



San Diego Unified Port District

3165 Pacific Hwy.
San Diego, CA 92101

Meeting Minutes

Board of Port Commissioners

Tuesday, November 14, 2023

1:00 PM

Don L. Nay Port Administration Boardroom

A. Roll Call.

Present: 6 - Chair Rafael Castellanos, Commissioner Dan Malcolm, Commissioner Ann Moore, Commissioner Danielle Moore, Commissioner Sandy Naranjo, and Commissioner Frank Urtasun

Excused: 1 - Commissioner Michael Zucchet

Absent: 0

Recused: 0

Officers Present: Coniglio, Gomez, Morales, Russell and Yeilding.

B. Statement (just cause) and/or Consideration of a Request to Participate Remotely (emergency circumstances) by a Commissioner, if applicable

No requests received.

C. Pledge of Allegiance.

Commissioner A. Moore led the Pledge of Allegiance.

D. Closed Session Report Out.

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

E. Public Communications.

The following member(s) of the public addressed the Board with non agenda-related comments: William J. Dorsett.

F. Board Committee Reports.

None.

G. Commissioners' Reports.

Chairman Castellanos announced that the California State Lands Commission held their regular public meeting in the Port's Board Room on October 19, 2023, and stated that the Port's many accomplishments over the years have been because of the great partnership with the California State Lands Commission. At the meeting Chairman Castellanos provided welcoming remarks and shared what the Port is doing regarding electrification efforts, the economic role in the region and the state, and the Trust Lands Use Plan, with respect to the additional jurisdiction the Port is acquiring pursuant to Senate Bill 507. Chairman Castellanos also shared that during Executive Director Lucchesi's report, she invited Imperial Beach Mayor Aguirre and Jason Giffen, Vice President, Planning and Environment, to speak about the Tijuana River transboundary water pollution issues at the border. Lieutenant Governor Kounalakis underscored the severity of this pollution and its impact on the region.

Commissioner Naranjo reported that she represented the Port at the 112th Annual Conference and Expo of the American Association of Port Authorities, October 22 - 25, 2023, in Aurora, Colorado. The conference dealt with a wide array of topics but much of the discussion and debate was about how to best electrify terminal operations. She shared that the Port is an industry leader in the electrification space through the Maritime Clean Air Strategy. Commissioner Naranjo also said that the conference was held at the Gaylord Rockies Resort and Convention Center which gave her a renewed appreciation for the level of opulent accommodations which the Gaylord Pacific Resort and Conference Center will have when it opens on the Chula Vista Bayfront.

Commissioner Naranjo also provided a report on the Maritime Community Tour with Dole Fresh Fruit and the Environmental Health Coalition (EHC) that she and Commissioner Zucchet attended on October 30, 2023. Dole provided an overview of their business operations and EHC provided an in-depth presentation noting the environmental impacts of industrial activities around the surrounding neighborhoods. Jointly, the Port, Dole and EHC collaborated and brainstormed on a path to help truckers convert their diesel vehicles to zero emission trucks. Commissioner Naranjo shared that after the meeting they went on a terminal tour of tenth avenue and had an opportunity to climb up on the brand new all electric mobile harbor cranes.

Commissioner Naranjo then shared that on October 13, 2023, she was joined by the Mayor and Vice Mayor of National City at the Coastal Commission hearing and spoke under Non-Agenda Comments about the history of National City Balanced Plan and what it means for a community like National City to have access to the waterfront. Commissioner Naranjo said they are hopeful the Balanced Plan will be docketed at the February 2024 Coastal Commission Meeting. Commissioner Malcolm shared that he attended the October 11, 2023, Coastal Commission meeting on the transboundary flow of the Tijuana River, which is the most polluted watershed in the United States. The International Boundary Water Commission (IBWC) which controls the international treatment plant disclosed they have over \$110M of deferred maintenance on the plant and the plant is not operating at full capacity. Commissioner Malcom expressed that this is a state of emergency and thanked Chairman Castellanos and the team for their efforts in Washington, DC, which resulted in the Biden Administration putting \$310M into the supplemental appropriation.

Commissioner Danielle Moore reported on the International Association of Ports and Harbors conference, held from October 31 to November 2, 2023, in Abu Dhabi. Panels and discussion sessions included the impact of zero carbon fuels on global trading routes and cargo flow; the role of ports as clean energy marine hubs; carbon capture and

storage at ports; the resurgence of the cruise ship industry; decarbonizing terminals; response and recovery from natural disasters; cyber threats to ports; and the new reality for breakbulk ports. Commissioner Moore explained that the bottom-line message is that ports need to electrify to prepare for increased cargo volume in the years ahead.

Chairman Castellanos announced that he, Commissioners Malcolm and Urtasun, Job Nelson, Vice President, Strategy and Policy, Joel Valenzuela, Director, Maritime, and Greg Borossay, Principle, Maritime Business Development joined Mayor Todd Gloria and Chairwoman, County Board of Supervisors, Nora Vargas, in the San Diego to Korea Trade Mission. The purpose of this trade mission is for San Diego businesses of all sizes, to help foster more foreign trade and investments. Commissioner Malcolm reiterated the importance of Maritime with the economic benefits to the region, jobs and the goods that come in and Commissioner Urtasun spoke about companies they met with in Korea, seeing their Port which was built on reclaimed land and the discipline in their entrepreneurial ways.

H. Special Recognition

Makayla Garcia Virgil, Administrative Assistant II, Commissioner Services, shared that Native American Heritage Month is celebrated throughout the month of November and this year's theme is Celebrating Tribal Sovereignty and Identity. Ms. Virgil announced that later in the month, staff will have the opportunity to listen to presenters from the Native American community including the University of San Diego's Tribal Liaison and the founder and an alumni of Native Like Water.

Ms. Virgil also acknowledged the following celebrations in the month of November. Dia de los Muertos, a Mexican holiday where families welcome back the souls of their deceased relatives for a brief reunion; Diwali, a religious festival in Hinduism, Jainism, and Sikhism, symbolizing the victory of light over darkness; and Veteran's Day, which honors American veterans of all wars.

Sureena Basra, Senior Planner, Planning, introduced Melissa Belen-Gonzalez who is the 2023-2024 CivicSpark Fellow. The CivicSpark program is a Governor's Initiative AmeriCorps program dedicated to building capacity of local public agencies to address community resilience issues. Ms. Belen-Gonzalez joined the Planning & Environment Division in September and will be working with the Planning and Aquaculture & Blue Tech department.

I. President's Report.

Randa Coniglio, Acting President/CEO shared that on October 12, 2023, the Harbor Police Department renewed their Memorandum of Understanding (MOU) with the U.S. Department of State in support of their mission to provide professional law enforcement training across the globe. During a special ceremony at Harbor Police Headquarters, Chief Magda Fernandez and Assistant Secretary of State, Todd Robinson, signed the agreement continuing the partnership between the two agencies.

Ms. Coniglio then announced that the Port participated in the World Woman Foundation Sustainability Conference on October 26, 2023. Paula Sylvia, Program Director, Aquaculture and Blue Tech Team, and Renee Yarmy, Program Director, Maritime, were panelists in "Leading the Era of Equality and Equal Future" and "Transitioning from Ambition to Action for Sustainable Future" sessions. The purpose of the first annual conference was to bring together a diverse and engaged group to discuss and address crucial issues in sustainability and equality.

Lastly, Ms. Coniglio reported the Department of Transportation announced Port Infrastructure Development Program (PIDP) Awards on November 3, 2023, and the Port was included in the list of awardees. The Port will receive \$11.25M for the National City Marine Terminal Berth Rehabilitation and Electrification Project which will repair two berths, fund shore power installation and lighting upgrades, and deploy technology to improve operational efficiency at the terminal. Ms. Coniglio expressed gratitude to Pasha Automotive Services for their collaboration and partnership on this application and also shared that this grant award was the fifth since 2021 for projects around the terminal, bringing the total to \$76M.

J. District Clerk's Announcements.

Donna Morales, District Clerk, announced that additional agenda-related materials were received by the Board after publication of the agenda for the following items: Item 8 - File 2023-0260; Item 12 - File 2023-0265; and Item 15 - File 2023-0270.

Ms. Morales also announced that staff requests that the Board consider the following items be continued to a future Board meeting: Item 1 - File 2023-0282 and Item 17 - File 2023-0276.

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

Yeas: 6 - Rafael Castellanos, Dan Malcolm, Ann Moore, Danielle Moore, Sandy Naranjo, and Frank Urtasun

Nays: 0

Excused: 1 - Michael Zucchet

Absent: 0

Abstain: 0

Recused: 0

CONSENT AGENDA

Commissioner Urtasun announced that due to owning Sempra stock, he is recusing himself from Item 4 - File 2023-0247 and did not participate.

8. [2023-0260](#) RESOLUTION ESTABLISHING THE BOARD OF PORT COMMISSIONERS' REGULAR MEETING DATES FOR CALENDAR YEAR 2024

On a motion made by Commissioner D. Moore seconded by Commissioner Naranjo, the Board adopted Resolution 2023-098 adjusting the recommended January Board Meeting date from Wednesday, January 17, 2024 to Thursday, January 18, 2024, as part of the Consent agenda.

Yeas: 6 - Rafael Castellanos, Dan Malcolm, Ann Moore, Danielle Moore, Sandy Naranjo, and Frank Urtasun

Nays: 0

Excused: 1 - Michael Zucchet

Absent: 0

Abstain: 0

Recused: 0

4. [2023-0247](#) ADOPT AN ORDINANCE FINDING THE BOARD ACTION EXEMPT UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA), INCLUDING BUT NOT LIMITED TO, CEQA GUIDELINES SECTIONS 15301, 15303, AND 15304, AND GRANTING A TWENTY (20) YEAR EASEMENT TO SAN DIEGO GAS & ELECTRIC FOR THE INSTALLATION, OPERATION AND MAINTENANCE OF UNDERGROUND AND ABOVEGROUND ELECTRICAL FACILITIES IN CONNECTION WITH THE NATIONAL CITY MARINE TERMINAL SHORE POWER PROJECT IN THE CITY OF NATIONAL CITY, CALIFORNIA

Commissioner Urtasun announced that due to owning Sempra stock, he is recusing himself from this item and did not participate.

On a motion made by Commissioner D. Moore seconded by Commissioner Naranjo, the Board adopted Ordinance 3108 as part of the Consent agenda.

Yeas: 5 - Rafael Castellanos, Dan Malcolm, Ann Moore, Danielle Moore, and Sandy Naranjo

Nays: 0

Excused: 1 - Michael Zucchet

Absent: 0

Abstain: 0

Recused: 1 - Frank Urtasun

On a motion made by Commissioner Malcolm, seconded by Commissioner Naranjo, the Board adopted Items 2, 3, 5 - 7, 9 and 10; Resolution 2023-094; Ordinance 3107; Resolution 2023-095; Resolution 2023-096; Resolution 2023-097; Ordinance 3109; Resolution 2023-099; Resolution 2023-100; and Resolution 2023-101. The motion carried by the following vote:

Yeas: 6 - Rafael Castellanos, Dan Malcolm, Ann Moore, Danielle Moore, Sandy Naranjo, and Frank Urtasun

Nays: 0

Excused: 1 - Michael Zucchet

Absent: 0

Abstain: 0

Recused: 0

1. [2023-0282](#) RESOLUTION AUTHORIZING A SOLE SOURCE EQUIPMENT PURCHASE AGREEMENT AND CONSULTANT AGREEMENT WITH WATTS MARINE, LLC IN THE AMOUNT NOT TO EXCEED \$X,XXX,XXX FOR EQUIPMENT FOR THE CRUISE SHIP TERMINAL ADDITIONAL SOUTH BERTH SHORE POWER CONNECTION POINT PROJECT

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. [2023-0212](#) RESOLUTION AUTHORIZING AMENDMENT NO. 3 TO AGREEMENT WITH V3IT CONSULTING, INC. FOR REMOTE MANAGED SUPPORT SERVICES OF ALL DATABASES, OPERATING SYSTEMS, AND SAP SECURITY ROLE BUILDS TO INCREASE MAXIMUM EXPENDITURE FROM \$840,000 TO \$1,182,000 AND EXTEND THE TERM OF THE AGREEMENT TO 6/30/2025.

On a motion made by Commissioner Malcolm seconded by Commissioner Naranjo, the Board adopted Resolution 2023-094 as part of the Consent agenda.

3. [2023-0238](#) A) ORDINANCE AMENDING THE FY 2024 DISTRICT BUDGET INCREASING THE FY 2024 EQUIPMENT OUTLAY AND OTHER CAPITAL PROJECT APPROPRIATION BY \$3,800,000 TO BE FUNDED FROM UNRESTRICTED RESOURCES AND FY 2023 CARRYOVER - CUMULATIVE UNRESTRICTED RESOURCES FOR THE STORAGE TANKS DEMOLITION AND STORM WATER IMPROVEMENTS AT TENTH AVENUE MARINE TERMINAL PROJECT.

B) RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND

AWARDING BASE BID SCHEDULE AND ADDITIVE BID SCHEDULES A THROUGH D OF CONTRACT NO. 2022-01R TO AMG DEMOLITION & ENVIRONMENTAL SERVICE, INC. IN THE AMOUNT OF \$4,666,497.79 FOR THE STORAGE TANKS DEMOLITION AND STORM WATER IMPROVEMENTS AT TENTH AVENUE MARINE TERMINAL PROJECT, SAN DIEGO, CALIFORNIA AS AUTHORIZED BY THE BOARD IN THE FY 2022 ECONOMIC RECOVERY PROGRAM APPROPRIATION.

On a motion made by Commissioner Malcolm seconded by Commissioner Naranjo, the Board adopted Ordinance 3107 and Resolution 2023-095 as part of the Consent agenda.

5. [2023-0249](#) RESOLUTION APPROVING REALLOCATION OF UNSPENT FUNDS IN THE ECONOMIC RECOVERY PROGRAM (ERP) BUDGET IN THE AMOUNT OF \$200,000 TO ERP018 MOLASSES TANK REMOVAL, AND \$345,000 TO ERP030 CUSTOMER PAYMENT PORTAL - S4/HANA UPGRADE

On a motion made by Commissioner Malcolm seconded by Commissioner Naranjo, the Board adopted Resolution 2023-096 as part of the Consent agenda.

6. [2023-0250](#) RESOLUTION ACCEPTING GRANT FUNDS FROM THE STATE OF CALIFORNIA NATURAL RESOURCES AGENCY, DEPARTMENT OF PARKS AND RECREATION, DIVISION OF BOATING AND WATERWAYS (DBW) FOR THE FY24 SURRENDERED AND ABANDONED VESSEL EXCHANGE (SAVE) PROGRAM IN THE AMOUNT OF \$100,000 AND GRANTING INDEMNITY

On a motion made by Commissioner Malcolm seconded by Commissioner Naranjo, the Board adopted Resolution 2023-097 as part of the Consent agenda.

7. [2023-0268](#) ORDINANCE GRANTING AMENDMENT NO. 1 TO LEASE WITH SAN DIEGO REFRIGERATED SERVICES, INC., RESOLVING A LEASE INTERPRETATION DISPUTE BY REMOVING CERTAIN REVENUE SHARING OBLIGATIONS OF THE DISTRICT AND, IN EXCHANGE, EXTENDING THE FINAL OPTION TERM BY THREE YEARS

On a motion made by Commissioner Malcolm seconded by Commissioner Naranjo, the Board adopted Ordinance 3109 as part of the Consent agenda.

9. [2023-0223](#) DISTRICT'S BLUE ECONOMY INCUBATOR HYPERKELP PILOT PROJECT
A) ADOPT A RESOLUTION FINDING THE FOLLOWING BOARD ACTION EXEMPT UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA), INCLUDING BUT NOT LIMITED TO, CEQA GUIDELINES SECTIONS 15301, 15303, 15304, 15306, and 15311; AND

B) ADOPT A RESOLUTION AUTHORIZING AGREEMENT UNDER THE DISTRICT'S BLUE ECONOMY INCUBATOR WITH HYPERKELP INC. FOR A 2-YEAR PILOT PROJECT TO DEVELOP, TEST, AND VALIDATE

A SMART BUOY PLATFORM TAILORED FOR VARIOUS PORT MONITORING APPLICATIONS FOR AN AMOUNT NOT TO EXCEED \$250,000. FUNDING FOR THE PROPOSED PILOT PROJECT IS INCLUDED IN THE APPROVED FY 2024 ECONOMIC RECOVERY PROGRAM BUDGET

On a motion made by Commissioner Malcolm seconded by Commissioner Naranjo, the Board adopted Resolution 2023-099 and Resolution 2023-100 as part of the Consent agenda.

10. [2023-0289](#) ADOPT A RESOLUTION PROCLAIMING A LOCAL EMERGENCY DUE TO THE DISCOVERY OF AN INVASIVE ALGAE CAULERPA PROLIFERA FOUND IN THE CORONADO CAYS, SOUTH SAN DIEGO BAY

On a motion made by Commissioner Malcolm seconded by Commissioner Naranjo, the Board adopted Resolution 2023-101 as part of the Consent agenda.

PUBLIC HEARING AGENDA

11. [2023-0274](#) VENDING AND EXPRESSIVE ACTIVITY:
- A. ADOPT A RESOLUTION FINDING THE FOLLOWING BOARD ACTION EXEMPT UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA), INCLUDING, BUT NOT LIMITED TO, CEQA GUIDELINES SECTIONS 15301 AND 15304;
- B. CONDUCT A PUBLIC HEARING AND ADOPT AN ORDINANCE AMENDING SAN DIEGO UNIFIED PORT DISTRICT CODE ARTICLE 8, SECTION 8.05 - VENDING AND EXPRESSIVE ACTIVITY, REGULATED, TO MODIFY THE NUMBER, LOCATION, AND SIZES OF ALLOTTED SPACES IN CERTAIN DESIGNATED AREAS, AND TO UPDATE THE COMMERCIAL VENDING PERMITTING CYCLES, AND TO AUTHORIZE THE EXECUTIVE DIRECTOR TO SUSPEND OR REVOKE COMMERCIAL VENDING PERMITS FOR FAILURE TO COMPLY WITH THE DISTRICT'S ORDINANCE OR THE TERMS OF THE PERMIT

Larry Hofreiter, Director, Parks and Recreation, joined by Erica Nogueira, Program Manager, Parks and Recreation, Captain Jonathan George, Harbor Police Department, and Simon Kann, Assistant General Counsel, Office of the General Counsel, addressed the Board with staff's report and presentation regarding Agenda Item 11 - File No. 2023-0274 (A copy of the staff report, presentations and any agenda-related materials are on file with the Office of the District Clerk).

Chairman Castellanos opened the Public Hearing.

The following member(s) of the public addressed the Board with agenda-related comments: Christian Lopez; Christina Plascencia, Owner, Highest Realm; William J Dorsett with time ceded by Pat Moran; Gary Faught, Bubble Tsunami; Sharon Cloward, President, San Diego Working Waterfront; Michelle McFadden; and Don Newton.

Commissioner A. Moore, Commissioner Urtasun, Commissioner Malcolm, Commissioner D. Moore and, Chairman Castellanos provided comments.

On a motion by Commissioner Naranjo, seconded by Commissioner D. Moore, the Board adopted Item A. Resolution 2023-102. The motion carried by the following vote:

Yeas: 6 - Rafael Castellanos, Dan Malcolm, Ann Moore, Danielle Moore, Sandy Naranjo, and Frank Urtasun

Nays: 0

Excused: 1 - Michael Zucchet

Absent: 0

Abstain: 0

Recused: 0

On a motion by Commissioner Urtasun, seconded by Commissioner D. Moore, the Board adopted Item B. Ordinance 3110. The motion carried by the following vote:

Yeas: 6 - Rafael Castellanos, Dan Malcolm, Ann Moore, Danielle Moore, Sandy Naranjo, and Frank Urtasun

Nays: 0

Excused: 1 - Michael Zucchet

Absent: 0

Abstain: 0

Recused: 0

- 12.** [2023-0265](#) **MOTORIZED MOBILITY DEVICES AND PEDICABS:**
- A. ADOPT A RESOLUTION FINDING THE FOLLOWING BOARD ACTIONS EXEMPT UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA), INCLUDING BUT NOT LIMITED TO, CEQA GUIDELINES SECTIONS 15301 AND 15311; AND
- B. CONDUCT A PUBLIC HEARING AND ADOPT AN ORDINANCE AMENDING SAN DIEGO UNIFIED PORT DISTRICT (SDUPD) CODE ARTICLE 8, SECTION 8.07 - REGULATION OF MOTORIZED MOBILITY DEVICES AND PEDICABS ON DISTRICT TIDELANDS
- C. DIRECT STAFF TO DEVELOP AND EXECUTE SHORT-TERM OPERATING AGREEMENTS WITH PEDICABS FOR HIRE CONDUCTING COMMERCIAL ACTIVITY ON DISTRICT TIDELANDS, WITH CONDITIONS AND COST RECOVERY AT NO LESS THAN 25% OF THE COSTS TO OPERATE THE PROGRAM

Ken Wallis, Director, Guest Experiences, joined by Kristine Love, Parking Manager, Guest Experiences - Parking, Captain Jonathan George, Harbor Police Department, and John Carter, Senior Deputy General Counsel, Office of the General Counsel, addressed the Board with staff's report and presentation regarding Agenda Item 12 - File No. 2023-0265 (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: Anonymous; Michael Wawbzyński, Owner, Pedicab Limo; Ryan Gurin, Pedicab Limo; Jason Goodman, Manchester Grand Hyatt; Ian Salibo, Nighttime Manager, Manchester Grand Hyatt; Todd Condon, Director, Security and Safety, Manchester Grand Hyatt; Maria Pelayo, Director of Rooms, Manchester Grand Hyatt; Marshall Anderson, San Diego County Lodging Association; Riza Korkusz; Donna Chong, Hotel Manager, Marriott Marquee San Diego Marina; Aidan Postun, Ace Parking; Sharon Cloward, President, San Diego Working Waterfront; Rob Arnold, Managing Director, The Rady's Shell; Janet Rogers, Co-Chair, Safe Walkways; William Dorsett; Pat Moran; Christian Lopez; and Janet Callow, Jr. Staff Commodore, Outboard Boating Club.

Chairman Castellanos closed the Public Hearing.

Commissioner Malcolm, Commissioner Urtasun, Commissioner D. Moore and, Chairman Castellanos provided comments and asked clarifying questions. Ken Wallis, Kristine Love and Captain Jonathan George responded.

On a motion by Commissioner D. Moore, seconded by Commissioner A. Moore, the Board adopted Item A. Resolution 2023-103. The motion carried by the following vote:

Yeas: 6 - Rafael Castellanos, Dan Malcolm, Ann Moore, Danielle Moore, Sandy Naranjo, and Frank Urtasun

Nays: 0

Excused: 1 - Michael Zucchet

Absent: 0

Abstain: 0

Recused: 0

On a motion by Commissioner D. Moore, seconded by Commissioner A. Moore, the Board adopted Item B. Ordinance 3111. The motion carried by the following vote:

Yeas: 6 - Rafael Castellanos, Dan Malcolm, Ann Moore, Danielle Moore, Sandy Naranjo, and Frank Urtasun

Nays: 0

Excused: 1 - Michael Zucchet

Absent: 0

Abstain: 0

Recused: 0

ACTION AGENDA**15. [2023-0270](#) RESOLUTION ELECTING CHAIRPERSON, VICE CHAIRPERSON AND SECRETARY OF THE BOARD OF PORT COMMISSIONERS FOR 2024**

Chairman Castellanos introduced the item.

The following member(s) of the public addressed the Board with agenda-related comments: Topher McDougal, Professor of Economic Development at the University of San Diego; Rita Clement, San Diego 350; Rhea Coleman, Climate Justice Action Team, First Unitarian Church, San Diego; Moy Muir, Network and Policy Advocate for Climate Plan I N; Josephine Talamantez, Chair, Chicano Park Museum and Cultural Center; Joan Rincon; Joan Callon; J.L. Jackson, One World Bridge; Jean Seager; James Ferguson, Environmental Justice Action Team, First Unitarian Church; Doris Besikof; Marcus Bush, Councilmember, National City; Geoffrey Schrock; Steven Gelb; Jesse N. Marquez, Executive Director, Coalition for a Safe Environment, with time ceded by Paul Pereira; Ricardo Pulido, Board Chair, Coalition for a Safe Environment; Kyle Heiskala, Policy Co-Director, Environmental Health Coalition; Laura Wilkinson Sinton, stopthesewage.org; Marely Ramirez, President, Coronado Democratic Club; Izadora McGawley, Mundo Gardens; Timothy Bilash, MD; and Marcy Bielma, Longshoreman, Port of Los Angeles.

Commissioner Naranjo requested to speak and provided comments.

Commissioner Naranjo made a motion to delay the Officer vote. Motion failed due to lack of second.

Chairman Castellanos, Commissioner Urtasun, Commissioner Malcolm, Commissioner D. Moore, and Commissioner A. Moore provided comments.

Commissioner Malcolm, called for a motion to elect Commissioner Urtasun as Chairman, Commissioner D. Moore as Vice Chair, and Commissioner A. Moore as Secretary. Chairman Castellanos seconded the motion; the Board adopted Resolution 2023-107. The motion carried by the following vote:

Yeas: 5 - Rafael Castellanos, Dan Malcolm, Ann Moore, Danielle Moore, and Frank Urtasun

Nays: 1 - Sandy Naranjo

Excused: 1 - Michael Zucchet

Absent: 0

Abstain: 0

Recused: 0

PUBLIC HEARING CONTINUED**13. [2021-0436](#) HARBOR ISLAND WEST MARINA REDEVELOPMENT PROJECT LOCATED AT 2040 HARBOR ISLAND DRIVE IN SAN DIEGO:**

A) ADOPT A RESOLUTION ADOPTING THE FINAL MITIGATED NEGATIVE DECLARATION FOR THE HARBOR ISLAND WEST MARINA REDEVELOPMENT PROJECT, ADOPTING THE MITIGATION

MONITORING AND REPORTING PROGRAM, AND DIRECTING FILING OF THE NOTICE OF DETERMINATION; AND
B) ADOPT A RESOLUTION GRANTING CONCEPT APPROVAL TO HIW ASSOCIATES, L.P. FOR THE HARBOR ISLAND WEST MARINA REDEVELOPMENT PROJECT; AND
C) CONDUCT A PUBLIC HEARING AND ADOPT A RESOLUTION AUTHORIZING ISSUANCE OF AN APPEALABLE COASTAL DEVELOPMENT PERMIT TO HIW ASSOCIATES, L.P. FOR THE HARBOR ISLAND WEST MARINA REDEVELOPMENT PROJECT; AND
D) ADOPT AN ORDINANCE GRANTING AN OPTION TO LEASE AGREEMENT WITH HIW ASSOCIATES, L.P., WITH CONDITIONS, FOR A FORTY YEAR AMENDED AND RESTATED LEASE WITH ONE TEN-YEAR OPTION TO EXTEND.

Wileen Manaois, Director, Development Services, joined by Megan Hamilton, Senior Planner, Development Services, Amy Gerritsen, Program Manager, Real Estate, and David Jones, Deputy General Counsel IV, Office of the General Counsel, addressed the Board with staff's report and presentation regarding Agenda Item 13 - File No. 2021-0436 (A copy of the staff report, presentations and any agenda-related materials are on file with the Office of the District Clerk).

Chairman Castellanos opened the Public Hearing.

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

Chairman Castellanos closed the Public Hearing.

Commissioner Urtasun, Commissioner Malcolm, Commissioner A. Moore and, Chairman Castellanos provided comments.

On a motion by Commissioner Urtasun, seconded by Commissioner Malcolm, the Board adopted Item A. Resolution 2023-104. The motion carried by the following vote:

Yeas: 5 - Rafael Castellanos, Dan Malcolm, Ann Moore, Sandy Naranjo, and Frank Urtasun

Nays: 0

Excused: 2 - Danielle Moore, and Michael Zucchet

Absent: 0

Abstain: 0

Recused: 0

On a motion by Commissioner A. Moore, seconded by Commissioner Urtasun, the Board adopted Item B. Resolution 2023-105. The motion carried by the following vote:

Yeas: 5 - Rafael Castellanos, Dan Malcolm, Ann Moore, Sandy Naranjo, and Frank Urtasun

Nays: 0

Excused: 2 - Danielle Moore, and Michael Zucchet

Absent: 0

Abstain: 0

Recused: 0

On a motion by Commissioner A. Moore, seconded by Commissioner Urtasun, the Board adopted Item C. Resolution 2023-106. The motion carried by the following vote:

Yeas: 6 - Rafael Castellanos, Dan Malcolm, Ann Moore, Danielle Moore, Sandy Naranjo, and Frank Urtasun

Nays: 0

Excused: 1 - Michael Zucchet

Absent: 0

Abstain: 0

Recused: 0

On a motion by Commissioner Malcolm, seconded by Commissioner A. Moore, the Board adopted Item D. Ordinance 3112. The motion carried by the following vote:

Yeas: 6 - Rafael Castellanos, Dan Malcolm, Ann Moore, Danielle Moore, Sandy Naranjo, and Frank Urtasun

Nays: 0

Excused: 1 - Michael Zucchet

Absent: 0

Abstain: 0

Recused: 0

ACTION AGENDA CONTINUED

14. [2023-0273](#) PRESENTATION AND DIRECTION TO STAFF ON DEVELOPMENT PROPOSALS RECEIVED FROM GAGE ZERO LLC AND SKYCHARGERS LLC PURSUANT TO RFP 23-12MB TO ENTER INTO A LEASE FOR THE DEVELOPMENT OF A ZERO EMISSION TRUCK STOP AT 19TH STREET AND TIDELANDS AVENUE IN NATIONAL CITY, IN FURTHERANCE OF MCAS TRUCK GOAL 2, PURSUANT TO BOARD POLICY NO. 360.

Maggie Weber, Principal, Strategic Planning - Energy and Policy, joined by Jason Giffen, Vice President, Planning and Environment, Ryan Donald, Department Manager, Real Estate, and Simon Kann, Assistant General Counsel, Office of the General Counsel, addressed the Board with staff's report and presentation regarding Agenda Item 14 - File No. 2023-0273 (A copy of the staff report, presentations and any agenda-related materials are on file with the Office of the District Clerk).

Zeina El-Azzi, Chief Executive Officer and Founder, Gage Zero and Andy Karetsky, Acting Chief Executive Officer, Skychargers, and President, SkyView Ventures joined by Matt Larson, Burns and McDonnell, Anita Lopez, SoyLopez Consulting, shared presentations on their respective proposals.

The following member(s) of the public addressed the Board with agenda-related comments: Ali Mariko Dressel, Climate Justice Policy Coordinator, Climate Action Campaign; Tanisha-Jean Martin, Climate Community Director, San Diego Urban Sustainability Coalition; Kyle Heiskala, Policy Co-Director, Environmental Health Coalition; Sophie Silvestri, Business Development & Government Affairs, Pasha Automotive Services; Imani Robinson, Commissioner, Arts and Culture Commission; Paul Cleary, Executive Director, Grid Alternative San Diego; and Marcus Bush, Councilmember, National City.

Commissioner Malcolm, Commissioner Naranjo, Commissioner A. Moore, Chairman Castellanos and Commissioner D. Moore provided comments and asked clarifying questions. Maggie Weber, Phil Gibbons, Program Director, Planning; Zeina El-Azzi;

Andy Karetsky; Matt Larson; Sam Arons, Vice President, Business Development, Gage Zero; Carly Filler, Chief Development Officer, Gage Zero; Anita Lopez; Kyle Heiskala; Iga Hallberg, Vice President of Partnerships, Gage Zero, and Jason Giffen responded.

16. [2023-0011](#) REVIEW AND CONSIDERATION OF DRAFT PROPOSED BOARD AGENDA FOR THE DECEMBER 5, 2023 MEETING

On a motion by Commissioner A. Moore, seconded by Commissioner Naranjo, the Board approved the proposed agenda for December. The motion carried by the following vote:

Yeas: 5 - Rafael Castellanos, Dan Malcolm, Ann Moore, Danielle Moore, and Sandy Naranjo

Nays: 0

Excused: 2 - Frank Urtasun, and Michael Zucchet

Absent: 0

Abstain: 0

Recused: 0

17. [2023-0276](#) ENGINEERING-CONSTRUCTION RESOURCES

A.) STAFF PRESENTATION: FINDINGS FROM THE BLACK & VEATCH STAFFING ANALYSIS OF THE ENGINEERING-CONSTRUCTION DEPARTMENT.

B.) RESOLUTION AUTHORIZING AMENDMENT NO. 3 TO INCREASE, AT NO FISCAL IMPACT TO THE DISTRICT, THE COMBINED CONTRACT CAPACITY BY \$7,000,000 FOR THE FIVE-YEAR AS-NEEDED AGREEMENTS WITH AECOM TECHNICAL SERVICES, ARCADIS U.S., INC., HARRIS & ASSOCIATES, INC., AND HDR ENGINEERING, INC. FOR PROJECT MANAGEMENT/CONSTRUCTION MANAGEMENT SERVICES, INCREASING THE AGGREGATE TOTAL FOR CURRENT AND FUTURE FISCAL YEARS FROM \$4,050,000 TO \$11,050,000, THEREBY INCREASING THE CAPACITY OF THESE AGREEMENTS TO A LEVEL ALLOWING CONTINUED EXECUTION ON BUDGETED PROJECTS WITH NO CORRESPONDING BUDGET INCREASE REQUIRED

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.

OFFICER'S REPORT**18. [2023-0290](#) OFFICER'S REPORT**

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:

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

