, San Diego Sailing Tours.

Commissioner Moore, Commissioner Merrifield, Commissioner Zucchet, and Chairman Bonelli, provided comments and asked clarifying questions. Rebecca Harrington, Senior Deputy Counsel, General Counsel's Office, Commissioner Moore, and Commissioner Valderrama responded.

Chairman Bonelli left the dais at 11:30 am and did not return for the remainder of the meeting. The meeting was turned over to Vice Chair Moore.

Commissioner Valderrama, and Commissioner Castellanos, provided comments.

Secretary, Board of Port Commissioners San Diego Unified Port District

ATTEST:

onse Morales

Clerk of the San Diego Unified Port District

OF SANOREO CUMPERSON OF CONTROL

San Diego Unified Port District

3165 Pacific Hwy. San Diego, CA 92101

Meeting Minutes

Board of Port Commissioners

Tuesday, May 14, 2019		10:00 AM	Don L. Nay Port Administration Boardroom
		Closed Session	
A. Roll Call.			
Present:		r Merrifield, Commissioner M	Ilanos, Commissioner Malcolm, Ioore, Commissioner Valderrama, and
Excused:			
Absent:	0		
	Officers Present: Co	oniglio, DeAngelis, Monson,	Morales, and Russell
B. Public Commun	ications.		
	The following memb comments: None	er(s) of the public addresse	d the Board with non agenda-related
CLOSED SESSION			
	Thomas A. Russell,	General Counsel, announce	ed the Closed Session items as follows:
1. <u>2019-0169</u>	Closed Session I	tem No. 1	
	PERSONNEL EN EXECUTIVE DIR Government Coc	RECTOR/PRESIDENT/	CHIEF EXECUTIVE OFFICER
	No reportable action	was taken on this item.	
2. <u>2019-0170</u>	Closed Session I	Item No. 2	
		WITH LABOR NEGOTI le Section 54957.6	ATORS
	Agency Negotiate Unrepresented E Director	•	ief Executive Officer/Executive
	No reportable action	was taken on this item.	

3. <u>2019-0196</u> 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. 3:15-cv-01401 BEN (MDD)

United States Court of Appeals for the Ninth Circuit, No. 19-55409, 19-55448

No reportable action was taken on this item.

4. <u>2019-0166</u> Closed Session Item No. 4

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, James Hammel, Wendy Siao, Christian de Manielle

Under Negotiations: Price and Terms

No reportable action was taken on this item.

5. <u>2019-0193</u> Closed Session Item No. 5

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.

Board	of Port Commissio	oners Meeting Minutes	May 14, 2019
		Under Negotiations: Price and Terms No reportable action was taken on this item.	
6.	2019-0201	Closed Session Item No. 6	
		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 Port District, et al. San Diego Superior Court Case No. 37-2018-00028276-CU-MC-CT	

No reportable action was taken on this item.

7. <u>2019-0167</u> Closed Session Item No. 7

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.

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Secretary, Board of Port Commissioners San Diego Unified Port District

ATTEST:

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Clerk of the San Diego Unified Port District

OF SANOREO CUMPERSON

San Diego Unified Port District

3165 Pacific Hwy. San Diego, CA 92101

Meeting Minutes

Board of Port Commissioners

Tuesday, May 14, 2019			1:00 PM	Don L. Nay Port Administration Boardroom	
A. Roll Call.					
	Present:	7 -	Chairperson Bonelli, Commissioner Cas Commissioner Merrifield, Commissione Commissioner Zucchet	stellanos, Commissioner Malcolm, r Moore, Commissioner Valderrama, and	
	Excused:	0			
	Absent:	0			

Commissioner Zucchet was excused until he arrived at 1:12 pm.

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 the exception of Closed Session Agenda Item 6 - File No. 2019-0201 which will discussed after the conclusion of this meeting; as well as completion of Closed Session Item 4 - File No. 2019-0166. Mr. Russell stated that no other reportable action was taken.

C. Pledge of Allegiance.

Commissioner Merrifield 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 Castellanos reported on a press conference he attended along with Commissioner Valderrama in Chicano Park regarding the implementation of Assembly Bill (AB) 617. Commissioner Castellanos explained that an air quality monitoring program is being implemented in Portside Communities (Barrio Logan, National City, Logan Heights and Sherman Heights) as these areas are disproportionately affected by air pollution and have extremely high asthma rates. San Diego County's Air Pollution Control District received \$2.5 million to implement this program and will use new technology to measure localized ground level air pollutants in the Portside Communities to identify air pollution sources to help implement corrective programs. There will be 7 to 10 stations installed throughout the Portside Community. Commissioner Valderrama reported on the Royal Princess Inaugural Call to San Diego on May 5, 2019. Commissioner Valderrama explained that he felt fortunate to represent the Port during this inaugural visit, and enjoyed meeting Captain Tony Draper and taking a tour of the bridge. Commissioner Valderrama also explained that this was the second largest passenger vessel to have ever visited the Port of San Diego; it is 1,083 feet long and has a 4,000 passenger capacity. The Royal Princess is scheduled to return to San Diego on October 24.

Commissioner Malcolm reported on his trip to Sacramento, California, to visit the office of the Lt. Governor. Commissioner Malcolm explained he was accompanied by Commissioner Merrifield, Jason Giffen, Assistant Vice President, Planning & Green Port, and Job Nelson, Assistant Vice President, External Relations. The purpose of the meeting was to discuss the lawsuit (filed by the Port of San Diego and other local government agencies) against the International Boundaries Water Commission in response to the ongoing/chronic cross-border pollution from raw sewage from Tijuana, Mexico flowing through the Tijuana River into the ocean at the United States' southern border. Commissioner Merrifiled added that the Lt. Governor's office was supportive of the Port's undertaking.

Commissioner Malcolm then reported on his trip to the International Association of Ports and Harbors (IAPH) World Conference in Guangzhou, China. Commissioner Malcolm shared that this was a very informative conference. There were many ports at this event which provided valuable opportunities to learn about other ports, as well as the state of maritime, and the economic forecast for the industry.

Commissioner Malcolm also reported on the Seaport Village Ad Hoc Committee which met on May 2. The Committee discussed Seaport San Diego development, interim operations at Seaport Village, property managment and deferred maintenance, and current leasing efforts. Protea Property Management has been hired to manage Seaport Village for the Port of San Diego during the development transition, and is assisting with activating the area. Commissioner Malcolm shared some examples of the events completed so far, or are planned this year.

F. Board Committee Reports.

Commissioner Valderrama reported on the Maritime Stakeholder Forum which he serves on with Commissioner Castellanos and Commissioner Malcolm. The Maritime Stakeholder Forum (Forum) met on April 23 where they received a preview of the Maritime Month events and activities scheduled for May. Commissioner Valderrama explained that Maritime Month serves two purposes--to recognize the hard working men and women of our waterfront, as well as, a public outreach tool to build good business, goodwill, and transparency. The Forum also received stormwater updates for the marine terminals, a presentation on the South Harbor Drive Study, and a business development update relating to Asia Sales Calls and Breakbulk Asia.

Commissioner Valderrama then reported on the Accessibility Advisory Committee (AAC). Commissioner Valderrama explained that the AAC met in March to discuss Shared Dockless Mobility Devices (such as bicycles and scooters) to provide suggestions to the City of San Diego on the proposed regulations, developed by the City for these devices, as these regulations would also govern some areas in the Tidelands. Port-specific regulations are also being developed and will be brought before the Commissioners for review at a future Board meeting. Commissioner Valderrama also reported that the AAC met in May at the B Street Cruise Ship Terminal for a follow-up presentation on the wayfinding signage to get a first-hand look at the improvements which the AAC provided valuable input to develop.

Commissioner Castellanos spoke about the newly formed Blue Economy Ad Hoc Committee which was established by Chairman Bonelli to provide oversight and guidance for the Blue Economy program. Commissioner Castellanos will serve as Chair, Commissioner Malcolm and Chairman Bonelli will also serve on this ad hoc committee.

G. President's Report.

Randa Coniglio, President/CEO, announced that May is Maritime Month. Ms. Coniglio stated that the maritime industry is at the heart of San Diego Bay and surrounding region. In celebration of the Maritime industry, the Port of San Diego is hosting a series of events including, outreach events in local schools, a maritime career fair, and boat and bus tour of the Port's waterfront. The Port is also giving away maritime-related prizes to the public who participate in the multiple learning activities. A video highlighting the commercial and sports fishing industry was presented.

Ms. Coniglio then announced that the following nominees were recognized by the Maritime Stakeholder Forum for their contributions to the working waterfront: Pasha Stevedoring and Terminals; Marine Group Boat Works; Flagship Cruises and Events; Sharon Cloward, President, San Diego Port Tenants Association; and the United States Coast Guard San Diego. Ms. Coniglio then invited Josefina Khalidy, Maritime Principal, to present a proclamation honoring the U.S. Coast Guard San Diego for their exceptional contributions to our waterfront.

Ms. Coniglio then spoke about the awards received by the Marketing & Communications Department. Marketing & Communications has received a total of seven awards for excellence in video production, digital marketing, crisis communications and website redesign, relating to #ThatsMyBay campaign, the new Port of San Diego Website, Discover Your Wonderfront campaign, and Cyberattack Fall 2018. Four of the awards were EPIC (Excellence in Public Communications) awards from the California Association for Public Information Officers (CAPIO), the other three awards were AVA Digital Awards from the Association of Marketing & Communications Professionals.

Ms. Coniglio then reported that the Port celebrated Earth Week April 22-27 by providing educational outreach activities to staff and the public on ways to incorporate sustainability into their daily lives.

Ms. Coniglio then announced that the Port received "Recycler of the Year Award" by the City of San Diego. The Recycler of the Year Award honors companies and organizations with the most comprehensive, innovative and/or improved recycling programs.

Ms. Coniglio also spoke about Take Your Child to Work Day. Ms. Coniglio reported that 55 children ranging from ages 8 to 18, participated in a variety of educational and fun acvities to show them what the Port does in the workplace, as well as, showing the children the importance of their abilities, their potential, and what they can achieve.

Ms. Coniglio then introduced Jeff Wohler, Chairman, San Diego Harbor Police Foundation, to talk about the newly-formed Foundation. Mr. Wohler explained that the mission of the foundation is to improve public safety by providing critical resources to help fund community awareness, officer and staff wellness, specialized training and advanced technologies. Mr. Wohler then announced that the foundation will be hosting a couple of events. On June 13, the foundation will be featuring "Harbor Police in Action" showcasing the maritime, dive, tactical, firefighting and K-9 capabilities for the public at the Broadway Pavilion, and on June 26 the foundation is sponsoring the 1st annual "Fish with a Cop" event in partnership with the Grace W. Perkins Elementary School in Barrio Logan where they are pairing students with Harbor Police Officers for a half day fishing event.

APPROVAL OF MINUTES

<u>2019-0179</u>	Approval of minutes for: April 9, 2019 - CLOSED SESSION April 9, 2019 - BPC MEETING April 23, 2019 - SPECIAL MEETING - BUDGET WORKSHOP
	On a motion by Commissioner Zucchet, seconded by Commissioner Castellanos, the Board approved the minutes. 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

H. District Clerk's Announcements.

Donna Morales, District Clerk, announced that agenda-related materials for Action Agenda Item 20 - File No. 2019-0103 were submitted after the publication of the agenda and copies were available at the Clerk's desk.

Ms. Morales then reported that Consent Agenda Item 14 - File No. 2019-0163 no longer required Board action.

On a motion by Commissioner Valderrama, seconded by Commissioner Castellanos, the Board accepted the requested docket change. 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

Commissioner Moore requested that Consent Agenda Item 6 - File No. 2019-0125 be pulled from consent for discussion.

On a motion by Commissioner Malcolm, seconded by Commissioner Zucchet, the Board adopted the revised Consent Agenda, thereby adopting: Resolution 2019-045; Resolution 2019-046; Resolution 2019-047; Resolution 2019-048; Resolution 2019-049; Resolution 2019-051; Resolution 2019-052; Resolution 2019-053; Resolution 2019-054; Resolution 2019-055; Resolution 2019-056; Resolution 2019-057; Resolution 2019-058; Resolution 2019-059; and Resolution 2019-060. 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. 2018-0571 RESOLUTION AUTHORIZING A SINGLE SOURCE PURCHASE ORDER IN ACCORDANCE WITH BOARD POLICY NO. 110 II.H WITH CARAHSOFT TECHNOLOGY CORP. FOR SALESFORCE ENTERPRISE APPLICATIONS PLATFORM LICENSING IN AN AMOUNT NOT TO EXCEED \$1,739,000, AND RESOLUTION AUTHORIZING AGREEMENT WITH DELOITTE CONSULTING, LLP IN AN AMOUNT NOT TO EXCEED \$1,500,000 FOR SALESFORCE IMPLEMENTATION SERVICES WITH A FIVE-YEAR TOTAL COST OF OWNERSHIP OF \$4,439,000. FUNDS REQUIRED FOR THIS PURCHASE ARE BUDGETED. FUTURE FISCAL YEARS WILL BE BUDGETED IN THE APPROPRIATE FISCAL YEAR, SUBJECT TO BOARD APPROVAL UPON THE ADOPTION OF EACH FISCAL YEAR'S BUDGET

On a motion by Commissioner Malcolm, seconded by Commissioner Zucchet, the Board adopted Resolution 2019-045 as part of the Consent Agenda.

2. 2019-0037 RESOLUTION SELECTING AND AUTHORIZING A PURCHASE ORDER WITH DIMENSION DATA FOR PURCHASE OF A FIVE-YEAR CISCO SMART NET MAINTENANCE CONTRACT FOR A TOTAL COST OF OWNERSHIP AMOUNT NOT TO EXCEED \$752,676.00. FY2019 EXPENDITURES ARE BUDGETED IN THE INFORMATION TECHNOLOGY BUDGET. 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 2019-046 as part of the Consent Agenda.

3. <u>2019-0087</u> RESOLUTION PROCLAIMING SUPPORT OF NATIONAL PUBLIC WORKS WEEK, MAY 19-25, 2019

On a motion by Commissioner Malcolm, seconded by Commissioner Zucchet, the Board adopted Resolution 2019- 047 as part of the Consent Agenda.

4. <u>2019-0111</u> RESOLUTION PROCLAIMING MAY 1, 2019, AS SAN DIEGO COUNTY LAW ENFORCEMENT OFFICERS' MEMORIAL DAY AND MAY 12-18, 2019, AS NATIONAL POLICE WEEK

On a motion by Commissioner Malcolm, seconded by Commissioner Zucchet, the Board adopted Resolution 2019-048 as part of the Consent Agenda.

5. 2019-0121 RESOLUTION AUTHORIZING A SOLE SOURCE PURCHASE ORDER WITH WAVE TECHNOLOGY SOLUTIONS GROUP IN AN AMOUNT NOT TO EXCEED \$300,000 FOR D2/DOCUMENTUM SOFTWARE MAINTENANCE AND SUPPORT SERVICES OVER THE NEXT TWO YEARS, WITH A FIVE-YEAR TOTAL COST OF OWNERSHIP OF \$300,000. FUNDS FOR FY 2019 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 2019-049 as part of the Consent Agenda.

7. 2019-0126 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 18 GRANT PROGRAM, AND GRANTING INDEMNITY.

On a motion by Commissioner Malcolm, seconded by Commissioner Zucchet, the Board adopted Resolution 2019-051 as part of the Consent Agenda.

8. 2019-0130 RESOLUTION SELECTING AND AUTHORIZING AGREEMENTS WITH SIX MARITIME AND SECURITY SERVICES NORTHWEST, INC. FOR AS-NEEDED SPECIALTY SECURITY SERVICES FOR MILITARY RELATED CARGO OPERATIONS FOR AN AGGREGATE AMOUNT NOT TO EXCEED \$500,000 AND A DURATION OF FIVE-YEARS. FY 2019 FUNDS 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 2019-052 as part of the Consent Agenda.

9. 2019-0137 RESOLUTION AUTHORIZING THE EXECUTIVE DIRECTOR TO EXECUTE A MEMORANDUM OF UNDERSTANDING WITH SAN DIEGO REFRIGERATED SERVICES, INC., REGARDING THE PLACEMENT OF SOLAR PANELS ON THE ROOF OF WAREHOUSE B AT THE TENTH AVENUE MARINE TERMINAL

On a motion by Commissioner Malcolm, seconded by Commissioner Zucchet, the Board adopted Resolution 2019-053 as part of the Consent Agenda.

10. <u>2019-0149</u> EMERGENCY REPAIR OF THE FLOATING UPWELLER SYSTEM AT TUNA HARBOR

A) RESOLUTION BY A 4/5 VOTE RATIFYING THE EMERGENCY ACTION TAKEN BY THE EXECUTIVE DIRECTOR AND AUTHORIZING CONTINUED ACTION FOR THE EMERGENCY REPAIR OF THE FLOATING UPWELLER SYSTEM (FLUPSY) AT TUNA HARBOR INCLUDING PROCUREMENT OF CONSULTANT FOR SITE INVESTIGATION, PROVIDING DESIGN RECOMMENDATIONS FOR REPAIR AND COST, AND PROCUREMENT OF A CONTRACTOR TO REPAIR THE DAMAGE

B) RESOLUTION APPROVING THE TRANSFER OF FUNDS WITHIN THE FY2019 BUDGET FROM PERSONNEL EXPENSE TO EXPENSE MAJOR MAINTENANCE PROJECT - EMERGENCY REPAIR OF THE FLOATING UPWELLER SYSTEM AT TUNA HARBOR IN THE AMOUNT OF \$220,000 PURSUANT TO BOARD POLICY 90

On a motion by Commissioner Malcolm, seconded by Commissioner Zucchet, the Board adopted Resolution 2019-054 and Resolution 2019-055 as part of the Consent Agenda. 11. 2019-0150 RESOLUTION AUTHORIZING AMENDMENT NO. 1 TO THE AGREEMENT WITH R.I. PROPERTIES, INC., DBA RETAIL INSITE FOR COMMERCIAL REAL ESTATE BROKER SERVICES FOR SEAPORT VILLAGE, TO INCREASE THE MAXIMUM AMOUNT PAYABLE UNDER THE AGREEMENT BY \$400,000 FOR A TOTAL AGGREGATE AMOUNT NOT TO EXCEED \$600,000, AND WAIVING BOARD OF PORT COMMISSIONERS POLICY NO. 114 - PAYMENT OF COMMISSIONS FOR THE LEASING OF TIDELANDS. 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 Malcolm, seconded by Commissioner Zucchet, the Board adopted Resolution 2019-056 as part of the Consent Agenda.

12. 2019-0160 RESOLUTION AUTHORIZING AMENDMENT NO. 2 TO THE AGREEMENT WITH MARINE GROUP BOAT WORKS, LLC, FOR FULL SERVICE IMPOUNDED VESSEL SERVICES, GRANTING INDEMNIFICATION TO MARINE GROUP BOAT WORKS, LLC. NO ADDITIONAL FUNDING WILL BE REQUIRED IN THE CURRENT FISCAL YEAR. 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 Malcolm, seconded by Commissioner Zucchet, the Board adopted Resolution 2019-057 as part of the Consent Agenda.

13. 2019-0162 RESOLUTION APPROVING A \$2,500,000 TRANSFER OF FUNDS, PURSUANT TO BPC POLICY NO. 90, FROM THE FY 2019 BUDGETED PERSONNEL EXPENSE APPROPRIATION TO THE NON-PERSONNEL EXPENSE APPROPRIATION TO FUND ADDITIONAL EXPENSES ASSOCIATED WITH INFORMATION TECHNOLOGY, LEGAL MATTERS, AND RECRUITMENT

On a motion by Commissioner Malcolm, seconded by Commissioner Zucchet, the Board adopted Resolution 2019-058 as part of the Consent Agenda.

14.2019-0163RESOLUTION AUTHORIZING AMENDMENT 02 TO AGREEMENT
29-2016SN WITH ALLIED UNIVERSAL TO INCREASE HOURLY RATES
FOR IMPROVED SECURITY SERVICES AT CRUISE SHIP TERMINAL
AND OTHER DISTRICT SITES WITH NO INCREASE TO AGREEMENT.

Board Action No Longer Required.

Board action no longer required for this item.

15. <u>2018-0568</u> RESOLUTION SELECTING AND AUTHORIZING A SINGLE SOURCE AGREEMENT WITH THE ELECTRIC POWER RESEARCH INSTITUTE, AN IDENTIFIED SUBCONTRACTOR IN THE SAN DIEGO UNIFIED PORT DISTRICT'S APPLICATION TO THE CALIFORNIA ENERGY COMMISSION'S GRANT FUNDING OPPORTUNITY-17-302, FROM MAY 14, 2019, UNTIL MARCH 31, 2023, FOR SUPPORT OF THE TENTH AVE MARINE TERMINAL RENEWABLE MICROGRID INCLUDING: MICROGRID DESIGN, CONSTRUCTION, AND OPERATIONS AND MAINTENANCE SUPPORT; CYBER SECURITY ARCHITECTURE ASSESSMENT; AND MEASUREMENT VERIFICATION PLAN AND REPORT FOR AN AMOUNT NOT TO EXCEED \$419,997, REIMBURSED THROUGH THE CALIFORNIA ENERGY COMMISSION GRANT AGREEMENT NUMBER EPC-17-049

On a motion by Commissioner Malcolm, seconded by Commissioner Zucchet, the Board adopted Resolution 2019-059 as part of the Consent Agenda.

16. 2019-0171 RESOLUTION AUTHORIZING THE GENERAL COUNSEL TO EXECUTE THE AGREEMENT FOR LEGAL SERVICES WITH ORRICK, HERRINGTON & SUTCLIFFE LLP WITH THE MAXIMUM AMOUNT OF \$466,400. FY 2019 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 Malcolm, seconded by Commissioner Zucchet, the Board adopted Resolution 2019-060 as part of the Consent Agenda.

ACTION AGENDA

6. 2019-0125 RESOLUTION SELECTING AND AUTHORIZING AGREEMENTS WITH CIVILIAN, INC., SPARK BRANDING HOUSE, INC., AND ARK MARKETING & MEDIA SOLUTIONS TO PROVIDE AS-NEEDED MEDIA RESEARCH, BUYING AND ANALYSIS FOR DISTRICT MARKETING AND COMMUNICATIONS CAMPAIGNS TO SUPPORT VARIOUS LINES OF BUSINESS AND PUBLIC OUTREACH GOALS IN A TOTAL AGGREGATE AMOUNT NOT TO EXCEED \$600,000 FOR A PERIOD OF FIVE YEARS BEGINNING JUNE 1, 2019 THROUGH MAY 31, 2024. 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

> Commissioner Moore, Commissioner Malcolm, Commissioner Castellanos, Commissioner Merrifiled, Commissioner Valderrama, and Chairman Bonelli, provided comments and asked clarifying questions. Job Nelson, Assistant Vice President, External Relations, responded.

On a motion by Commissioner Merrifiled, seconded by Commissioner

Board of Port Commissioners

Valderrama, the Board adopted Resolution 2019-050. 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
- 17. 2019-0145 A) RESOLUTION SELECTING Stay Open, Inc. AS THE SUCCESSFUL PROPOSER OF THE REQUEST FOR PROPOSALS (RFP 18-19ME: SAN DIEGO BAY DEVELOPMENT OPPORTUNITY LOWER COST OVERNIGHT ACCOMMODATIONS) (RFP) AND CONCLUDING THE RFP, RESERVING CERTAIN RIGHTS THEREUNDER
 - B) RESOLUTION AUTHORIZING STAFF TO NEGOTIATE AN EXCLUSIVE NEGOTIATING AGREEMENT WITH Stay Open, Inc.

Penny Maus, Department Manager, Real Estate, addressed the Board with staff's report and presentation regarding Action Agenda Item 17 - File No. 2019-0145 (A copy of the staff report, presentations and any agenda-related materials are on file with the Office of the District Clerk). Ms. Maus then turned the presentation over to Tara Henos, Asset Manager, Real Estate, to provide a summary of the proposals, the site visits, and the interview process.

The following member(s) of the public addressed the Board with agenda-related comments: Steve Shpilsky, CEO/Co-Founder, Stay Open; and Ryan Karlsgodt, Unite Here Local 30.

Commissioner Zucchet, Commissioner Merrifield, Commissioner Moore, Commissioner Castellanos, Commissioner Malcolm, Commissioner Valderrama, Chairman Bonelli, and Randa Coniglio, President/CEO, provided comments and asked clarifying questions. Steve Shpilsky, Stay Open; Anna Buzaitis, Program Manager, Planning; and Ms. Maus, responded.

On a motion by Commissioner Zucchet, seconded by Commissioner Malcolm, the Board adopted Resolution 2019-061 and Resolution 2019-062. 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 Zucchet left the dias at 3:06 for the remainder of the Board meeting.

18. <u>2019-0089</u> PRESENTATION AND UPDATE ON THE DISTRICT'S CLEAN WATER INITIATIVES: MARINE TERMINAL STORMWATER PLANNING AND IMPROVEMENTS, INCLUDING TENTH AVENUE MARINE TERMINAL, NATIONAL CITY MARINE TERMINAL AND CRUISE SHIP TERMINAL

It was announced that staff is combining presentations for Item 18 and 19.

Karen Holman, Director, Environmental Protection, addressed the Board with staff's report and presentation regarding Action Agenda Item 18 - File No. 2019-0089 and Agenda Item 19 - File No. 2019-0129 (A copy of the staff reports, presentations and any agenda-related materials are on file with the Office of the District Clerk). Ms. Holman then turned the presentation to Allison Vosskuhler, Program Manager, Environmental Protection, to discuss Item 18 - how staff is using the adaptive management process on the stormwater program, and recent efforts at the terminals. Ms. Vosskuhler then turned the presentation to Rudy Zelaya, Assistant Engineer, Engineering-Construction, to discuss Engineering-Construction's participation with Planning & Green Port's on the District's Clean Water Initiatives throughout the terminals.

Mr. Zelaya then turned the presentation to Kelly Tait, Senior Environmental Specialist, Environmental Protection to discuss Action Item 19 - Healthy Bay Efforts. Ms. Tate spoke about the additional priority pollutants identified and other Port initiatives working towards the vision of healthy water.

The following member(s) of the public addressed the Board with agenda-related comments: Sharon Cloward, President, Port Tenants Assocation; Jeremy Haas, Environmental Program Manager, California Water Quality Board.

Commissioner Valderrama, Commissioner Merrifield, Commissioner Malcolm, and Chairman Bonelli provided comments.

19. 2019-0129 PRESENTATION AND UPDATE ON THE DISTRICT'S CLEAN WATER INITIATIVES: HEALTHY BAY EFFORTS INCLUDING POLLUTION PREVENTION, SEDIMENT CLEANUPS, AND BAY WATER QUALITY MONITORING

Item 19 was combined with Item 18 above.

20. <u>2019-0103</u> FY 2020 PRELIMINARY BUDGET ADOPTION

RESOLUTION ADOPTING THE FISCAL YEAR 2020 PRELIMINARY BUDGET AND SETTING THE DATE FOR PUBLIC HEARING ON THE BUDGET AS JUNE 18, 2019

Robert DeAngelis, CFO/Treasurer, addressed the Board with staff's report and presentation regarding Action Agenda Item 20 - File No. 2019-0103 (A copy of the staff report, presentations and any agenda-related materials are on file with the Office of the District Clerk).

Board of Port Commission	ners Meeting Minutes	May 14, 2019
	The following member(s) of the public addressed the Board with agenda-related comments: None	

Commissioner Merrifield, Commissioner Valderrama, and Chairman Bonelli provided comments and asked clarifying questions. Mr. DeAngelis responded.

Commissioner Malcolm left the dias at 3:55 pm for the remainder of the Board meeting.

On a motion by Commissioner Malcolm, seconded by Commissioner Castellanos, the Board adopted Resolution 2019-063. 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

21. 2019-0101 REVIEW AND CONSIDERATION OF DRAFT PROPOSED BOARD AGENDA FOR THE JUNE 18, 2019 MEETING

On a motion by Commissioner Merrifield, seconded by Commissioner Valderrama, the Board adopted the proposed agenda for June. 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

- **22.** <u>2019-0194</u> MONTHLY NOTIFICATION OF CHANGE ORDERS PURSUANT TO BPC POLICY NO. 110:
 - A) Change Order No. 1 to Contract No. 2012-06 with R.E. Staite Engineering, Inc. / Increase Contract by \$247,239.90
 - B) Change Order No. 1 to Contract No. 2018-32 with Sierra Pacific West,
 - Inc. / Increases Contract by \$450,000.00
 - C) Change Order No. 2 to Contract No. 2017-03R with Dick Miller, Inc. /
 - \$17,719.30 Increase & 83 Calendar Day Time Extension thru 05/08/19

May 14, 2019

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 Metropolitan Stevedore Company for Metropolitan Stevedore Company Tideland Use & Occupancy Permit, 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

Secretary, Board of Port Commissioners San Diego Unified Port District

ATTEST:

Clerk of the San Diego Unified Port District

OF SANOR CULTURE OF SAN

San Diego Unified Port District

3165 Pacific Hwy. San Diego, CA 92101

Meeting Minutes

Board of Port Commissioners

Tuesday, June 18, 2019	10:00 AM	Don L. Nay Port Administration Boardroom
	Closed Session	
A. Roll Call.		
Present:	5 - Chairperson Bonelli, Commissioner Cas Commissioner Merrifield, and Commissioner Merrifield, and Com	
Excused:	2 - Commissioner Moore, and Commissione	
Absent:	0	
	Officers Present: Coniglio, DeAngelis, Monso	n, and Russell
B. Public Communi	cations.	
	The following member(s) of the public address comments: None	sed the Board with non agenda-related
CLOSED SESSION		
	Thomas A. Russell, General Counsel, announ	ced the Closed Session items as follows:
1. <u>2019-0232</u>	Closed Session Item No. 1	
	PERSONNEL EVALUATION: EXECUTIVE DIRECTOR/PRESIDENT Government Code Section 54957	T/CHIEF EXECUTIVE OFFICER
	This item was continued to a future Closed Se	ession meeting.
2. <u>2019-0233</u>	Closed Session Item No. 2	
	CONFERENCE WITH LABOR NEGO Government Code Section 54957.6	TIATORS
	Agency Negotiator: Garry Bonelli Unrepresented Employee: President/C Director	Chief Executive Officer/Executive
	This item was continued to a future Closed Se	ession meeting.

3. <u>2019-0234</u> 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. 3:15-cv-01401 BEN (MDD)

United States Court of Appeals for the Ninth Circuit, No. 19-55409, 19-55448

No reportable action was taken on this item.

4. <u>2019-0235</u> Closed Session Item No. 4

CONFERENCE WITH REAL PROPERTY NEGOTIATOR Government Code Section 54956.8

Property: Approximately 194,000 square feet of land area located in Warehouse C at the Tenth Avenue Marine Terminal

Negotiating Parties: Mitsubishi Cement Corporation - Mike Jasberg SDUPD - Shaun Sumner, Tony Gordon, Ryan Donald, and Chris Hargett Under Negotiations: Price and Terms

No reportable action was taken on this item.

5. <u>2019-0236</u> 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. <u>2019-0237</u> Closed Session Item No. 6

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.

June 18, 2019

7. <u>2019-0238</u> Closed Session Item No. 7

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.

N.ie

Secretary, Board of Port Commissioners San Diego Unified Port District

ATTEST:

Clerk of the San Diego Unified Port District

OF SANOREO CUMPERSON CONTROL

San Diego Unified Port District

3165 Pacific Hwy. San Diego, CA 92101

Meeting Minutes

Board of Port Commissioners

Tuesday, June 18, 2019			1:00 PM	Don L. Nay Port Administration Boardroom
A. Roll Cal	I.			
	Present:	7 -	Chairperson Bonelli, Commissioner Ca Commissioner Merrifield, Commissioner Commissioner Zucchet	astellanos, Commissioner Malcolm, er Moore, Commissioner Valderrama, and
	Excused:	0		

Absent: 0

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

C. Pledge of Allegiance.

Commissioner Zucchet led the Pledge of Allegiance.

B. Closed Session Report Out.

Thomas A. Russell, General Counsel, stated that the Board considered the items on the Closed Session Agenda with the exception of Closed Session Item 1 - File No. 2019-0232 and Closed Session Item 2 - File No. 2019-0233, which will be continued to a future meeting, Mr. Russell also announced that no reportable action was taken.

D. Public Communications.

The following member(s) of the public addressed the Board with non agenda-related comments: Sharon Cloward, President, San Diego Port Tenants Association.

E. Commissioners' Reports.

Commissioner Malcolm reported on his trip to the International Council of Shopping Centers Real Estate Convention in Las Vegas, Nevada. Commissioner Malcolm explained that this convention is where many landlords and tenants around the country go to meet and make deals. The Port attended the conference as the landlord of Seaport Village and was able to meet with some tenants and the broker for the benefit of the asset.

Commissioner Malcolm also reported that he participated in a radio show "Let's Talk Hook Up" in Loreto, Baja California Sur, to promote sportsfishing and the Cruise Ship business at the Port.

Chairman Bonelli reported on the Elected Officials Tour on May 16, 2019. Chairman Bonelli explained that the Port provided a three-hour, informational cruise of the bay to 40

9

Board of Port Commissioners	Meeting Minutes	June 18, 2019

elected officials from cities throughout the county to showcase Port operations and projects which included the Chula Vista Bayfront and National City Terminal.

F. Board Committee Reports.

Commissioner Castellanos reported on the Environmental Advisory Committee. Commissioner Castellanos explained that the Committee met on June 5 and received four presentations from Port staff which were: an update on the San Diego Bay Native Oyster Living Shorelines Project, which, has recently held meetings of its Technical Advisory Committee to discuss modifications to the project site location and oyster reef elements; an update on mitigation banking at Pond 20 (Adjacent to Imperial Beach); an overview of the Port's electric vehicle charging program; and a presentation on clean air initiatives including the Port's Clean Air Plan, recent State initiatives, and upcoming funding opportunities summary.

Commissioner Zucchet reported on the Audit Oversight Committee. Commissioner Zucchet explained that the Committee met on June 13, 2019. The Committee reviewed the District's Audit Plan for FY19/20 and voted to recommend for Board approval, received an update on the FY 18/19 audit plan, discussed reports from the District's Ethics Hotline, and received a report from the Chief Procurement Officer (CPO).

Chairman Bonelli reported on the SANDAG Airport Connectivity Subcommittee. Chairman Bonelli explained that the subcommittee met on May 22, 2019, and during this meeting the Port and the Airport discussed a draft Memorandum of Understanding (MOU) to connect projects related to the transportation plans to improve mobility in the area, and SANDAG staff presented four types of scenarios that will be modeled which are: Grand Central Station at Naval Information Warfare Systems Command or NAVWAR (formerly known as SPAWAR) with Automated People Mover (tunnel); Grand Central Station at NAVWAR with Automated People Mover (at/above grade); Grand Central Station at ITC with Automated People Mover (at/above grade); Trolley Connection from existing tracks.

G. President's Report.

Randa Coniglio, President/CEO, announced that in the interest of time she was postponing the President's report to a future Board meeting.

H. District Clerk's Announcements.

Laura Nicholson, Deputy District Clerk, announced that agenda-related materials were received after the publication of the agenda and copies are available at the Clerk's Station for Agenda Item 17 - 2018-0438 and Agenda Item 24 - File No. 2019-0118. Ms. Nicholson then announced that staff requested to continue the following items: Consent Agenda Item 3 - File No. 2019-0222; Consent Agenda Item 6 - File No. 2019-0218; Action Agenda Item 21 - File No. 2019-0209; Action Agenda Item 22 - File No. 2019-0221; and Action Agenda Item - File No. 2019-0213. Additionally Ms. Nicholson informed the Board that Consent Agenda Item 10 - File No. 2019-0203 no longer requires Board action.

On a motion by Commissioner Malcolm, seconded by Commissioner Castellanos, the Board adopted 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

2019-0223 Approval of minutes for:

April 30, 2019 - SPECIAL MEETING - PMPU WORKSHOP May 14, 2019 - CLOSED SESSION May 14, 2019 - BPC MEETING

On a motion by Commissioner Valderrama, seconded by Commissioner Zucchet, the Board approved the minutes. 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 Castellanos, seconded by Commissioner Malcolm, the Board adopted the Consent Agenda as follows: Resolution 2019-064; Resolution 2019-065; Resolution 2019-066; Resolution 2019-067; Ordinance 2943; Resolution 2019-068; Resolution 2019-069; Resolution 2019-070; Resolution 2019-071; Resolution 2091-072; Resolution 2019-073; Resolution 2019-074; Resolution 2019-075; and Resolution 2019-076. 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

Board of Port Commissioners

June 18, 2019

1. 2018-0569 RESOLUTION SELECTING AND AUTHORIZING A SINGLE SOURCE AGREEMENT WITH UNIVERSITY OF CALIFORNIA, SAN DIEGO, AN IDENTIFIED SUBCONTRACTOR IN THE SAN DIEGO UNIFIED PORT DISTRICT'S APPLICATION TO THE CALIFORNIA ENERGY COMMISSION'S GRANT FUNDING OPPORTUNITY-17-302, FROM JUNE 18, 2019 UNTIL MARCH 31, 2023 FOR SUPPORT OF THE TENTH AVE MARINE TERMINAL RENEWABLE MICROGRID INCLUDING: MICROGRID DESIGN, CONSTRUCTION, AND OPERATIONS AND MAINTENANCE SUPPORT: SYSTEM MODELING AND OPTIMIZATION: EVALUATION OF PROJECT BENEFITS; AND TECHNOLOGY/KNOWLEDGE TRANSFER PLAN DEVELOPMENT FOR AN AMOUNT NOT TO EXCEED \$327,593, REIMBURSABLE THROUGH THE CALIFORNIA ENERGY COMMISSION GRANT AGREEMENT NUMBER EPC-17-049 On a motion by Commissioner Castellanos, seconded by Commissioner Malcolm, the Board adopted Resolution 2019-064 as part of the Consent Agenda. **RESOLUTION APPROVING THE AUDIT PLAN FOR FY19/20** 2. 2019-0153 PURSUANT TO BOARD OF PORT COMMISSIONERS (BPC) POLICY NO. 035 - POWERS AND FUNCTIONS OF THE PORT AUDITOR On a motion by Commissioner Castellanos, seconded by Commissioner Malcolm, the Board adopted Resolution 2019-065 as part of the Consent Agenda. 3. 2019-0222 ORDINANCE GRANTING AMENDMENT NO. 1 TO LEASE WITH THE BRIGANTINE, INC. DBA PORTSIDE PIER AT 1360 NORTH HARBOR DRIVE IN THE CITY OF SAN DIEGO TO EXTEND CONSTRUCTION RENT IN THE AMOUNT OF \$366,666 TO OCTOBER 31, 2019 AND EXTEND THE CONSTRUCTION COMPLETION DEADLINE TO AUGUST 31,2020 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. 2019-0159 A) RESOLUTION CONSENTING TO A SUBLEASE BETWEEN LFS DEVELOPMENT, LLC, A DELAWARE LIMITED LIABILITY COMPANY,

DEVELOPMENT, LLC, A DELAWARE LIMITED LIABILITY COMPANY, DBA INTERCONTINENTAL HOTEL AND LATITUDE 33, INC., A CALIFORNIA S CORPORTION, DBA LATITUDE 33 BREWING, FOR A NINETY-MONTH TERM WITH ONE FIVE-YEAR OPTION, WITH CONDITIONS

B) RESOLUTION AUTHORIZING EXECUTION OF A SUBORDINATION,
 NON-DISTURBANCE AND ATTORNMENT (SNDA) AGREEMENT
 BETWEEN THE DISTRICT, LFS DEVELOPMENT, LLC, A DELAWARE
 LIMITED LIABILITY COMPANY, AND LATITUDE 33, INC., A CALIFORNIA

Board	of Port Commissio	oners Meeting Minutes	June 18, 2019
		S CORPORATION. DBA LATITUDE 33 BREWING On a motion by Commissioner Castellanos, seconded by Commissioner Ma the Board adopted Resolution 2019-066 and Resolution 2019-067 as part of Consent Agenda.	
5.	<u>2019-0164</u>	 A) ORDINANCE AMENDING THE FISCAL YEAR (FY) 2019 BUDG INCREASING THE FY 2019 CAPITAL IMPROVEMENT PROGRA APPROPRIATION BY \$4.4 MILLION TO RECLASSIFY A PREVIO BOARD APPROVED ACTION TERMINATING THE LEASE WITH VISTA MARINA/RV PARK, WITH \$3.3 MILLION FUNDED FROM CUMULATIVE UNRESTRICTED RESOURCES AND \$1.1 MILLIO FUNDED IN RENT CREDITS FOR THE MARINA LEASEHOLD B) RESOLUTION APPROVING AN AMENDMENT TO THE FY 20 5-YEAR CIP TO INCREASE THE SITE PREPARATION AT CHUL BAYFRONT PROJECT BUDGET BY \$4.4 MILLION PURSUANT TO 	M (CIP) DUSLY CHULA N 19-2023 A VISTA
		POLICY NO. 120 On a motion by Commissioner Castellanos, seconded by Commissioner Ma the Board adopted Ordinance 2943 and Resolution 2019-068 as part of the Consent Agenda.	lcolm,
6.	<u>2019-0218</u>	RESOLUTION AUTHORIZING AN AMENDMENT TO AN AGREE WITH SAP PUBLIC SERVICES, INC., IN ACCORDANCE WITH B OF PORT COMMISSIONERS POLICY NO. 110 II.H, INCREASING ANNUAL SOFTWARE MAINTENANCE EXPENDITURE IN AN AM NOT TO EXCEED \$180,884 WITH A FIVE-YEAR TOTAL COST C OWNERSHIP OF THE SAP SYSTEM OF \$7,750,105 FOR ADDIT LICENSING, SUBSCRIPTION, AND SYSTEM SUPPORT FROM S PUBLIC SERVICES, INC. OR EXCLUSIVE PROVIDERS REQUIF	oard G The Mount DF Tonal Sap

SAP

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. 2019-0178 RESOLUTION BY A 4/5 VOTE AUTHORIZING CONTINUED ACTION FOR THE EMERGENCY REPAIR OF THE FLOATING UPWELLER SYSTEM (FLUPSY) AT TUNA HARBOR

On a motion by Commissioner Castellanos, seconded by Commissioner Malcolm, the Board adopted Resolution 2019-069 as part of the Consent Agenda.

8. 2019-0182 RESOLUTION AUTHORIZING THE REQUIRED ANNUAL ADOPTION OF BPC POLICY NO. 115, GUIDELINES FOR PRUDENT INVESTMENTS INCLUDING UPDATE RELATED TO FEDERAL DEPOSIT INSURANCE CORPORATION INSURANCE LIMITS AND ALSO AUTHORIZING SIMILAR UPDATES TO BPC POLICY NO. 115-A, LOCAL DEPOSITORY

INACTIVE DEPOSIT PROGRAM

On a motion by Commissioner Castellanos, seconded by Commissioner Malcolm, the Board adopted Resolution 2019-070 as part of the Consent Agenda.

9. 2019-0184 RESOLUTION APPOINTING DISTRICT REPRESENTATIVES TO THE SAN DIEGO RIVER CONSERVANCY WATERSHED CONSORTIUM PROGRAM, WHICH WAS CREATED BY SENATE BILL 1367, ADVISORY PANELS, ONE REPRESENTATIVE FOR EACH PANEL WHICH INCLUDES THE OTAY RIVER WATERSHED, THE SWEETWATER RIVER WATERSHED, AND THE CALIFORNIA PORTION OF THE TIJUANA RIVER WATERSHED.

On a motion by Commissioner Castellanos, seconded by Commissioner Malcolm, the Board adopted Resolution 2019-071 as part of the Consent Agenda.

10. 2019-0203 RESOLUTION AUTHORIZING A SINGLE SOURCE AGREEMENT, IN ACCORDANCE WITH BOARD POLICY 110 II.H, FROM JUNE 19, 2019 UNTIL JUNE 30, 2021, WITH SAN DIEGO BOAT MOVERS FOR VESSEL TRANSPORT, DEMOLITION AND DISPOSAL SERVICES FOR AN AMOUNT NOT TO EXCEED \$500,000. 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.

Board Action No Longer Required.

Board action no longer required for this item.

11. 2019-0187 RESOLUTION PROCLAIMING SUPPORT OF THE 100TH ANNIVERSARY OF THE FLEET READINESS CENTER SOUTHWEST IN CORONADO FOR ITS EXEMPLARY SERVICE IN THE NATION'S DEFENSE BY DECLARING JULY 26, 2019 AS "FLEET READINESS SOUTHWEST APPRECIATION DAY"

On a motion by Commissioner Castellanos, seconded by Commissioner Malcolm, the Board adopted Resolution 2019-072 as part of the Consent Agenda.

12. 2019-0189 RESOLUTION AUTHORIZING AMENDMENT NO. 2 TO THE MEMORANDUM OF AGREEMENT (MOA) WITH THE U.S. ARMY CORPS OF ENGINEERS FOR EXPEDITED AND PRIORITY REVIEW OF DISTRICT PROJECTS, FOR AN ADDITIONAL \$125,000 AND A NEW NOT TO EXCEED TOTAL OF \$375,000 THROUGH DECEMBER 31, 2021. 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

Board	of Port Commissio	oners Meeting Minutes	June 18, 2019
		On a motion by Commissioner Castellanos, seconded by Commissior the Board adopted Resolution 2019-073 as part of the Consent Agend	
13.	<u>2019-0192</u>	RESOLUTION AUTHORIZING AGREEMENTS FOR DISTRI SPONSORSHIP OF UPCOMING TIDELANDS ACTIVATION EVENTS: A) AGREEMENT WITH THE CITY OF CHULA VISTA FOR SPONSORSHIP OF CHULA VISTA HARBORFEST IN AN A TO EXCEED \$70,000 IN FUNDING AND \$89,146 IN WAIVE DISTRICT SERVICES EACH YEAR FOR TWO YEARS, FOF FUNDING NOT TO EXCEED \$140,000 AND TOTAL WAIVE SERVICES NOT TO EXCEED \$118,292. FUNDS REQUIRED FY2020 WILL BE BUDGETED IN THAT FISCAL YEAR, SUE BOARD APPROVAL UPON ADOPTION OF THAT FISCAL YEAR BUDGET. FUNDS REQUIRED FOR FUTURE FISCAL YEAR, SUBJE BOARD APPROVAL UPON ADOPTION OF EACH FISCAL YEAR BUDGETED IN THE APPROPRIATE FISCAL YEAR, SUBJE BOARD APPROVAL UPON ADOPTION OF EACH FISCAL YEAR BUDGET; B) AGREEMENT WITH THE SAN DIEGO FLEET WEEK FO FOR SPONSORSHIP OF FLEET WEEK SAN DIEGO IN AN NOT TO EXCEED \$35,000 IN FUNDING AND \$72,298 IN W FOR DISTRICT SERVICES EACH YEAR FOR TWO YEARS FUNDING NOT TO EXCEED \$1144,596. FUNDS REQUIRED FY2020 WILL BE BUDGETED IN THAT FISCAL YEAR, SUBJE BOARD APPROVAL UPON ADOPTION OF THAT FISCAL YEARS FUNDING NOT TO EXCEED \$144,596. FUNDS REQUIRED FY2020 WILL BE BUDGETED IN THAT FISCAL YEAR, SUBJE BOARD APPROVAL UPON ADOPTION OF THAT FISCAL YEAR BUDGET. FUNDS REQUIRED FOR FUTURE FISCAL YEAR, SUBJE BOARD APPROVAL UPON ADOPTION OF THAT FISCAL YEAR BUDGET. FUNDS REQUIRED FOR FUTURE FISCAL YEAR, SUBJE BOARD APPROVAL UPON ADOPTION OF THAT FISCAL YEAR BUDGETED IN THE APPROPRIATE FISCAL YEAR, SUBJE BOARD APPROVAL UPON ADOPTION OF THAT FISCAL YEAR BUDGETED IN THE APPROPRIATE FISCAL YEAR, SUBJE BOARD APPROVAL UPON ADOPTION OF EACH FISCAL YEAR BUDGET; C) AGREEMENT WITH THE SAN DIEGO SYMPHONY OR ASSOCIATION FOR SPONSORSHIP OF THE 2019 SAN DI SYMPHONY BAYSIDE SUMMER NIGHTS CONCERTS IN A NOT TO EXCEED \$280,668 IN WAIVED FEES FOR DISTRI SERVICES.	PROGRAM MOUNT NOT D FEES FOR TOTAL D DISTRICT D FOR BJECT TO YEAR'S RS WILL BE CT TO YEAR'S DUNDATION AMOUNT AIVED FEES F, FOR TOTAL D ISTRICT D FOR BJECT TO YEAR'S RS WILL BE CT TO YEAR'S RS WILL BE CT TO YEAR'S CHESTRA EGO AN AMOUNT
		On a motion by Commissioner Castellanos, seconded by Commissior the Board adopted Resolution 2019-074 as part of the Consent Agend	
14.	<u>2019-0204</u>	RESOLUTION WAIVING BPC POLICY NO. 110 AND AUTH AMENDMENT NO. 1 TO THE RESEARCH SERVICES AGR WITH THE UNIVERSITY OF NORTH CAROLINA AT CHAPE ADDITIONAL WATER QUALITY MONITORING SERVICES, THE MAXIMUM EXPENDITURE TO THE AGREEMENT BY FOR A NEW AMOUNT NOT TO EXCEED \$248,000, AND EX THE TIMELINE FROM JUNE 30, 2019 TO DECEMBER 31, 2	EEMENT EL HILL FOR INCREASING \$159,000 XTENDING

Board	of Port Commissio	ners Meeting Minutes	June 18, 2019
		On a motion by Commissioner Castellanos, seconded by Con the Board adopted Resolution 2019-075 as part of the Consen	
15.	<u>2019-0220</u>	RESOLUTION AUTHORIZING THE GENERAL COUL AMENDMENT NO. 2 TO THE AGREEMENT FOR LE WITH PERKINS COIE, LLP INCREASING THE MAXI PAYABLE UNDER THE AGREEMENT BY \$90,000 F MAXIMUM AMOUNT NOT TO EXCEED OF \$260,000	GAL SERVICES IMUM AMOUNT OR A NEW D. FY 2019

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 Castellanos, seconded by Commissioner Malcolm, the Board adopted Resolution 2019-076 as part of the Consent Agenda.

ACTION AGENDA

16. 2019-0230 A) RESOLUTION AUTHORIZING AMENDED AND RESTATED JOINT EXERCISE OF POWERS AGREEMENT (A&R JEPA AGREEMENT) BETWEEN THE DISTRICT AND THE CITY OF CHULA VISTA (CITY) FOR THE CHULA VISTA BAYFRONT FACILITIES FINANCING AUTHORITY (JEPA) TO REVISE THE JOINT EXERCISE OF POWERS AGREEMENT (ORIGINAL JEPA AGREEMENT) TO REFLECT CHANGES IN THE AMENDED AND RESTATED CHULA VISTA BAYFRONT MASTER PLAN FINANCING AGREEMENT BETWEEN THE DISTRICT AND THE CITY DATED JUNE 20. 2017. CURRENT STATUS OF THE PROPOSED DEVELOPMENT OF THE RESORT HOTEL AND CONVENTION CENTER AND RELATED PUBLIC IMPROVEMENTS, AND MAKE OTHER RELATED CHANGES, WITH CONDITIONS; B) RESOLUTION APPOINTING COMMISSIONER DAN MALCOLM AND COMMISSIONER RAFAEL CASTELLANOS TO THE BOARD OF THE JEPA;

> C) RESOLUTION CONSENTING TO THE APPOINTMENT OF THE GENERAL COUNSEL OF THE DISTRICT, OR HIS DESIGNEES, TO SERVE AS CO-COUNSEL TO THE JEPA WITH THE CITY ATTORNEY OF THE CITY, OR HIS DESIGNEES

Shaun Sumner, Assistant Vice President, Real Estate & Development Services, addressed the Board with staff's report and presentation regarding Action Agenda Item 16 - File No. 2019-0230 (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 Stephanie Shook, Department Manager, Real Estate Development, to discuss the Amended and Restated Joint Exercise of Powers Agreement (A & R JEPA).

The following member(s) of the public addressed the Board with agenda-related comments: Marshall Anderson, Policy Advisor to Supervisor Greg Cox, San Diego County Board of Supervisors.

Board of Port Commission	ers	Meeting Minutes	June 18, 2019
	Com	missioner Moore and Commissioner Merrifield provided comments.	
	Boa	motion by Commissioner Moore, seconded by Commissioner Merrifield, d adopted Resolution 2019-077, Resolution 2019-078, and Resolution -079. The motion carried by the following vote:	the
Yeas:	7 -	Bonelli, Castellanos, Malcolm, Merrifield, Moore, Valderrama, and Zucchet	
Nays:	0		
Excused:	0		
Absent:	0		
Abstain:	0		

Recused: 0

PUBLIC HEARING AGENDA

17. 2018-0438 RIDA CHULA VISTA, LLC RESORT HOTEL AND CONVENTION CENTER AT CHULA VISTA BAYFRONT:

A) CONDUCT PUBLIC HEARING AND ADOPT RESOLUTION AUTHORIZING ISSUANCE OF AN APPEALABLE COASTAL DEVELOPMENT PERMIT TO RIDA CHULA VISTA, LLC FOR A RESORT HOTEL AND CONVENTION CENTER

B) ADOPT RESOLUTION GRANTING CONCEPT APPROVAL TO RIDA CHULA VISTA, LLC FOR A RESORT HOTEL AND CONVENTION CENTER

Joseph Smith, Development Services, addressed the Board with staff's report and presentation regarding Action Agenda Item 17 - File No. 2018-0438 (A copy of the staff report, presentations and any agenda-related materials are on file with the Office of the District Clerk).

Chairman Bonelli opened the Public Hearing for public comment.

Mary Casillas Salas, Mayor, City of Chula Vista, Steve Padilla, Deputy Mayor, City of Chula Vista, and Jill Galvez, Councilmember, City of Chula Vista provided comments.

The following member(s) of the public addressed the Board with agenda-related comments: Cindy Gompper Graves, President, South County Economic Development Council; Lisa Cohen, CEO, Chula Vista Chamber of Commerce; Sharon Cloward, President, San Diego Port Tenants Association; Ryan Stone and Masis Kevorkian, Elevation Entertainment;

Chairman Bonelli closed the Public Hearing.

Commissioner Merrifield, Commissioner Malcolm, Commissioner Valderrama, Commissioner Zucchet, Commissioner Castellanos, Chairman Bonelli, and Commissioner Moore provided comments.

On a motion by Commissioner Moore, seconded by Commissioner Malcolm, the

Board of Port Commissioners

Board adopted Resolution 2019-080 and Resolution 2019-081. 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 Bonelli called recess at 2:30 pm.

Chairman Bonelli reconvened the meeting at 2:45 pm. Commissioner Malcolm was excused for the remainder of the Board meeting, and Commissioner Moore was excused until she arrived.

18. 2019-0117 CONDUCT A PUBLIC HEARING AND ADOPT A RESOLUTION APPROVING BEST MANAGEMENT PRACTICES AND ENVIRONMENTAL STANDARDS FOR OVERWATER STRUCTURAL REPAIR AND MAINTENANCE ACTIVITIES FOR EXISTING PORT FACILITIES WHICH INCLUDE DOCKS, WHARVES, PIERS AND PILES AS AUTHORIZED BY THE U.S. ARMY CORPS OF ENGINEERS REGIONAL GENERAL PERMIT NO. 72 THAT ARE TO BE CONDUCTED BY THE SAN DIEGO UNIFIED PORT DISTRICT

Eileen Maher, Director, Environmental Conservation, addressed the Board with staff's report and presentation regarding Action Agenda Item 18 - File No. 2019-0117 (A copy of the staff report, presentations and any agenda-related materials are on file with the Office of the District Clerk).

Chairman Bonelli opened the Public Hearing for public comments.

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

Chairman Bonelli closed the Public Hearing.

On a motion by Commissioner Castellanos, seconded by Commissioner Zucchet, the Board adopted Resolution 2019-082. 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 Moore returned to the dais at 2:54 pm.

19.A) 2019-0104 CONDUCT PUBLIC HEARING AND ADOPT AN ORDINANCE ADOPTING THE FISCAL YEAR 2020 FINAL BUDGET

Board did not require staff presentation.

Chairman Bonelli opened the Hearing for public comment.

The following member(s) of the public addressed the Board with agenda-related comments: Matt Everingham, Board Member, San Diego Fisherman's Working Group.

Chairman Bonelli closed the Public Hearing.

Commissioner Merrifield provided comments and asked clarifying questions. Robert DeAngelis, CFO/Treasurer responded.

On a motion by Commissioner Valderrama, seconded by Commissioner Merrifield, the Board adopted Ordinance 2944. The motion carried by the following vote:

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

On a motion by Commissioner Valderrama, seconded by Commissioner Merrifield, the Board adopted Ordinance 2945 and Resolution 2019-086. The motion carried by the following vote:

- Yeas: 6 Bonelli, Castellanos, Merrifield, Moore, Valderrama, and Zucchet
- Nays: 0

^{19.}B) 2019-0152 ORDINANCE AMENDING SALARY ORDINANCE NO. 2927 ENTITLED "AN ORDINANCE ESTABLISHING A SCHEDULE OF COMPENSATION FOR OFFICERS AND EMPLOYEES OF THE SAN DIEGO UNIFIED PORT DISTRICT" AND RESOLUTION ESTABLISHING THE SAN DIEGO UNIFIED PORT DISTRICT (DISTRICT) DIRECTORY OF CLASSIFICATION SPECIFICATIONS FOR FISCAL YEAR 2019/2020

2019-0133

Excused: 0

Absent: 1 - Malcolm

Abstain: 0

Recused: 0

20.

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

Board did not require staff presentation.

Commissioner Merrifield and Commissioner Valderrama asked clarifying questions. Joel Valenzuela, Director, Maritime, responded.

Chairman Bonelli opened the Hearing for public comment.

The following member(s) of the public addressed the Board with agenda-related comments: Sophie Silvestri, Manager, Business Development & Government Affairs, Pasha Automotive; and David Nagy, Pasha Automotive.

Chairman Bonelli closed the Public Hearing.

On a motion by Commissioner Merrifield, seconded by Commissioner Zucchet, the Board adopted Item A - Resolution 2019-083. The motion carried by the following vote:

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

On a motion by Commissioner Zucchet, seconded by Commissioner Merrifield, the Board adopted Item B - Ordinance 2946. The motion carried by the following

Board o	of Port Commission	ers Meeting Minutes	June 18, 2019
		vote:	<u></u>
	Yeas:	6 - Bonelli, Castellanos, Merrifield, Moore, Valderrama, and Zucchet	
	Nays:	0	
	Excused:	1 - Malcolm	
	Absent:	0	
	Abstain:	0	
	Recused:	0	
ACTIC	ON AGENDA (d	continued)	
21.	<u>2019-0209</u>	PRESENTATION OF SERVICE AWARDS TO EMPLOYEES WITH MORE YEARS OF SERVICE	15 OR
		The Board will consider staff's request to continue this item to a futu Board meeting.	re
		This item was continued to a future Board meeting.	
22.	<u>2019-0221</u>	PRESENTATION AND UPDATE ON THE REDEVELOPMENT OF CENTRAL EMBARCADERO, INCLUDING CHANGES TO THE PROPOSED DEVELOPMENT	ГНЕ
		The Board will consider staff's request to continue this item to a futu Board meeting.	re

This item was continued to a future Board meeting.

23. 2019-0213 PRESENTATION AND UPDATE ON DESIGN FOR HARBOR PARK AND SWEETWATER PARK AT CHULA VISTA BAYFRONT

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.

Commissioner Moore left the dais at 3:17 pm for the remainder of the Board meeting.

24. 2019-0118 PRESENTATION AND DIRECTION TO STAFF ON THE DRAFT SAN DIEGO UNIFIED PORT DISTRICT SEA LEVEL RISE VULNERABILITY ASSESSMENT AND COASTAL RESILIENCY REPORT (AB 691 REPORT) REQUIRED BY ASSEMBLY BILL 691 "PROACTIVELY PLANNING FOR SEA LEVEL RISE IMPACTS ON GRANTED TRUST LANDS" AND DIRECTION TO FILE THE FINAL AB 691 REPORT WITH

THE CALIFORNIA STATE LANDS COMMISSION BY JULY 1, 2019 AS REQUIRED BY ASSEMBLY BILL 691

Jason Giffen, Assistant Vice President, Planning & Green Port, addressed the Board with staff's report and presentation regarding Action Agenda Item 24 - File No. 2019-0118 (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 to Phil Gibbons, Program Manager, Energy & Sustainability, to provide an overview of the the Sea Level Rise Vulnerability Assessment and Coastal Resiliency Report pursuant to Assembly Bill 691. The following member(s) of the public addressed the Board with agenda-related comments: Margaret Leinen, Director, Scripps Institution of Oceanography; and Sandy Vissman, US Fish and Wildlife Service. Commissioner Castellanos, Commissioner Merrifield, and Chairman Bonelli provided comments and asked clarifying questions. Dr. Mark Merrifield, Scripps Institution of Oceanography, and Phil Gibbons responded. On a motion by Commissioner Valderrama, seconded by Commissioner Castellanos, the Board approved the submission of the Sea Level Rise Vulnerability Assessment and Coastal Resiliency Report to State of California. 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 2019-0190 CLEAN AIR AND CLIMATE ACTION PROGRAMS: A) PRESENTATION AND UPDATE ON DISTRICT INITIATIVES TO IMPROVE AIR QUALITY AND REDUCE GREENHOUSE GAS EMISSIONS; AND B) RESOLUTION AUTHORIZING STAFF TO UPDATE THE DISTRICT'S

B) RESOLUTION AUTHORIZING STAFF TO UPDATE THE DISTRICT'S CLEAN AIR PLAN TO ALIGN WITH ASSEMBLY BILL 617'S COMMUNITY AIR PROTECTION PROGRAM (AB 617 PROGRAM), CALIFORNIA'S SUSTAINABLE FREIGHT ACTION PLAN, AND OTHER LOCAL AND STATE INITIATIVES TO IMPROVE AIR QUALITY; TO DEVELOP DISTRICT-RELATED PLANS, PROJECTS AND STRATEGIES THAT WILL REDUCE EMISSIONS AND IMPROVE AIR QUALITY IN ADVANCE OF THE AVAILABILITY OF PROJECT IMPLEMENTATION FUNDING; AND CONTINUE TO COLLABORATE AND PARTNER WITH AGENCIES, DISTRICT TENANTS, STAKEHOLDERS, AND COMMUNITIES, INCLUDING THE AB 617 PORTSIDE ENVIRONMENTAL JUSTICE

25.

June 18, 2019

NEIGHBORHOOD STEERING COMMITTEE, TO INCREASE ELECTRICIFICATION OF FREIGHT MOVEMENT, IDENTIFY EMISSION REDUCTION STRATEGIES AND IMPROVE AIR QUALITY FOR THE REGION.

Larry Hofreiter, Program Manager, Planning & Green Port, addressed the Board with staff's report and presentation regarding Action Agenda Item 25 - File No. 2019-0190 (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: Jon Adams, Assistant Director, San Diego County Air Pollution Control District (SDAPCD); Joy Williams, Research Director, Environmental Health Coalition; Jiapsi Gomez, Environmental Health Coalition; and Salvador Abrica, Organizer, Teamsters Local Union 542.

Chairman Bonelli, Commissioner Castellanos, Commissioner Zucchet, Commissioner Valderrama, and Commissioner Merrifield provided comments and asked clarifying questions. Jon Adams, SDAPCD; Jason Giffen, Planning & Green Port; and Randa Coniglio, President/CEO responded.

Commissioner Zucchet made a motion to adopt the three recommendations as presented by staff with the addition of a fourth point directing staff to return at a future Board meeting and provide detailed information and recommendations that the Board can use to develop specific and timely goals to reduce greenhouse gas emissions and improve air quality in the District. Commissioner Merrifield seconded the motion. The Board thereby adopted Resolution 2019-084. 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
- **26.** <u>2019-0116</u> DISTRICT'S BLUE ECONOMY INCUBATOR:

A) PRESENTATION AND INFORMATIONAL UPDATE ON BLUE ECONOMY INCUBATOR AND ASSOCIATED PILOT PROJECTS, INCLUDING SEAWEED AQUACULTURE, DRIVE-IN BOATWASH AND MARINE DEBRIS REMOVAL VESSEL;

B) RESOLUTION AUTHORIZING AGREEMENT UNDER THE BLUE
ECONOMY INCUBATOR WITH ECOCONCRETE TECH INC. FOR A 3
-YEAR PILOT PROJECT TO DEMONSTRATE AN INNOVATIVE
BIO-ENHANCING CONCRETE SOLUTION FOR MARINE
INFRASTRUCTURE FOR A TOTAL AMOUNT NOT TO EXCEED
\$200,000. 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; AND

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

C) RESOLUTION AUTHORIZING AGREEMENT UNDER THE BLUE ECONOMY INCUBATOR WITH ECOSPEARS INC. FOR A 2-YEAR PILOT PROJECT TO DEMONSTRATE IN-SITU TECHNOLOGY TO EXTRACT CONTAMINANTS FROM MARINE SEDIMENTS FOR A TOTAL AMOUNT NOT TO EXCEED \$200,000. 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

Philippe Leblanc, Program Manager, Aquaculture & Blue Technology, addressed the Board with staff's report and presentation regarding Action Agenda Item 26 - File No. 2019-0116 (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 Zucchet, Commissioner Castellanos, Commissioner Valderrama, and Chairman Bonelli, provided comments and asked clarifying questions. Mr. Leblanc, Paula Sylvia, Program Manager, Aquaculture & Blue Technology, and Jason Giffen, Planning & Green Port, responded.

On a motion by Commissioner Merrifield, seconded by Commissioner Valderrama, the Board adopted Resolution 2019-085. 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
- 27. 2019-0191 PRESENTATION AND UPDATE ON THE 2018 COPPER LOAD REDUCTION EFFORTS RELATED TO THE SHELTER ISLAND YACHT BASIN TOTAL MAXIMUM DAILY LOAD AND DIRECTION TO STAFF ON FUTURE LOADING REDUCTION STRATEGIES

Karen Holman, Director, Environmental Protection, addressed the Board with staff's report and presentation regarding Action Agenda Item 27 - File No. 2019-0191 (A copy of

Board o	of Port Commission	ers Meeting Minutes	June 18, 2019
		the staff report, presentations and any agenda-related materials are on file with the of the District Clerk). Ms. Holman then turned the presentation over to Kelly Tait, Environmental Specialist, Environmental Protection, to discuss the 2018 data from annual monitoring event.	Senior
		The following member(s) of the public addressed the Board with non agenda-relat comments: John Adriany, San Diego Port Tenants Association.	ed
		Commissioner Merrifield , Commissioner Valderrama, Commissioner Zucchet, Commissioner Castellanos, and Chairman Bonelli, provided comments and asked clarifying questions. Ms. Holman, John Carter, Deputy General Counsel, Thomas Russell, General Counsel, and John Adriany responded.	
28.	<u>2019-0135</u>	REVIEW AND CONSIDERATION OF DRAFT PROPOSED BOARD AGENDA FOR THE JULY 9, 2019 MEETING	
		On a motion by Commissioner Valderrama, seconded by Commissioner Merrifield, the Board approved the proposed agenda for July 9, 2019. The mot carried by the following vote:	ion
	Yeas:	5 - Bonelli, Castellanos, Merrifield, Valderrama, and Zucchet	
	Nays:	0	
	Excused:	2 - Malcolm, and Moore	
	Absent:	0	
	Abstain:	0	
	Recused:	0	
OFFIC	CER'S REPORT		
29.	2019-0225	MONTHLY NOTIFICATION OF CHANGE ORDERS PURSUANT TO POLICY NO. 110:) BPC
		 A) Change Order No. 1 to Contract No. 2017-57 with The Crew Contracting, Inc. / \$4,811.45 Decrease & 35 Calendar Day Time Ext thru 05/12/19 	ension
		Change Order No. 1 to Contract No. 2018-18 with Michael Delavega Michael's Discount Painting / Increases Contract by \$5,860.00	a dba
		B) Change Order No. 1 to Contract No. 2018-13 with DB Pipeline Incorporated / \$10,000.00 Decrease & 1 Calendar Day Time Extens thru 04/19/20	ion
		C) Change Order No. 1 to Contract No. 2018-20 with Baker Electric (Reconciliation) / Decreases Contract by \$3,222.00	, Inc.
		MONTHLY NOTIFICATION OF COST RECOVERY USER FEE WA GRANTED BY THE EXECUTIVE DIRECTOR PURSUANT TO BPC POLICY NO. 106:	
		A) Request for User Fee Waiver Form from Bill Plowman for Succe	ssor

Board of Port Commissione	ers Meeting Minutes	June 18, 2019
	 B) Request for User Fee Waiver Form from Community Rowing of S Diego for Facility Use Permit, for total amount \$500.00 C) Request for User Fee Waiver Form from YMCA of San Diego Co for Facility Use Permit, for total amount \$500.00 D) Request for User Fee Waiver Form from Duncan McIntosh Complex. Inc. for San Diego International Boat Show, for total amount \$2,813.0 	ounty oany,
	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 T ADMINISTRATIVELY PURSUANT TO BPC POLICY NO. 355 AS AMENDED ON JANUARY 10, 2017: None to Report	0
	MONTHLY NOTIFICATION OF LEASE AMENDMENTS CONSENTI ADMINISTRATIVELY PURSUANT TO BPC POLICY NO. 355 AS AMENDED ON JANUARY 10, 2017: None to Report	ED TO

not

Secretary, Board of Por Commissioners San Diego Unified Port District

ATTEST:

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Clerk of the San Diego Unified Port District



Meeting Minutes

Board of Port Commissioners

Wednesday, July 24, 2019	10:00 AM	Pacific Daylight Time
	D	on L. Nay Port Administration Boardroom
	Closed Session	
	Teleconference Locatio	n
7	:00 AM - Hawaii Standard ٦	Гime
Reside	nce Inn Maui-Wailea, Molo	kini Room
75 Wa	ailea Ike, Wailea, Maui, Haw	vaii 96753
A. Roll Call.		
Present: 7 - Ch	airperson Bonelli, Commissioner Castellanos,	, Commissioner Malcolm,

Commissioner Marcolm, Commissioner Merrifield, Commissioner Moore, Commissioner Valderrama, and Commissioner Zucchet Excused: 0

Absent: 0

Commissioner Zucchet was excused until he arrived.

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. <u>2019-0267</u> Closed Session Item No. 1

PUBLIC EMPLOYEE PERSONNEL EVALUATION: PORT AUDITOR Government Code Section 54957

No reportable action was taken on this item.

July 24, 2019

2. <u>2019-0268</u> Closed Session Item No. 2

CONFERENCE WITH LABOR NEGOTIATOR Government Code Section 54957.6

Agency Negotiator: Garry Bonelli Unrepresented Employees: Port Auditor

No reportable action was taken on this item.

3. <u>2019-0278</u> Closed Session Item No. 3

CONFERENCE WITH LABOR NEGOTIATOR Government Code Section 54957.6

Agency Negotiator:Executive Director/President/Chief Executive OfficerEmployee Organization:San Diego Harbor Police Officers Association

No reportable action was taken on this item.

4. <u>2019-0280</u> Closed Session Item No. 4

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, Richard Ledford, Andrea Rosati, Lisa Gordon SDUPD - Shaun Sumner, Tony Gordon, Adam Meyer, Wendy Siao, James Hammel

Under Negotiations: Price and Terms

Commissioner Castellanos recused himself and did not participate in this item. No reportable action was taken on this item.

5. <u>2019-0291</u> Closed Session Item No. 5

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.

6. <u>2019-0279</u> Closed Session Item No. 6

CONFERENCE WITH REAL PROPERTY NEGOTIATOR Government Code Section 54956.8

Property: SDUPD - Wyndham San Diego Bayside located at 1355 North Harbor Drive, San Diego

Negotiating Parties: Bret Arriola - Felcor Hotel Asset Company, LLC

Shaun Sumner, Tony Gordon, Adam Meyer, Wendy Siao, James Hammel - SDUPD

Under Negotiations: Price and Terms

No reportable action was taken on this item.

7. <u>2019-0288</u> Closed Session Item No. 7

CONFERENCE WITH REAL PROPERTY NEGOTIATOR Government Code Section 54956.8 Property: SDUPD

Approximately 8,664 sqf of land area and approximately 133,755 sqf of water area located at 1403 Scott Street, San Diego CA 92106;

Approximately 9,343 sqf of land area and approximately 140,138 sqf of water area located at 2803 Emerson Street, San Diego CA 92106;

Approximately 21,074 sqf of land area and approximately 165,024 sqf of water area located at 2838 Garrison Street, San Diego CA 92106;

Approximately 96,342 sqf of land area and approximately 163,172 sqf of water area located at 4960 North Harbor Drive, San Diego CA 92106;

Approximately 9,600 sqf of land area located at the Western end of the North Harbor Drive parking lot, near the intersection of North Harbor Drive and Scott Street;

Approximately 54,000 sqf of land area located at 4980 North Harbor Drive, commonly referred to as the Westy's Parking Lot;

Approximately 33,000 sqf of land area located at the Western section of the North Harbor Drive parking lot, adjacent to Sun Harbor Marina;

Approximately 51,000 sqf of land area located at the Eastern section of the North Harbor Drive parking lot, adjacent to Point Loma Marina;

Approximately 4,700 sqf of land area located at the Eastern section of the North Harbor Drive parking lot, adjacent to the Navy leased property located near the intersection of North Harbor Drive and Echo Lane.

Negotiating Parties: Frank Lo Preste - Point Loma Sportfishing Association, Inc., dba Point Loma Sportfishing; Frank Ursitti - United Sportfishers of San Diego, Inc., dba H & M Landing; Frank Lo Preste, Tim Ekstrom, Doug Kern - Fisherman's

Landing Corporation, dba Fisherman's Landing; Greg Boeh - Point Loma Marina, LLC, dba The Wharf

Randa Coniglio, Shaun Sumner, Tony Gordon, Ken Wallis, Christian de Manielle - SDUPD

Under Negotiations: Price and Terms

No reportable action was taken on this item.

8. <u>2019-0281</u> Closed Session Item No. 8

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 SDUPD - Randa Coniglio, Joel Valenzuela, Adam Deaton

Under Negotiations: Price and Terms

No reportable action was taken on this item.

July 24, 2019

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Secretary, Board of Port Commissioners San Diego Unified Port District

ATTEST:

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Clerk of the San Diego Unified Port District,



San Diego Unified Port District

Meeting Minutes

Board of Port Commissioners

Wednesday, July 24, 2019	1:00 PM	Pacific Daylight Time
		Don L. Nav Port Administration Boardroom

Adjourned Regular Meeting 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:	7 -	Chairperson Bonelli, Commissioner 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 Commissioner Castellanos recused himself and did not participate in Closed Session Item 4 - File Number 2019-0280. 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: Matt Everingham, Board Member, San Diego Fishermen's Working Group.

E. Commissioners' Reports.

No Commissioners' reports were provided.

F. Board Committee Reports.

Commissioner Valderrama reported on the Maritime Stakeholder Forum. Commissioner Valderrama explained that the Forum met on June 25, during which they discussed the Community Air Protection Program AB 617 with members of the Port Tenants Association, and discussed opportunities for collaboration to improve air quality around the waterfront with the Environmental Health Coalition.

Commissioner Valderrama also provided a report on the Accessibility Advisory Committee. Commissioner Valderrama explained that the Committee met in June and received updates on the Portside Pier Restaurant Redevelopment project, and the internal evaluation efforts on the shared dockless mobility devices on Tidelands, as well as reviewed the 2019 Accessibility Committee Work Plan and Projects.

G. President's Report.

Randa Coniglio, President/CEO invited Jeff Wohler, Chairman of the San Diego Harbor Police Foundation, to the podium. Mr. Wohler reported on recent events supported by the Foundation which were: the first annual Fish With A Cop - 27 students from Grace W. Perkins Elementary went on a half-day ocean fishing trip with 30 Police Officers; and Harbor Police In Action - several hundred people attended and were able to watch the capabilities demonstration by Harbor Police.

Ms. Coniglio then announced that the Port of San Diego is a member of Green Marine which is an internationally recognized maritime trade association and certifier of maritime sustainability programs for Ports, shippers, and terminal operators. In June staff attended the Greentech 2019 conference in Cleveland, Ohio, and was recognized for achieving top marks for environmental leadership in 7 of the organization's 8 sustainability categories during the Port's first year of participation.

Ms. Coniglio then reported on the Picnic in the Park event on May 18. Ms. Coniglio explained that the Waterfront Arts & Activation department put together a free event at Cesar Chavez Park which included live music, dance performances, games, art activities, food, and giveaways. Over 500 people attended this event. Ms. Coniglio then introduced a short video of the event.

Ms. Coniglio also spoke about the pop-up art museum Wonderspaces exhibit at the B Stree Cruise Ship Terminal. The exhibit includes over thirteen unique artistic experiences ranging from room-sized interactive art installations to virtual reality experiences and kinetic sound-based sculptures. Ms. Coniglio then introduced a promotional video for the event.

Ms. Coniglio also reported that the first permitted event under the Port's management of the National City Aquatic Center took place on June 30. The name of the event was Boodle Fight San Diego, and was hosted by a local Filipino organization whose mission is to unite the community using art, music, and cuisine, by creating a fully immersive food experience where people eat in the traditional Filipino "Kamayan" style with their hands. Ms. Coniglio then introduce a promotional video produced by the organization.

H. District Clerk's Announcements.

Donna Morales, District Clerk, announced that additional agenda-related materials were received after the publication of the agenda for Consent Agenda Item 8 - File No. 2019-0165, and that copies were available at the Clerk's desk.

Ms. Morales then reported that staff requested to continue Consent Agenda Item 3 - File No. 2019-0249.

On a motion by Commissioner Malcolm, seconded by Commissioner Castellanos, the Board accepted 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

2019-0269	Approval of minutes f	for:

June 18, 2019 - CLOSED SESSION June 18, 2019 - BPC MEETING

On a motion by Commissioner Castellanos, seconded by Commissioner Zucchet, the Board approved the minutes. 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 Castellanos, seconded by Commissioner Malcolm, the Board adopted the Consent Agenda as follows: Resolution 2019-087; Resolution 2019-088; Resolution 2019-089; Resolution 2019-090; Resolution 2019-091; Resolution 2019-092; Resolution 2019-093; Ordinance 2947; and Ordinance 2948. 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. <u>2019-0202</u> RESOLUTION APPROVING CALENDAR YEAR 2019 ANNUAL WORK PLAN FOR THE ACCESSIBILITY ADVISORY COMMITTEE PURSUANT TO THE BOARD OF PORT COMMISSIONERS POLICY NO. 018, BOARD ADVISORY COMMITTEES

On a motion by Commissioner Castellanos, seconded by Commissioner Malcolm, the Board adopted Resolution 2019-087 as part of the Consent Agenda.

2. 2019-0207 RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AWARDING CONTRACT NO. 2018-27 TO 3-D ENTERPRISES, INC. IN THE AMOUNT OF \$4,297,000.00 FOR THE SWEETWATER BICYCLE PATH AND PROMENADE PROJECT, CHULA VISTA, CALIFORNIA, AS AUTHORIZED BY THE BOARD IN THE FY 2019-2023 CAPITAL IMPROVEMENT PROGRAM, REIMBURSABLE THROUGH THE CALIFORNIA NATURAL RESOURCES AGENCY'S URBAN GREENING PROGRAM, GRANT AGREEMENT NUMBER U29130-0

On a motion by Commissioner Castellanos, seconded by Commissioner Malcolm, the Board adopted Resolution 2019-088 as part of the Consent Agenda.

3. 2019-0249 RESOLUTION AUTHORIZING A SOLE SOURCE AGREEMENT TO COCHRAN MARINE, LLC FOR THE PERIOD OF AUGUST 1, 2019 TO JUNE 30, 2022 TO CONTINUE CRUISE SHIP SHORE POWER CONNECTION, COMMISSIONING, AND MAINTENANCE SERVICES SUPPORTING THE PROPRIETARY SHORE POWER SYSTEM AT B STREET AND BROADWAY PIERS IN AN AMOUNT NOT TO EXCEED \$910,000.

> FUNDS FOR THE FIRST YEAR OF THIS EXPENDITURE OF \$246,015 ARE INCLUDED IN THE APPROVED FY 2020 BUDGET. FUNDS REQUIRED FOR FUTURE FISCAL YEARS WILL BE BUDGETED FOR IN THE APPROPRIATE 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. <u>2019-0219</u> 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 FOR FY 2018 AND GRANT INDEMNITY TO THE COUNTY OF SAN DIEGO

On a motion by Commissioner Castellanos, seconded by Commissioner Malcolm, the Board adopted Resolution 2019-089 as part of the Consent Agenda.

5. <u>2019-0224</u> RESOLUTION CONSENTING TO A SUBLEASE BETWEEN LFN DEVELOPERS, LLC, A DELAWARE LIMITED LIABILITY COMPANY, AND MONIKER HOSPITALITY, LLC, A CALIFORNIA LIMITED LIABILITY COMPANY, TO OPERATE AN EVENT VENUE AT THE SPRINGHILL SUITES/RESIDENCE INN AT LANE FIELD NORTH FOR A TEN-YEAR AND FOUR-MONTH TERM, WITH CONDITIONS

On a motion by Commissioner Castellanos, seconded by Commissioner Malcolm, the Board adopted Resolution 2019-090 as part of the Consent Agenda.

6. <u>2019-0231</u> EMERGENCY REPAIR OF THE FLOATING UPWELLER SYSTEM AT TUNA HARBOR

RESOLUTION BY A 4/5 VOTE AUTHORIZING CONTINUED ACTION FOR THE EMERGENCY REPAIR OF THE FLOATING UPWELLER SYSTEM (FLUPSY) AT TUNA HARBOR

On a motion by Commissioner Castellanos, seconded by Commissioner Malcolm, the Board adopted Resolution 2019-091 as part of the Consent Agenda.

7. <u>2019-0244</u> RESOLUTION APPROVING PROCLAMATION IN RECOGNITION OF JULY 2019 AS PARKS AND RECREATION MONTH.

On a motion by Commissioner Castellanos, seconded by Commissioner Malcolm, the Board adopted Resolution 2019-092 as part of the Consent Agenda.

8. 2019-0165 RESOLUTION AUTHORIZING AN AMENDMENT TO THE AGREEMENT WITH SAP PUBLIC SERVICES, INC., FOR SOFTWARE END-USER LICENSES, TO INCREASE THE ANNUAL SOFTWARE MAINTENANCE EXPENDITURE BY AN AMOUNT OF \$108,581 PER YEAR TO AN AMOUNT NOT TO EXCEED \$180,884; AND AUTHORIZING A NEW AGREEMENT WITH SAP PUBLIC SERVICES, INC. FOR CONSULTING SERVICES IN AN AMOUNT NOT TO EXCEED \$650,000, IN ACCORDANCE WITH BPC POLICY NO. 110 II.H, WITH A FIVE-YEAR TOTAL COST OF OWNERSHIP OF THE SAP SYSTEM OF \$4,371,117 (WHICH INCLUDES ALL CURRENT SAP RELATED AGREEMENTS) FY2019 EXPENDITURES ARE BUDGETED IN THE INFORMATION TECHNOLOGY DEPARTMENT PROFESSIONAL SERVICES COST ACCOUNT. 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 Castellanos, seconded by Commissioner Malcolm, the Board adopted Resolution 2019-093 as part of the Consent Agenda.

9. 2019-0257 ORDINANCE AMENDING THE FY2020 BUDGET BY INCREASING THE "EQUIPMENT OUTLAY AND OTHER CAPITAL OUTLAY PROJECTS" APPROPRIATIONS BY \$400,000 FOR DESIGN AND ENVIRONMENTAL REVIEW OF PROPOSED IMPROVEMENTS TO BROADWAY PIER AND THE PORT PAVILION, TO BE FUNDED FROM THE CUMULATIVE UNRESTRICTED RESOURCES

On a motion by Commissioner Castellanos, seconded by Commissioner Malcolm, the Board adopted Ordinance 2947 as part of the Consent Agenda.

10.2019-0260ORDINANCE AMENDING THE FISCAL YEAR (FY) 2020 BUDGET
INCREASING THE FY 2020 EQUIPMENT OUTLAY AND OTHER
CAPITAL PROJECTS APPROPRIATION BY \$3 MILLION FOR TENANT
IMPROVEMENT ALLOWANCES AT SEAPORT VILLAGE, WITH \$3
MILLION TO BE FUNDED FROM CUMULATIVE UNRESTRICTED
RESOURCES

On a motion by Commissioner Castellanos, seconded by Commissioner Malcolm, the Board adopted Ordinance 2948 as part of the Consent Agenda.

ACTION AGENDA

11. 2018-0489 ORDINANCE GRANTING A 15-YEAR LEASE WITH THREE 10-YEAR OPTIONS AND ONE 5-YEAR OPTION TO EXTEND THE TERM OF THE LEASE FOR A TOTAL OF UP TO 50 YEARS TO THE SAN DIEGO SYMPHONY ORCHESTRA ASSOCIATION FOR THE BAYSIDE PERFORMANCE PARK LOCATED IN EMBARCADERO MARINA PARK SOUTH IN SAN DIEGO

Tony Gordon, Director, Real Estate, addressed the Board with staff's report and presentation regarding Action Agenda Item 11 - File No. 2018-0489 (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 to Sean Jones, Asset Manager, Real Estate, to discuss the staff recommendations, ground lease terms, the operations plan, and next steps.

The following member(s) of the public addressed the Board with agenda-related comments: Dave Snyder, Board Chair, San Diego Symphony; Martha Gilmer, President/CEO, San Diego Symphony; and Richard Ledford, President/CEO, Ledford Enterprises Inc.

Commissioner Merrifield, Commissioner Castellanos, Commissioner Malcolm, Commissioner Zucchet, Commissioner Valderrama, Chairman Bonelli, and Vice Chair Moore provided comments and asked clarifying questions. Martha Gilmer, San Diego Symphony, responded.

On a motion by Commissioner Merrifield the Board adopted Ordinance 2949. 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

12. 2019-0254 INFORMATIONAL PRESENTATION FROM THE NONPROFIT INSTITUTE AT THE UNIVERSITY OF SAN DIEGO ON THE EQUINOX PROJECT'S 2019 SAN DIEGO REGIONAL QUALITY OF LIFE DASHBOARD, WHICH MEASURES AND BENCHMARKS REGIONAL TRENDS IN SAN DIEGO COUNTY AS A MEANS FOR TURNING RESEARCH INTO ACTION TO HELP ACHIEVE A HEALTHIER ENVIRONMENT, STRONGER ECONOMY, AND INFORMED CIVIC ENGAGEMENT

Renee Yarmy, Program Manager, Energy & Sustainability, addressed the Board with staff's report and presentation regarding Action Agenda Item 12 - File No. 2019-0254 (A copy of the staff report, presentations and any agenda-related materials are on file with the Office of the District Clerk). Ms. Yarmy then turned the presentation to Emily Young, Executive Director, The Nonprofit Institute, to provide overview of the Equinox Project's Quality of Life Dashboard. Dr. Young then turned to presentation to Christiana DeBenedict, Director of Environment Leadership Initiatives, The Nonprofit Institute, to discuss a few of the indicators from the Dashboard.

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

Commissioner Malcolm and Commissioner Valderrama, provided comments and asked clarifying questions. Lisa Walker, Research Assistant, Caster Family Center for Nonprofit and Philanthropic Research, responded.

13. 2019-0197 RESOLUTION AUTHORIZING AMENDMENT NO. 1 TO AGREEMENT WITH STAY CLASSY SAN DIEGO, LLC FOR SPONSORSHIP OF A FESTIVAL ON THE DOWNTOWN SAN DIEGO WATERFRONT, ADDING \$150,000 IN FUNDING, AND ASSIGNING ALL RIGHTS AND OBLIGATIONS OF STAY CLASSY SAN DIEGO, LLC TO WONDERLUST EVENTS, LLC. FY 2020 EXPENDITURES ARE BUDGETED.

Jim Hutzelman, Manager, Business Development & Recreation Services, Waterfront Arts & Activation, addressed the Board with staff's report and presentation regarding Action Agenda Item 13 - File No. 2019-0197 (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 Castellanos, Commissioner Valderrama,

Commissioner Malcolm, Chairman Bonelli, and Vice Chair Moore provided comments and asked clarifying questions. Jim Hutzelman, Yvonne Wise, Director, Waterfront Arts & Activation, Commissioner Valderrama, and Ernie Hahn, Stay Classy San Diego, responded.

Commissioner Malcolm made a motion to continue this item to the August Board meeting, and requested that staff bring back line item expense information, how Port funds are going to be spent, and a fiscal economic analysis on the impact of the event. Commissioner Castellanos seconded the motion. 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

14. 2019-0228 RESOLUTION AUTHORIZING AGREEMENT UNDER THE BLUE ECONOMY INCUBATOR WITH ECONCRETE INC. FOR A 3-YEAR PILOT PROJECT TO DEMONSTRATE A POTENTIAL BIO-ENHANCING CONCRETE SOLUTION FOR MARINE INFRASTRUCTURE FOR A TOTAL AMOUNT NOT TO EXCEED \$200,000. 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

Jason Giffen, Assistant Vice President, Planning & Green Port, addressed the Board with staff's report and presentation regarding Action Agenda Item 14 - File No. 2019-0228 (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, Commissioner Castellanos, and Chairman Bonelli, provided comments and asked clarifying questions. Jason Giffen, and Simon Kann, Deputy General Counsel, responded.

Commissioner Malcolm, made a motion to approve the agreement and modify the total not to exceed amount to \$241,550; Chairperson Bonelli seconded the motion, the Board thereby adopted Resolution 2019-094. The motion carried by the following vote:

- Yeas: 7 Bonelli, Castellanos, Malcolm, Merrifield, Moore, Valderrama, and Zucchet
- Nays: 0
- Excused: 0

July 24, 2019

Absent: 0

Abstain: 0

Recused: 0

Commissioner Malcolm left the dais at 3:06 pm and did not return for the remainder of the meeting.

15. <u>2019-0198</u> REVIEW AND CONSIDERATION OF DRAFT PROPOSED BOARD AGENDA FOR THE AUGUST 13, 2019 MEETING

On a motion by Commissioner Valderrama, seconded by Commissioner Castellanos, the Board approved the proposed Board agenda for August. The motion carried by the following vote:

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

OFFICER'S REPORT

16. <u>2019-0258</u> MONTHLY NOTIFICATION OF CHANGE ORDERS PURSUANT TO BPC POLICY NO. 110:

A) Change Order No. 1 to Contract No. 2018-23 with Clear Blue Energy Corp. / Increases Contract by \$41,589.46

B) Change Order No. 1 to Contract No. 2018-10 with Chambers, Inc. dba Roof Construction / Decreases Contract by \$78,248.37

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 Stay Open San Diego, LLC for Stay Open San Diego Right of Entry License Agreement, 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:

July 24, 2019

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

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Secretary, Board of Po<mark>r</mark>t 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 13, 2019	10:00 AM Pacific Daylight T Don L. Nay Port Administration Boardro	
	Closed Session	<u>/////</u>
	Teleconference Location	
-	7:00 AM - Hawaii Standard Time	
F	Residence Inn Maui-Wailea, Molokini Room	
	75 Wailea Ike, Wailea, Maui, Hawaii 96753	
A. Roll Call.		
Present:	 7 - Chairperson Bonelli, Commissioner Castellanos, Commissioner Malcolm, Commissioner Merrifield, Commissioner Moore, Commissioner Valderrama, and Commissioner Zucchet 	
Excused:	0	
Absent:	0	
	Chairman Bonelli participated via conference call from Maui, Hawaii as listed above.	
	Commissioner Malcolm was excused until he arrived at 10:09 am.	•
	Commissioner Merrifiled was excused until he arrived at 10:19 am.	
	Officers Present: Coniglio, DeAngelis, Monson, Morales, and Russell	
B. Public Communi	cations.	
	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. <u>2019-0314</u>	Closed Session Item No. 1	
	CONFERENCE WITH REAL PROPERTY NEGOTIATOR Government Code Section 54956.8	

Board	of Port Commissio	oners Meeting Minutes	August 13, 2019
		 Property: SDUPD a. Approximately 6.77 acres of submerged tidelands within the South Bay Power Plant water cooling intake channel; b. Approximately 6 acres of tidelands area located on the sout Belt Street west of the foot of Sampson Street in the City of Sar California; c. Approximately 27 acres of tidelands area located at 2205 B Negotiating Parties: Shaun Halvax, Brian Fantel, Catherine Steger - BAE Systems S Ship Repair, Inc. 	th side of n Diego, elt Street.
		Shaun Sumner, Tony Gordon, Adam Meyer, Ryan Donald, Aml Sean Jones, Eileen Maher - SDUPD	oer Jensen,
		Under Negotiations: Price and Terms	
		No reportable action was taken.	
2.	<u>2019-0311</u>	Closed Session Item No. 2	
		CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITI Significant exposure to litigation Government Code Section 549	
		Two (2) Cases	
		No reportable action was taken.	
3.	2019-0316	Closed Session Item No. 3	
		CONFERENCE WITH LABOR NEGOTIATOR Government Code Section 54957.6	
		Agency Negotiator:Executive Director/President/Chief ExecutiEmployee Organization:San Diego Harbor Police OfficersNo reportable action was taken.	
4.	2019-0313	Closed Session Item No. 4	
		CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGAT Pursuant to Subdivision (d)(1) of Government Code Section 54	
		San Diego Unified Port District v. San Diego Gas & Electric Cor al.	mpany, et
		San Diego Superior Court Case No. 37-2017-00041251-CU-BC	C-CTL
		No reportable action was taken.	

August 13, 2019

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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 13, 2019	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:	7 -	Chairperson Bonelli, Commissioner Castellanos, Commissioner Malcolm, Commissioner Merrifield, Commissioner Moore, Commissioner Valderrama, and Commissioner Zucchet
Excused:	0	
Absent:	0	

Chairman Bonelli participated via teleconference from Maui, Hawaii as listed above.

Commissioner Merrifield was excused until he arrived at 1:10 pm.

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

B. Pledge of Allegiance.

Commissioner Castellanos led the Pledge of Allegiance.

C. 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.

D. Public Communications.

The following member(s) of the public addressed the Board with non agenda-related comments: David Ritter; Pauline Kristinsson; Carole Noska, Owner, Sail Charters; and Thomas Stroh, Your Peace Love and Happiness, Inc.

E. Commissioners' Reports.

No Commissioners' reports were provided.

F. Board Committee Reports.

Commissioner Malcolm reported out on the Seaport Village Ad Hoc Committee which met on July 23, 2019. Commissioner Malcolm explained that the Ad Hoc Committee received a presentation from staff regarding interim operations and leasing updates at Seaport Village. The Ad Hoc Committee discussed property management updates, including the Central Embarcadero Marketing and Activation Program, financial reporting, leasing efforts, and tenant improvement allowances relating to prospective leasing deals at Seaport Village. Commissioner Malcolm added that the Ad Hoc Committee also received recommendations from Protea and Retail Insite regarding property management, activation, and leasing strategies for the property.

G. President's Report.

Randa Coniglio, President/CEO began by welcoming Michael Brown, the new Vice President of Marketing and Communications to the Port.

Ms. Coniglio then provided an update regarding the Charter Operations Ordinance. Ms. Coniglio explained that an ordinance has been drafted. Staff intends to take the draft to stake holder meetings over the next couple of months, and then bring to the Board for adoption before the end of year. Ms. Coniglio further explained that staff has not only been working on the ordinance during this time; Harbor Police has also been actively working with the U.S. Coast Guard on enforcing charter operations on the bay in the interim.

Ms. Coniglio then invited Deputy Rick Ellington, member of the International Police Officers Association - Region 23, to the podium. Deputy Ellington explained that the International Police Officers Association has in excess of 350,000 members and represents officers--both sworn and retired--from 65 countries. Deputy Ellington also explained that part of the association's role is to provide training and internship where officers from other countries receive training from various agencies. The Port of San Diego Harbor Police is among the agencies in San Diego County that provides this training. Deputy Ellington presented a plaque to Chief Mark Stainbrook in recognition of the Harbor Police's continuing efforts and participation in the program.

Ms. Coniglio then spoke about the 2019 Student Worker Program. *Ms.* Coniglio explained that 65 students participated in the lottery, and 25 students were hired. Thirteen departments participated in the program which provided students the opportunity to gain valuable work experience.

Ms. Coniglio then announced that the Port's Finance Department received a Certificate of Achievement for Excellence in Financial Reporting for the fifth consecutive year for the 2018 Comprehensive Annual Financial Report (CAFR).

Ms. Coniglio then provided an update on the Port Master Plan Update (PMPU). Ms. Coniglio explained that a Discussion Draft of the PMPU was published and released in April, 2019, for a 90-day public review period to receive feedback and input. The review period ended on July 31, 2019, and the Port received nearly 3,000 comment letters from the public, agencies, and organizations. Regarding next steps, PMPU staff is reviewing the feedback and will come back to the Board at an upcoming meeting to present an overview of the comments received, including some of the major themes of the comments, and will present a timeline of upcoming milestones for the PMPU. Ms. Coniglio offered that for anyone interested in learning more about the PMPU process, or would like to view the comments received, they can visit the Port's website at

Board	of	Port	Commissioners
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Meeting Minutes

August 13, 2019

www.portofsandiego.org/PMPU.

H. District Clerk's Announcements.

Donna Morales, District Clerk, announced that additional agenda-related materials were received after the publication of the agenda for Action Agenda Item 9 - File No. 2019-0307, and that copies were available at the Clerk's desk.

Ms. Morales then reported that staff requested to continue Consent Agenda Item 1 - File No. 2019-0305, and Consent Agenda Item 2 - File No. 2019-0320.

On a motion by Commissioner Malcolm, seconded by Commissioner Castellanos, the Board accepted 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

2019-0321 Approval of minutes for:

July 24, 2019 - CLOSED SESSION July 24, 2019 - BPC MEETING

On a motion by Commissioner Castellanos, seconded by Commissioner Zucchet, the Board approved the minutes. 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 Castellanos, seconded by Commissioner Valderrama, the Board adopted the Consent Agenda as follows: Ordinance 2950; Resolution 2019-095; Resolution 2019-096; Resolution 2019-097; and Ordinance 2951. 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

2019-0305

1.

RESOLUTION AUTHORIZING A SOLE SOURCE AGREEMENT TO COCHRAN MARINE, LLC FOR THE PERIOD OF AUGUST 1, 2019 TO JUNE 30, 2022 TO CONTINUE CRUISE SHIP SHORE POWER CONNECTION, COMMISSIONING, AND MAINTENANCE SERVICES SUPPORTING THE PROPRIETARY SHORE POWER SYSTEM AT B STREET AND BROADWAY PIERS IN AN AMOUNT NOT TO EXCEED \$910,000. FUNDS FOR THE FIRST YEAR OF THIS EXPENDITURE OF \$246,015 ARE INCLUDED IN THE APPROVED FY 2020 BUDGET. FUNDS REQUIRED FOR FUTURE FISCAL YEARS WILL BE BUDGETED FOR IN THE APPROPRIATE 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. 2019-0320 RESOLUTION CONSENTING TO A SUBLEASE BETWEEN MANCHESTER RESORTS, L.P., A CALIFORNIA LIMITED PARTNERSHIP (DBA MANCHESTER GRAND HYATT), AND SANFORD SPAS, LLC, A FLORIDA LIMITED LIABILITY COMPANY (DBA MARILYN MONROE SPAS), FOR ONE FIVE-YEAR TERM WITH TWO FIVE-YEAR OPTIONS TO EXTEND, 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.

3. 2019-0255 SOUTH CAMPUS PAVEMENT AND FOUNDATION DEMOLITION PROJECT

A) ORDINANCE AMENDING THE FISCAL YEAR (FY) 2020 BUDGET INCREASING THE FY 2020 CAPITAL IMPROVEMENT PROGRAM (CIP) APPROPRIATION BY \$2.0 MILLION FROM CUMULATIVE UNRESTRICTED RESOURCES TO FUND AN INCREASE TO THE SOUTH CAMPUS PAVEMENT AND FOUNDATION DEMOLITION PROJECT

Board	d of Port Commissi	oners Meeting Minutes Aug	just 13, 2019
		B) RESOLUTION APPROVING AN AMENDMENT TO THE FY 2019-2 5-YEAR CIP TO INCREASE THE SOUTH CAMPUS PAVEMENT AND FOUNDATION DEMOLITION PROJECT BY \$2.0 MILLION PURSUAN TO BPC POLICY NO. 120)
		On a motion by Commimssioner Castellanos, seconded by Commissioner Valderrama, the Board adopted Ordinance 2950 and Resolution 2019-095 as part of the Consent Agenda.	
4.	<u>2019-0256</u>	RESOLUTION AUTHORIZING AGREEMENTS FOR DISTRICT SPONSORSHIP OF UPCOMING TIDELANDS ACTIVATION PROGRA SIGNATURE EVENTS: A) AGREEMENT WITH 3D ART EXPO LLC FOR SPONSORSHIP OF ANNUAL U.S. SAND SCULPTING CHALLENGE AND DIMENSIONAL ART EXPOSITION IN AN AMOUNT NOT TO EXCEED \$15,000 IN FUNDING AND \$78,450 IN WAIVED FEES FOR DISTRICT SERVICE EACH YEAR FOR TWO YEARS, FOR TOTAL FUNDING NOT TO EXCEED \$30,000 AND TOTAL WAIVED DISTRICT SERVICES NOT EXCEED \$156,900. FUNDS REQUIRED FOR FY2020 ARE BUDGETED. FUNDS REQUIRED FOR FUTURE FISCAL YEARS WIL BE BUDGETED IN THE APPROPRIATE FISCAL YEAR, SUBJECT TO BOARD APPROVAL UPON ADOPTION OF EACH FISCAL YEAR'S BUDGET; B) AGREEMENT WITH THE NATIONAL CITY CHAMBER OF COMMERCE FOR SPONSORSHIP OF ANNUAL INTERNATIONAL MARIACHI FESTIVAL AND COMPETITION IN AN AMOUNT NOT TO EXCEED \$65,000 IN FUNDING AND \$31,237 IN WAIVED FEES FOR DISTRICT SERVICES EACH YEAR FOR TWO YEARS, FOR TOTAL FUNDING NOT TO EXCEED \$130,000 AND TOTAL WAIVED DISTRI SERVICES NOT TO EXCEED \$130,000 AND TOTAL WAIVED DISTRI SERVICES NOT TO EXCEED \$62,474. FUNDS REQUIRED FOR FY2020 ARE BUDGETED. FUNDS REQUIRED FOR FUTURE FISCAL YEAR SUBJECT TO BOARD APPROVAL UPON ADOPTION OF EACH FISCAL YEAR'S BUDGET	= S TO L D CT L
		On a motion by Commimssioner Castellanos, seconded by Commissioner Valderrama, the Board adopted Resolution 2019-096 as part of the Consent Agenda.	
5.	<u>2019-0271</u>	RESOLUTION APPROVING SCHEDULE 3 TO MASTER TAX-EXEMP LEASE/PURCHASE AGREEMENT WITH KEY GOVERNMENT FINANCE, INC. TO FINANCE BOARD-APPROVED PURCHASE OF CISCO SMARTNET SUPPORT SERVICES FROM DIMENSION DATA AN AMOUNT NOT TO EXCEED \$752,676.00 OVER FIVE YEARS AT	A IN

ZERO PERCENT INTEREST. FY2020 EXPENDITURES ARE INCLUDED IN THE FY2020 INFORMATION TECHNOLOGY BUDGET. FUNDS REQUIRED FOR FUTURE FISCAL YEARS WILL BUDGETED IN THE APPROPRIATE FISCAL YEAR, SUBJECT TO BOARD APPROVAL

August 13, 2019

UPON ADOPTION OF EACH FISCAL YEAR'S BUDGET.

On a motion by Commimssioner Castellanos, seconded by Commissioner Valderrama, the Board adopted Resolution 2019-097 as part of the Consent Agenda.

6. 2019-0283 ORDINANCE: (A) AUTHORIZING THE EXECUTIVE DIRECTOR OR HER AUTHORIZED DESIGNEE TO ENTER INTO AN IMPLEMENTATION AGREEMENT WITH THE FEDERAL BUREAU OF INVESTIGATIONS ORGANIZED CRIME DRUG ENFORCEMENT TASK FORCE TO SUPPORT THE SAN DIEGO REGION STRIKE FORCE, INCLUDING FULL REIMBURSEMENT OF DISTRICT EXPENSES PLUS AN ADMINISTRATIVE FEE FOR A TERM NOT TO EXCEED SEVEN YEARS; (B) APPROVING A LEASE OF OFF-TIDELANDS PROPERTY WITH COLLINS BUSINESS PARK TIC FOR FIVE YEARS PLUS A TWO-YEAR OPTION; AND (C) AMENDING THE FY 2019-2020 BUDGET BY ADDING \$400,000 TO THE NON-PERSONNEL EXPENSE APPROPRIATION FROM PRIOR YEARS UNRESTRICTED RESOURCES TO BE REIMBURSED BY THE UNITED STATES UNDER THE IMPLEMENTATION AGREEMENT; ALL ACTIONS CONDITIONED ON APPROVAL BY THE CALIFORNIA STATE LANDS COMMISSION OF THE OFF-TIDELANDS EXPENDITURE UNDER THE PROPOSED LEASE

On a motion by Commimssioner Castellanos, seconded by Commissioner Valderrama, the Board adopted Ordinance 2951 as part of the Consent Agenda.

ACTION AGENDA

7. <u>2019-0240</u> PRESENTATION OF SERVICE AWARDS TO EMPLOYEES WITH 15 OR MORE YEARS OF SERVICE

> Maria Sarchi, Benefits Analyst, Human Resources, and Kacie Ting, Student Worker, addressed the Board with staff's report and presentation regarding Action Agenda Item 7 - File No. 2019-0250 (A copy of the staff report, presentations and any agenda-related materials are on file with the Office of the District Clerk). Ms. Ting then turned the presentation to Randa Coniglio, President/CEO, to recognize Charles Starns, Maintenance Supervisor, General Services, for his 15 years of service to the Port.

8. 2018-0485 A) ORDINANCE GRANTING A 66-YEAR LEASE BETWEEN THE DISTRICT AND SUN CHULA VISTA BAYFRONT RV LLC FOR A RECREATIONAL VEHICLE (RV) PARK WITH A COMBINATION OF 246 RV STALLS AND PARK MODEL STALLS LOCATED IN THE CITY OF CHULA VISTA;

B) And RESOLUTION APPROVING THE PLANS AND SPECIFICATIONS FOR THE OFFSITE IMPROVEMENTS TO BE LOCATED IN THE CITY OF CHULA VISTA

Adam Meyer, Assistant Director, Real Estate, addressed the Board with staff's report and presentation regarding Action Agenda Item 8 - File No. 2018-0485 (A copy of the staff report, presentations and any agenda-related materials are on file with the Office of the

Board of Port Commission	ners Meeting Minutes	August 13, 201
	District Clerk). Mr. Meyer then turned the presentation to Stephanie Shook, De Manager, Real Estate Development, to discuss the details of the lease.	epartment
	The following member(s) of the public addressed the Board with agenda-relate comments: None	d
	Commissioner Malcolm, Commissioner Valderrama, Commissioner Merrifield, Moore, and Chairman Bonelli provided comments.	Vice Chair
	On a motion by Commissioner Moore, seconded by Commissioner Malcoln Board adopted Ordinance 2952. The motion carried by the following vote:	n, the
Yeas:	7 - Bonelli, Castellanos, Malcolm, Merrifield, Moore, Valderrama, and Zucch	et
Nays:	0	
Excused:	0	
Absent:	0	
Abstain:	0	
Recused:	0	
	On a motion by Commissioner Moore, seconded by Commissioner Valderr the Board adopted Resolution 2019-098. The motion carried by the followin	
Yeas:	7 - Bonelli, Castellanos, Malcolm, Merrifield, Moore, Valderrama, and Zucch	et
Nays:	0	
Excused:	0	
Absent:	0	
Abstain:	0	
Recused:	0	
). <u>2019-0307</u>	RESOLUTION AUTHORIZING AMENDMENT NO. 1 TO AGREE WITH STAY CLASSY SAN DIEGO, LLC FOR SPONSORSHIP O FESTIVAL ON THE DOWNTOWN SAN DIEGO WATERFRONT,	FA

FESTIVAL ON THE DOWNTOWN SAN DIEGO, LLC FOR SPONSORSHIP OF A FESTIVAL ON THE DOWNTOWN SAN DIEGO WATERFRONT, ADDING \$150,000 IN FUNDING, AND ASSIGNING ALL RIGHTS AND OBLIGATIONS OF STAY CLASSY SAN DIEGO, LLC TO WONDERLUST EVENTS, LLC. FY 2020 EXPENDITURES ARE BUDGETED.

Yvonne Wise, Director, Waterfront Arts & Activation, addressed the Board with staff's report and presentation regarding Action Agenda Item 9 - File No. 2019-0307 (A copy of the staff report, presentations and any agenda-related materials are on file with the Office of the District Clerk). Ms. Wise then turned the presentation to Jim Hutzelman, Business Manager, Waterfront Arts & Activation, to discuss staff's analysis of how the Port will generate revenue through sponsorship of the Wonderfront Festival.

The following member(s) of the public addressed the Board with agenda-related comments: Ernie Hahn, Manager, Wonderfront Festival; and Sharon Cloward, President, San Diego Port Tenants Association.

Board	of Port Commission	ers Meeting Minutes	August 13, 2019
		Commissioner Valderrama, Chairman Bonelli, Commissioner Malcolm, Commiss Merrifield, Commissioner Zucchet, Commissioner Castellanos, and Vice Chair M provided comments and asked clarifying questions. Stephen Shafer, Principal, Economics and Policy, Commissioner Merrifield, and Mr. Hahn responded.	
		On a motion by Commissioner Valderrama, seconded by Commissioner Merrifield, the Board adopted Resolution 2019-099. The motion carried by the following vote:	e
	Yeas:	7 - Bonelli, Castellanos, Malcolm, Merrifield, Moore, Valderrama, and Zucche	t
	Nays:	0	
	Excused:	0	
	Absent:	0	
	Abstain:	0	
	Recused:	0	
10.	<u>2019-0226</u>	REVIEW AND CONSIDERATION OF DRAFT PROPOSED BOAR AGENDA FOR THE SEPTEMBER 10, 2019 MEETING	C
		In light of the appointment of the new Vice President of Marketing & Communica and Waterfront Arts & Activation, Chairman Bonelli requested a modification to to September agenda to postpone File No. 2019-0308 - Informational Presentation Update on Port Marketing Campaigns, to a later Board meeting.	he
		Commissioner Malcolm, seconded by Commissioner Castellanos, made a m to approve the proposed agenda for September. Chairman Bonelli made a friendly amendment to the motion to postpone File No. 2019-0308 to a later E meeting. Commissioner Malcolm and Commissioner Castellanos accepted to	Board

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

amendment. The amended motion carried by the following vote:

- Nays: 0
- Excused: 0
- Absent: 0
- Abstain: 0
- Recused: 0

OFFICER'S REPORT

11.2019-0306MONTHLY NOTIFICATION OF CHANGE ORDERS PURSUANT TO BPC
POLICY NO. 110:

A) Change Order No. 1 to Contract No. 2016-37 with Reyes Construction, Inc. / Increases Contract by \$330,700.00

B) Change Order No. 1 to Contract No. 2018-22 with Clear Blue Energy Corp. / Decreases Contract by \$7,227.00

C) Change Order No. 2 to Contract No. 2018-23 with Clear Blue Energy Corp. / Decreases Contract by \$863.68

D) Change Order No. 1 for Contract No. 2019-02 with Vortex Industries, Inc. / 40 Calendar Day Time Extension thru 06/30/19

E) Change Order No. 1 to Contract No. 2018-17 with Good-Men Roofing and Construction, Inc. (Reconciliation) / Decreases Contract by \$9,943.00

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 County of San Diego, Department of General Services for Right of Entry for Invasive Species Removal in Chula Vista, 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:

A) Rent Review Administrative Approval Letter with Fisherman's Landing Corporation for Rental Period Beginning 06/01/19 thru 12/31/29
B) Rent Review Administrative Approval Letter with Point Loma Sportfishing Association, Inc. for Rental Period Beginning 06/01/19 thru 12/31/29

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 Oak Park Apartments, Inc. dba Best Western Yacht Harbor in Favor of Pacific Western Bank

MONTHLY NOTIFICATION OF LEASE AMENDMENTS CONSENTED TO ADMINISTRATIVELY PURSUANT TO BPC POLICY NO. 355 AS AMENDED ON JANUARY 10, 2017: **Board of Port Commissioners**

August 13, 2019

None to Report

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Secretary, Board of Port Commissioners San Diego Unified Port District

ATTEST:

_ ne Clerk of the San Diego Unified Port District

San Diego Unified Port District

San Diego Unified Port District

3165 Pacific Hwy. San Diego, CA 92101



Meeting Minutes

Board of Port Commissioners

Monday, September 16, 2019	10:00 AM	Manchester Grand Hyatt
		Solana Beach Room AB
		Third Level
		1 Market Place
		San Diego, CA
		manchestergrand.hyatt.com
	Closed Session	

A. Roll Call.

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

- Excused: 0
 - Absent: 0

Commissioner Moore was excused until she arrived at 10:07 am.

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

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

CLOSED SESSION

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

1. <u>2019-0350</u> Closed Session Item No. 1

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

No reportable action was taken on this item.

2. <u>2019-0351</u> Closed Session Item No. 2

CONFERENCE WITH LABOR NEGOTIATORS Government Code Section 54957.6

Agency Negotiator: Garry Bonelli Unrepresented Employee: President/Chief Executive Officer/Executive Director

No reportable action was taken on this item.

3. <u>2019-0361</u> Closed Session Item No. 3

PUBLIC EMPLOYEE APPOINTMENT: PORT AUDITOR Government Code Section 54957

To be effective upon future retirement of Port Auditor.

No reportable action was taken on this item.

4. <u>2019-0359</u> 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. <u>2019-0356</u> Closed Session Item No. 5

CONFERENCE WITH REAL PROPERTY NEGOTIATOR Government Code Section 54956.8

Property: Approximately 7-acre elbow parcel 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, Richard Ledford, Lisa Gordon SDUPD - Shaun Sumner, Tony Gordon, Adam Meyer, Wendy Siao, James Hammel

Under Negotiations: Price and Terms

	of Port Commissio	oners Meeting Minutes	September 16, 201
		Commissioner Castellanos recused himself and did not participate in the reportable action was taken on this item.	iis item. No
ô.	2019-0360	Closed Session Item No. 6	
		CONFERENCE WITH REAL PROPERTY NEGOTIATOR Government Code Section 54956.8	
		Property: Approximately 5.95 acres of land area and 24 water area located at 955 Harbor Island Drive	.25 acres of
		Negotiating Parties:	
		Sunroad Marina Partners, L.P Uri Feldman, Lisa Gordon SDUPD - Shaun Sumner, Tony Gordon, Adam Meyer, Wer Hammel	ndy Siao, James
		Under Negotiations: Price and Terms	
		No reportable action was taken on this item.	
7.	2019-0352	Closed Session Item No. 7	
		CONFERENCE WITH LEGAL COUNSEL - EXISTING LITI Pursuant to Subdivision (d)(1) of Government Code Section	
		Enterprise Rent-A-Car Co. of Los Angeles, LLC, et al. v Sa Port District, et al.	-
		San Diego Superior Court Case No. 37-2018-00028276-CU	J-MC-CTL
		No reportable action was taken on this item.	
•	<u>2019-0363</u>	Closed Session Item No. 8	
		CONFERENCE WITH LEGAL COUNSEL - EXISTING LITI Pursuant to Subdivision (d)(1) of Government Code Section	
		Enterprise Rent-A-Car Co. of Los Angeles, LLC, et al. v Sa Port District, et al.	C C
		San Diego Superior Court Case No. 37-2019-00029137-CU	J-MC-CTL
		No reportable action was taken on this item.	

9. <u>2019-0366</u> Closed Session Item No. 9

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.

10. <u>2019-0355</u> Closed Session Item No. 10

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

Regional Water Quality Control Board Investigative Order R9-2017-0081 Directing the San Diego Unified Port District and the City of San Diego to Submit Technical Reports Pertaining to an Investigation of Sediment Chemistry in San Diego Bay Adjacent to the Tenth Avenue Marine Terminal, Cesar Chavez Park and Pacific Maritime Freight

This items was not considered and will be continued to a future meeting.

11. <u>2019-0367</u> Closed Session Item No. 11

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; County of San Diego: Helen N. Robbins-Meyer; 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.

September 16, 2019

Michal

Secretary, Board of Port Commissioners San Diego Unified Port District

ATTEST:

na 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

Monday, September 16, 2019	1:00 PM	Manchester Grand Hyatt
		Grand Hall A
		Lobby Level
		1 Market Place
		San Diego, CA
		manchestergrand.hyatt.com

Adjourned Regular Meeting

A. Roll Call.

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

 Excused:
 0

 Absent:
 0

B. Pledge of Allegiance.

Commissioner Malcolm led the Pledge of Allegiance.

C. Closed Session Report Out.

Thomas A. Russell, General Counsel, announced that the Board considered Items 1 through 3, and Item 11 on the Closed Session Agenda, the remaining Items will be considered when the Closed Session resumes after the conclusion of this meeting. At that time the Board considered the items and took no reportable action.

D. Public Communications.

The following member(s) of the public addressed the Board with non agenda-related comments: Thomas Stroh; John G. Wotzka; Don Wood; and Dennis Quigley.

E. Board Committee Reports.

Commissioner Valderrama reported that the Accessibility Advisory Committee met on August 28, 2019. Commissioner Valderrama explained that the Committee discussed 2019 projects and received an update regarding the 2019 Workplan and received presentations on the Chula Vista Bayfront Harbor and Sweetwater parks project.

Commissioner Malcolm reported on the Blue Economy Planning Ad Hoc Committee. Commissioner Malcolm explained that staff provided a reporting framework on how to track the Blue Economy Incubator portfolio, and received an update on the FLUPSY (Floating Upweller System) project which is currently being used to grow oysters.

Board of Port Commissioners

Meeting Minutes

September 16, 2019

Commissioner Malcolm shared that the Committee is also looking into the possibility of growing abalone in the FLUPSY. The Committee also received information on draft land-based aquaculture infrastructure concepts, and looked at opportunities for potential environmental remediation projects to grow shellfish and seaweed around the bay which can be used to filter water and sequester carbon. Commissioner Merrifield added that one of his favorite investments made by the Blue Economy Incubator is the Zephyr project which cleans trash from the surface of the bay; Zephyr currently has a patent pending for this new technology. Commissioner Malcolm also added that the Blue Economy Incubator program grants have changed from previous years; if a company's technology proves successful, the Port now has the potential to receive a return on investment which can then be reinvested in other companies through the Blue Economy program.

F. Commissioners' Reports.

Chairman Bonelli announced the passing of Commissioner Emeritus Jess Van Deventer. Commissioner Valderrama shared that Mr. Van Deventer was an hot rod racing enthusiast. He retired undefeated in the Hot Rod series and is listed in the Hall of Fame. Commissioner Valderrama added that Mr. Van Deventer made a great impact on the community, and he will be sorely missed. Chairman Bonelli then asked for a moment of silence.

G. President's Report.

Randa Coniglio, President/CEO, announced that September is Green Port Month. Ms. Coniglio explained that the Port celebrates this annual tradition with environmental awards and employee and public educational events. The Port is hosting a variety of employee events throughout the month including a Sustainable Gardening Lunch and Learn, Tour of Miramar Landfill, and a Health & Sustainability Fair. On September 21, the Port is sponsoring a clean-up site at D Street Fill in National City as a part of I Love a Clean San Diego's Coastal Cleanup Day. Additionally, each year, the Port honors environmental champions through the Michelle White Environmental Awards. The winners of these awards carry on Michelle's legacy as a fierce protector of San Diego Bay. The three employees who received this year's award are: Eric Womack, Nacho Sobers and Sheila Kanoya. The Port also honors port tenants and partners with this award. This year's Port Tenant award winners are: Sarah Marsh from Dole Fresh Fruit International, and Walter Wilson from the Navy Region Southwest. Ms. Coniglio also announced that the 2019 Green Port Year In Review report is available at the table outside the ballroom for anyone interested.

H. District Clerk's Announcements.

Donna Morales, District Clerk, offered that copies of agenda-related materials for Action Agenda Item 18 - File No. 2019-0332 were submitted after the publication of the agenda and copies were available at the Clerk's desk.

Ms. Morales then reported that staff requested to move Consent Agenda Item 6 - File No. 2019-0298 to Action Agenda.

Additionally, Ms. Morales reported that staff requested to continue the following items: Consent Agenda Item 7 - File No. 2019-0339; Consent Agenda Item 9 - File No. 2019-0362; Action Agenda Item 15 - File No. 2019-0331; and Action Agenda Item 16 -File No. 2019-0335.

On a motion by Commissioner Malcolm, seconded by Commissioner Castellanos, the Board accepted the requested docket changes. The motion carried by the

Board of Port Commission	ers Meeting Minutes	September 16, 2019
	following vote:	
Yeas:	7 - Bonelli, Castellanos, Malcolm, Merrifield, Moore, Valderrama, and Zu	cchet
Nays:	0	
Excused:	0	
Absent:	0	
Abstain:	0	
Recused:	0	
APPROVAL OF MINU	JTES	
<u>2019-0349</u>	Approval of minutes for:	
	August 13, 2019 - CLOSED SESSION August 13, 2019 - BPC MEETING	
	On a motion by Commissioner Castellanos, seconded by Commissione Valderrama, the Board approved the minutes. The motion carried by th 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 Castellanos, seconded by Commissioner Valderrama, the Board adopted the Consent Agenda as follows: Resolution 2019-100; Resolution 2019-101; Resolution 2019-102; Ordinance 2953; Resolution 2019-103; Resolution 2019-104; Resolution 2019-105; Resolution 2019-106; Resolution 2019-107; Resolution 2019-108; Resolution 2019-109; and Resolution 2019-110.

1. 2019-0245 RESOLUTION CONSENTING TO A SPA OPERATIONS AND SUB-MANAGEMENT AGREEMENT BETWEEN HYATT CORPORATION, AS AGENT OF HST SAN DIEGO HH LP, A DELAWARE LIMITED PARTNERSHIP (DBA MANCHESTER GRAND HYATT SAN DIEGO), AND SANFORD SPAS, LLC, A FLORIDA LIMITED LIABILITY COMPANY (DBA MARILYN MONROE SPAS), FOR ONE FIVE-YEAR TERM WITH TWO FIVE-YEAR OPTIONS TO EXTEND.

On a motion by Castellanos, seconded by Commissioner Valderrama, the Board

Board	of Port Commission	ers Meeting Minutes	September 16, 2019
		adopted Resolution 2019-100 as part of the Consent Agenda.	
2.	<u>2019-0272</u>	APPOINTMENT TO SAN DIEGO UNIFIED PORT DISTRIC ADVISORY BOARD: A) RESOLUTION APPOINTING CASSANDRA LAWSON CHAIRPERSON OF THE PERSONNEL ADVISORY BOAR SEPTEMBER 2, 2019, TO SEPTEMBER 1, 2020	AS
		On a motion by Castellanos, seconded by Commissioner Valderran adopted Resolution 2019-101 as part of the Consent Agenda.	na, the Board
3.	<u>2019-0276</u>	RESOLUTION SELECTING AND AUTHORIZING AN AGR COUNTYWIDE MECHANICAL SYSTEMS, INC, FOR HVA FULL-SERVICE AND REPAIR SERVICES AT VARIOUS D FACILITIES FROM JANUARY 1, 2020 TO DECEMBER 31 AMOUNT NOT TO EXCEED \$500,000. FY 2020 EXPEND INCLUDED IN THE FY 2020 BUDGET. FUNDS REQUIRE FUTURE FISCAL YEARS WILL BE BUDGETED IN THE A FISCAL YEAR, SUBJECT TO BOARD APPROVAL UPON OF EACH FISCAL YEAR'S BUDGET	C SYSTEMS DISTRICT , 2022, IN AN ITURES ARE D FOR PPROPRIATE
		On a motion by Commissioner Castellanos, seconded by Commiss Valderrama, the Board adopted Resolution 2019-102 as part of the 0 Agenda.	
4.	<u>2019-0293</u>	SCHEDULE OF COMPENSATION A) ORDINANCE ESTABLISHING A SCHEDULE OF COMI FOR ALL OFFICERS AND EMPLOYEES OF THE SAN DI PORT DISTRICT B) RESOLUTION AMENDING THE SAN DIEGO UNIFIED DISTRICT DIRECTORY OF CLASSIFICATION SPECIFICA FISCAL YEAR (FY) 2019/2020	EGO UNIFIED PORT
		On a motion by Commissioner Castellanos, seconded by Commiss Valderrama, the Board adopted Ordinance 2953 and Resolution 201 of the Consent Agenda.	
5.	<u>2019-0295</u>	RESOLUTION SELECTING AND AUTHORIZING PURCH AGREEMENT WITH 72 HOUR LLC DBA NATIONAL AUTO GROUP FOR THE PURCHASE OF ONE FULL SIZE POLI UTILITY VEHICLE, TWO STANDARD POLICE PATROL S VEHICLES AND TWO STANDARD UNMARKED SPORT I VEHICLES FOR A TOTAL COST NOT TO EXCEED \$210, FOR FISCAL YEAR 2020 HAVE BEEN BUDGETED.	D FLEET CE SPORT PORT UTILITY JTILITY
		On a motion by Commissioner Castellanos, seconded by Commiss Valderrama, the Board adopted Resolution 2019-104 as part of the 0 Agenda.	
7.	2019-0339	RESOLUTION ADOPTING A MEMORANDUM OF UNDER	

WITH THE CITY OF NATIONAL CITY TO PROVIDE \$900,000 IN

Board	l of Port Commissio	ners Meeting Minutes	September 16, 2019
		MARITIME INDUSTRIAL IMPACT FUNDS FO FIVE OF THE BAYSHORE BIKEWAY, IN ACC OF PORT COMMISSIONERS POLICY NO. 7 AND AS MATCH TO THE CITY OF NATIONA CALIFORNIA DEPARTMENT OF TRANSPOR TRANSPORTATION GRANT APPLICATION	CORDANCE WITH BOARD 73, RESOLUTION 2018-133, AL CITY'S SUCCESSFUL RTATION ACTIVE
		The Board will consider staff's request to conti Board meeting.	inue this item to a future
		This item was continued to a future Board meeting.	
8.	<u>2019-0300</u>	RESOLUTION SELECTING AND AUTHORIZ NRC ENVIRONMENTAL SERVICES, INC., O ENVIRONMENTAL SERVICES, INC., AND PA SERVICES, INC., FOR AS-NEEDED HAZARI MANAGEMENT AND EMERGENCY RESPON AGGREGATE AMOUNT NOT TO EXCEED \$ OF THREE YEARS. FY 2020 EXPENDITURE FY 2020 BUDGET. FUNDS REQUIRED FOR WILL BE BUDGETED IN THE APPROPRIATE TO BOARD APPROVAL UPON ADOPTION O BUDGET	CEAN BLUE ATRIOT ENVIRONMENTAL DOUS WASTE NSE SERVICES FOR AN 750,000 FOR A PERIOD ES ARE INCLUDED IN THE FUTURE FISCAL YEARS E FISCAL YEAR, SUBJECT
		On a motion by Commissioner Castellanos, seconde Valderrama, the Board adopted Resolution 2019-105 Agenda.	-
9.	<u>2019-0362</u>	RESOLUTION CONSENTING TO A SUBLEA CORPORATION, AS AGENT OF HST SAN D DELAWARE LIMITED PARTNERSHIP (DBA HYATT SAN DIEGO), AND MOBILITIE MANA DELAWARE LIMITED LIABILITY COMPANY, AND MAINTAIN A MULTI-CARRIER, NEUTR ANTENNA SYSTEM AND/OR SIMILAR SYST TERM WITH ONE TEN-YEAR OPTION TO E POTENTIAL FUTURE SUBLEASE OR SUBL NETWORK TO SPECIFIC CARRIERS (AT&T	DIEGO HH LP, A MANCHESTER GRAND AGEMENT, LLC, A , TO INSTALL, OPERATE, AL HOST DISTRIBUTED FEM, FOR A TEN-YEAR XTEND (SUBLEASE) AND ICENSE OF THE

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.

SPRINT)

 10.
 2019-0303
 RESOLUTION SELECTING AND AUTHORIZING AN AGREEMENT WITH ROBERT HALF INTERNATIONAL, INC. FOR TIER ONE HELP DESK SERVICES AND AS NEEDED TIER TWO DESKTOP SUPPORT

Board	of Port Commissio	ners Meeting Minutes	September 16, 2019
		SERVICES FOR A PERIOD OF THREE YEARS WITH TWO OR RENEWAL YEARS IN AN AMOUNT NOT TO EXCEED \$600,0 EXPENDITURES ARE BUDGETED IN THE INFORMATION TECHNOLOGY DEPARTMENT PROFESSIONAL SERVICES ACCOUNT. FUNDS REQUIRED FOR FUTURE FISCAL YEAR BUDGETED IN THE APPROPRIATE FISCAL YEAR, SUBJECT BOARD APPROVAL UPON ADOPTION OF EACH FISCAL YEAR BUDGET.	DOO. fy2020 RS WILL BE CT TO
		On a motion by Commissioner Castellanos, seconded by Commissione Valderrama, the Board adopted Resolution 2019-106 as part of the Cons Agenda.	
11.	<u>2019-0304</u>	RESOLUTION AUTHORIZING THE GENERAL COUNSEL TO AMENDMENT NO. 1 TO THE AGREEMENT FOR EXPERT CONSULTANT SERVICES WITH KLEINFELDER, INC. FOR A MAXIMUM AMOUNT PAYABLE OF \$275,000; AMENDMENT THE AGREEMENT FOR EXPERT CONSULTANT SERVICES WINDWARD ENVIRONMENTAL, LLC FOR A NEW MAXIMUM PAYABLE OF \$210,000; AND AMENDMENT NO. 1 TO THE AGREEMENT FOR EXPERT CONSULTANT SERVICES WIT NEWFIELDS COMPANIES, LLC FOR A NEW MAXIMUM AMO PAYABLE OF \$170,000; FY 2020 EXPENDITURES ARE BUD	A NEW NO. 1 TO 3 WITH M AMOUNT H DUNT
		On a motion by Commissioner Castellanos, seconded by Commissione Valderrama, the Board adopted Resolution 2019-107 as part of the Cons Agenda.	
12.	<u>2019-0315</u>	RESOLUTION ADOPTING REVISION TO BOARD OF PORT COMMISSIONERS (BPC) POLICY NO. 070, AGENCY PROVI PASSES OR TICKETS	IDED
		On a motion by Commissioner Castellanos, seconded by Commissione Valderrama, the Board adopted Resolution 2019-108 as part of the Cons Agenda.	
13.	<u>2019-0334</u>	RESOLUTION APPROVING A MEMORANDUM OF UNDERS BETWEEN THE SAN DIEGO UNIFIED PORT DISTRICT AND DIEGO HARBOR POLICE OFFICERS ASSOCIATION	
		On a motion by Commissioner Castellanos, seconded by Commissione Valderrama, the Board adopted Resolution 2019-109 as part of the Cons Agenda.	
14.	<u>2019-0216</u>	RESOLUTION AUTHORIZING A SOLE SOURCE AGREEMEN COCHRAN INC. DBA COCHRAN MARINE, LLC FOR THE PE SEPTEMBER 11, 2019 TO JUNE 30, 2022 TO CONTINUE CF SHORE POWER CONNECTION, COMMISSIONING, AND MAINTENANCE SERVICES SUPPORTING THE PROPRIETA POWER SYSTEM AT B STREET AND BROADWAY PIERS IN AMOUNT NOT TO EXCEED \$901,164. FUNDS FOR THE FIR	RIOD OF RUISE SHIP RY SHORE

Board of Port Commissioners		ners Meeting Minutes	September 16, 2019
		OF THIS EXPENDITURE OF \$246,015 ARE INCLUDED IN APPROVED FY 2020 BUDGET. FUNDS REQUIRED FOR F FISCAL YEARS WILL BE BUDGETED FOR IN THE APPRO YEAR SUBJECT TO BOARD APPROVAL UPON ADOPTION FISCAL YEAR'S BUDGET	UTURE PRIATE
		On a motion by Commissioner Castellanos, seconded by Commissior Valderrama, the Board adopted Resolution 2019-110 as part of the Con Agenda.	
<u>ACTI</u>	ON AGENDA		
15.	<u>2019-0331</u>	A) PRESENTATION ON THE REDEVELOPMENT OF EAST	T HARBOR
		B) PRESENTATION ON TOPGOLF INTERNATIONAL, INC. RESOLUTION WAIVING REQUIREMENTS FOR A COMPE	

RESOLUTION WAIVING REQUIREMENTS FOR A COMPETITIVE PROCESS IN ACCORDANCE WITH BOARD OF PORT COMMISSIONERS POLICY NO. 360 AND DIRECTING STAFF TO ENTER INTO AN EXCLUSIVE NEGOTIATING AGREEMENT WITH TOPGOLF INTERNATIONAL, INC. THROUGH DECEMBER 31, 2020

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. 2019-0335 RESOLUTION IN ACCORDANCE WITH BOARD POLICY NO. 360, AUTHORIZING STAFF TO ISSUE A REQUEST FOR PROPOSALS FOR THE REDEVELOPMENT OF THE CROSBY STREET PIER AND ADJACENT LANDSIDE AREA SOUTH OF THE TENTH AVENUE MARINE TERMINAL OR, IN THE ALTERNATIVE, WAIVING THE REQUIREMENT FOR A COMPETITIVE PROCESS IN ACCORDANCE WITH BOARD POLICY NO. 360 AND DIRECTING STAFF TO BEGIN NEGOTIATIONS WITH AUSTAL USA IN REGARDS TO AN UNSOLICITED PROPOSAL

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.

17. 2019-0200 PRESENTATION AND UPDATE ON SCHEMATIC DESIGN FOR HARBOR PARK AND SWEETWATER PARK AT CHULA VISTA BAYFRONT

> Mark Mcintire, Capital Project Manager II, Engineering-Construction, addressed the Board with staff's report and presentation regarding Action Agenda Item 17 - File No. 2019-0200 (A copy of the staff report, presentations and any agenda-related materials are on file with the Office of the District Clerk). Mr. Mcintire then turned the presentation over

Board of Port Commission	ers Meeting Minutes	September 16, 2019
	to Jacob Peterson, Peterson Studio, to discuss Harbor Park.	Mr. Peterson then turned

the presentation over to Chris Langdon, KTUA, to discuss Sweetwater Park. Mr. Langdon then turned the presentation back to Mr. Mcintire to close presentation.

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

Commissioner Valderrama, Commissioner Moore, Chairman Bonelli, Commissioner Merrifield, and Commissioner Malcolm provided comments.

18. 2019-0332 PRESENTATION AND DIRECTION TO STAFF ON THE PORT MASTER PLAN UPDATE (PMPU):
 A) INFORMATIONAL UPDATE ON THE PMPU DISCUSSION DRAFT, INCLUDING A SUMMARY PRESENTATION OF PUBLIC COMMENTS RECEIVED DURING A 90-DAY REVIEW PERIOD; AND
 B) STAFF RECOMMENDATIONS FOR APPROACHING REVISIONS TO THE DRAFT PORT MASTER PLAN UPDATE AND CONFIRMATION OF NEXT STEPS

Jason Giffen, Assistant Vice President, Planning & Green Port, addressed the Board with staff's report and presentation regarding Action Agenda Item 18 - File No. 2019-0332 (A copy of the staff report, presentations and any agenda-related materials are on file with the Office of the District Clerk).

In the interest of time and to accommodate schedules, Chairman Bonelli invited Richard Bailey, Mayor, City of Coronado; and Blair King, City Manager, City of Coronado, to the podium to speak.

Mr. Giffen then turned the presentation to Lesley Nishira, Director, Planning, to discuss the individual planning districts and clarify what the proposed changes are, and what is staying the same.

Commissioner Moore provided a report and comments on the outreach meetings she participated in regarding the draft plan, and her recommended modifications to the proposed Port Master Plan Update document.

Commissioner Merrifield, Commissioner Malcolm, Commissioner Valderrama provided initial comments regarding the feedback received from the community and Commissioner Moore's recommendations.

The following member(s) of the public addressed the Board with agenda-related comments: Commissioner Emeritus Michael Bixler; Conrad Wear, Policy and Council Affairs, representing Mayor Kevin Faulkoner, City of San Diego; Kim Tolles, Director, Coronado Cays HOA; Harold Myers; Jennifer Rubin, Coronado Coastal Conservancy; Julia Viera; Tom Gorey; Sydney Stanley; Lei Udell; Stephanie Kaupp; Phillip Marsden; Marilyn Field; Morgan Miller; Sally Bixler; Art Engel, Resident and Marine Group Boat Works; Chuck Driscoll; Kate Evans; Cameron Lilley; Tom Driscoll; Jan Driscoll; Jake Russell; Pamela Lynd; Betty Schulman, Task Force Committee Member, Coronado Cays; Stacey Stephens, Senior Trainer, San Diego Zoological Society; Frank Taliaferro, LPYC Commodore; Angela Bingham; Sandra Keller, Commodore, Outboard Boating Club; Grant Olsson, Associate, Envrironmental Law Group LLP; Paul Hartley; Jim Whalen, President, J. Whalen Associates, representing Jeff and Marsha Hammond; Barry Worthington was called but not present; Stuart Bean; Sandy Vissman, Wildlife Biologist, U.S. Fish and Wildlife Service; Ryan Karlsgodt, Unite Here! Local 30; Kyle

Board of Port Commissioners	Meeting Minutes	September 16, 2019

Corbett, President & CEO of San Diego Sailing Tours; Peter Halmay, President, San Diego Fishermen's Working Group; Kevin Reilly; and Michael Winn.

The following members of the public were called but not present: Stuart Hartley; Kiersti Williams, Louise Rehling, Jennifer Hunt, Lisa Kenny Cates; Jason Anderson; Barry & Cathy Worthington; Douglas Tibbitts; Rhonda Halston; Don Wood; and George Palermo.

Commissioner Castellanos, Commissioner Zucchet, Chairman Bonelli, Commissioner Malcolm, Commissioner Valderrama, Commissioner Merrifield, provided comments and direction to staff, and asked clarifying questions. Jason Giffen, Lesley Nishihira, Commissioner Moore, Rebecca Harrington, Senior Deputy General Counsel, and Thomas A. Russell, General Counsel, responded.

Commissioner Castellanos left the dais at 4:36 pm and did not return for the remainder of the meeting.

6. <u>2019-0298</u> RESOLUTION AUTHORIZING ISSUANCE OF A NON-APPEALABLE COASTAL DEVELOPMENT PERMIT TO WONDERLUST EVENTS, LLC FOR THE WONDERFRONT FESTIVAL

This Item was pulled from the Consent Agenda.

Wileen Manaois, Director, Development Services, addressed the Board with staff's report and presentation regarding Item 6 - File No. 2019-0298 (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: Scott Williams, Attorney, San Diego Symphony.

Commissioner Valderrama, Commissioner Zucchet, and Commissioner Moore, provided comments and asked clarifying questions. Randa Coniglio, President/CEO, Ms. Manaois, Jim Huztelman, Waterfront Arts & Activation, and Scott Williams, responded.

On a motion by Commissioner Merrifield, seconded by Commissioner Moore, the Board adopted Resolution 2019-111. The motion carried by the following vote:

- Yeas: 5 Bonelli, Malcolm, Merrifield, Moore, and Zucchet
- Nays: 1 Valderrama
- Excused: 1 Castellanos
- Absent: 0
- Abstain: 0
- Recused: 0

19. 2019-0259 REVIEW AND CONSIDERATION OF DRAFT PROPOSED BOARD AGENDA FOR THE OCTOBER 8, 2019 MEETING

On a motion by Commissioner Merrifield, seconded by Commissioner Malcolm, the Board adopted the proposed agenda for October. The motion carried by the

Board of Port Commission	ers	Meeting Minutes	September 16, 2019
	follo	wing vote:	
Yeas:	6 -	Bonelli, Malcolm, Merrifield, Moore, Valderrama, and Zucchet	
Nays:	0		
Excused:	1 -	Castellanos	
Absent:	0		
Abstain:	0		

Recused: 0

OFFICER'S REPORT

20. <u>2019-0344</u> MONTHLY NOTIFICATION OF CHANGE ORDERS PURSUANT TO BPC POLICY NO. 110:

None to Report

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:

A) Rent Review Administrative Approval Letter with United Sportfishers of San Diego, Inc. dba H&M Landing for Rental Period Beginning 06/01/19 thru 12/31/29

MONTHLY NOTIFICATION OF ENCUMBRANCES CONSENTED TO ADMINISTRATIVELY PURSUANT TO BPC POLICY NO. 355 AS AMENDED ON JANUARY 10, 2017:

A) Encumbrance Review for Lease with LFS Development, LLC dba Intercontinental San Diego in Favor of HSBC Bank USA, N.A.

MONTHLY NOTIFICATION OF LEASE AMENDMENTS CONSENTED TO ADMINISTRATIVELY PURSUANT TO BPC POLICY NO. 355 AS AMENDED ON JANUARY 10, 2017:

None to Report

September 16, 2019

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Secretary, Board of Port Commissioners San Diego Unified Port District

ATTEST:

Clerk of the San Diego Unified Port District

OF SAN OR O CHIEF CONTON

San Diego Unified Port District

3165 Pacific Hwy. San Diego, CA 92101

Meeting Minutes

Board of Port Commissioners

Tuesday, October 8, 2019			10:00 AM	Don L. Nay Port Administration Boardroom
		C	losed Session	
A. Roll Call.				
Present:	7 -		field, Commissioner	tellanos, Commissioner Malcolm, Moore, Commissioner Valderrama, and
Excused:	0			
Absent:	0			
	Com	missioner Moore was	excused until she a	rrived at 10:07 am.
	Office	ers Present: Coniglio	, DeAngelis, Monsor	n, Morales, and Russell
B. Public Communic	catio	ns.		
		following member(s) o nents: None	of the public address	ed the Board with non agenda-related
CLOSED SESSION				
	Thon	nas A. Russell, Gene	ral Counsel, announ	ced the Closed Session items as follows:
1. <u>2019-0397</u>	Clos	ed Session Item	No. 1	
	EXE	SONNEL EVALU CUTIVE DIRECT ernment Code Se	OR/PRESIDENT	CHIEF EXECUTIVE OFFICER
	No re	eportable action was i	taken on this item.	

Board of Port Commissioners	Board	of Port	Commissioners
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2. <u>2019-0398</u> Closed Session Item No. 2

CONFERENCE WITH LABOR NEGOTIATORS Government Code Section 54957.6

Agency Negotiator: Garry Bonelli Unrepresented Employee: President/Chief Executive Officer/Executive Director

No reportable action was taken on this item.

3. <u>2019-0394</u> Closed Session Item No. 3

PUBLIC EMPLOYEE PERSONNEL EVALUATION: GENERAL COUNSEL Government Code Section 54957

No reportable action was taken on this item.

4. <u>2019-0395</u> Closed Session Item No. 4

CONFERENCE WITH LABOR NEGOTIATORS Government Code Section 54957.6

Agency Negotiator: Garry Bonelli Unrepresented Employee: General Counsel

No reportable action was taken on this item.

5. <u>2019-0404</u> Closed Session Item No. 5

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.

Board	l of Port Commissio	oners Meeting Minutes	October 8, 2019
6.	2019-0403	Closed Session Item No. 6	
		CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LI Significant exposure to litigation Government Code Section 5	
		One (1) Case No reportable action was taken on this item.	
7.	2019-0402	Closed Session Item No. 7	
		CONFERENCE WITH LEGAL COUNSEL - INITIATION OF L Pursuant to Subdivision (d)(4) of Government Code Section 5	

One (1) Case

No reportable action was taken on this item.

8. <u>2019-0399</u> Closed Session Item No. 8

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

Regional Water Quality Control Board Investigative Order R9-2017-0081 Directing the San Diego Unified Port District and the City of San Diego to Submit Technical Reports Pertaining to an Investigation of Sediment Chemistry in San Diego Bay Adjacent to the Tenth Avenue Marine Terminal, Cesar Chavez Park and Pacific Maritime Freight

This items was not considered and will be continued to a future meeting.

9. <u>2019-0400</u> Closed Session Item No. 9

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

California Regional Water Quality Control Board San Diego Region Investigative Order No. R9-2011-0036 An Order Directing San Diego Unified Port District to Submit Technical Reports Pertaining to Shelter Island Yacht Basin Dissolved Copper Total Maximum Daily Load

No reportable action was taken on this item.

10. <u>2019-0401</u> Closed Session Item No. **10**

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

City of Imperial Beach, et al. v. The International Boundary & Water Commission - United States Section, et al. United States District Court, Case No. 3:18-CV-00457-JM-LL

This items was not considered and will be continued to a future meeting.

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Secretary, Board of Rort Commissioners San Diego Unified Port District

ATTEST:

na Moralez

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, October 8, 2019	1:00 PM	Don L. Nay Port Administration Boardroom

REVISED AGENDA

This agenda was updated 10/4/19 to correct listing of Item 19 - File No. 2019-0358 as a Consent Agenda Item.

A. Roll Call.

 Present: 7 - Chairperson Bonelli, Commissioner 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. Pledge of Allegiance.

Chairman Bonelli led the Pledge of Allegiance.

C. Closed Session Report Out.

Thomas A. Russell, General Counsel, announced that the Board considered the items on the Closed Session Agenda with the exception of Items 8 and 10 which will be considered at a future Board meeting. Mr Russell also stated that the Board will reconvene to Closed Session to continue considering matters after the conclusion of this meeting.

D. Public Communications.

Corchelle Worsham, San Diego Port Tenants Association; Carlos Solorio, National City Chamber of Commerce; Jacqueline Reynoso, President/CEO, National City Chamber of Commerce.

Commissioner Valderrama and Chairman Bonelli provided comments.

E. Board Committee Reports.

Commissioner Castellanos reported on the Environmental Advisory Committee (EAC). Commissioner Castellanos explained that the EAC received four presentations from staff on the following topics: current status of the Blue Economy Incubator projects; update on the Climate Action Plan and the Port's progress towards meeting the emission reduction goals; overview of the 2019 energy efficiency efforts including lighting retrofits and energy goal campaign for Port and tenants; an update on the environmental education program; and presentation on the pollution prevention campaign. The EAC Workplan will be amended to include a discussion on the ecology elements of the Port Master Plan Update at the next EAC meeting on December 4, 2019.

Commissioner Zucchet reported on the Audit Oversight Committee. Commissioner Zucchet explained that the Committee received the preliminary review of the District's financial statements and federal grants for FY 2019. Commissioner Zucchet further explained that Mark Yielding, Assistant Port Auditor, presented the annual report on audit activities related to District's 2019 audit plan, and an assessment by the Auditor's Office based on a number of performance measures. Also, the Committee received status from Port Auditor related to two reports received through the District's ethics hotline in June.

Chairman Bonelli reported on the SANDAG Airport Connectivity Subcommittee. Chairman Bonelli explained that the Subcommittee met on two occassions to review four mobility hub alternatives for the airport. The SANDAG Board voted to authorize \$50 million to analyze the four potential sites over the next six months to pare down options for the location consideration.

F. Commissioners' Reports.

Commissioner Valderrama announced that October is National Disability Awareness Month, and introduced Steve Goldman, member of the Port's Accessibility Advisory Committee. Commissioner Valderrama then invited Mr. Goldman to the podium to speak about his experience in participating in the 1970 Paralympics and subsequent world class competitions such as the Pan American Games.

Commissioner Valderrama and Chairman Bonelli provided comments.

Commissioner Castellanos explained that he and Commissioner Valderrama attended the monthly meeting of the South County Economic Development Council and learned about a new branding campaign which is focused on the south bay called SINCO. Commissioner Castellanos explained that SINCO is a play on words for cinco (five in Spanish), and each letter stands for the five member cities which are: San Diego, Imperial Beach, National City, Chula Vista, and the Otay commercial sector. The branding campaign hopes to attract Fortune 1000 companies to relocate to the South Bay. SINCO operates under the umbrella of the South County Economic Development Council, the campaign will be rolled out nationally in January to highlight the many benefits of doing business in the South County border region. The campaign tagline is Five communities, One region, Endless possibilities. For more information about SINCO, you can visit its website at sincoregion.com.

Chairman Bonelli spoke about the trip that he and Commissioner Zucchet took to Washington, D.C. as part of the San Diego Regional Chamber of Commerce delegation. The focus of the trip was to discuss the Tijuana River sewage flows/transborder sewage pollution. The delegation met with multiple federal bureau heads and legislators to

Meeting Minutes

October 8, 2019

discuss what the state and federal governments can do together to solve this chronic problem. Commissioner Zucchet added that the trip was very valuable and he appreciated all the work done by staff to make this trip possible.

G. President's Report.

Randa Coniglio, President/CEO, invited Jason Giffen to the podium and announced that he has a new title, he is now Vice President of Planning, Environment, and Government Relations. Ms. Coniglio congratulated Jason and invited him to present the Michelle White Environmental Awards. Mr. Giffen began by explaining that last month was Green Port Month at the Port which is an annual tradition, and as part of this tradition, the Port honors environmental champions through the Michelle White Environmental Awards. Mr. Giffen announced that today the Port would like to honor the Port Tenant award winner, Sarah Marsh from Dole Fresh Fruit International. Ms. Marsh has been working closely with the Port to implement environmental initiatives at Dole which have included: 100% of vessel calls utilizing shorepower; Using over 700 electrical outlets so that refrigerated containers can plug-in rather than use diesel generators; and Working with their partners drayage truck program to shuttle goods from Tenth Ave Marine Terminal and the National Distribution Center.

Ms. Coniglio then asked Chief Stainbrook to the podium to present the Distinguished Service Medal. Chief Stainbrook announced that Officer Robert Brownyard is being recognized for his outstanding performance and consistency over the 23 years he has served as a Harbor Police Officer. Chief Stainbrook shared that Officer Brownyard is being praised for his communications skills, his patience, and flexibility to adapt to the training styles of all the new employees over the years. He is also tireless in his outreach to the homeless population and works closely with many nonprofits that provide homeless services. Chief Stainbrook shared the following statement from Officer Brownyard's peers who submitted the award nomination: "Officer Brownyard embodies the core values of the District and the Harbor Police every day, and as such is very deserving of this Distinguished Service Medal".

Ms. Coniglio then invited Jeff Wohler, Chairman of the San Diego Harbor Police Foundation to the podium to present a video regarding human trafficking, how it impacts San Diego, what the Harbor Police is doing to combat this crisis, and how the Foundation is helping to raise funds to support the effort. In closing, Mr. Wohler offered for anyone interested in more information, or would like to donate, please visit sdharborpolicefoundation.org.

Commissioner Merrifield provided comments.

Next, Ms. Coniglio invited Sharon Cloward, President, San Diego Port Tenants Association, to present a video regarding the charitable activities and community services provided by the five Port tenant yacht clubs.

Commissioner Malcolm provided comments.

Ms. Coniglio then spoke about the Strategic Port Military Operations at the Port this year. The Port of San Diego is an important partner of the U.S. military in the movement of military vehicles and equipment worldwide. Ms. Coniglio announced that so far this year, the Port has had two military operations take place at the Tenth Avenue Marine Terminal with three vessels, the Green Bay, Green Lake, and Liberty, which participated in the loading and offloading of approximately 2,250 units which included: containers, tanks, fighting vehicles, minesweeping gear, and various rolling stocks. Ms. Coniglio thanked the Maritime Department, particularly the Marine Terminal Supervisors Bruce Cummings

Board of Port Commissioners

Meeting Minutes

and Brion Bargo, along with wharfinger staff Russell Keltner, Luis Plancarte, Chris Sharp, Carson Gil, Evan Warren, David Carrillo, Ian Fidel, Isaac Gutierrez, Kyle Link, Tyrone Moody, Anthony Palombit, and Chris Anderson. These men worked many many hours to map out the operation and coordinate with the Port's commercial tenants and military personnel to provide successful movements.

Ms. Coniglio also announced that the Port has won three more awards for marketing and communications efforts from the American Association of Port Authorities. For the second year in a row the Port has won the top honor of the competition, the Overall Award of Communications Excellence for the That's My Bay pollution prevention videos. The Port also took home an Award of Excellence for the portofsandiego.org website, and an Award of Distinction for community outreach with the Chula Vista Bayfront Parks Design.

Ms. Coniglio announced that on September 12, the Waterfront Arts & Activation department hosted a free event at Coronado Tidelands Park to celebrate the installation of the District's "Penelope" sculpture. The event had over 200 attendees and included live music, interactive games, food, giveaways, and brief remarks by Port Chairman Garry Bonelli, Coronado Mayor Pro Tem Whitney Benzian and artist Michael Stutz. A short video highlighting the event was shown.

Ms. Coniglio introduced and welcomed Michael LaFleur, the new Vice President of Maritime.

H. District Clerk's Announcements.

Donna Morales, District Clerk, announced that copies of agenda-related materials for Consent Agenda Item 9 - File No. 2019-0387; Action Agenda Item 14 - File No. 2019-0405; and Consent Agenda Item 19 - File No. 2019-0358 were submitted after the publication of the agenda and copies were available at the Clerk's desk.

Ms. Morales then reported that staff requested to continue the following items: Consent Agenda Item 10 - File No. 2019-0389; Consent Agenda Item 11 - File 2019-0390; and Action Agenda Item 18 - File No. 2019-0391.

Additionally, Ms. Morales confirmed that Item 19 - File No. 2019-0358 is part of the Consent Agenda.

On a motion by Commissioner Malcolm, seconded by Commissioner Merrifield, the Board accepted 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

<u>2019-0409</u>	Approval of minutes for:
	September 16, 2019 - CLOSED SESSION September 16, 2019 - BPC MEETING
	On a motion by Commissioner Castellanos, seconded by Commissioner Valderrama, the Board approved the minutes. The motion carried by thefollowing 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 Castellanos, seconded by Commissioner Merrifield, the Board adopted the Consent Agenda as follows: Resolution 2019-112; Resolution 2019-113; Resolution 2019-114; Resolution 2019-115; Ordinance 2954; Resolution 2019-116; Ordinance 2955; Resolution 2019-117; Resolution 2019-118; Resolution 2019-119; Resolution 2019-120; Resolution 2019-121; Ordinance 2956; Resolution 2019-122; and Resolution 2019-124. 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. 2019-0270 RESOLUTION CONSENTING TO ASSIGMENT AND ASSUMPTION OF AS NEEDED MARINE STRUCTURAL ENGINEERING AGREEMENT NO. 193-2016AC FROM BERGERABAM, INC. TO WSP USA, INC. DUE TO AN ACQUISITION AND MERGER

On a motion by Commissioner Castellanos, seconded by Commissioner Merrifield, the Board adopted Resolution 2019-112 as part of the Consent Agenda.

Board of Port Commissioners	Board	of Port	Commissioners
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October 8, 2019

- 2. 2019-0299 RESOLUTION ADOPTING A MEMORANDUM OF UNDERSTANDING WITH THE CITY OF NATIONAL CITY TO PROVIDE \$900,000 IN MARITIME INDUSTRIAL IMPACT FUNDS FOR A PORTION OF SECTION FIVE OF THE BAYSHORE BIKEWAY, IN ACCORDANCE WITH BOARD OF PORT COMMISSIONERS POLICY NO. 773, RESOLUTION 2018-133, AND AS MATCH TO THE CITY OF NATIONAL CITY'S SUCCESSFUL CALIFORNIA DEPARTMENT OF TRANSPORTATION ACTIVE TRANSPORTATION GRANT APPLICATION On a motion by Commissioner Castellanos, seconded by Commissioner Merrifield, the Board adopted Resolution 2019-113 as part of the Consent Agenda.
- 3. 2019-0319 RESOLUTION APPROVING PROCLAMATION IN RECOGNITION OF OCTOBER 2019 AS "CELEBRATION OF THE ARTS MONTH" IN SUPPORT OF NATIONAL ARTS AND HUMANITIES MONTH

On a motion by Commissioner Castellanos, seconded by Commissioner Merrifield, the Board adopted Resolution 2019-114 as part of the Consent Agenda.

4. <u>2019-0324</u> ACTIONS RELATED TO THE FY19 PORT SECURITY GRANT PROGRAM:

A) RESOLUTION ACCEPTING THE FY19 PORT SECURITY GRANT PROGRAM (PSGP) AWARDS FOR A TOTAL AMOUNT OF \$1,401,743.00, REQUIRING A COST MATCH OF \$495,625.00, AND AUTHORIZING THE SAN DIEGO UNIFIED PORT DISTRICT (DISTRICT) TO ENTER INTO AGREEMENTS WITH THE U.S. DEPARTMENT OF HOMELAND SECURITY, FEDERAL EMERGENCY MANAGEMENT AGENCY (DHS/FEMA).

B) ORDINANCE AMENDING THE FY 19/20 BUDGET INCREASING THE NON- PERSONNEL EXPENSE (NPE) BUDGET BY \$58,326, AND THE EQUIPMENT OUTLAY AND OTHER CAPITAL PROJECTS BUDGET BY \$433,000. FUNDING FOR \$368,495 WILL BE FROM THE PSGP GRANT WHILE THE REQUIRED DISTRICT MATCH OF \$122,831 WILL BE FUNDED FROM CUMULATIVE UNRESTRICTED RESOURCES. 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 Castellanos, seconded by Commissioner Merrifield, the Board adopted Resolution 2019-115 and Ordinance 2954 as part of the Consent Agenda.

5. 2019-0325 RESOLUTION AUTHORIZING AMENDMENT NO. 3 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 \$375,000 FROM \$750,000 TO \$1,125,000.

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Board	of Port Commissio	ners Meeting Minutes	October 8, 2019
		FUNDS FOR FY 2020 HAVE BEEN BUDGETED/ FUNDS REQUI FOR FUTURE FISCAL YEARS WILL BE BUDGETED FOR IN TH APPROPRIATE YEAR SUBJECT TO BOARD APPROVAL UPON ADOPTION OF EACH FISCAL YEAR'S BUDGET.	
		On a motion by Commissioner Castellanos, seconded by Commissioner Merrifield, the Board adopted Resolution 2019-116 as part of the Consent Ag	jenda.
6.	<u>2019-0342</u>	ORDINANCE AUTHORIZING THE DISTRICT'S EXECUTIVE DIRI AND AUTHORIZED DESIGNEE TO GRANT FIVE (5) YEAR WAIN ON TENANT RENT PAYMENTS FOR ELECTRICITY CHARGES PASSED THROUGH TO SLIP RENTERS AT MARINAS AND YAC CLUBS THAT ARE FULLY SUB-METERED	/ERS
		On a motion by Commissioner Castellanos, seconded by Commissioner Merrifield, the Board adopted Ordinance 2955 as part of the Consent Agenda	a.
7.	<u>2019-0343</u>	RESOLUTION AUTHORIZING AN INCREASE TO THE PURCHAS ORDER WITH GRAINGER, INC. FOR GENERAL MAINTENANCE SUPPLIES, INCREASING THE MAXIMUM AMOUNT PAYABLE U THE PURCHASE ORDER BY \$400,000 FOR A NEW MAXIMUM AMOUNT OF \$980,000 AND EXTENDING THE TERMINATION D THROUGH DECEMBER 31, 2024. FUNDS REQUIRED FOR THE CURRENT FISCAL YEAR ARE INCLUDED IN THE APPROVED F BUDGET. ALL FUNDS REQUIRED FOR FUTURE FISCAL YEAR BE BUDGETED IN THE APPROPRIATE FISCAL YEAR, SUBJEC BOARD APPROVAL UPON ADOPTION OF EACH FISCAL YEAR	E INDER ATE FY 2020 S WILL T TO
		On a motion by Commissioner Castellanos, seconded by Commissioner Merrifield, the Board adopted Resolution 2019-117 as part of the Consent Ag	jenda.
8.	<u>2019-0357</u>	A) RESOLUTION APPROVING AN AMENDMENT TO THE FISC YEAR 2019-2023 CAPITAL IMPROVEMENT PROGRAM TO ADD IMPERIAL BEACH PIER ENHANCEMENTS PROJECT; TO CANO THE COMFORT STATION AND STREET END IMPROVEMENTS BEACH AVENUE PROJECT; AND TRANSFER REMAINING PRO FUNDS of \$1,859,462.90 FROM THE COMFORT STATION AND STREET END IMPROVEMENTS AT BEACH AVENUE PROJECT THE IMPERIAL BEACH PIER ENHANCEMENTS PROJECT	OTHE CEL AT DJECT
		B) RESOLUTION APPROVING AN AMENDMENT TO THE FISC YEAR 2019-2023 CAPITAL IMPROVEMENT PROGRAM TO ADD SECURITY GATE PHYSICAL ENHANCEMENTS AT TENTH AVE MARINE TERMINAL PROJECT WITH A TOTAL BUDGET OF \$46 WITH \$347,985 TO BE FUNDED BY A DEPARTMENT OF HOME SECURITY PORT SECURITY GRANT AND \$115,995 TO BE FUN BY THE DISTRICT'S CUMULATIVE UNRESTRICTED RESOURD) THE NUE 33,980; LAND NDED
		C) RESOLUTION APPROVING AN AMENDMENT TO THE FISC	AL

Board o	f Port Commissior	ners Meeting Minutes	October 8, 2019
		YEAR 2019-2023 CAPITAL IMPROVEMENT PROGRAM TO ADD SECURITY GATE PHYSICAL ENHANCEMENTS AT B STREET O TERMINAL PROJECT WITH A TOTAL BUDGET OF \$128,040; WI \$96,030 TO BE FUNDED BY A DEPARTMENT OF HOMELAND SECURITY PORT SECURITY GRANT AND \$32,010 TO BE FUND THE DISTRICT'S CUMULATIVE UNRESTRICTED RESOURCES	RUISE TH
		D) RESOLUTION APPROVING AN AMENDMENT TO THE FISC/ YEAR 2019-2023 CAPITAL IMPROVEMENT PROGRAM TO INCE CAPITAL LABOR BY \$350,000 TO BE FUNDED BY THE DISTRIC CUMULATIVE UNRESTRICTED RESOURCES	REASE
		E) ORDINANCE AMENDING THE Fiscal Year 2020 BUDGET INCREASING THE CAPITAL IMPROVEMENT PROGRAM APPROPRIATION BY \$942,020	
		Commissioner Valderrama, and Commissioner Malcolm provided comments.	
		On a motion by Commissioner Castellanos, seconded by Commissioner Merrifield, the Board adopted Resolution 2019-118, Resolution 2019-119, Resolution 2019-120, Resolution 2019-121, and Ordinance 2956 as part of the Consent Agenda.	3
9.	<u>2019-0387</u>	RESOLUTION AUTHORIZING THE CHULA VISTA BAYFRONT P FUNDING AGREEMENT BY AND AMONG THE COUNTY OF SAU DIEGO, THE CITY OF CHULA VISTA, THE SAN DIEGO UNIFIED DISTRICT AND THE CHULA VISTA BAYFRONT FACILITIES FIN AUTHORITY FOR A \$25 MILLION CONTRIBUTION, WITH COND	N PORT ANCING
		Commissioner Moore provided comments.	
		On a motion by Commissioner Castellanos, seconded by Commissioner Merrifield, the Board adopted Resolution 2019-122 as part of the Consent Ag	enda.
10.	<u>2019-0389</u>	ORDINANCE GRANTING AN APPROXIMATE THIRTY-NINE (39) UTILITY EASEMENT TO SAN DIEGO GAS & ELECTRIC COMPA SUBSURFACE UTILTIY EQUIPMENT TO PROVIDE ELECTRICA GAS SERVICE TO PORTSIDE PIER	NY FOR
		The Board will consider staff's request to continue this item to a fut Board meeting.	ure ••
		This item was continued to a future Board meeting.	
11.	<u>2019-0390</u>	RESOLUTION IN ACCORDANCE WITH BOARD POLICY NO. 360 AUTHORIZING STAFF TO ISSUE A REQUEST FOR PROPOSAL THE REDEVELOPMENT OF THE CROSBY STREET PIER AND ADJACENT LANDSIDE AREA SOUTH OF THE TENTH AVENUE MARINE TERMINAL OR, IN THE ALTERNATIVE, WAIVING THE REQUIREMENT FOR A COMPETITIVE PROCESS IN ACCORDA	S FOR

Board	of	Port	Commissioners
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October 8, 2019

WITH BOARD POLICY NO. 360 AND DIRECTING STAFF TO BEGIN NEGOTIATIONS WITH AUSTAL USA IN REGARDS TO AN UNSOLICITED PROPOSAL

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.

ACTION AGENDA

12. 2019-0376 PRELIMINARY PROJECT REVIEW PRESENTATION AND DIRECTION TO STAFF REGARDING THE SUNROAD HIE HOTEL PARTNERS, L.P. (SUNROAD) DEVELOPMENT OF A 450-ROOM, SINGLE-PHASE, DUAL BRANDED HOTEL ON THE ELBOW PARCEL OF EAST HARBOR ISLAND IN THE CITY OF SAN DIEGO

Commissioner Castellanos recused himself and did not participate in this item.

Anthony Gordon, Director, Real Estate, addressed the Board with staff's report and presentation regarding Action Agenda Item 12 - File No. 2019-0376 (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 to Wendy Siao, Program Manager, Real Estate, to provide project background, and preliminary project review. Ms. Siao then turned the presentation Sunroad, and Vincent Mudd, Carrier Johnson, to discuss their vision for the elbow parcel. Mr. Feldman turned the presentation to staff.

The following member(s) of the public addressed the Board with agenda-related comments: Ryan Karlsgodt, Research Analyst, Unite Here Local 30; and Tom Lemmon, San Diego County Building and Construction Trades Council.

Commissioner Malcolm, Commissioner Merrifield, Commissioner Moore, Commissioner Valderrama, and Commissioner Zucchet provided comments and asked clarifying questions. Dana Sclar, Senior Planner, Development Services, Vincent Mudd, and Uri Feldman, responded.

Thomas A. Russell, General Counsel, provided clarification that there is no approval of any project at this time, the Board is only evaluating whether to undertake the time and expense of the environmental process.

Commissioner Malcolm made a motion to direct applicant to commence with the California Environmental Quality Act (CEQA) Environmental Review process, and bring the project back to Board at appropriate time as required by CEQA process. Commissioner Merrifield seconded the motion. Commissioner Moore made a friendly amendment to include direction to applicant to incorporate the 10-point criteria as appropriate into the project design features, and direct applicant to determine the best way to activate the front public-facing portion of the development in response to comments from the California Coastal Commission. Commissioner Malcolm and Commissioner Merrifield accepted the amendment. 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

14.

2019-0405 BOARD DISCUSSION OF HOTEL WORKER RETENTION UPON CHANGE OF OWNERSHIP OR OPERATION OF HOTELS ON DISTRICT PROPERTY AND DIRECTION TO STAFF

Job Nelson, Chief Policy Strategist, addressed the Board with staff's report and presentation regarding Action Agenda Item 14 - File No. 2019-0405 (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: Paloma Aguirre, Councilmember, City of Imperial Beach; Diamond Brandon, Field Representative for Assemblymember Lorena Gonzalez; Corinne Wilson, Communications Manager & Policy Advisor, Office of San Diego City Council President Georgette Gomez; Tom Lemmon, San Diego County Building and Construction Trades Council; Sharon Cloward, President, San Diego Port Tenants Association; Tyler Burch, Council Representative, San Diego Councilmember Chris Ward's Office; John Cox; Consuelo Guzman; Jordan Beane; Stephen Hill, District Director, Office of Assemblymember Todd Gloria; Alberto Velasquez, Senior Policy Advisor, Office of the Mayor, City of Chula Vista; and Evan Strawn, representing Councilwoman Barbara Bry, City of San Diego.

Commissioner Valderrama spoke on behalf of Mayor Alejandra Sotelo-Solis, and Councilmember Mona Rios, of National City.

Commissioner Zucchet, Commissioner Merrifield, Commissioner Valderrama, Commissioner Castellanos, Commissioner Moore, Commissioner Malcolm, and Chairman Bonelli provided comments and asked clarifying questions. Thomas A. Russell, General Counsel, responded.

13. 2019-0341
PRESENTATION AND DIRECTION TO STAFF ON IN-WATER HULL CLEANING POLICY APPROACHES:

A) INFORMATIONAL UPDATE ON IN-WATER HULL CLEANING
BENCHMARKING AND CONCEPTUAL MODEL UPDATE;
B) REVIEW OF PORT DISTRICT REGULATION OF IN-WATER HULL
CLEANING; AND
C) ADDITIONAL VESSEL POLLUTION MATTERS

> Jason Giffen, Vice President, of Planning, Environment, and Government Relations, addressed the Board with staff's report and presentation regarding Action Agenda Item 13 - File No. 2019-0341 (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 to Karen Holman, Director, Environmental Protection, to provide of summary of what staff is presenting, and re-cap of June 2019 data. Ms. Holman then turned the

Board of Port Commissioners

Meeting Minutes

presentation over to Kelly Tait, Program Manager, Environmental Protection, regarding benchmarking what other communities do relating to copper reduction, exploring the best available science, findings and conclusions from the life cycle study, cleaning projections and the impact on the copper load, and topics for consideration. Ms. Tait then turned the presentation back to Ms. Holman to provide proposed timeline for drafting ordinance for Board approval, improving program for copper reduction, and to request for direction from Board.

The following member(s) of the public addressed the Board with agenda-related comments: Sharon Cloward, President, Port Tenants Association.

Commissioner Merrifield, Commissioner Malcolm, and Chairman Bonelli provided comments and asked clarifying questions. Ms. Holman, Thomas A. Russell, General Counsel, and Mr. Giffen, responded.

15. <u>2019-0369</u> INFORMATIONAL PRESENTATION AND UPDATE ON PORT MARKETING CAMPAIGNS

Michael Brown, Vice President, Marketing & Communications, addressed the Board with staff's report and presentation regarding Action Agenda Item 15 - File No. 2019-0369 (A copy of the staff report, presentations and any agenda-related materials are on file with the Office of the District Clerk). Mr. Brown then turned the presentation to Jenifer Barsell, Director, Marketing & Communications, to discuss the significant contributions that Marketing & Communications have made toward achieving the Port's marketing goals. Ms. Barsell also presented three marketing videos.

The following member(s) of the public addressed the Board with agenda-related comments: Sharon Cloward, San Diego Port Tenants Association.

Commissioner Malcolm, Chairman Bonelli, Commissioner Valderrama, Commissioner Castellanos, Commissioner Merrifield, and Commissioner Moore provided comments and asked clarifying questions. Ms. Barsell and Mr. Brown responded.

16.2019-0338RESOLUTION ELECTING CHAIRPERSON, VICE CHAIRPERSON AND
SECRETARY OF THE BOARD OF PORT COMMISSIONERS OF THE
SAN DIEGO UNIFIED PORT DISTRICT FOR CALENDAR YEAR 2020

On a motion by Chairperson Bonelli, seconded by Commissioner Valderrama, the Board adopted Resolution 2019-123 electing Ann Moore as Chair, Michael Zucchet as Vice-Chair, and Dan Malcolm as Secretary, for the 2020 term. 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

Board	of Port Commission	ers Meeting Minutes	October 8, 2019
17.	<u>2019-0318</u>	REVIEW AND CONSIDERATION OF DRAFT PROPOSED BOA AGENDA FOR THE NOVEMBER 5, 2019 MEETING	RD
		On a motion by Commissioner Malcolm, seconded by Commissioner Valde the Board adopted the proposed agenda for November.	errama,
	Yeas:	6 - Bonelli, Castellanos, Malcolm, Moore, Valderrama, and Zucchet	
	Nays:	0	
	Excused:	1 - Merrifield	
	Absent:	0	
	Abstain:	0	
	Recused:	0	
18.	<u>2019-0391</u>	A) PRESENTATION ON THE REDEVELOPMENT OF EAST HA	
		B) PRESENTATION ON TOPGOLF INTERNATIONAL, INC. AN RESOLUTION WAIVING REQUIREMENTS FOR A COMPETITI'	

RESOLUTION WAIVING REQUIREMENTS FOR A COMPETITIVE PROCESS IN ACCORDANCE WITH BOARD OF PORT COMMISSIONERS POLICY NO. 360 AND DIRECTING STAFF TO ENTER INTO AN EXCLUSIVE NEGOTIATING AGREEMENT WITH TOPGOLF INTERNATIONAL, INC. THROUGH DECEMBER 31, 2020

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

CONSENT AGENDA CONTINUED

19. 2019-0358 RESOLUTION CONSENTING TO ASSIGNMENTS, SUBLEASE, AND MANAGEMENT AGREEMENT FOR HOST SAN DIEGO HOTEL LLC DBA SHERATON SAN DIEGO HOTEL AND MARINA (MARINA TOWER AND BAY TOWER) LOCATED AT 1380 HARBOR ISLAND DRIVE AND 1590 HARBOR ISLAND DRIVE CONDITIONED ON UPDATE OF LEASE TERMS:

> A) ASSIGNMENT AND ASSUMPTION OF LEASEHOLD INTERESTS FROM HOST SAN DIEGO HOTEL LLC, A DELAWARE LIMITED LIABILITY COMPANY DBA SHERATON SAN DIEGO HOTEL AND MARINA TO SSD HOLDINGS, LLC, A DELAWARE LIMITED LIABILITY COMPANY

B) 5-YEAR SUBLEASE WITH TWO 5-YEAR OPTIONS FOR THE

Board of Port Commissioners

October 8, 2019

ENTIRE LEASED PREMISES BETWEEN SSD HOLDINGS, LLC, A DELAWARE LIMITED LIABILITY COMPANY AND SSD OPERATING CO., LLC, A DELAWARE LIMITED LIABILITY COMPANY

C) 10-YEAR MANAGEMENT AGREEMENT BETWEEN SSD OPERATING CO., LLC, A DELAWARE LIMITED LIABILITY COMPANY AND SSD MANAGEMENT, LLC, A DELAWARE LIMITED LIABILITY COMPANY FOR OPERATION OF THE HOTEL

Commissioner Zucchet, Commissioner Valderrama, provided comments and asked clarifying questions. Thomas A. Russell, General Counsel, responded.

On a motion by Commissioner Castellanos, seconded by Commissioner Merrifield, the Board adopted Resolution 2019-124 as part of the Consent Agenda.

OFFICER'S REPORT

20. <u>2019-0396</u> MONTHLY NOTIFICATION OF CHANGE ORDERS PURSUANT TO BPC POLICY NO. 110:

None to Report

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 County of San Diego Air Pollution Control District for San Diego Air Pollution Control District Community Air Protection Program Air Monitoring Equipment, for total amount \$1,658.00

B) Request for User Fee Waiver Form from Sweetwater Union High School District for Facility Use Permit at National City Aquatic Center, 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:

A) Rent Review Administrative Approval Letter with California Yacht Marina - Chula Vista, LLC for Rental Period Beginning 07/01/19 thru 06/30/24

MONTHLY NOTIFICATION OF ENCUMBRANCES CONSENTED TO ADMINISTRATIVELY PURSUANT TO BPC POLICY NO. 355 AS AMENDED ON JANUARY 10, 2017:

None to Report

Board of Port Commissioners

October 8, 2019

MONTHLY NOTIFICATION OF LEASE AMENDMENTS CONSENTED TO ADMINISTRATIVELY PURSUANT TO BPC POLICY NO. 355 AS AMENDED ON JANUARY 10, 2017:

None to Report

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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, October 25, 2019		10:30 AM	Don L. Nay Port Administration Boardroom
		Closed Session	
A. Roll Call.			
Present:	6 -	Chairperson Bonelli, Commissioner Caste Commissioner Moore, Commissioner Valo	,
Excused:	1 -	Commissioner Merrifield	
Absent:	0		

Officers Present: Coniglio, 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. <u>2019-0416</u> Closed Session Item No. 1

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.

October 25, 2019

2. <u>2019-0417</u> 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.

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Secretary, Board of Pon Commissioners San Diego Unified Port District

ATTEST:

Nora

Clerk of the San Diego Unified Port District



San Diego Unified Port District

Meeting Minutes

Board of Port Commissioners

Tuesday, November 5, 201)	10:00 AM	Don L. Nay Port Administration Boardroom
		Clo	sed Session	
Α.	Roll Call.			
	Present:		ld, Commissioner I	ellanos, Commissioner Malcolm, Moore, Commissioner Valderrama, and
	Excused:			
	Absent:	0		
		Commissioner Moore was ex	ccused until she an	rived at 10:05 am.
		Commissioner Malcolm was	excused until he a	rrived at 10:10 am.
		Officers Present: Coniglio, D	eAngelis, Monson	, Morales, and Russell
в.	Public Communie	ations.		
		The following member(s) of t comments: None	he public addresse	ed the Board with non agenda-related
<u>CL</u>	OSED SESSION			
		Thomas A. Russell, General	Counsel, announc	ed the Closed Session items as follows:
1.	2019-0428	Closed Session Item No	o. 1	
		PUBLIC EMPLOYEE PE GENERAL COUNSEL Government Code Secti		ALUATION:
		No reportable action was tak	en on this item.	
2.	2019-0429	Closed Session Item No	o. 2	
		CONFERENCE WITH L Government Code Secti		IATORS
		Agency Negotiator: Gar	rry Bonelli	

Board o	of Port Commission	ners Meeting Minutes	November 5, 2019
		Unrepresented Employee: General Counsel	
		No reportable action was taken on this item.	
3.	2019-0440	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 Parkwa Vista	ay, Chula
		Negotiating Parties: RIDA Chula Vista, LLC - Ira Mitzner and Luke Charlton; City of Chula Vista - Gary Halbert; SDUPD - Shaun Sumner, Tony Gordon, Adam Meyer, Stephan and Sean Jones.	ie Shook
		Under Negotiations: Price and Terms	
		No reportable action was taken on this item.	
4.	2019-0441	Closed Session Item No. 4	
		CONFERENCE WITH REAL PROPERTY NEGOTIATOR Government Code Section 54956.8	
		Property: Approximately 5.95 acres of land area and 24.25 a water area located at 955 Harbor Island Drive	acres of
		Negotiating Parties:	
		Sunroad Marina Partners, L.P Uri Feldman, Lisa Gordon, Ricl Ledford, Andrea Rosati SDUPD - Shaun Sumner, Tony Gordon, Adam Meyer, Wendy S Hammel	
		Under Negotiations: Price and Terms	
		Commissioner Castellanos recused himself and did not participate in this iter reportable action was taken on this item.	m. No

November 5, 2019

Michael

Secretary, Board of Fort Commissioners San Diego Unified Port District

ATTEST:

Clerk of the San Diego Unified Port District



San Diego Unified Port District

Meeting Minutes

Board of Port Commissioners

Tuesday, November 5, 2019	1:00 PM	Don L. Nay Port Administration Boardroom

A. Roll Call.

Present:	7 -	Chairperson Bonelli, Commissioner Castellanos, Commissioner Malcolm, Commissioner Merrifield, Commissioner Moore, Commissioner Valderrama, and Commissioner Zucchet
Excused:	0	

Absent: 0

B. Pledge of Allegiance.

Commissioner Zucchet led the Pledge of Allegiance.

C. Closed Session Report Out.

Thomas A. Russell, General Counsel, announced that the Board considered Items 1 through 3 on the Closed Session Agenda and stated that no reportable action was taken. With respect to Closed Session Item 4, Mr. Russell stated that the Board would consider that item after the conclusion of this meeting. After Closed Session, Mr. Russell announced that the Board considered Item 4, and took no reportable action.

E. Board Committee Reports.

Commissioner Malcolm reported on the Seaport San Diego Development Ad Hoc Committee. Commissioner Malcolm explained that the Ad Hoc Committee received a presentation from staff regarding operations and leasing updates at Seaport Village; discussed property management updates, including progress on the site maintenance enhancements and activations at Seaport Village for the Central Embarcadero Marketing and Activation Program; and discussed leasing efforts, including lease renewals for existing tenants, new leases signed and prospective tenants. The Ad Hoc Committee also received recommendations from Protea, 1HWY1 and Retail Insite regarding property management, activation, and leasing strategies for the property.

Commissioner Valderrama reported on the Accessibility Advisory Committee. Commissioner Valderrama explained that the Committee met and discussed standard business items, and had a member of the public attend who brought forward concerns regarding lack of wheelchair accessibility for the ferry at Coronado. Based on that information brought forward, the Accessibility Advisory Committee will invite the Coronado Ferry Landing tenant to the December 4, 2019 meeting to discuss the concerns and any future development plans.

D. Public Communications.

The following member(s) of the public addressed the Board with non agenda-related comments: Janet Rogers; and Carole Noska, Business Owner, Charter Operations.

F. Commissioners' Reports.

Chairman Bonelli announced the passing of Bruce Walton. Chairman Bonelli shared that Bruce was a beloved San Diegan who had a positive impact on so many people throughout his 68 years of life. Chairman Bonelli asked for a moment of silence.

Commissioner Merrifield provided a report on the World Trade Center San Diego Trade Mission trip to Germany. Members of the delegation included Congressman Scott Peters, SANDAG, Qualcomm, Mitsubishi Electric, City of San Diego, Cubic Transportation Systems, General Atomics, San Diego County Regional Airport Authority, San Diego State University, UC San Diego, Takeda Pharmaceuticals, and staff. Highlights of the trip included business meetings with Porsche, Daimler (Mercedes) and BMW. Other interesting meetings included a meeting with IBM Watson on technologies they have developed to help pilot ships through Rotterdam's waters, and a meeting with Siemens regarding the energy needs that Ports must be able to provide as industries change to more electric infrastructure.

G. President's Report.

Randa Conglio, President/CEO announced that the Port received two Association of Environmental Professionals (AEP) awards from the San Diego Chapter of AEP. The Sea Level Rise Vulnerability Assessment & Coastal Resiliency Report was awarded Outstanding Technical Report, the second award was for the San Diego Ocean Planning Partnership Preliminary Assessment Report for Outstanding Public Involvement.

Ms. Coniglio then invited Chief Mark Stainbrook to the podium. Ms. Coniglio announced that Chief Stainbrook was named as the 2019 "Law Enforcement Official of the Year" by the San Diego County Crime Commission at the 34th Annual Blue Knight Awards Dinner.

Chief Stainbrook then invited Captain Erik Womack, and Homeland Security Coordinator Matt Brown to the podium to provide a brief on the emergency preparendess and disaster management planning program. Captain Womack began by explaining that in 2016 the Port received a \$1.73 million Port Security Grant to help develop a comprehensive Emergency Preparedness and Recovery Plan. Captain Womack shared that during the past three years accomplishments have included holding external and internal stakeholder meetings to identify gaps and needs, conducting workshops, seminars, tabletop exercises, and functional exercises. Captain Womack explained that the latest exercise was in September, 2019 where 130 persons from 14 agencies, participated in an organized unified command to coordinate effective response that tested the ability to respond to--and recover from--an active shooter simulation. Captain Womack explained that current and future initiatives include modernizing the Emergency Operations Center and the Port-Wide Unified Command, continue working on common operating procedures, and conduct a full-scale exercise.

H. 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 of the Executive Director (President/CEO) of the San

Board of Port Commission	ers Meeting Minutes	November 5, 2019
	Diego Unified Port District that will modify her salary. Additional information in the agenda prepared for that item, Item 17 - File No. 2019-0205.	ו can be found
	Ms. Morales then announced that additional agenda related information wa the Commissioners after the publication of the agenda for the following iten 2019-0419, File No. 2019-0422, and File No. 2019-0310.	-
	Ms. Morales then reported that staff requested to continue the following iter Agenda Item 11 - File No. 2019-0439.	n: Consent
	On a motion by Commissioner Malcolm, seconded by Commissioner Va the Board accepted the requested docket changes. The motion carried following vote:	
Yeas:	7 - Bonelli, Castellanos, Malcolm, Merrifield, Moore, Valderrama, and Zu	cchet
Nays:	0	
Excused:	0	
Absent:	0	
Abstain:	0	
Recused:	0	
APPROVAL OF MINU	ITES	

<u>2019-0436</u>	Approval of minutes for	or:
the second se		

October 8, 2019 - CLOSED SESSION October 8, 2019 - BPC MEETING October 25, 2019 - SPECIAL CLOSED SESSION

On a motion by Commissioner Valderrama, seconded by Commissioner Zucchet, the Board approved the minutes. 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 Malcolm, seconded by Commissioner Zucchet, the Board adopted the Consent Agenda as follows: Resolution 2019-125; Resolution 2019-126; Resolution 2019-127; Resolution 2019-128; Resolution 2019-129; Ordinance 2956; Resolution 2019-130; Resolution 2019-131; Resolution 132; Resolution 2019-133; Resolution 2019-134; Resolution 2019-135; Resolution 2019-136; Resolution 2019-137; Resolution 2019-138; Ordinance 2958; Ordinance 2959; Ordinance 2960; Resolution 2019-139; Resolution 2019-140; Resolution 2019-141; Resolution 2019-142; and Resolution 2019-143. 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. 2019-0301 RESOLUTION CONSENTING TO A SUBLEASE BETWEEN HYATT CORPORATION, AS AGENT OF HST SAN DIEGO HH LP, A DELAWARE LIMITED PARTNERSHIP (DBA MANCHESTER GRAND HYATT SAN DIEGO), AND MOBILITIE MANAGEMENT, LLC, A DELAWARE LIMITED LIABILITY COMPANY, TO INSTALL, OPERATE, AND MAINTAIN A MULTI-CARRIER, NEUTRAL HOST DISTRIBUTED ANTENNA SYSTEM AND/OR SIMILAR SYSTEM, FOR A TEN-YEAR TERM WITH ONE TEN-YEAR OPTION TO EXTEND (SUBLEASE) AND POTENTIAL FUTURE SUBLEASE OR SUBLICENSE OF THE NETWORK TO SPECIFIC CARRIERS (AT&T, VERIZON, T-MOBILE, OR SPRINT)

On a motion by Commissioner Malcolm, seconded by Commissioner Zucchet, the Board adopted Resolution 2019-125 as part of the Consent Agenda.

2. 2019-0327 RESOLUTION SELECTING AND AUTHORIZING AN AGREEMENT WITH APEX COMPANIES LLC FOR AS-NEEDED CHULA VISTA BAYFRONT STORM WATER POLLUTION PREVENTION PLAN (SWPPP) SERVICES FOR AN AGGREGATE AMOUNT NOT TO EXCEED \$633,269 FOR A PERIOD OF THREE YEARS. FUNDS WILL BE SOURCED FROM THE SITE PREPARATION AT CHULA VISTA BAYFRONT PROJECT IN THE FY 2019-2023 CAPITAL IMPROVEMENT PROGRAM.

On a motion by Commissioner Malcolm, seconded by Commissioner Zucchet, the Board adopted Resolution 2019-126 as part of the Consent Agenda.

3. 2019-0364 RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AWARDING CONTRACT NO. 2019-04 TO BELLINGHAM MARINE INDUSTRIES IN THE AMOUNT OF \$1,882,623.00 (BASE BID AND ADDITIVE BID) FOR THE DOCK 2 REPLACEMENT & DOCK 3 REPAIR AT TUNA HARBOR PROJECT AS AUTHORIZED BY THE BOARD IN THE FISCAL YEAR 2020 MAJOR MAINTENANCE BUDGET

> On a motion by Commissioner Malcolm, seconded by Commissioner Zucchet, the Board adopted Resolution 2019-127 as part of the Consent Agenda.

4. 2019-0368 RESOLUTION CONSENTING TO AMENDMENT NO. 1 TO SUBLEASE BETWEEN LFS DEVELOPMENT, LLC, DBA INTERCONTINENTAL SAN DIEGO, AND STOIC HOLDINGS, INC., TO INCREASE THE TERM FROM A TEN-YEAR TERM WITH TWO FIVE-YEAR OPTIONS TO A TEN-YEAR AND FIVE-MONTH TERM WITH TWO FIVE-YEAR OPTIONS

On a motion by Commissioner Malcolm, seconded by Commissioner Zucchet, the Board adopted Resolution 2019-128 as part of the Consent Agenda.

5. 2019-0372 RESOLUTION AUTHORIZING A PURCHASE AGREEMENT WITH 72 HOUR LLC, DBA NATIONAL AUTO FLEET GROUP, FOR THE PURCHASE OF NINE VEHICLES CONSISTING OF SEVEN RENEWABLE DIESEL VEHICLES AND TWO GASOLINE POWERED VEHICLES IN AN AMOUNT NOT TO EXCEED \$700,000. FUNDS FOR FISCAL YEAR 2020 HAVE BEEN BUDGETED

On a motion by Commissioner Malcolm, seconded by Commissioner Zucchet, the Board adopted Resolution 2019-129 as part of the Consent Agenda.

6. <u>2019-0375</u> CAPITAL IMPROVEMENT PROGRAM

A) ORDINANCE AMENDING THE FISCAL YEAR (FY) 2020 BUDGET INCREASING THE FY 2020 CAPITAL IMPROVEMENT PROGRAM (CIP) APPROPRIATION BY \$2,300,000 FROM DISTRICT'S CUMULATIVE UNRESTRICTED RESOURCES

B) RESOLUTION APPROVING AN AMENDMENT TO THE FY 2019-2023 CIP TO INCREASE THE SITE PREPARATION AT CHULA VISTA BAYFRONT PROJECT BUDGET BY \$2,000,000 TO BE FUNDED FROM THE DISTRICT'S CUMULATIVE UNRESTRICTED RESOURCES

C) RESOLUTION APPROVING AN AMENDMENT TO THE FY 2019-2023 CIP TO INCREASE CAPITAL LABOR BY \$300,000 IN SUPPORT OF THE SITE PREPARATION AT CHULA VISTA BAYFRONT PROJECT TO BE FUNDED FROM THE DISTRICT'S CUMULATIVE UNRESTRICTED RESOURCES

On a motion by Commissioner Malcolm, seconded by Commissioner Zucchet, the Board adopted Ordinance 2957, Resolution 2019-130, and Resolution 2019-131 as

part of the Consent Agenda.

7. <u>2019-0378</u> MAJOR MAINTENANCE PROGRAM

A) RESOLUTION APPROVING TRANSFER OF FUNDS WITHIN THE FISCAL YEAR 2020 BUDGET FROM THE EXPENSE MAJOR MAINTENANCE APPROPRIATION TO THE CAPITAL MAJOR MAINTENANCE APPROPRIATION IN THE AMOUNT OF \$250,000 PURSUANT TO BPC POLICY NO. 90.
B) RESOLUTION APPROVING A PROJECT BUDGET INCREASE OF \$275,000 FOR THE FENDER SYSTEM UPGRADE AT NORTH BERTH

On a motion by Commissioner Malcolm, seconded by Commissioner Zucchet, the Board adopted Resolution 2019-132 and Resolution 2019-133 as part of the Consent Agenda.

OF B STREET PIER PURSUANT TO BPC POLICY NO. 130.

8. 2019-0379 RESOLUTION APPROVING AN AMENDMENT TO THE CALENDAR YEAR 2019 ANNUAL WORK PLAN FOR THE ENVIRONMENTAL ADVISORY COMMITTEE TO INCLUDE THE PORT MASTER PLAN UPDATE ECOLOGY ELEMENT PURSUANT TO THE BOARD OF PORT COMMISSIONERS (BPC) POLICY NO. 018, BOARD ADVISORY COMMITTEES

On a motion by Commissioner Malcolm, seconded by Commissioner Zucchet, the Board adopted Resolution 2019-134 as part of the Consent Agenda.

9. 2019-0380 RESOLUTION AUTHORIZING AMENDMENT NO. 6 TO AGREEMENT 244-2016AC WITH GREAT ECOLOGY TO SUPPORT THE DEVELOPMENT OF A MITIGATION BANK AT POND 20 IN THE AMOUNT OF \$117,569 TO COMPLETE HYDRODYNAMIC MODELING AND FINALIZE THE ARMY CORPS OF ENGINEERS BANKING ENABLING INSTRUMENT INCLUDING REVISIONS BASED ON COMMENTS FROM THE INTERAGENCY REVIEW TEAM FOR A NEW TOTAL NOT TO EXCEED \$983,789 AND EXTENDING THE AGREEMENT UNTIL MARCH 31, 2020. FUNDING FOR FISCAL YEAR 2020 IS BUDGETED

On a motion by Commissioner Malcolm, seconded by Commissioner Zucchet, the Board adopted Resolution 2019-135 as part of the Consent Agenda.

10. 2019-0384 RESOLUTION AUTHORIZING AMENDMENT NO. 7 TO AGREEMENT WITH NMS MANAGEMENT, INC. FOR JANITORIAL SERVICES, INCREASING THE MAXIMUM AMOUNT PAYABLE UNDER THE AGREEMENT BY \$80,000 FOR A NEW MAXIMUM AMOUNT OF \$3,298,600 FOR ADDITIONAL AS NEEDED JANITORIAL SERVICES. FUNDS FOR FISCAL YEAR 2020 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

Board of Port Commissioners		oners Meeting Minutes	November 5, 2019
		BUDGET.	
		On a motion by Commissioner Malcolm, seconded by Commissioner Board adopted Resolution 2019-136 as part of the Consent Agenda.	Zucchet, the
11.	<u>2019-0439</u>	ORDINANCE ACCEPTING QUITCLAIM DEED FROM SEAF VILLAGE OPERATING CO., LLC FOR APPROXIMATELY 5 SQUARE FEET OF PROPERTY LOCATED AT 849 WEST F DRIVE IN THE CITY OF SAN DIEGO, COMMONLY KNOWN "SEAPORT VILLAGE"	75,186 HARBOR
		The Board will consider staff's request to continue this item to Board meeting.	o a future
		This item was continued to a future Board meeting.	
12.	<u>2019-0434</u>	RESOLUTION ESTABLISHING THE BOARD OF PORT COMMISSIONERS' REGULAR MEETING DATES FOR CAL YEAR 2020	ENDAR
		On a motion by Commissioner Malcolm, seconded by Commissioner Board adopted Resolution 2019-137 as part of the Consent Agenda.	Zucchet, the

13. 2019-0406 RESOLUTION AUTHORIZING AN AGREEMENT WITH THE SAN DIEGO NATURAL HISTORY MUSEUM FOR MONITORING, MANAGEMENT, AND PREDATOR CONTROL SERVICES FOR THE ENDANGERED CALIFORNIA LEAST TERN AND THREATENED WESTERN SNOWY PLOVER NESTING SITE AT THE D STREET FILL IN AN AMOUNT NOT TO EXCEED \$483,515 FOR FIVE YEARS TO DECEMBER 31, 2024. FUNDING FOR FISCAL YEAR 2020 IS 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 2019-138 as part of the Consent Agenda.

14. <u>2019-0414</u> SEAPORT VILLAGE:

A) ORDINANCE GRANTING A LEASE TO MIKE HESS BREWING CO, LLC, (MIKE HESS BREWING) FOR A CRAFT BEER TASTING ROOM AND BONA-FIDE EATING ESTABLISHMENT LOCATED AT 849 W. HARBOR DRIVE, SUITE W-14E IN SAN DIEGO FOR A 10-YEAR TERM PLUS ONE 5-YEAR OPTION (FOR A TOTAL POTENTIAL TERM OF 15 YEARS)

B) ORDINANCE GRANTING A LEASE TO SIGNORE MOTO CORPORATION DBA MR. MOTO PIZZA (MR. MOTO PIZZA) FOR A PIZZERIA LOCATED AT 849 W. HARBOR DRIVE, SUITE W-14C IN SAN DIEGO FOR A 10.5-YEAR TERM PLUS TWO 2-YEAR OPTIONS (FOR A TOTAL POTENTIAL TERM OF 14.5 YEARS)

Board of Port Commissioners	Board	of Port	Commissioners
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November 5, 2019

C) ORDINANCE GRANTING A LEASE TO STB & POT HEAD COFFEE SEAPORT LLC DBA SPILL THE BEANS (SPILL THE BEANS) FOR A SPECIALTY COFFEE AND BAGEL SHOP LOCATED AT 849 W. HARBOR DRIVE, SUITE C-7 IN SAN DIEGO FOR A 10-YEAR TERM D) RESOLUTION AUTHORIZING AMENDMENT NO. 2 TO THE AGREEMENT WITH R.I. PROPERTIES, INC., DBA RETAIL INSITE (RETAIL INSITE) FOR COMMERCIAL REAL ESTATE BROKER SERVICES FOR SEAPORT VILLAGE TO AMEND THE COMMISSION FEE STRUCTURE FOR LEASES OF MORE THAN FIVE YEARS, AND WAIVING BOARD OF PORT COMMISSIONERS POLICY NO. 114 PAYMENT OF COMMISSIONS FOR THE LEASING OF TIDELANDS

On a motion by Commissioner Malcolm, seconded by Commissioner Zucchet, the Board adopted Ordinance 2958, Ordinance 2959, Ordinance 2960, and Resolution 2019-139 as part of the Consent Agenda.

15. <u>2019-0419</u> RESOLUTION AUTHORIZING AMENDED AND RESTATED REVENUE SHARING AGREEMENT WITH THE CITY OF CHULA VISTA, WITH CONDITIONS

On a motion by Commissioner Malcolm, seconded by Commissioner Zucchet, the Board adopted Resolution 2019-140 as part of the Consent Agenda.

16.2019-0422RESOLUTION AUTHORIZING (A) JOINT COMMUNITY FACILITIES
AGREEMENT WITH THE CITY OF CHULA VISTA FOR THE BAYFRONT
PROJECT SPECIAL TAX FINANCING DISTRICT, WITH CONDITIONS;
AND (B) THE VOTE OF THE DISTRICT IN FAVOR OF THE BAYFRONT
PROJECT SPECIAL TAX FINANCING DISTRICT, WITH CONDITIONS

On a motion by Commissioner Malcolm, seconded by Commissioner Zucchet, the Board adopted Resolution 2019-141 as part of the Consent Agenda.

17. <u>2019-0205</u> RESOLUTION APPROVING AMENDMENT TO THE EMPLOYMENT AGREEMENT FOR THE EXECUTIVE DIRECTOR (PRESIDENT/CEO)

> On a motion by Commissioner Malcolm, seconded by Commissioner Zucchet, the Board adopted Resolution 2019-142 as part of the Consent Agenda.

18.2019-0348RESOLUTION AUTHORIZING A SPONSORSHIP AGREEMENT WITH
H.P. PURDON & COMPANY RELATED TO THE 2020 PORT OF SAN
DIEGO JULY 4TH BIG BAY BOOM FIREWORKS SHOW IN AN AMOUNT
NOT TO EXCEED \$190,000 IN FUNDING AND UP TO \$140,000 IN
DISTRICT SERVICES; FY20 EXPENDITURES ARE BUDGETED.

On a motion by Commissioner Malcolm, seconded by Commissioner Zucchet, the Board adopted Resolution 2019-143 as part of the Consent Agenda.

ACTION AGENDA

 19.
 2019-0377
 PRESENTATION OF SERVICE AWARDS TO EMPLOYEES WITH 15 OR MORE YEARS OF SERVICE

Board	of Port Commission	ers Meeting Minutes	November 5, 201
		Nydia Salas, Human Resources Technician, addressed the Board with staff presentation regarding Action Agenda Item 19 - File No. 2019-0377 (A copy report, presentations and any agenda-related materials are on file with the O District Clerk). Ms. Salas then turned the presentation to Randa Coniglio, President/CEO, to recognize Officer Jennifer MacMaster, Harbor Police, for of service to the Port.	of the staff Office of the
20.	<u>2019-0310</u>	PRESENTATION ON TOPGOLF INTERNATIONAL, INC., DBA ENTERTAINMENT GROUP AND RESOLUTION WAIVING TH REQUIREMENT FOR A COMPETITIVE SOLICITATION PROC PERMITTED BY BOARD OF PORT COMMISSIONERS POLIC AND DIRECTING STAFF TO NEGOTIATE AND ENTER INTO EXCLUSIVE NEGOTIATING AGREEMENT WITH TOPGOLF INTERNATIONAL, INC., DBA TOPGOLF ENTERTAINMENT G RUN THROUGH DECEMBER 31, 2020	E ESS, AS XY NO. 360, AN
		Shaun Sumner, Vice President, Real Estate, Engineering, and Facilities, ad Board with staff's report and presentation regarding Action Agenda Item 20- 2019-0310 (A copy of the staff report, presentations and any agenda-related on file with the Office of the District Clerk). Mr. Sumner then turned the prese Wendy Siao, Program Manager, Real Estate, to discuss the proposed locati background on the Statement of Interest, Qualifications and Vision efforts for and potential activation Topgolf can provide for the area. Ms. Siao then turn presentation to Matt Smith, Director of Real Estate, Topgolf, to provide back Topgolf as an organization and amenities they offer at their locations. Mr. S turned the presentation back to Ms. Siao to discuss next steps and conclude presentation.	- File No. I materials are centation to on, the r the parcel, ned the ground of mith then
		The following member(s) of the public addressed the Board with agenda-rel comments: Brian Friedman, Economic Development Officer, City of Glendal Marshall Anderson, Downtown San Diego Partnership; Richard Ledford, Su Enterprises; Rip Rippetoe, President/CEO, San Diego Convention Center; a Haddad, Principal, California Strategies, LLC.	e, Arizona; nroad
		Commissioner Malcolm, Commissioner Merrifield, Commissioner Moore, Co Valderrama, Commissioner Zucchet, Commissioner Castellanos, and Chain provided comments and asked clarifying questions. Matt Smith, Topgolf; Ar Gordon, Director, Real Estate; Wendy Siao; Adam Meyer, Department Man Estate; Lesley Nishihira, Director, Planning; Ben Haddad, California Strateg Sclar, Senior Planner, Development Services; and Randa Coniglio, Presider responded.	man Bonelli, nthony ager, Real ies; Dana
		Commissioner Valderrama made a motion to accept staff's recommenda an added proviso to direct staff to hire a firm to look at the site and dete best utilization for the land, and for staff to return to the Board and prov status report midway before the ENA period ends. Commissioner Malco seconded the motion. The Board thereby adopted Resolution 2019-144. motion carried by the following vote:	rmine the ide a olm
	Yeas:		
	Nays:	1 - Merrifield	
	Excused:	1 - Castellanos	

Absent: 0

Abstain: 0

Recused: 0

Commissioner Castellanos left the dais at 3:30 pm and did not return for the remainder of the meeting.

Commissioner Malcolm left the dais at 3:42 pm and did not return for the remainder of the meeting.

Commissioner Moore left the dais at 3:47 pm and did not return for the remainder of the meeting.

21. 2019-0353 PRESENTATION ON THE MAJOR MAINTENANCE PROGRAM AND PREVIEW OF A WEB-BASED REPORTING DASHBOARD UNDER DEVELOPMENT

Ernesto Medina, Chief Engineer, Engineering-Construction, addressed the Board with staff's report and presentation regarding Action Agenda Item 21 - File No. 2019-0353 (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 to Christopher McGrath, Program Manager, Engineering-Construction, to provide a live look at the reporting dashboard currently under development.

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

Commissioner Valderrama, Commissioner Merrifield, and Chairman Bonelli provided comments and asked clarifying questions. Mr. Medina, Mr. McGrath, and Randa Coniglio, President/CEO responded.

22. <u>2019-0392</u> REVIEW AND CONSIDERATION OF DRAFT PROPOSED BOARD AGENDA FOR THE DECEMBER 10, 2019 MEETING

On a motion by Commissioner Valderrama, seconded by Commissioner Zucchet, the Board adopted the proposed agenda for December. The motion carried by the following vote:

- Yeas: 4 Bonelli, Merrifield, Valderrama, and Zucchet
- Nays: 0
- Excused: 3 Castellanos, Malcolm, and Moore
- Absent: 0
- Abstain: 0
- Recused: 0

OFFICER'S REPORT

23. <u>2019-0437</u> OFFICER'S REPORT

MONTHLY NOTIFICATION OF CHANGE ORDERS PURSUANT TO BPC POLICY NO. 110:

A) Change Order No. 1 to Contract No. 2018-03 with Dick Miller, Inc. / 28
Calendar Day Time Extension thru 06/30/20
B) Change Order No. 1 to Contract No. 2019-11 with Bellingham Marine Industries, Inc. / Increases Contract by \$1,681.00
C) Change Order No. 1 to Contract No. 2018-08 with ABM Building Services, LLC / 86 Calendar Day Time Extension thru 06/28/19
D) Change Order No. 1 to Contract No. 2018-09 with ABM Building Services, Inc. / 26 Calendar Day Time Extension thru 06/28/19

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 e3 Civic High for Facility Use Permit at National City Aquatic Center for Aquatic, Rowing and Physical Education High School Classes, 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

Board of Port Commissioners

November 5, 2019

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Secretary, Board of Port Commissioners San Diego Unified Port District

ATTEST:

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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, November 25, 2019	11:00 AM	Don L. Nay Port Administration Boardroon	
	Closed Session		
A. Roll Call.			

Present:	5 -	Chairperson Bonelli, Commissioner Castellanos, Commissioner Merrifield,
		Commissioner Moore, and Commissioner Valderrama
Excused:	2 -	Commissioner Malcolm, and Commissioner Zucchet
Absent:	0	

Officers Present: 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. <u>2019-0449</u> Closed Session Item No. 1

CONFERENCE WITH LABOR NEGOTIATORS Government Code Section 54957.6

Agency Negotiator: Garry Bonelli Unrepresented Employee: General Counsel

No reportable action was taken on this item.

2. <u>2019-0448</u> Closed Session Item No. 2

PUBLIC EMPLOYEE APPOINTMENT: PORT AUDITOR Government Code Section 54957 **Board of Port Commissioners**

To be effective upon future retirement of Port Auditor.

No reportable action was taken on this item.

The meeting adjourned at 12:35 pm.

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Secretary, Board of Port Commissioners San Diego Unified Port District

ATTEST:

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

Tue	esday, December 10, 20	19	10:00 AM	Don L. Nay Port Administration Boardroom
			Closed Session	
Α.	Roll Call.			
	Present:			ellanos, Commissioner Merrifield, Iderrama, and Commissioner Zucchet
	Excused:			
	Absent:	0		
		Commissioner Zuccl	het was excused until he a	rrived at 10:30 am.
		Officers Present: Co	oniglio, DeAngelis, Monsor	n, Morales, and Russell
в.	Public Communi	cations.		
		The following memb comments: None	er(s) of the public address	ed the Board with non agenda-related
<u>CL</u>	OSED SESSION			
		Thomas A. Russell,	General Counsel, annound	ced the Closed Session items as follows:
1.	2019-0473	Closed Session I	tem No. 1	
				EL - EXISTING LITIGATION rnment Code Section 54956.9
		Port District, et al	l.	eles, LLC, et al. v San Diego Unified
				2-2018-00028276-CU-MC-CTL
		No reportable action	was taken on this item.	
2.	2019-0474	Closed Session I	tem No. 2	
				EL - EXISTING LITIGATION rnment Code Section 54956.9

Board	of Port Commissio	ners Meeting Minutes	December 10, 2019
		Enterprise Rent-A-Car Co. of Los Angeles, LLC, et al. v San Port District, et al. San Diego Superior Court Case No. 37-2019-00029137-CU	-
		No reportable action was taken on this item.	
3.	2019-0476	Closed Session Item No. 3	
		CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIC Pursuant to Subdivision (d)(1) of Government Code Section	
		Regional Water Quality Control Board Investigative Order R Directing the San Diego Unified Port District and the City of Submit Technical Reports Pertaining to an Investigation of S Chemistry in San Diego Bay Adjacent to the Tenth Avenue I Terminal, Cesar Chavez Park and Pacific Maritime Freight	San Diego to Sediment
		No reportable action was taken on this item.	
4.	2019-0481	Closed Session Item No. 4	
		CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED I Significant exposure to litigation Government Code Section	
		Two (2) Cases	
		No reportable action was taken on this item.	
5.	2019-0483	Closed Session Item No. 5	
		CONFERENCE WITH LEGAL COUNSEL - INITIATION OF Pursuant to Subdivision (d)(4) of Government Code Section	
		One (1) Case	
		No reportable action was taken on this item.	
6.	2019-0499	Closed Session Item No. 6	
		CONFERENCE WITH REAL PROPERTY NEGOTIATOR Government Code Section 54956.8	
		Property: Approximately 150,000 square feet of unlease North Harbor Drive, San Diego	d land at 3280
		Negotiating Parties:	

San Diego County Regional Airport Authority - Eric Podnieks

Board	l of Port Commissio	oners Meeting Minutes	December 10, 2019
		SDUPD - Shaun Sumner, Tony Gordon, Annette Dahl, Ker	n Wallis
		Under Negotiations: Price and Terms	
		No reportable action was taken on this item.	
7.	2019-0484	Closed Session Item No. 7	
		CONFERENCE WITH LEGAL COUNSEL - EXISTING LIT Pursuant to Subdivision (d)(1) of Government Code Sectio	
		CPUC Proceeding A.17-09-005: Application of San Diego Company for Authority to Implement Rate Relief and Increa Support of the San Diego Unified Port District's Energy Ma <i>No reportable action was taken on this item</i> .	ase Spend in
8.	<u>2019-0493</u>	Closed Session Item No. 8	
		CONFERENCE WITH REAL PROPERTY NEGOTIATOR Government Code Section 54956.8	
		Property: Approximately 13,802 sqf of land area and app 33,079 sqf of water area located at 2540 Shelter Island Dri San Diego CA 92106	
		Negotiating Parties: High Seas Marine Enterprises, LLC - Ingrid Poole Williams and Angela Hallmark SDUPD - Tony Gordon, Christian Anderson, Christian de N	
		Under Negotiations: Price and Terms	
		No reportable action was taken on this item.	
9.	2019-0494	Closed Session Item No. 9	
		CONFERENCE WITH LEGAL COUNSEL - EXISTING LIT Pursuant to Subdivision (d)(1) of Government Code Sectio	
		San Diego Unified Port District, et al. v. Monsanto Compar United States District Court Case No. 15-CV-0578 WQH (、	

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Secretary, Board of Port Commissioners San Diego Unified Port District

ATTEST:

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Clerk of the San Diego Unified Port District



San Diego Unified Port District

Meeting Minutes

Board of Port Commissioners

Tuesday, December 10, 2019	1:00 PM	Don L. Nay Port Administration Boardroom

A. Roll Call.

Present:	5 -	Chairperson Bonelli, Commissioner Castellanos, Commissioner Merrifield,
Excused:	2 -	Commissioner Valderrama, and Commissioner Zucchet Commissioner Malcolm, and Commissioner Moore
Absent:	0	

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

B. Pledge of Allegiance.

Commissioner Merrifield led the Pledge of Allegiance.

C. 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.

E. Board Committee Reports.

Lucy Contreras, Program Manager, Real Estate, provided report per the request of Commissioner Malcolm regarding the Seaport San Diego Development Ad Hoc Committee. Ms. Contreras provided an update on the site maintenance enhancements, placemaking and activation efforts, and leasing status. Commissioners Castellanos and Merrifield, who also serve on the committee, commented on the helpfulness of the ad hoc committee.

Commissioner Valderrama reported on the Maritime Stakeholder Forum. Commissioner Valderrama explained that the group discussed topics such as the Harbor Drive Multimodal Corridor Study, the Barrio Logan Nighttime Noise Study, a Maritime Major Maintenance Briefing, as well as updates on the National City Balance Plan, and cargo and cruise business developments.

F. Commissioners' Reports.

Chairman Bonelli announced the retirement of Port Auditor Robert Monson. Chairman Bonelli, along with the other Commissioners, Randa Coniglio, President/CEO, and Thomas A. Russell, General Counsel, praised his many accomplishments over the past 27 years and thanked Mr. Monson for his exemplary service to the Port. Mr. Monson thanked the Board for allowing him the privilege to serve as the Port Auditor, and thanked Ms. Coniglio, Mr. Russell, and the Executive Leadership Group for their support. Chairman Bonelli then shared that Commissioner Valderrama was honored with the Southwestern College Foundation's 2019 Jaguar Award. This award is given to outstanding individuals who embody excellence, generosity, passion, integrity, and have demonstrated a stalwart support for Southwestern College and their students. Chairman Bonelli added that Commissioner Valderrama is a Southwestern College alumnus and former foundation board member. Commissioner Valderrama thanked the Board for the recognition, and shared that, given he was the first college graduate in his family, this award is a particularly special honor.

Commissioner Valderrama next provided a report regarding his tour of the U.S. Coast Guard's Maritime Security Response Team West operations, which is headquartered at the National City Marine Terminal. Commissioner Valderrama shared that he was impressed by the skill and capability of this outfit. The team is made up of highly skilled maritime law enforcement professionals, and its mission is focused on maritime threat response. The Response Team West's tactical operations center operates in five specialties: The Direct Action Section; the Chemical, Biological, Radiological, Nuclear and Explosives Team; the Precision Marksman/Observer Team; the Tactical Delivery Team; and the Regional Dive Locker.

G. President's Report.

Randa Coniglio, President/CEO, announced the Penny Maus, Real Estate Department Manager, was named one of San Diego Business Journal's Women of the Year. Penny was one of 15 honorees selected among nearly 100 finalists. Penny was nominated by CREW (Commercial Real Estate Women) San Diego for her efforts to ensure San Diegans and visitors have equitable access to San Diego Bay.

Ms. Coniglio then invited Melissa Daly, Senior Environmental Specialist, Environmental Protection Department to the podium. Ms. Daly provided a report on the 2nd annual #That's My Bay Service Day. Ms. Daly reported that over 200 Port employees and members of the public helped remove over 4,000 pounds of trash. Ms. Daly thanked EDCO for providing dumpsters, and Living Coast Discovery Center for helping to make the after party a zero waste event. Ms. Daly also thanked Waterfront Arts and Activation, Marketing and Communications, General Services, Human Resources, and Harbor Police for helping to make this event happen.

Ms. Coniglio then invited Karen Holman, Director of Environmental Protection, to provide an update on the in-water hull cleaning ordinance. Ms. Holman informed the Board that staff drafted the ordinance amendment and released it to the public for comment. During the public outreach, stakeholders expressed concern with the proposed cleaning frequency and cleaning tools, as these concepts could negatively impact their businesses, boating, and make water quality worse. Ms. Holman stated that staff takes public comment seriously, and based on the comments, staff will postpone the submission of the ordinance amendment for adoption, and use the additional time to evaluate options, summarize comments, and engage in further discussion with the stakeholders and Board before proposing final decisions.

Ms. Coniglio then invited Madelyn Roycroft, California Seagrant Fellow, Aquaculture and Blue Tech, to speak about Bluetech Week. BlueTech week is an annual event where companies, entrepreneurs, and other participants, driving the sustainable Blue Economy come together to highlight collaboration and innovation in sustainable ocean and water technologies. Ms. Roycroft shared that staff worked a booth at the trade show, gave a presentation on cyber security in the "Defense, Security and Ocean Protection" session, attended the gala reception, and attended the bluetech pitch day.

Board of Port Commissioners

Meeting Minutes

December 10, 2019

For the second event, Aquaculture and Blue Tech staff, along with two Blue Economy Incubator participants Sunken Seaweed and Zephyr presented to individual classrooms as well as the entire 9th grade assembly of Mission Bay High School as part of their Blue STEAM program. Students were excited to learn about the Port's Blue Economy initiatives and the Incubator and benefitted from in-person dialogue on career path education, entrepreneurship, and other opportunities in the blue economy space.

Ms. Coniglio then invited Adam Deaton, Senior Trade Account Representative, Maritime, to report on the increase of cruise business in San Diego. Mr. Deaton announced that Carnival has returned to San Diego for the first time since 2012. The return of Carnival marks the beginning of large scale cruise growth, which will be even more apparent next year as there will be a 26% increase in ship calls due to the activity of the three main cruise customers--Holland America, Disney, and Carnival. These increased calls for service will bring an estimated 100,000 additional cruise passengers next year.

Ms. Coniglio then announced the passing of retired Port of San Diego Harbor Police Chief Dave Hall Chief Hall served the Harbor Police Department from 1999-2003. Prior to his time as the Harbor Police Chief, Dave Hall served with the San Diego Police Department for 30 years rising to the rank of Captain. Chief Hall's service was characterized by a caring and compassionate leadership style which sought to bring out and develop the best of current and future police leaders. Chief Hall's life of public service spanned more than 50 years.

D. Public Communications.

The following member(s) of the public addressed the Board with non agenda-related comments: David Alvarez, Austal USA; Van Johnson, Owner, Dirty Bottoms Diving Service; Becki Wolters, Owner, Sub H2o Underwater Marine Maintenance; Tom Hirsh, President, Harbor Sailboats; Andrew Meyer, Director of Conservation, San Diego Audubon Society; and Ernie Hahn, Wonderfront Festival.

H. 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 of the General Counsel of the San Diego Unified Port District that will modify his salary. Additional information can be found in the agenda prepared for that item, Item 7 - File No. 2019-0490.

Ms. Morales then announced that additional agenda related information was received by the Commissioners after the publication of the agenda for the following items: Item D - Non-Agenda Public Comment; Item 1 - File Number 2019-0155; Item 12 - File No. 2019-0442; and Item 16 - File No. 2019-0471.

Ms. Morales then reported that staff requested to continue the following item: Consent Agenda Item 9 - File No. 2019-0477; and Action Agenda Item 16 - File No. 2019-0471.

Ms. Morales also announced that there are members of the public that wish to speak on Consent Agenda Item 9 (File No. - 2019-0477) which has been requested by staff to be continued to a future Board meeting.

Chairman Bonelli granted time to members of the public to speak on Consent Agenda Item 9. The following members of the public addressed the Board: Mike Pease, Marine Maintenance; Cleve Hardaker, Director, Recreational Boaters of California; and Edward Denaci, Southwestern Yacht Club.

Board of Port Commission	ers Meeting Minutes	December 10, 2019
	On a motion by Commissioner Castellanos, seconded by Commissioner Merrifield, the Board accepted the requested docket changes. The motion by the following vote:	n carried
Yeas:	5 - Bonelli, Castellanos, Merrifield, Valderrama, and Zucchet	
Nays:	0	
Excused:	2 - Malcolm, and Moore	
Absent:	0	
Abstain:	0	
Recused:	0	
APPROVAL OF MINU	JTES	
2019-0495	Approval of minutes for:	
	November 5, 2019 - CLOSED SESSION November 5, 2019 - BPC MEETING November 25, 2019 - SPECIAL CLOSED SESSION	
	On a motion by Commissioner Merrifield, seconded by Commissioner Valderrama, the Board approved the minutes. 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	
CONSENT AGENDA		

On a motion by Commissioner Valderrama, seconded by Commissioner
Merrifield, the Board adopted the Consent Agenda as follows: Ordinance 2961;
Ordinance 2962; Resolution 2019-145; Resolution 2019-146; Resolution 2019-147;
Resolution 2019-148; Resolution 2019-149; Resolution 2019-150; Resolution
2019-151; Ordinance 2963; Ordinance 2964; Resolution 2019-152; Resolution
2019-153; and Resolution 2019-154. The motion carried by the following vote:Yeas:5 -Bonelli, Castellanos, Merrifield, Valderrama, and ZucchetNays:0Excused:2 -Malcolm, and MooreAbsent:0

Abstain: 0

Recused: 0

1. <u>2019-0155</u> ORDINANCES APPROVING:

A) AGREEMENT FOR AMENDMENT OF LEASE AMENDMENT NO. 1 TO THE LEASE WITH THE BRIGANTINE, INC. DBA PORTSIDE PIER AT 1360 NORTH HARBOR DRIVE IN THE CITY OF SAN DIEGO TO: RETROACTIVELY MODIFY MINIMUM ANNUAL RENT FROM \$733,333 TO \$550,000 FOR LEASE YEAR 2 FROM MAY 1, 2019 THROUGH APRIL 30, 2020, MODIFY MINIMUM ANNUAL RENT FROM \$1,100,000 TO \$1,130,000 FOR LEASE YEARS 3 TO 10 FROM MAY 1, 2020 TO APRIL 30, 2029, EXTEND THE CONSTRUCTION COMPLETION DEADLINE FROM DECEMBER 31, 2019 TO AUGUST 31, 2020; AND TENANT TO PAY FOR THE REMOVAL OR RELOCATION OF UTILITY IMPROVEMENTS; AND

B) AN APPROXIMATELY THIRTY-EIGHT (38) YEAR EASEMENT FOR UTILITY PURPOSES TO SAN DIEGO GAS & ELECTRIC COMPANY FOR ELECTRICAL AND NATURAL GAS FACILITIES TO BE LOCATED NEAR HARBOR DRIVE AND ASH STREET IN THE CITY OF SAN DIEGO, CALIFORNIA COMMENCING JANUARY 11, 2020 AND ENDING ON APRIL 30, 2058

On a motion by Commissioner Valderrama, seconded by Commissioner Merrifield, the Board adopted Ordinance 2961 and Ordinance 2962 as part of the Consent Agenda.

2. 2019-0410 RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AWARDING CONTRACT NO. 2017-07 TO SDSTATURE IN THE AMOUNT OF \$279,000.00 FOR THE STORAGE MODIFICATIONS AT HARBOR POLICE HEADQUARTERS ANNEX PROJECT, AS AUTHORIZED BY THE BOARD IN THE FISCAL YEAR 2020 EQUIPMENT OUTLAY AND OTHER CAPITAL PROJECTS APPROPRIATION

> On a motion by Commissioner Valderrama, seconded by Commissioner Merrifield, the Board adopted Resolution 2019-145 as part of the Consent Agenda.

3. 2019-0418 RESOLUTION SELECTING AND AUTHORIZING THREE-YEAR AGREEMENTS WITH KATZ & ASSOCIATES, INC.; MOORE IACOFANO GOLTSMAN, INC.; NUFFER, SMITH, TUCKER, INC.; AND SOUTHWEST STRATEGIES, LLC FOR AS-NEEDED STRATEGIC COMMUNICATIONS CONSULTING SERVICES FOR AN AGGREGATE AMOUNT NOT TO EXCEED \$700,000 BEGINNING ON JANUARY 1, 2020 AND ENDING DECEMBER 31, 2022. FUNDS FOR FISCAL YEAR 2020 HAVE BEEN 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

BUDGET.

The following member(s) of the public addressed the Board with agenda-related comments: Michael Kulis, Director of Public Affairs and Government Relations, Nuffer, Smith, Tucker.

On a motion by Commissioner Valderrama, seconded by Commissioner Merrifield, the Board adopted Resolution 2019-146 as part of the Consent Agenda.

4. 2019-0446 RESOLUTION SELECTING AND AUTHORIZING AN AGREEMENT WITH ADEPT PROCESS SERVICES, INC. FOR REPOWERING THREE SAFE BOATS AND PURCHASING ONE SPARE ENGINE IN AN AMOUNT NOT TO EXCEED \$240,000. GRANT FUNDS THROUGH THE DEPARTMENT OF HOMELAND SECURITY 2018 PORT SECURITY GRANT PROGRAM WILL PROVIDE \$149,250, WITH THE REMAINING AMOUNT OF \$90,441.57 FUNDED BY THE DISTRICT. ALL FUNDS HAVE BEEN BUDGETED IN FISCAL YEAR 2020.

> On a motion by Commissioner Valderrama, seconded by Commissioner Merrifield, the Board adopted Resolution 2019-147 as part of the Consent Agenda.

5. 2019-0459 RESOLUTION AUTHORIZING THE GENERAL COUNSEL TO EXECUTE AMENDMENT NO. 2 TO THE AGREEMENT FOR LEGAL SERVICES WITH ORRICK, HERRINGTON & SUTCLIFFE LLP INCREASING THE MAXIMUM AMOUNT BY \$540,000 FROM \$466,400 TO \$1,006,400 AND AMENDMENT NO. 2 TO THE AGREEMENT FOR EXPERT LEGAL SERVICES WITH WINDWARD ENVIRONMENTAL LLC INCREASING THE MAXIMUM AMOUNT BY \$120,000 FROM \$210,000 TO \$330,000. FY 2020 EXPENDITURES ARE BUDGETED.

> On a motion by Commissioner Valderrama, seconded by Commissioner Merrifield, the Board adopted Resolution 2019-148 as part of the Consent Agenda.

6. 2019-0480 RESOLUTION AUTHORIZING SINGLE SOURCE SERVICE AGREEMENT WITH SOMA GLOBAL, LLC, NOT TO EXCEED \$392,500 FOR COMPUTER-AIDED DISPATCH AND POLICE MOBILE SOFTWARE AS A SERVICE SOLUTION IMPLEMENTATION AND SUBSCRIPTION INCLUDING MUTUAL INDEMNIFICATION FOR USE THROUGH FY2022 WITH A FIVE-YEAR TOTAL COST OF OWNERSHIP OF \$575,450. FY2020 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 Valderrama, seconded by Commissioner Merrifield, the Board adopted Resolution2019-149 as part of the Consent Agenda.

7. <u>2019-0490</u> RESOLUTION APPROVING AN AMENDMENT TO THE EMPLOYMENT AGREEMENT FOR THE GENERAL COUNSEL

> On a motion by Commissioner Valderrama, seconded by Commissioner Merrifield, the Board adopted Resolution 2019-150 as part of the Consent Agenda.

Board of Port Commissioners

December 10, 2019

8. 2019-0491 RESOLUTION BY A 4/5 VOTE RATIFYING THE EXECUTIVE DIRECTOR'S EMERGENCY DECLARATION AND AUTHORIZING CONTINUED ACTION FOR THE EMERGENCY SINKHOLE REPAIR AT PEPPER PARK IN NATIONAL CITY INCLUDING PROCUREMENT OF A CONTRACTOR TO IDENTIFY THE CAUSE OF UNDERGROUND FAILURE, DETERMINE THE SEVERITY OF THE DAMAGE, AND MAKE REPAIRS.

> On a motion by Commissioner Valderrama, seconded by Commissioner Merrifield, the Board adopted Resolution 2019-151 as part of the Consent Agenda.

PUBLIC HEARING AGENDA

9. 2019-0477 CONDUCT PUBLIC HEARING AND AMEND ORDINANCE ARTICLE 4, SECTION 4.14 OF THE SAN DIEGO UNIFIED PORT DISTRICT CODE REGULATING IN-WATER HULL CLEANING

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

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

10. 2019-0421 CONDUCT PUBLIC HEARING AND ADOPT AN ORDINANCE AMENDING SAN DIEGO UNIFIED PORT DISTRICT CODE ARTICLE 8, SECTION 8.05 - VENDING AND PERFORMING, REGULATED - TO CLARIFY THE INFORMATION ABOUT THE SUITABILITY OF SPECIFIC PUBLIC LOCATIONS OF THE TIDELANDS FOR CONDUCTING VENDING AND PERFORMING, AND TO REVISE THE DESIGNATED AREAS AND ALLOTTED SPACES FOR AUTHORIZED VENDING AND PERFORMING CONSISTENT WITH NEWLY ENACTED GOVERNMENT CODE SECTION 51036, ET SEQ.

> Jim Hutzelman, Manager, Business Development & Recreation Services, addressed the Board with staff's report and presentation regarding Public Hearing Agenda Item 10 - File No. 2019-0421 (A copy of the staff report, presentations and any agenda-related materials are on file with the Office of the District Clerk). Mr. Hutzelman reviewed the proposed amendments to the ordinance and added a staff request to increase the size of the designated spaces near the plank boardwalk next to the USS Midway from 8 feet by 8 feet to 10 feet by 10 feet.

Chairman Bonelli opened the Public Hearing.

The following member(s) of the public addressed the Board with agenda-related comments: Robert Butler, Area Director, Spirit of the Environment; and Marco Circosta, Policy, Downtown San Diego Partnership.

Chairman Bonelli Closed the Public Hearing.

Commissioner Castellanos, Commissioner Merrifield, and Commissioner Valderrama provided comments and asked clarifying questions. Rebecca Harrington, Senior Deputy

Board of Port Commissioners	Meeting Minutes	December 10, 2019

General Counsel, and Mr. Hutzelman responded.

On a motion by Commissioner Zucchet, seconded by Commissioner Castellanos, the Board adopted the proposed amendments including the recommendation to increase the size of the designated spaces near the USS Midway from 8 feet by 8 feet to 10 feet by 10 feet, thereby adopting Ordinance 2963. 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

ACTION AGENDA

11.2019-0388PRESENTATION OF THE SAN DIEGO UNIFIED PORT DISTRICT
EQUAL OPPORTUNITY PROGRAM ANNUAL REPORT FOR FISCAL
YEAR 18/19

Shirley Hirai, Manager of Equal Opportunity, Human Resources, addressed the Board with staff's report and presentation regarding Action Agenda Item 11 - File No. 2019-0388 (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 Castellanos, Commissioner Merrifield, and Chairman Bonelli, provided comments and asked clarifying questions. Ms. Hirai, and Randa Coniglio, President/CEO, responded.

12. <u>2019-0442</u> ORDINANCE REGARDING HOTEL WORKER RETENTION ON DISTRICT PROPERTY

Job Nelson, Chief Policy Strategist, addressed the Board with staff's report and presentation regarding Action Agenda Item 12 - File No. 2019-0442 (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 to Tony Gordon, Director, Real Estate, to discuss the specifics of the ordinance.

The following member(s) of the public addressed the Board with agenda-related comments: Ryan Karlsgodt, Unite Here Local 30; and Gretchen Newsom, Political Director, International Brotherhood of Electrical Workers.

Commissioner Zucchet, Commissioner Castellanos, Chairman Bonelli, and Commissioner Valderrama, provided comments and asked clarifying questions. Simon Kann, Deputy General Counsel, Thomas A. Russell, General Counsel, Richard Bartell, President, Bartell Hotels, and Rod Betts of Paul, Plevin, Sullivan & Connaughton, LLP responded.

Board of Port Commissioners	Meeting Minutes	December 10, 2019
Commissione	r Valderrama made a motion to adopt the o	rdinance as-is with the
addition to di	ect staff to meet with stakeholders to deve	lop acceptable language

addition to direct staff to meet with stakeholders to develop acceptable language clarifying when the first day of hire in which the 90 day countdown begins in relation to new ownership, with the caveat that staff will only need to bring this item back to the Board if stakeholders cannot agree on the language; Commissioner Zucchet seconded the motion. The Board adopted Ordinance 2964. 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

17.2019-0470RESOLUTION APPOINTING A COMMISSIONER OF THE BOARD OF
PORT COMMISSIONERS TO THE GOVERNING BOARD OF THE
CONVENTION CENTER EXPANSION FINANCING AUTHORITY

Christian Anderson, Program Manager, Real Estate, addressed the Board with staff's report and presentation regarding Action Agenda Item 17 - File No. 2019-0470 (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 non agenda-related comments: None

Chairperson Bonelli made a motion to appoint Commissioner Zucchet to the Governing Board of the Convention Center Expansion Financing Authority, Commissioner Valderrama seconded the motion. The Board thereby adopted Resolution 2019-154. 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

13. 2019-0415 PRESENTATION OF THE HARBOR DRIVE MULTIMODAL CORRIDOR STUDY AND DIRECTION TO STAFF STUDY AND DIRECTION TO STAFF

Job Nelson, Chief Policy Strategist, addressed the Board with staff's report and presentation regarding Action Agenda Item 13 - File No. 2019-0415 (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 to Stephen Schafer, Principal,

Economics and Policy to discuss the Harbor Drive Multimodal Corridor Study. Schafer then turned the presentation to Seth Torma, Senior Manager, WSP, the project focus areas, project highlights, and Harbor Drive 2.0 concepts. Mushen turned the presentation back to Mr. Schafer to discuss the potential opported close the presentation. The following member(s) of the public addressed the Board with agenda-relation members: Lisa Schmidt, Deputy Chief of Staff, on behalf of City of San Dieg. Councilmember Vivian Moreno. Len Hering, RADM, U.S. Navy (retired) was toodium earlier during the non-agenda public comment to provide a statement fem.	to discuss r. Torma ortunities, ted o called to the
comments: Lisa Schmidt, Deputy Chief of Staff, on behalf of City of San Dieg Councilmember Vivian Moreno. Len Hering, RADM, U.S. Navy (retired) was podium earlier during the non-agenda public comment to provide a statement	o called to the
Coniglio, President/CEO, and David Zajac, Naval Base San Diego's commun	n, Randa
	, City
	ainder of the
EXECUTIVE DIRECTOR AND/OR HER DESIGNATED REPRESENTATIVE TO SIGN THE JOINT RESOLUTION OF S OCAL STAKEHOLDERS RECOMMENDING PROJECT ALTERNATIVES AND FEDERAL ACTIONS TO ELIMINATE DETRIMENTAL TRANSBOUNDARY FLOWS OF WASTES IN T	
ddressed the Board with staff's report and presentation regarding Action Age File No. 2019-0461 (A copy of the staff report, presentations and any agend	enda Item 14
	related
The Board had no comments.	
Castellanos, the Board adopted Resolution 2019-152. The motion carried	by the
	comments and asked clarifying questions. Mr. Torma, Mr. Schafer, Mr. Nelso Coniglio, President/CEO, and David Zajac, Naval Base San Diego's commun and liaison officer, responded. Commissioner Valderrama read a statement he received from Brad Raulston, Manager, National City. Commissioner Zucchet left the dais at 4:30 pm and was excused for the rema- neeting. STAFF PRESENTATION AND RESOLUTION AUTHORIZING EXECUTIVE DIRECTOR AND/OR HER DESIGNATED REPRESENTATIVE TO SIGN THE JOINT RESOLUTION OF S' OCAL STAKEHOLDERS RECOMMENDING PROJECT ALTERNATIVES AND FEDERAL ACTIONS TO ELIMINATE DETRIMENTAL TRANSBOUNDARY FLOWS OF WASTES IN T FIJUANA RIVER VALLEY Mason Giffen, Vice President of Planning, Environment, and Government Rela didressed the Board with staffs report and presentations and any agend materials are on file with the Office of the District Clerk). The following member(s) of the public addressed the Board with non agenda- toomments: None The Board had no comments. On a motion by Commissioner Valderrama, seconded by Commissioner Castellanos, the Board adopted Resolution 2019-152. The motion carried ollowing vote: 4 - Bonelli, Castellanos, Merrifield, and Valderrama

Nays: 0

Excused: 3 - Malcolm, Moore, and Zucchet

Absent: 0

December 10, 2019

Abstain: 0

Recused: 0

15. 2019-0427 PRESENTATION AND RESOLUTION AUTHORIZING AGREEMENT WITH BLUE SOURCE, LLC FOR LOW CARBON FUEL STANDARD (LCFS) CONSULTANT SERVICES FOR A TERM OF UP TO FIVE YEARS

Job Nelson, Chief Policy Strategist, addressed the Board with staff's report and presentation regarding Action Agenda Item 15 - File No. 2019-0427 (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

The Board had no comments.

On a motion by Commissioner Valderrama, seconded by Chairperson Bonelli, the Board adopted Resolution 2019-153. 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
- 16.
 2019-0471
 ADOPT AN ORDINANCE AMENDING SECTION 4.37 OF THE SAN DIEGO UNIFIED PORT DISTRICT CODE RELATING TO THE REGULATION OF CHARTER VESSEL OPERATIONS IN SAN DIEGO BAY AND DISTRICT TIDELANDS

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

This Action Item was continued.

18.2019-0425REVIEW AND CONSIDERATION OF DRAFT PROPOSED BOARD
AGENDA FOR THE JANUARY 9, 2020 MEETING

On a motion by Commissioner Valderrama, seconded by Commissioner Merrifield, the Board adopted the proposed agenda for January, 2020. 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

OFFICER'S REPORT

19. <u>2019-0487</u> MONTHLY NOTIFICATION OF CHANGE ORDERS PURSUANT TO BPC POLICY NO. 110:

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 ecoSPEARS, Inc. for ecoSPEARS Pilot Project - Sampling, for total amount \$4,308.00

B) Request for User Fee Waiver Form from San Diego Association of Governments (SANDAG) for Bayshore Bikeway Right of Entry License Agreements, for total amount \$500.00

C) Request for User Fee Waiver Form from Sunken Seaweed, LLC for TUOP for Sunken Seaweed Blue Economy Project, 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:

A) Rent Review Administrative Approval Letter with Shelter Island, Inc. dba Bali Hai for Rental Period Beginning 01/01/20 thru 12/31/29

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

December 10, 2019

Mid Secretary, Board of Port Commissioners

San Diego Unified Port District

ATTEST:

Morales

Clerk of the San Diego Unified Port District