



San Diego Unified Port District

3165 Pacific Hwy.
San Diego, CA 92101

Meeting Minutes

Board of Port Commissioners

Tuesday, November 8, 2016

1:00 PM

Don L. Nay Port Administration Boardroom

B. Closed Session Report Out.

A. Roll Call

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

Excused: 1 - Commissioner Moore

Absent: 0

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

C. Pledge of Allegiance.

Commissioner Valderrama led the Pledge of Allegiance.

D. Public Communications.

The following members of the public addressed the Board with non-agenda related comments: Katheryn Rhodes

E. Commissioners' Reports.

Commissioner Bonelli reported that he, Commissioner Malcolm, and District staff attended the American Association of Port Authorities 105th Annual Convention in New Orleans on October 23-26, 2016. The conference focused on best practices and how to finance major projects. Commissioner Bonelli also reported that they heard from key federal officials who spoke about infrastructure financing, the regulatory environment and also potential impacts of the upcoming elections.

Chairman Merrifield reported that he had the honor of accepting the "Citizen Diplomat Organization of the Year" Award on behalf of the Port of San Diego at the San Diego Diplomacy Council's 36th Annual Diplomacy Day Gala on October 22. This event is hosted by an organization that has been around for more than 35 years, developing global relationships through education and cultural exchanges in collaboration with community leaders, international agencies, the United States Department of State and the San Diego Diplomacy Council. Chairman Merrifield also report that the District has provided visiting delegates with bus tours and showed them the many different businesses along the waterfront including hotels, parks, terminals and maritime businesses.

F. President's Report.

Randa Coniglio, Executive Director, introduced Marco Cromartie, Director of General Services, to present a Life-Saving Award Commendation to Rene Gallegos, Maintenance Worker I, General Services. Mr. Cromartie stated that on Friday, October 21, 2016, while working his route on Shelter Island, he rescued an elderly gentleman who had fallen off the dock.

Ms Coniglio then introduced Ernie Medina, Chief Engineer, for an update on the Major Maintenance Program. Mr. Medina reported that the Engineering-Construction Department exceeded their goal by completing the Fiscal Year 15/16 Major Maintenance Program with a 133% execution rate. The staff completed 17 planned projects and 7 additional projects. In the administration building staff completed electrical panel upgrades on the 4th and 5th floors, and modernized the elevator systems. At B Street Pier, staff repaired the fender system, and installed a new solar array on top of the cruise ship terminal. The Broadway Pier Pavilion received enhancements to increase occupancy levels to host larger events. Adjacent to the piers pedestrian access upgrades were made along Harbor Drive in a coordinated effort with the City of San Diego. At the neighboring North Embarcadero Wharf, the engineering staff jumped into action after a vessel struck and damaged our seawall. Mr. Medina reported that the immediate response and quick actions by staff made it possible to reopen the section of wharf in only 2 months. In addition our Harbor Police Headquarters received many upgrades this year; including roof leak repairs and window replacement. Also, the investigations office trailers were replaced with a new modular building. Furthermore, Mr. Medina stated that at the Tenth Avenue Marine Terminal, the corrosion protection system was replaced to continue protecting the existing steel sheet piles. Mr. Medina stated that the Engineering-Construction Department has successfully completed 24 major maintenance projects this year and recognized the for their hard work and ingenuity. Mr. Medina concluded with the recently completed Capital Improvement Project to install 2 high mast lights at Cesar Chavez Park that make the park useable after dusk. Commissioner Malcolm and Commissioner Nelson offered supportive comments regarding the accomplishments and completions of the Major Maintenance Projects this year.

Ms. Coniglio introduced Eileen Maher, Principal of Planning and Green Port. Ms. Maher spoke about the Endangered Ridgway's Rails released into National Wildlife Refuge in south San Diego Bay and showed a brief media clip highlighting the release.

G. District Clerk’s Announcements.

Laura Nicholson, Deputy District Clerk, reported that staff requested to continue the following items to a future meeting: Consent Agenda Item 1 - File No. 2016-0615, Consent Agenda Item 6 - File No. 2016-0614 and Action Agenda Item 25 - File No. 2016-0600. Ms. Nicholson also reported that Action Agenda Item 23 - File No. 2016-0612 and Action Agenda Item 24 - 2016-0613 no longer required Board action.

Ms. Nicholson announced that copies of agenda related materials for Action Agenda Item 14 - File No. 2016-0607 submitted after the publication of the agenda were available for the public at the Clerk’s station.

On a motion by Commissioner Valderrama, seconded by Commissioner Malcolm, the Board approved staffs' request to continue the following items to a future meeting: Consent Agenda Item 1 - File No. 2016-0615, Consent Agenda Item 6 - File No. 2016-0614 and Action Agenda Item 25 - File No. 2016-0600. The following items no longer required Board action: Action Agenda Item 23 - File No. 2016-0612 and Action Agenda Item 24 - 2016-0613. The motion carried by the following vote:

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

Nays: 0

Excused: 1 - Moore

Absent: 0

Abstain: 0

Recused: 0

Chairman Announcement

Chairman Merrifield announced with deep regret that co-worker and friend, Michelle White, Principal Energy Team, Planning and Green Port, had passed away that morning, November 8, 2016. Chairman Merrifield lead a moment of silence to pay tribute to her hard work and dedication to the District and the environment. Chairman Merrifield announced that today’s Board of Port Commissioner Meeting would be held in remembrance and honor of Michelle White.

[2016-0617](#)

**OCTOBER 13, 2016 SPECIAL MEETING - CLOSED SESSION
OCTOBER 13, 2016 SPECIAL MEETING - REGULAR SESSION**

On a motion by Commissioner Malcolm, seconded by Commissioner Bonelli, the Board approved the following minutes: October 13, 2016, Special Meeting, Closed Session and October 13, 2016, Regular Session. The motion carried by the following vote:

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

Nays: 0

Excused: 1 - Moore

Absent: 0

Abstain: 0

Recused: 0

CONSENT AGENDA

Chairman Merrifield reported that Consent Agenda Item 7 - File No. 2016-0556 would be pulled from the Consent Agenda and heard with the Action Agenda Items.

On a motion by Commissioner Nelson, Seconded by Commissioner Castellanos, the Board adopted: Resolution 2016-162, Resolution 2016-163, Resolution 2016-164, Resolution 2016-165, Resolution 2016-166, Resolution 2016-167, Resolution 2016-168, Resolution 2016-169, Resolution 2016-170, Resolution 2016-171, Resolution 2016-172, Resolution 2016-173, Resolution 2016-174, and Resolution 2016-175 as the Consent Agenda. The motion carried by the following vote:

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

Nays: 0

Excused: 1 - Moore

Absent: 0

Abstain: 0

Recused: 0

1. [2016-0615](#) RESOLUTIONS FOR AS-NEEDED SERVICE AGREEMENTS FOR TWO-YEAR DURATIONS, WITH NO INCREASE TO THE MAJOR MAINTENANCE AND CAPITAL IMPROVEMENT PROGRAM BUDGETS, AS FOLLOWS:
 - A) RESOLUTION SELECTING AND AUTHORIZING AGREEMENTS WITH BSE ENGINEERING, INC. AND TTG ENGINEERS FOR AS-NEEDED ELECTRICAL ENGINEERING SERVICES FOR AN AMOUNT NOT TO EXCEED \$400,000, WITH THREE ONE-YEAR OPTIONAL EXTENSIONS OF \$200,000 EACH FOR A TOTAL AMOUNT NOT TO EXCEED \$1,000,000
 - B) RESOLUTION SELECTING AND AUTHORIZING AGREEMENTS WITH KTU+A AND SCHMIDT DESIGN GROUP, INC. FOR AS-NEEDED LANDSCAPE ARCHITECTURE SERVICES FOR AN AMOUNT NOT TO EXCEED \$200,000, WITH THREE ONE-YEAR OPTIONAL EXTENSIONS OF \$100,000 EACH FOR A TOTAL AMOUNT NOT TO EXCEED \$500,000
 - C) RESOLUTION SELECTING AND AUTHORIZING AGREEMENTS WITH BERGERABAM, INC.; MOFFATT & NICHOL; AND TRITON ENGINEERS, INC. FOR AS-NEEDED MARINE STRUCTURAL ENGINEERING SERVICES FOR AN AMOUNT NOT TO EXCEED \$1,000,000, WITH THREE ONE-YEAR OPTIONAL EXTENSIONS OF \$500,000 EACH FOR A TOTAL AMOUNT NOT TO EXCEED \$2,500,000
 - D) RESOLUTION SELECTING AND AUTHORIZING AGREEMENTS WITH KLEINFELDER, INC. AND NINYO & MOORE GEOTECHNICAL & ENVIRONMENTAL SCIENCES CONSULTANTS FOR AS-NEEDED ENVIRONMENTAL ENGINEERING SERVICES FOR AN AMOUNT NOT TO EXCEED \$200,000, WITH THREE ONE-YEAR OPTIONAL EXTENSIONS OF \$100,000 EACH FOR A TOTAL AMOUNT NOT TO EXCEED \$500,000
 - E) RESOLUTION SELECTING AND AUTHORIZING AGREEMENTS WITH HALE ENGINEERING & SURVEYING, INC. AND PROJECT DESIGN CONSULTANTS FOR AS-NEEDED SURVEYING SERVICES FOR AN AGGREGATE AMOUNT NOT TO EXCEED \$800,000, WITH THREE ONE-YEAR OPTIONAL EXTENSIONS OF \$400,000 EACH FOR A TOTAL AMOUNT NOT TO EXCEED \$2,000,000
 - F) RESOLUTION SELECTING AND AUTHORIZING AGREEMENTS WITH AMEC FOSTER WHEELER ENVIRONMENT & INFRASTRUCTURE, INC.; GEOCON, INC.; AND NINYO & MOORE GEOTECHNICAL & ENVIRONMENTAL SCIENCES CONSULTANTS

FOR AS-NEEDED GEOTECHNICAL ENGINEERING AND MATERIAL TESTING SERVICES FOR AN AGGREGATE AMOUNT NOT TO EXCEED \$400,000, WITH THREE ONE-YEAR OPTIONAL EXTENSIONS OF \$200,000 EACH FOR A TOTAL AMOUNT NOT TO EXCEED \$1,000,000

G) RESOLUTION SELECTING AND AUTHORIZING AGREEMENTS WITH KIMLEY-HORN AND ASSOCIATES, INC.; PARSONS TRANSPORTATION GROUP; PSOMAS; AND RICK ENGINEERING COMPANY FOR AS-NEEDED CIVIL ENGINEERING SERVICES FOR AN AGGREGATE AMOUNT NOT TO EXCEED \$1,200,000, WITH THREE ONE-YEAR OPTIONAL EXTENSIONS OF \$600,000 EACH FOR A TOTAL AMOUNT NOT TO EXCEED \$3,000,000

H) RESOLUTION SELECTING AND AUTHORIZING AGREEMENTS WITH AECOM TECHNICAL SERVICES, INC.; ARCADIS U.S., INC.; HARRIS & ASSOCIATES; INFRASTRUCTURE ENGINEERING CORPORATION; AND PSOMAS FOR AS-NEEDED PROJECT MANAGEMENT/CONSTRUCTION MANAGEMENT SERVICES FOR AN AGGREGATE AMOUNT NOT TO EXCEED \$800,000, WITH THREE ONE-YEAR OPTIONAL EXTENSIONS OF \$400,000 EACH FOR A TOTAL AMOUNT NOT TO EXCEED \$2,000,000

I) RESOLUTION SELECTING AND AUTHORIZING AGREEMENTS WITH ARCADIS U.S., INC.; ESGIL CORPORATION; HARRIS & ASSOCIATES, INC.; AND NV5, INC. FOR AS-NEEDED QUALITY CONTROL/DESIGN REVIEW SERVICES FOR AN AGGREGATE AMOUNT NOT TO EXCEED \$200,000, WITH THREE ONE-YEAR OPTIONAL EXTENSIONS OF \$100,000 EACH FOR A TOTAL AMOUNT NOT TO EXCEED \$500,000

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

This item was continued to a future Board Meeting.

2. [2016-0480](#) RESOLUTION SELECTING AND AUTHORIZING AN AGREEMENT WITH MERKEL & ASSOCIATES, INC. TO CONDUCT FISH SURVEYS IN ASSOCIATION WITH THE LIVING SHORELINES RESTORATION PROJECT FOR A PERIOD OF SIX YEARS FOR A TOTAL AMOUNT NOT TO EXCEED \$200,000

On a motion by Commissioner Nelson, Seconded by Commissioner Castellanos, the Board adopted Resolution 2016-162 as part of the Consent Agenda.

3. [2016-0481](#) SAN DIEGO GAS & ELECTRIC COMPANY
- A) RESOLUTION ESTABLISHING RENT FOR AN UNDERGROUND UTILITY EASEMENT LOCATED AT GLORIETTA BOULEVARD BETWEEN SECOND AND THIRD STREETS IN THE CITY OF CORONADO FOR THE PERIOD OF OCTOBER 1, 2016 THROUGH SEPTEMBER 30, 2021
 - B) RESOLUTION ESTABLISHING RENT FOR AN UNDERGROUND UTILITY EASEMENT LOCATED AT FIRST STREET AND E AVENUE IN THE CITY OF CORONADO FOR THE PERIOD OF OCTOBER 1, 2016 THROUGH JUNE 30, 2020
 - C) RESOLUTION ESTABLISHING RENT FOR AN UNDERGROUND UTILITY EASEMENT LOCATED AT FIRST STREET AND B AVENUE IN THE CITY OF CORONADO FOR THE PERIOD OF OCTOBER 1, 2016 THROUGH JUNE 30, 2020

On a motion by Commissioner Nelson, Seconded by Commissioner Castellanos, the Board adopted Resolution 2016-163, Resolution 2016-164, and Resolution 2016-165 as part of the Consent Agenda.

4. [2016-0540](#) ACTIONS FOR SITE PREPARATION AT THE CHULA VISTA BAYFRONT:
- A) RESOLUTION APPROVING AN AMENDMENT TO THE FY 2014 - 2018 CAPITAL IMPROVEMENT PROGRAM TO CHANGE THE PROJECT TITLE OF "INFRASTRUCTURE PRE-DESIGN/DESIGN AT CHULA VISTA BAYFRONT" TO "SITE PREPARATION AT CHULA VISTA BAYFRONT" AND TO AMEND THE PROJECT SCOPE TO ADD THE PREPARATION OF THE EXISTING SITE AND TO ACCEPT EXCESS FILL MATERIAL

 - B) RESOLUTION APPROVING TRANSFER OF FUNDS WITHIN THE FY 2014 - 2018 CAPITAL IMPROVEMENT PROGRAM BUDGET APPROPRIATION FROM PROGRAM CONTINGENCY TO THE SITE PREPARATION AT CHULA VISTA BAYFRONT PROJECT IN THE AMOUNT OF \$200,000 PURSUANT TO BPC POLICY NO. 90 AND NO. 120

On a motion by Commissioner Nelson, Seconded by Commissioner Castellanos, the Board adopted Resolution 2016-166 and Resolution 2016-167 as part of the Consent Agenda.

5. [2016-0544](#) RESOLUTION APPROVING DISADVANTAGED BUSINESS ENTERPRISE POLICY STATEMENT IN ACCORDANCE WITH REGULATIONS OF THE U.S. DEPARTMENT OF TRANSPORTATION, 49 CODE OF FEDERAL REGULATIONS PART 26, FOR CONTRACT OPPORTUNITIES PAID FOR IN PART OR IN WHOLE WITH FEDERAL FINANCIAL ASSISTANCE, AS APPLICABLE
- On a motion by Commissioner Nelson, Seconded by Commissioner Castellanos, the Board adopted Resolution 2016-168 as part of the Consent Agenda.**
6. [2016-0614](#) INTERIOR REMODEL AT PORT ADMINISTRATION BUILDING (ANNEX) PROJECT:
- A) RESOLUTION APPROVING TRANSFER OF FUNDS FROM THE FY 15/16 CAPITAL MAJOR MAINTENANCE BUDGET APPROPRIATION FROM THE STRUCTURAL REPAIRS AT NAVY PIER PROJECT TO CAPITAL MAJOR MAINTENANCE CONTINGENCY IN THE AMOUNT OF \$1,650,000 PURSUANT TO BPC POLICY NO. 90
- B) RESOLUTION ADDING THE INTERIOR REMODEL AT PORT ADMINISTRATION BUILDING (ANNEX) PROJECT TO THE MAJOR MAINTENANCE CAPITAL PROGRAM PURSUANT TO BPC POLICY NO. 130
- C) RESOLUTION APPROVING TRANSFER OF FUNDS WITHIN THE FY 16/17 CAPITAL MAJOR MAINTENANCE BUDGET APPROPRIATION FROM CAPITAL MAJOR MAINTENANCE CONTINGENCY TO THE INTERIOR REMODEL AT PORT ADMINISTRATION BUILDING (ANNEX) PROJECT IN THE AMOUNT OF \$750,000 PURSUANT TO BPC POLICY NO.90

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. [2016-0557](#) RESOLUTION GRANTING INDEMNITY AND AUTHORIZING AN AGREEMENT WITH THE COUNTY OF SAN DIEGO, FLEET MANAGEMENT DIVISION, FOR AS-NEEDED COOPERATIVE AUTOMOTIVE FUEL SALES FROM JANUARY 1, 2017 THROUGH DECEMBER 31, 2022, FOR AN AMOUNT NOT TO EXCEED \$950,000

On a motion by Commissioner Nelson, Seconded by Commissioner Castellanos, the Board adopted Resolution 2016-169 as part of the Consent Agenda.

9. [2016-0563](#) RESOLUTION WAIVING BPC POLICY NO. 110 AND AUTHORIZING AMENDMENT NO. 1 TO AGREEMENT NUMBER 235-2016SN FOR EMERGENCY MANAGEMENT CONSULTING SERVICES BETWEEN THE SAN DIEGO UNIFIED PORT DISTRICT AND MOZAIK SOLUTIONS, TO INCREASE THE MAXIMUM EXPENDITURE OF THE AGREEMENT BY \$291,159 FROM A TOTAL OF \$17,517.50 TO A NEW NOT-TO-EXCEED MAXIMUM EXPENDITURE OF \$308,676.50
- On a motion by Commissioner Nelson, Seconded by Commissioner Castellanos, the Board adopted Resolution 2016-170 as part of the Consent Agenda.**
10. [2016-0566](#) RESOLUTION CONSENTING TO ASSIGNMENT AND ASSUMPTION OF AN AGREEMENT FOR AS NEEDED PROJECT MANAGEMENT SERVICES FROM ACME BUSINESS CONSULTING, LLC TO EXCELERATE LLC
- On a motion by Commissioner Nelson, Seconded by Commissioner Castellanos, the Board adopted Resolution 2016-171 as part of the Consent Agenda.**
11. [2016-0591](#) RESOLUTION AUTHORIZING AMENDMENT NO. 3 TO THE AS-NEEDED TEMPORARY STAFFING SERVICES AGREEMENT WITH CATHYJON ENTERPRISES, INC., DBA HB STAFFING, INCREASING THE AGREEMENT AMOUNT BY \$115,000, INCREASING THE AGGREGATE TOTAL OF THE AGREEMENT FROM \$335,000 TO \$450,000 FOR SERVICES THROUGH JUNE 30, 2017
- On a motion by Commissioner Nelson, Seconded by Commissioner Castellanos, the Board adopted Resolution 2016-172 as part of the Consent Agenda.**
12. [2016-0594](#) RESOLUTION ESTABLISHING THE BOARD OF PORT COMMISSIONERS' REGULAR MEETING DATES FOR CALENDAR YEAR 2017
- On a motion by Commissioner Nelson, Seconded by Commissioner Castellanos, the Board adopted Resolution 2016-173 as part of the Consent Agenda.**
13. [2016-0619](#) RESOLUTION AUTHORIZING THE GENERAL COUNSEL TO EXECUTE AMENDMENT NO. 2 TO AN AGREEMENT WITH JACKSON GILMOUR & DOBBS, PC FOR LEGAL SERVICES RELATED TO CERTAIN ENVIRONMENTAL MATTERS INCREASING THE NOT-TO-EXCEED AMOUNT FROM \$175,000 TO \$375,000
- On a motion by Commissioner Nelson, Seconded by Commissioner Castellanos, the Board adopted. Resolution 2016-174 as part of the Consent Agenda.**

- 27. [2016-0642](#) RESOLUTION AUTHORIZING AMENDMENT NO. 3 TO THE AGREEMENT WITH ICF JONES & STOKES, INC. FOR ENVIRONMENTAL REVIEW CONSULTING SERVICES FOR THE TENTH AVENUE MARINE TERMINAL MARITIME BUSINESS PLAN UPDATE PROJECT TO INCREASE THE AGREEMENT AMOUNT BY \$30,000 FOR AN AGGREGATE TOTAL OF \$614,980

On a motion by Commissioner Nelson, Seconded by Commissioner Castellanos, the Board adopted Resolution 2016-175 as part of the Consent Agenda.

ACTION AGENDA

- 7. [2016-0556](#) RESOLUTION SELECTING AND AUTHORIZING AN AGREEMENT WITH ABM BUILDING SERVICES, LLC FOR HVAC SYSTEMS FULL SERVICE AND REPAIR AT VARIOUS DISTRICT FACILITIES FROM FEBRUARY 1, 2017 THROUGH DECEMBER 31, 2019, FOR AN AMOUNT NOT TO EXCEED \$451,607.56

Marco Cromartie, Director, Operations, addressed the Board regarding staff's recommendation for Consent Agenda Item 7 – File No. 2016-0556. (A copy of the staff report, presentations and any agenda related materials are on file with the Office of the District Clerk.)

The following member(s) of the public addressed the Board with agenda related comments: Gary Brown, Account Executive, Johnson Controls and Lee Lockridge, General Manager, ABM Building Services, LLC.

Chairman Merrifield, Commissioner Bonelli, Commissioner Nelson, offered varied comments and questions, to which Mr. Cromartie responded for staff. Mr. Brown also responded to direct questions regarding Johnson Controls.

On a motion by Commissioner Bonelli, Seconded by Commissioner Malcolm, the Board adopted Resolution 2016-176. The motion carried by the following vote:

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

Nays: 0

Excused: 1 - Moore

Absent: 0

Abstain: 0

Recused: 0

14. [2016-0607](#) PRESENTATION AND UPDATE ON THE WORLD CLASS WATERFRONT DEVELOPMENT OPPORTUNITY (CENTRAL EMBARCADERO) REQUEST FOR PROPOSALS AND BOARD ACTION AND DIRECTION TO STAFF INCLUDING THE FOLLOWING OPTIONS:

- A) ADOPTION OF A RESOLUTION SELECTING A SUCCESSFUL PROPOSER AND CONCLUDING THE REQUEST FOR PROPOSALS RESERVING CERTAIN RIGHTS THEREUNDER;
- B) DIRECTION TO STAFF ON NEXT STEPS INCLUDING WITHOUT LIMITATION, FURTHER DUE DILIGENCE AND ADOPTION OF A RESOLUTION MEMORIALIZING DUE DILIGENCE AND INFORMATION GATHERING EFFORTS;
- C) DIRECTION TO RETURN TO THE BOARD WITH AN UPDATE AT A FUTURE BOARD MEETING, AND IF NECESSARY, OBTAIN FURTHER DIRECTION

Penny Maus, Department Manager, Real Estate Development, addressed the Board with staff's report and turned the presentation over to Lucy Contreas, Asset Manager, regarding Action Agenda Item 14 - File No. 2016-0607. (A copy of the staff report, presentations and any agenda related materials are on file with the Office of the District Clerk.). Ms. Contreas turned the presentation over to Andrew Phillips, Economic Consultant, Jones Lang LaSalle Incorporated. Mr. Phillips then turned the presentation back to Ms. Contreas, who concluded the presentation to the Board.

The following member(s) of the public addressed the Board with agenda related comments: Kris Michell, President & CEO, Downtown San Diego Partnership; Phillip Harris, Commercial Fishing Steering Group; Tom Lemmon, Business Manager, San Diego Building Trades; Peter Flourney, General Counsel, American Tunaboat Association; Gray Smith, President, San Diego Downtown Residents Group, Mike Conroy, Chair, Commercial Fishing Steering Group; Katheryn Rhodes; and Daniel Reeves, Senior Vice President, Downtown San Diego Partnership.

Chairman Merrifield, Commissioner Bonelli, Commissioner Nelson, Commissioner Valderrama, Commissioner Castellanos, and Commissioner Malcolm asked questions and offered varied comments regarding Action Agenda Item 14 - File No. 2016-0607. Yehudi Gaffen, CEO, Gafcon and Mr. Harris were called to the podium to respond.

The following members of staff responded and provided clarification to the Board regarding Action Agenda Item 14 - File No. 2016-0607: Randa Coniglio, Executive Director; Thomas A. Russell, General Counsel, and Rebecca Harrington, Deputy General Counsel IV.

On a motion by Commissioner Castellanos, seconded by Commissioner Bonelli, the Board moved to select 1HWY1 as the final proposer, conclude the Request for Proposals process and eliminate the other five proposers, conditioned on the District reserving all of its rights under the RFP and applicable law. The District and 1HWY1 shall not discuss, negotiate or enter into any agreements with 1HWY1 the logical consequence of which would provide for or facilitate a hotel development on the site until after the expiration date of a hotel restriction clause in that certain Exclusive Negotiating Agreement between the District and One Park Boulevard, LLC. Direction to staff to continue the appropriate due diligence excluding any hotel due diligence and return to the Board at a future

meeting to enter into a preliminary agreement with 1HWY1. The Board adopted Resolution 2016-177. The motion carried by the following vote:

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

Nays: 0

Excused: 1 - Moore

Absent: 0

Abstain: 0

Recused: 0

15. [2016-0564](#) INFORMATIONAL UPDATE ON REGIONAL WATER SUPPLIES AND ENERGY INITIATIVES BY THE SAN DIEGO COUNTY WATER AUTHORITY

Maureen Stapleton, General Manager, San Diego County Water Authority, addressed the Board regarding Action Agenda Item 15 - File No. 2016-0564. (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: Katheryn Rhodes

Chairman Merrifield, Commissioner Bonelli, Commissioner Nelson, and Commissioner Valderrama offered varied comments regarding Action Agenda Item 15 - File No. 2016-0564.

Presentation Only

- 17. [2016-0354](#) INITIATE ENTITLEMENT PROCESS FOR POND 20, LOCATED IN THE SOUTHERNMOST PORTION OF SAN DIEGO BAY
 - A) RESOLUTION AUTHORIZING AN AGREEMENT WITH GREAT ECOLOGY IN THE AMOUNT OF \$640,220 TO PREPARE 60% DESIGN DOCUMENTS AND SUBMIT MITIGATION BANKING PROSPECTUS DOCUMENTS TO THE ARMY CORPS OF ENGINEERS FOR A WETLANDS MITIGATION BANK
 - B) RESOLUTION COMMENCING ENVIRONMENTAL REVIEW FOR THE POND 20 SITE, INCLUDING THE ESTABLISHMENT OF THE MITIGATION BANK AND ASSIGNMENT OF LAND USE DESIGNATIONS FOR THE ADJACENT DEVELOPMENT PARCELS

Chairman Merrifield requested the Board to move forward on staff's recommendation for Action Agenda Item 17 - File No. 2016-0354. (A copy of the staff report and any agenda related materials are on file with the Office of the District Clerk.) Commissioner Nelson and Commissioner Bonelli concurred and thanked staff for the update and information. Commissioner Malcolm and Commissioner Valderrama offered varied comments regarding Action Agenda Item 17 - File No. 2016-0354.

The following member(s) of the public addressed the Board with agenda related comments: Mark Heintz

On a motion by Commissioner Malcolm, seconded by Commissioner Nelson, the Board adopted Resolution 2016-178 and Resolution 2016-179. The motion carried by the following vote:

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

Nays: 0

Excused: 1 - Moore

Absent: 0

Abstain: 0

Recused: 0

A. Roll Call

Commissioner Malcolm left the dias at 3:08 pm.

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

Excused: 2 - Commissioner Malcolm, and Commissioner Moore

Absent: 0

16. [2016-0457](#) A) INFORMATIONAL PRESENTATION FROM THE SAN DIEGO TOURISM AUTHORITY ON TOURISM, HOTELS, AND ATTRACTIONS IN THE SAN DIEGO REGION

B) PRESENTATION ON THE BENEFITS OF ATTRACTIONS LOCATED ON TIDELANDS AND RELATED BOARD DISCUSSION

T. Scott Edwards, Chief Operating Officer, Vice President, addressed the Board with staff's report and turned the presentation over to Joe Terzi, President and CEO, San Diego Tourism Authority, regarding Action Agenda Item 16 - File No. 2016-0457. (A copy of the staff report, presentations and any agenda related materials are on file with the Office of the District Clerk.) The presentation was then turned over to Ken Wallis, Director, Port as a Service. In conclusion, Mr. Wallis turned the presentation over to Annette Dahl, Department Manager, Real Estate.

The following members of staff responded and provided clarification to the Board regarding Action Agenda Item 16 - File No. 2016-0457: Mr. Edwards

Chairman Merrifield, Commissioner Bonelli, and Commissioner Nelson, offered varied comments regarding Action Agenda Item 16 - File No. 2016-0457.

Presentation Only.

21. [2016-0491](#) RESOLUTION ELECTING CHAIRPERSON, VICE CHAIRPERSON AND SECRETARY OF THE BOARD OF PORT COMMISSIONERS OF THE SAN DIEGO UNIFIED PORT DISTRICT FOR CALENDAR YEAR 2017

On a motion by Chairperson Merrifield, seconded by Commissioner Nelson, the Board adopted Resolution 2016-180. The motion carried by the following vote:

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

Nays: 0

Excused: 2 - Malcolm, and Moore

Absent: 0

Abstain: 0

Recused: 0

- 18. [2016-0517](#) FISCAL YEAR END 2016 RESULTS AND BUDGET AMENDMENTS
 - A) PRESENTATION ON FISCAL YEAR (FY) END 2016 RESULTS ALONG WITH STAFF RECOMMENDATIONS FOR FUNDING THE REMAINING MULTI-YEAR INVESTMENTS PRESENTED TO THE BOARD
 - B) ORDINANCE AMENDING THE FY 16/17 BUDGET INCREASING THE FY 16/17 NON-PERSONNEL EXPENSE (NPE) APPROPRIATIONS BY \$900,000 TO BE FUNDED FROM THE FY 15/16 UNRESTRICTED RESOURCES FOR THE FOLLOWING ITEMS: 1) \$600,000 TO EXPAND MARKETING EFFORTS TO INCREASE PUBLIC AWARENESS OF THE DISTRICT; 2) \$154,000 FOR BOARD APPROVED RCS COMPANY WIRELESS RADIO UPGRADE FOR HARBOR POLICE; AND 3) \$146,000 FOR GRANT MATCHING FUNDS FOR HARBOR POLICE OPERATIONS
 - C) ORDINANCE AMENDING THE FY 16/17 BUDGET INCREASING THE FY 16/17 EQUIPMENT OUTLAY APPROPRIATION BY \$200,000 TO FUND MOBILE VIDEO STORAGE UPGRADES TO BE FUNDED FROM THE FY 15/16 UNRESTRICTED RESOURCES AS PRESENTED IN THE FIVE YEAR PLAN FOR STRATEGIC SECURITY AND PUBLIC SAFETY

Robert DeAngelis, Chief Financial Officer, addressed the Board with staff's report regarding Action Agenda Item 18 - File No. 2016-0517 (A copy of the staff report, presentations and any agenda related materials are on file with the Office of the District Clerk.)

The following members of staff responded and provided clarification to the Board regarding Action Agenda Item 18 - File No. 2016-0517: Mr. DeAngelis

Chairman Merrifield, Commissioner Valderrama, Commissioner Nelson, and Commissioner Bonelli offered varied comments regarding Action Agenda Item 18 - File No. 2016-0517.

On a motion by Commissioner Nelson, seconded by Commissioner Valderrama, the Board adopted Ordinance 2878. The motion carried by the following vote:

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

Nays: 0

Excused: 2 - Malcolm, and Moore

Absent: 0

Abstain: 0

Recused: 0

19. [2016-0519](#) PRESENTATION OF THE 2016 COMPENSATION AND BENEFITS STUDY FOR UNREPRESENTED CLASSIFICATIONS AND DIRECTION TO STAFF

Michelle Corbin, Director, Human Resources, addressed the Board with staff's report and turned the presentation over to Ben Teichman, Managing Consultant, FutureSense, regarding Action Agenda Item 19 - File No. 2016-0519. (A copy of the staff report, presentations and any agenda related materials are on file with the Office of the District Clerk.)

Chairman Merrifield, Commissioner Nelson, Commissioner Bonelli, Commissioner Valderrama offered varied comments regarding Action Agenda Item 19 - File No. 2016-0519.

The following members of staff responded and provided clarification to the Board regarding Action Agenda Item 19 - File No. 2016-0519: Randa Coniglio, Executive Director; Bob DeAngelis, CFO; and Ms. Corbin. In addition, Jim Finkelstein President CEO, FutureSense, addressed the Board, providing clarification and response to Commissioner questions.

Presentation Only

20. [2016-0589](#) PRESENTATION ON ADVANCING THE DISTRICT'S BLUE TECH PROGRAM BY BUILDING SYNERGY WITH EXISTING PLANNING & GREEN PORT PROGRAMS AND FOCUSING ON NEW AND EMERGING BLUE TECH SOLUTIONS FOR COPPER REDUCTION IN SAN DIEGO BAY

Philippe Leblanc, Program Manager, Aquaculture & Blue Tech addressed the Board with staff's report and presentation Action Agenda Item 20 - File No. 2016-0589. (A copy of the staff report, presentations and any agenda related materials are on file with the Office of the District Clerk.)

Chairman Merrifield and Commissioner Nelson offered varied comments regarding Action Agenda Item 20 - File No. 2016-0589.

Presentation Only

23. [2016-0612](#) INFORMATIONAL PRESENTATION ON DEVELOPMENT SERVICES TEAM ROLES, FUNCTIONS AND SERVICES AND DIRECTION TO STAFF

Board Action No Longer Required.

22. [2016-0570](#) REVIEW AND CONSIDERATION OF DRAFT PROPOSED BOARD AGENDA FOR THE DECEMBER 13, 2016 MEETING

- 24. [2016-0613](#) PRESENTATION ON NEW INFORMATION TECHNOLOGY TRANSFORMATION STRATEGY TO SUPPORT CURRENT AND FUTURE OPERATIONAL NEEDS OF THE DISTRICT

Board Action No Longer Required.

- 25. [2016-0600](#) RECEIVE PRESENTATION ON AN UPDATE TO THE SUSTAINABLE LEASING PROGRAM, RECEIVE A STATUS REPORT ON THE IMPLEMENTATION OF THE UTILITY USAGE REPORTING ORDINANCE, AND PROVIDE DIRECTION TO STAFF ON THE SUSTAINABLE LEASING PROGRAM

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

- 26. [2016-0624](#) MONTHLY NOTIFICATION REPORTS

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

A) Change Order No. 1 to Contract No. 2015-32 with Ensley Electric, Inc. / Decreases Contract by \$63,070.80

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 USA - Navy, for total amount \$1,208.00