



# San Diego Unified Port District

3165 Pacific Hwy.  
San Diego, CA 92101

## Meeting Minutes

### Board of Port Commissioners

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Tuesday, November 14, 2017

1:00 PM

Don L. Nay Port Administration Boardroom

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#### A. Roll Call.

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

**Excused:** 0

**Absent:** 0

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

#### B. Closed Session Report Out.

*Thomas A. Russell, General Counsel, announced that the Board considered the items on the Closed Session Agenda and no reportable action was taken. Additionally, Mr. Russell reported that Commissioner Bonelli recused himself from any participation on Closed Session Item 5 - File No. 2017-0567.*

#### C. Pledge of Allegiance.

*Commissioner Zucchet led the Pledge of Allegiance.*

#### D. Public Communications.

*The following members of the public addressed the Board with non-agenda related comments: Brady Bradshaw; Sharon Cloward, President, San Diego Port Tenants Association; Matt Reynolds, CEO, Extreme San Diego LLC; Chuck Nichols, Chair, Sailing Events Association San Diego; Rick Bramhall, Co-leader Coalition Committee, San Diego 350; and Maggie Young, Operations Manager, San Diego Fleet Week.*

#### E. Commissioners' Reports.

*Chairman Valderrama spoke about the Extreme Sailing Event, thanked Port staff for their contribution to the event, and then turned report over to Commissioner Malcolm. Commissioner Malcolm remarked that this was a great event, it provided invaluable exposure for San Diego, as well as providing excellent tidelands activation.*

## F. President's Report.

*Randa Coniglio, President/CEO, announced that she had a few items to report on. The first item was a report on the Port's response to the Hepatitis A outbreak. Ms. Coniglio provided a summary of the actions being taken to ensure the Tidelands remain a safe place to visit, play, and work. Ms. Coniglio informed the Board that these unbudgeted expenses are estimated to be \$2 million by the end of the fiscal year.*

*Ms. Coniglio then announced that on November 4, 2017, the Port of San Diego hosted the first of two community job fairs at the San Diego Community College District campus in Barrio Logan. The job fair focused mainly on the Port's Tenth Avenue Marine Terminal redevelopment job opportunities. However, various partners in the working waterfront also participated in the event and talked to the community members about various job opportunities with their companies.*

*Ms. Coniglio also announced that the Port received a gold tier award from SANDAG's iCommute Diamond Award Recognition. Each year iCommute recognizes employers that have developed and implemented commuter programs that encourage alternative commuting choices for employees.*

*Ms. Coniglio then introduced a short video that was shown at a recent Senior Team Retreat about leadership, and what it means to employees at the Port.*

## G. District Clerk's Announcements.

*Timothy Deuel, District Clerk, offered that copies of agenda related materials submitted after the publication of the agenda were available at the Clerk's desk. Additionally, Mr. Deuel reported that staff requested to continue Consent Agenda Item 9 - File No. 2017-0545, and Consent Agenda Item 10 - File No. 2017-0547.*

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

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

**Nays:** 0

**Excused:** 1 - Castellanos

**Absent:** 0

**Abstain:** 0

**Recused:** 0

## CONSENT AGENDA

*Commissioner Bonelli requested that Consent Agenda Item 5 - File No. 2017-0482, and Consent Agenda Item 6 - File No. 2017-0499 be pulled from the Consent Agenda for discussion.*

**On a motion by Commissioner Merrifield, seconded by Commissioner Bonelli, the Board adopted the proposed docket changes, thereby adopting the Consent Agenda as follows: October 10, 2017 Closed Session minutes; October 10, 2017 Regular Session minutes; Resolution 2017-150; Resolution 2017-151; Resolution**

**2017-152; Resolution 2017-153; Resolution 2017-154; Resolution 2017-157; and Resolution 2017-158. 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. [2017-0535](#) Approval of minutes for:  
October 10, 2017 - CLOSED SESSION  
October 10, 2017 - REGULAR SESSION  
  
**On a motion by Commissioner Merrifield, seconded by Commissioner Bonelli, the the Board approved the minutes as part of the Consent Agenda.**
  
2. [2017-0380](#) RESOLUTION APPROVING TRANSFER OF FUNDS WITHIN THE FY 17/18 CAPITAL MAJOR MAINTENANCE BUDGET APPROPRIATION FROM CAPITAL MAJOR MAINTENANCE CONTINGENCY TO THE NATIONAL CITY MARINE TERMINAL BERTH 24-10 STRUCTURAL AND MOORING REPAIRS PROJECT IN THE AMOUNT OF \$225,000 PURSUANT TO BPC POLICY NO. 90  
  
**On a motion by Commissioner Merrifield, seconded by Commissioner Bonelli, the Board adopted Resolution 2017-150 as part of the Consent Agenda.**
  
3. [2017-0459](#) A) RESOLUTION APPROVING TRANSFER OF FUNDS WITHIN THE FY 17/18 CAPITAL MAJOR MAINTENANCE BUDGET APPROPRIATION FROM THE POROUS PAVEMENT REPAIRS AT VARIOUS LOCATIONS PROJECT TO THE PAVEMENT REPAIRS AT TAMT BERTHS 10-7 & 10-8 PROJECT IN THE AMOUNT OF \$300,000 PURSUANT TO BPC POLICY NO. 90  
  
B) RESOLUTION APPROVING TRANSFER OF FUNDS WITHIN THE FY 17/18 CAPITAL MAJOR MAINTENANCE BUDGET APPROPRIATION FROM THE FY 17/18 CAPITAL MAJOR MAINTENANCE CONTINGENCY TO THE PAVEMENT REPAIRS AT TAMT BERTHS 10-7 & 10-8 PROJECT IN THE AMOUNT OF \$200,000 PURSUANT TO BPC POLICY NO. 90.  
  
C) RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AWARDDING CONTRACT NO. 2016-32 TO REYES CONSTRUCTION INC. IN THE AMOUNT OF \$1,225,549.00 FOR THE PAVEMENT REPAIRS AT TAMT BERTHS 10-7 & 10-8 PROJECT, AS AUTHORIZED BY THE BOARD IN THE FY17/18 MAJOR MAINTENANCE PROGRAM

On a motion by Commissioner Merrifield, seconded by Commissioner Bonelli, the Board adopted Resolution 2017-151, Resolution 2017-152, and Resolution 2017-153 as part of the Consent Agenda.

- 4. [2017-0461](#) RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AWARDING CONTRACT NO. 2017-25 TO R. E. STAITE ENGINEERING, INC. IN THE AMOUNT OF \$1,637,685 FOR THE DEMOLITION OF FORMER ANTHONY’S RESTAURANT AND PLATFORM LOCATED AT 1360 NORTH HARBOR DRIVE IN SAN DIEGO CALIFORNIA, AS AUTHORIZED BY THE BOARD IN THE FY17/18 MAJOR MAINTENANCE PROGRAM

On a motion by Commissioner Merrifield, seconded by Commissioner Bonelli, the Board adopted Resolution 2017-154 as part of the Consent Agenda.

- 7. [2017-0516](#) RESOLUTION ESTABLISHING THE BOARD OF PORT COMMISSIONERS’ REGULAR MEETING DATES FOR CALENDAR YEAR 2018

On a motion by Commissioner Merrifield, seconded by Commissioner Bonelli, the Board adopted Resolution 2017-157 as part of the Consent Agenda.

- 8. [2017-0538](#) RESOLUTION AUTHORIZING PROCUREMENT OF FIVE YEARS OF ANNUAL SUBSCRIPTION SERVICES AND SUPPORT FROM DIMENSION DATA NORTH AMERICA, INC. FOR PALO ALTO FIREWALL NOT TO EXCEED \$215,016.35, FOR A 5-YEAR TOTAL COST OF OWNERSHIP OF \$353,657.35, AND AUTHORIZING ADDITIONAL SUBSCRIPTION AND SUPPORT RENEWAL FOR FUTURE YEARS AT THE EXECUTIVE DIRECTOR’S DISCRETION PURSUANT TO BOARD POLICY NO. 110 SECTIONS II.F AND II.U.

On a motion by Commissioner Merrifield, seconded by Commissioner Bonelli, the Board adopted Resolution 2017-158 as part of the Consent Agenda.

- 9. [2017-0545](#) RESOLUTION AUTHORIZING THE DISTRICT TO ENTER INTO AN AGREEMENT WITH THE COUNTY OF SAN DIEGO TO RECEIVE LAW ENFORCEMENT/HOMELAND SECURITY GRANT “OPERATION STONEGARDEN” FUNDS IN THE AMOUNT OF \$150,000 FOR FEDERAL FY 2017 AND GRANT INDEMNITY TO THE COUNTY OF SAN DIEGO

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

**This Consent Item was continued to a future Board meeting.**

- 10. [2017-0547](#) RESOLUTION AUTHORIZING AMENDMENT NO. 1 TO AGREEMENT WITH XEROX CORPORATION TO PROVIDE MANAGED PRINT SERVICES AND DOCUMENT PRODUCTION AND PUBLISHING, INCREASING THE AGREEMENT AMOUNT BY \$805,000 WHICH

INCREASES THE AGGREGATE TOTAL OF THE AGREEMENT FROM \$995,000 TO 1,800,000 FOR SERVICES THROUGH 11/30/2019

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

This Consent Item was continued to a future Board meeting.

**ACTION AGENDA**

- 5. [2017-0482](#) RESOLUTION AUTHORIZING THE DISTRICT TO GRANT INDEMNITY TO PRUDENTIAL RETIREMENT INSURANCE AND ANNUITY COMPANY PURSUANT TO AGREEMENTS WITH PRUDENTIAL RETIREMENT INSURANCE AND ANNUITY COMPANY TO PROVIDE 457(B) AND 401(A) PLAN RECORD KEEPING AND ADMINISTRATIVE SERVICES FOR THE PERIOD OF JANUARY 1, 2018, THROUGH DECEMBER 31, 2022

*Commissioner Bonelli asked clarifying questions regarding Item 5 - File No. 2017-0482. Michelle Corbin, Director, Human Resources, and Eric Lawrence, Senior Benefits and Compensation Analyst, Human Resources, responded on behalf of staff.*

**On a motion by Commissioner Bonelli, seconded by Commissioner Zucchet, the Board adopted Resolution 2017-155. 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

- 6. [2017-0499](#) RESOLUTION SELECTING AND AUTHORIZING AN AGREEMENT WITH WSP USA, INC. FOR THE HARBOR DRIVE MULTIMODAL CORRIDOR STUDY, BETWEEN THE TENTH AVENUE MARINE TERMINAL AND THE NATIONAL CITY MARINE TERMINAL, FOR AN AMOUNT NOT TO EXCEED \$474,000

*Commissioner Bonelli asked clarifying questions. Job Nelson, Assistant Vice President, Government & Civic Relations, responded on behalf of staff.*

**On a motion by Commissioner Bonelli, seconded by Commissioner Zucchet, the Board adopted Resolution 2017-156. 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

11. [2017-0458](#) REVIEW AND CONSIDERATION OF DRAFT PROPOSED BOARD AGENDA FOR THE DECEMBER 5, 2017 MEETING

On a motion by Commissioner Bonelli, seconded by Commissioner Merrifield, the Board adopted draft agenda for December 5, 2017. The motion carried by the following vote:

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

Nays: 0

Excused: 1 - Zucchet

Absent: 0

Abstain: 0

Recused: 0

12. [2017-0523](#) PRESENTATION AND DIRECTION TO STAFF ON THE PORT MASTER PLAN UPDATE - DRAFT POLICY CONCEPTS REGARDING THE FOLLOWING TOPICS:

- A) LAND AND WATER USE ELEMENT
- B) COASTAL ACCESS AND RECREATION ELEMENT

*Jason Giffen, Assistant Vice President, Planning & Green Port, addressed the Board with staff's report and presentation regarding Action Agenda Item 12 - File No. 2017-0523 Item A (A copy of the staff report, presentations and any agenda related materials are on file with the Office of the District Clerk). Mr. Giffen then turned the presentation over to Lesley Nishihira, Director, Planning & Green Port to discuss the Land and Water Use Element.*

*Commissioner Bonelli offered clarifying comment.*

*The following members of the public addressed the Board with agenda related comments for Item A: Bill Tippets, Board Member, Southwest Wetlands Interpretive Association; Daniel Reeves, Senior Vice President, Downtown San Diego Partnership; Allison Rolfe, President, Collaborative Land Use Solutions, representing Pacifica Companies; Peter H. Flournoy, General Counsel, Amercian Tunaboat Association; Pam Wilson, Director, Scenic San Diego; and Mary Wickline, Scenic San Diego.*

*Commissioner Castellanos, asked clarifying questions and offered varied comments in response to public comments. Rebecca Harrington, Deputy General Counsel, General Counsel's Office, Jason Giffen, Lesley Nishihira, and Dennis Larson, Consultant, responded on behalf of staff.*

*Bill Tippets provided comments.*

*Commissioner Merrifield, Commissioner Moore, and Commissioner Malcolm asked clarifying questions and offered varied comments. Jason Giffen, Lesley Nishihira, and Rebecca Harrington responded on behalf of staff.*

*Jason Giffen, then addressed the Board with staff's report and presentation regarding Action Agenda Item 12 - File No. 2017-0523 Item B (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 Dennis Larson to discuss activation of the public realm with the Coastal Access and Recreation Element.*

*Commissioner Malcolm left the dias at 3:25 pm for the remainder of the Board meeting.*

*The following members of the public addressed the Board with agenda related comments for Item B: Bill Tippetts, Board Member, Southwest Wetlands Interpretive Association; Leon Benham was not present when called; Pam Wilson Director, Scenic San Diego; Mary Wickline, Scenic San Diego; and Hal Schwartz, Scenic San Diego.*

*Commissioner Zucchet, Commissioner Merrifield, Commissioner Moore, Commissioner Bonelli, and Chairman Valderrama asked clarifying questions and offered varied comments. Jason Giffen and Lesley Nishihira responded on behalf of staff.*

**13. [2017-0419](#) PRESENTATION AND DIRECTION TO STAFF ON THE PORT MASTER PLAN UPDATE REGARDING THE FOLLOWING TOPICS:**

- A) PLANNING DISTRICT 10 (CORONADO BAYFRONT) DRAFT POLICY CONCEPTS AND UPDATED LAND AND WATER USE MAP
- B) PLANNING DISTRICT 9 (SILVER STRAND) DRAFT POLICY CONCEPTS AND UPDATED LAND AND WATER USE MAP
- C) PLANNING DISTRICT 8 (IMPERIAL BEACH OCEANFRONT) DRAFT POLICY CONCEPTS AND UPDATED LAND AND WATER USE MAP
- D) PLANNING DISTRICT 7 (SOUTH BAY) DRAFT POLICY CONCEPTS AND UPDATED LAND AND WATER USE MAP

*Jason Giffen, Assistant Vice President, Planning & Green Port, addressed the Board with staff's report and presentation regarding Action Agenda Item 13 - File No. 2017-0419 Item A (A copy of the staff report, presentations and any agenda related materials are on file with the Office of the District Clerk). Mr. Giffen then turned the presentation over to Lesley Nishihira, Director, Planning & Green Port to discuss Planning District 10: Coronado Bayfront Draft Policy Concepts and Updated Land and Water Use Map.*

*The following members of the public addressed the Board with agenda related comments: Bill Sandke, Councilmember, City of Coronado; Mike Donovan, Councilmember, City of Coronado; Blair King, City Manager, City of Coronado; Roger Miller, Director of Recreation & Golf, City of Coronado; Bill Tippetts, Board Member, Southwest Wetlands Interpretive Association; Phil Monroe was called but not present.*

*Several comments from members of the community and representatives of the City of Coronado City Council were raised regarding compatibility issues with the designation of a public walkway along the shoreline of the existing golf course, including safety and liability concerns with allowing public access through the leasehold.*

*Commissioner Merrifield, Commissioner Zucchet, Commissioner Castellanos, Commissioner Moore, Commissioner Bonelli, and Chairman Valderrama asked clarifying*

questions and offered varied comments. Lesley Nishihira, and Rebecca Harrington responded on behalf of staff.

**On a motion by Commissioner Bonelli, seconded by Commissioner Merrifield, the Board directed staff to modify the draft goal in Planning District 10 to revise the statement "continuous Bayfront access" to say "enhanced Bayfront access"; and to permanently remove Policy Concept #1: Designate a public walkway along golf course leasehold's shoreline. 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

*Lesley Nishihira, addressed the Board with staff's report and presentation regarding Item B - Planning District 9: Silver Strand (A copy of the staff report, presentations and any agenda related materials are on file with the Office of the District Clerk).*

*The following members of the public addressed the board with agenda related comments for Item B: Bill Tippetts, Board Member, Southwest Wetlands Interpretive Association; Douglas Metz, Chair, Grand Caribe Task Force; and Steve Bowman, Staff Commodore, Coronado Cays Yacht Club. Phil Monroe was not present when called.*

*Commissioner Bonelli, and Commissioner Merrifield offered varied comments.*

*Dennis Larson, Consultant, addressed the Board with staff's report and presentation regarding Item C - Planning District 8: Imperial Beach Oceanfront (A copy of the staff report, presentations and any agenda related materials are on file with the Office of the District Clerk).*

*Commissioner Bonelli offered varied comments.*

*Dennis Larson, Consultant, addressed the Board with staff's report and presentation regarding Item D - Planning District 7: South Bay (A copy of the staff report, presentations and any agenda related materials are on file with the Office of the District Clerk).*

*Randa Coniglio, President/CEO read comment from Commissioner Malcolm into the record.*

*Commissioner Merrifield asked clarifying questions and offered varied comments. Jason Giffen responded on behalf of staff.*

*Lesley Nishihira addressed the Board and provided the next steps and timeline for the Port Master Plan Update.*



**OFFICER'S REPORT**

14. [2017-0555](#) MONTHLY NOTIFICATION REPORTS

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

A) Change Order No. 1 to Contract No. 2017-13 with ABM Building Services, LLC / 40 Calendar Day Time Extension thru 09/29/17

B) Change Order No. 1 to Contract No. 2012-06 with R.E. Staite Engineering, Inc. / \$545,283.57 Increase & 60 Calendar Day Time Extension thru 04/29/18

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

None to Report

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

None to Report

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

None to Report

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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*