



San Diego Unified Port District

3165 Pacific Hwy.
San Diego, CA 92101

Meeting Minutes

Board of Port Commissioners

Tuesday, July 17, 2018

1:00 PM

Don L. Nay Port Administration Boardroom

A. Roll Call.

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

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

B. Closed Session Report Out.

Thomas A. Russell, General Counsel, announced that the Board considered the items on the Closed Session Agenda and stated that no reportable action was taken. Chairman Castellanos recused himself and did not participate in Closed Session Agenda Item 2 - File No. 2018-0317.

C. Pledge of Allegiance.

Commissioner Moore led the Pledge of Allegiance.

D. Public Communications.

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

Chairman Castellanos invited Maya Grim, Leasing Representative, Retail Insite, to speak regarding Consent Agenda Item 8.

E. Commissioners' Reports.

Commissioner Merrifield reported out on his and Commissioner Bonelli's site visit of RIDA's Gaylord Rockies Resort in Aurora, Colorado. Commissioner Merrifield was impressed by this development and is optimistic about the success of the RIDA Chula Vista Bayfront Resort Hotel and Convention Center.

Chairman Castellanos reported out on his trip to the National Association of Latino Elected and Appointed Officials (NALEO) Conference in Phoenix, Arizona. Chairman Castellanos explained that some of the helpful topics presented at the conference included public private partnerships, financing infrastructure, and environmental stewardship and remediation.

F. President's Report.

Randa Coniglio, President/CEO, announced that the Port's Marketing and Communications Department earned international recognition from the American Association for Port Authorities which covers Canada, the United States, the Caribbean, and Latin America. The winning submissions were: Port Master Plan Update in the community outreach and education category; the Port's new Brand Video in the video category; and Discover Your Wonderfront destination marketing campaign in the overall marketing category. The "Welcome to the Port of Land and See" won the Overall Award of Communications Excellence. Ms. Coniglio congratulated Jen Barsell, Revekka Balancier, Tanya Castaneda, and their teams.

Ms. Coniglio then announced that the District's Comprehensive Annual Financial Report (CAFR) was awarded a Certificate of Achievement for Excellence in Financial Reporting for the 4th consecutive year. Ms. Coniglio congratulated the Finance Department for their achievement.

Ms. Coniglio then invited the Maritime Team to report on business development news relating to cargo and cruise lines. Joel Valenzuela, Director, Maritime, explained that securing the transatlantic liner services was the result of the redevelopment of the Tenth Avenue Marine Terminal (TAMT) and strategic business development efforts. Mr. Valenzuela recognized and thanked the Board and the Executive Leadership Group (ELG) for leadership in championing for, and investing in the TAMT. Mr. Valenzuela then turned the presentation over to Greg Borossay, Principal, Maritime Business Development, to speak about the G2 Liner Service that will provide monthly breakbulk service for San Diego. Mr. Borossay then invited Connie LeFevre, Senior Trade Account Representative to speak. Ms. LeFevre thanked Marketing, Finance, and IT Departments for the great teamwork during this process, and invited the Board to the formal ceremonial launch for the new liner service on September 26, 2018. Ms. LeFevre informed the Board that revenue from this new service is estimated at \$600,000 per year. Adam Deaton, Senior Trade Account Representative, then spoke about the return of Carnival Cruise Line to San Diego. Carnival has booked 13 port calls which could bring an estimated 500,000 passengers to San Diego.

Commissioner Merrifield, Chairman Castellanos, and Commissioner Valderrama provided comments.

G. District Clerk's Announcements.

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

Additionally, Ms. Morales reported, as required by the Brown Act and as directed by the Board of Port Commissioners, that on today's agenda is an item taking final action to amend the employment agreement for the Executive Director (President/Chief Executive Officer) of the San Diego Unified Port District that will modify her salary. Additional information can be found in the agenda prepared for that item.

Ms. Morales also reported that staff requested to continue Consent Agenda Item 5 - File No. 2018-0314, Consent Agenda Item 12 - File No. 2018-0308, and Action Agenda Item 21 - File No. 2018-0275.

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

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

Nays: 0

Excused: 1 - Bonelli

Absent: 0

Abstain: 0

Recused: 0

APPROVAL OF MINUTES

[2018-0330](#)

Approval of minutes for:
June 12, 2018 - CLOSED SESSION
June 12, 2018 - REGULAR BPC MEETING

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

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

Nays: 0

Excused: 1 - Bonelli

Absent: 0

Abstain: 0

Recused: 0

CONSENT AGENDA

Consent Agenda Item 6 - File No. 2018-0248, Consent Agenda Item 8 - File No. 2018-0277, and Consent Agenda Item 16 - File No. 2018-0268 were pulled from Consent to the Action Agenda.

On a motion by Commissioner Merrifield, seconded by Commissioner Valderrama, the Board adopted the revised Consent Agenda as follows: Resolution 2018-118; Resolution 2018-119; Resolution 2018-120; Resolution 2018-121; Resolution 2018-124; Resolution 2018-126; Resolution 2018-127; Resolution 2018-128; Ordinance 2922; Ordinance 2923; and Resolution 2018-129. The motion carried by the following vote:

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

Nays: 0

Excused: 1 - Bonelli

Absent: 0

Abstain: 0

Recused: 0

1. [2018-0096](#) RESOLUTION SELECTING AND AUTHORIZING AN AGREEMENT WITH APEX COMPANIES, LLC FOR AS NEEDED INSPECTION AND MAINTENANCE SERVICES OF STRUCTURAL POLLUTANT CONTROL BEST MANAGEMENT PRACTICES FROM AUGUST 1, 2018, THROUGH JULY 31, 2021, FOR AN AMOUNT NOT TO EXCEED \$1,068,000. FUNDS FOR FISCAL YEAR 2019 HAVE BEEN BUDGETED. ALL FUNDS REQUIRED FOR FUTURE FISCAL YEARS WILL BE BUDGETED IN THE APPROPRIATE FISCAL YEAR, SUBJECT TO BOARD APPROVAL UPON ADOPTION OF EACH FISCAL YEAR'S BUDGET

On a motion by Commissioner Merrifield, seconded by Commissioner Valderrama, the Board adopted Resolution 2018-118 as part of the Consent Agenda.
2. [2018-0186](#) RESOLUTION SELECTING AND AUTHORIZING AN AGREEMENT WITH BIO CLEAN ENVIRONMENTAL SERVICES TO PURCHASE AND INSTALL STORMDRAIN INLET FILTERS THAT WILL PROVIDE POLLUTANT AND SEDIMENT CONTROL IN STORMWATER RUNOFF AT THE TENTH AVENUE MARINE TERMINAL, NATIONAL CITY MARINE TERMINAL, AND B STREET PIER FOR A TOTAL CONTRACT AMOUNT OF \$222,000; FY2019 EXPENDITURES ARE BUDGETED

On a motion by Commissioner Merrifield, seconded by Commissioner Valderrama, the Board adopted Resolution 2018-119 as part of the Consent Agenda.
3. [2018-0202](#) RESOLUTION APPROVING THE AUDIT PLAN FOR FY18/19 PURSUANT TO BOARD OF PORT COMMISSIONERS (BPC) POLICY NO. 035 - POWERS AND FUNCTIONS OF THE PORT AUDITOR

On a motion by Commissioner Merrifield, seconded by Commissioner Valderrama, the Board adopted Resolution 2018-120 as part of the Consent Agenda.
4. [2018-0220](#) RESOLUTION AUTHORIZING THE SAN DIEGO UNIFIED PORT DISTRICT TO ENTER INTO A LICENSE AGREEMENT WITH THE COUNTY OF SAN DIEGO FOR A PERIOD OF UP TO FIVE YEARS FOR USE OF THE SAN DIEGO REGIONAL FIREARMS TRAINING CENTER AND GRANTING INDEMNIFICATION TO THE COUNTY OF SAN DIEGO

On a motion by Commissioner Merrifield, seconded by Commissioner Valderrama, the Board adopted Resolution 2018-121 as part of the Consent Agenda.
5. [2018-0314](#) RESOLUTION AUTHORIZING AMENDMENT NO. 1 TO AGREEMENT WITH MARINE GROUP BOAT WORKS, LLC, FOR FULL SERVICE IMPOUNDED VESSEL SERVICES, INCREASING THE MAXIMUM

AMOUNT PAYABLE UNDER THE AGREEMENT BY \$767,800 FOR A NEW MAXIMUM AMOUNT OF \$1,367,800. ALL FUNDS REQUIRED FOR FUTURE FISCAL YEARS WILL BE BUDGETED IN THE APPROPRIATE FISCAL YEAR, SUBJECT TO BOARD APPROVAL UPON ADOPTION OF EACH FISCAL YEAR'S BUDGET.

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

This item was continued to a future Board meeting.

7. [2018-0256](#) RESOLUTION CONSENTING TO AMENDMENT NO. 3 TO SUBLEASE BETWEEN PORT CORONADO ASSOCIATES, LLC DBA CORONADO FERRY LANDING MARKETPLACE AND CHEESE WINE DESSERTS, LLC DBA CANDELAS ON THE BAY LOCATED AT 1201 FIRST STREET, IN THE CITY OF CORONADO (RESTAURANT) FOR A ONE-YEAR MANAGEMENT AGREEMENT WITH BLUE BRIDGE HOSPITALITY MANAGEMENT, LLC TO OPERATE THE RESTAURANT WITH AN OPTION TO PURCHASE THE REMAINING TERM OF THE SUBLEASE
- On a motion by Commissioner Merrifield, seconded by Commissioner Valderrama, the Board adopted Resolution 2018-124 as part of the Consent Agenda.**
9. [2018-0292](#) RESOLUTION AUTHORIZING THE GENERAL COUNSEL TO EXECUTE AN AGREEMENT FOR EXPERT CONSULTANT SERVICES WITH KLEINFELDER, INC. FOR A MAXIMUM AMOUNT PAYABLE OF \$290,000; AN AGREEMENT FOR EXPERT CONSULTANT SERVICES WITH WINDWARD ENVIRONMENTAL, LLC FOR A MAXIMUM AMOUNT PAYABLE OF \$250,000; AND AN AGREEMENT FOR EXPERT CONSULTANT SERVICES WITH NEWFIELDS COMPANIES, LLC FOR A MAXIMUM AMOUNT PAYABLE OF \$218,000; FY 2019 EXPENDITURES ARE BUDGETED
- On a motion by Commissioner Merrifield, seconded by Commissioner Valderrama, the Board adopted Resolution 2018-126 as part of the Consent Agenda.**
10. [2018-0304](#) RESOLUTION AUTHORIZING AN AGREEMENT UNDER THE BLUE ECONOMY INCUBATOR THIRD ROUND OF INCUBATOR PROPOSALS WITH SUNKEN SEAWEEED LLC FOR A 1-YEAR PILOT PROJECT TO DEMONSTRATE FEASIBILITY OF SEAWEEED AQUACULTURE IN SAN DIEGO BAY FOR A TOTAL AMOUNT NOT TO EXCEED \$137,000
- On a motion by Commissioner Merrifield, seconded by Commissioner Valderrama, the Board adopted Resolution 2018-127 as part of the Consent Agenda.**

11. [2018-0305](#) RESOLUTION AUTHORIZING CHANGE ORDER NO. 1 TO THE DEMOLITION AND SITE IMPROVEMENTS OF TRANSIT SHED 1 AT TENTH AVENUE MARINE TERMINAL - TIGER PROJECT TO RECOGNIZE VALUE ENGINEERING RESULTING IN A NET SAVINGS OF \$967,284 TO CONTRACT NO. 2017-03R WITH \$619,035 FOR THE DISTRICT AND \$348,249 FOR DICK MILLER, INC.

On a motion by Commissioner Merrifield, seconded by Commissioner Valderrama, the Board adopted Resolution 2018-128 as part of the Consent Agenda.

12. [2018-0308](#) RESOLUTION AUTHORIZING AMENDMENT NO. 4 TO INCREASE THE COMBINED AMOUNT OF AS-NEEDED AGREEMENTS WITH AGILIS GROUP INC. AND ACME BUSINESS CONSULTING, LLC. (ASSIGNED AND ASSUMED BY EXCELERATE LLC.) FOR PROJECT MANAGEMENT OFFICE SERVICES, INCREASING THE AGGREGATE TOTAL FROM \$2,280,000 TO \$4,225,000 THROUGH NOVEMBER 4, 2019. FY2019 EXPENDITURES, IF NEEDED, ARE BUDGETED. FUNDS REQUIRED FOR FUTURE FISCAL YEARS WILL BE BUDGETED IN THE APPROPRIATE FISCAL YEAR, SUBJECT TO BOARD APPROVAL UPON ADOPTION OF EACH FISCAL YEAR'S BUDGET

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

This item was continued to a future Board meeting.

13. [2018-0310](#) ORDINANCE GRANTING AN APPROXIMATELY SIXTY-THREE (63) YEAR NINE (9) MONTH EASEMENT, IN SUBSTANTIAL FORM, TO THE CITY OF SAN DIEGO FOR WATER FACILITIES LOCATED WITHIN THE SETBACK PARK, NORTH OF WEST BROADWAY BETWEEN NORTH HARBOR DRIVE AND PACIFIC HIGHWAY IN THE CITY OF SAN DIEGO, TERMINATING MAY 31, 2082

On a motion by Commissioner Merrifield, seconded by Commissioner Valderrama, the Board adopted Ordinance 2922 as part of the Consent Agenda.

14. [2018-0258](#) ORDINANCE APPROVING SUBSTANTIALLY THE FORM OF GROUND LEASE BETWEEN THE DISTRICT AND RIDA CHULA VISTA, LLC FOR THE RESORT HOTEL AND CONVENTION CENTER PROJECT LOCATED IN THE CITY OF CHULA VISTA, FOR A 66-YEAR TERM, WITH CONDITIONS

On a motion by Commissioner Merrifield, seconded by Commissioner Valderrama, the Board adopted Ordinance 2923 as part of the Consent Agenda.

15. [2018-0329](#) RESOLUTION APPROVING AMENDMENT TO THE EMPLOYMENT AGREEMENT FOR THE EXECUTIVE DIRECTOR (PRESIDENT/CHIEF EXECUTIVE OFFICER)

On a motion by Commissioner Merrifield, seconded by Commissioner Valderrama, the Board adopted Resolution 2018-129 as part of the Consent Agenda.

ACTION AGENDA

17. [2018-0227](#) PRESENTATION OF SERVICE AWARDS TO EMPLOYEES WITH 15 OR MORE YEARS OF SERVICE

Nydia Salas, Technician, Human Resources, addressed the Board with staff's report and presentation regarding Action Agenda Item 17 - File No. 2018-0227 (A copy of the staff report, presentations and any agenda-related materials are on file with the Office of the District Clerk). Ms. Salas then turned the presentation over to Randa Coniglio, President/CEO. Ms. Coniglio introduced and acknowledged tenure of District Employee Christian Quimpo, Parking Meter Repair/Collector, 20 years of service; and Lori Poore, Assistant to Vice President, 25 years of service.

Commissioner Merrifield and Commissioner Zucchet provided comments, as well as congratulated and thanked the employees for their service.

18. [2018-0261](#) NEW RESTAURANT DEVELOPMENT ON THE VACANT LOT ON FERRY LANDING ASSOCIATES LEASEHOLD LOCATED AT 1311 FIRST STREET IN THE CITY OF CORONADO
A) RESOLUTION ADOPTING A SECOND ADDENDUM TO THE FINAL ENVIRONMENTAL IMPACT REPORT FOR THE "CORONADO BOATYARD PLAN AMENDMENT - THE WHARF DEVELOPMENT" AND AUTHORIZING STAFF TO FILE A NOTICE OF DETERMINATION
B) RESOLUTION GRANTING CONCEPT APPROVAL TO FERRY LANDING ASSOCIATES, LLC. FOR UP TO TWO NEW RESTAURANTS AT FERRY LANDING PROJECT

Wileen Manaois, Director, Development Services, addressed the Board with staff's report and presentation regarding Action Agenda Item 18 - File No. 2018-0261 (A copy of the staff report, presentations and any agenda-related materials are on file with the Office of the District Clerk). Ms. Manaois then turned the presentation over to Shahriar Afshar, Department Manager, Development Services, to provide more details regarding the project. Mr. Afshar then turned the presentation over to Dana Sclar, Senior Planner, Development Services, to discuss the proposed addendum.

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

Commissioner Malcolm provided comments and asked clarifying questions, Christian Anderson, Program Manager, Real Estate, responded on behalf of staff.

On a motion by Commissioner Merrifield, seconded by Commissioner Malcolm, the Board adopted Resolution 2018-131. The motion carried by the following vote:

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

Nays: 0

Excused: 1 - Bonelli

Absent: 0

Abstain: 0

Recused: 0

On a motion by Commissioner Valderrama, seconded by Commissioner Malcolm, the Board adopted Resolution 2018-132. The motion carried by the following vote:

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

Nays: 0

Excused: 1 - Bonelli

Absent: 0

Abstain: 0

Recused: 0

19. [2018-0328](#) RESOLUTION SELECTING THE NATIONAL CITY BAYSHORE BIKEWAY PROJECT FOR \$900,000 FROM THE MARITIME INDUSTRIAL IMPACT FUND IN ACCORDANCE WITH BOARD OF PORT COMMISSIONERS POLICY NO. 773, TO FUND A PORTION OF THE PROJECT, CONTINGENT ON: NATIONAL CITY BEING AWARDED A CALIFORNIA DEPARTMENT OF TRANSPORTATION ACTIVE TRANSPORTATION GRANT; NATIONAL CITY ENTERING INTO AN AGREEMENT WITH THE SAN DIEGO UNIFIED PORT DISTRICT TO RECEIVE MATCH FUNDS; AND EXPIRATION OF 60 DAY NOTICE PERIOD TO THE STATE LANDS COMMISSION UNDER PORT ACT SECTION 30.5, INTENT TO SPEND MONEY OFF TIDELANDS, WITHOUT OBJECTION

Job Nelson, Assistant Vice President, External Relations, addressed the Board with staff's report and presentation regarding Action Agenda Item 19 - File No. 2018-0328 (A copy of the staff report, presentations and any agenda-related materials are on file with the Office of the District Clerk).

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

Commissioner Valderrama, Commissioner Merrifield, and Chairman Castellanos, provided comments and asked clarifying questions. Mr. Nelson and Commissioner Valderrama responded.

On a motion by Commissioner Moore, seconded by Commissioner Malcolm, the Board adopted Resolution 2018-133. The motion carried by the following vote:

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

Nays: 0

Excused: 1 - Bonelli

Absent: 0

Abstain: 0

Recused: 0

20. [2018-0284](#) ACTIONS RELATED TO THE TRADE CORRIDOR ENHANCEMENT PROGRAM FUNDS ADMINISTERED BY THE CALIFORNIA TRANSPORTATION COMMISSION (CTC) AND THE CALIFORNIA DEPARTMENT OF TRANSPORTATION (CALTRANS) TO FUND AN ADVANCED MARINE EMISSIONS CONTROL SYSTEM AND SHORE POWER EXPANSION AT THE TENTH AVENUE MARINE TERMINAL:

A) RESOLUTION AUTHORIZING A MASTER AGREEMENT WITH THE STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION (CALTRANS), DIVISION OF RAIL AND MASS TRANSPORTATION FOR THE PURPOSES OF FUNDING DISTRICT PROJECTS UTILIZING GRANT FUNDING FROM THE CALIFORNIA TRANSPORTATION COMMISSION, AND GRANTING INDEMNITY TO CALTRANS.

B) RESOLUTION AUTHORIZING A BASELINE AGREEMENT WITH THE CALIFORNIA TRANSPORTATION COMMISSION FOR THE PURPOSES OF FUNDING THE TENTH AVENUE MARINE TERMINAL BEYOND COMPLIANCE ENVIRONMENTAL ENHANCEMENT PROJECT WITH \$5,600,000 FROM THE TRADE CORRIDOR ENHANCEMENT PROGRAM (TCEP), AND OBLIGATING \$2,400,000 IN MATCHING FUNDS. TCEP FUNDS AND DISTRICT MATCHING FUNDS WILL BECOME AVAILABLE FOR ALLOCATION DURING FISCAL YEAR 19/20 AND MUST BE EXPENDED WITHIN TWO FISCAL YEARS.

Aimee Heim, Grants & Policy Manager, Government & Civic Relations, addressed the Board with staff's report and presentation regarding Action Agenda Item 20 - File No. 2018-0284 (A copy of the staff report, presentations and any agenda-related materials are on file with the Office of the District Clerk).

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

Commissioner Merrifield, Commissioner Valderrama, Commissioner Moore, and Chairman Castellanos provided comments.

On a motion by Commissioner Merrifield, seconded by Commissioner Valderrama, the Board adopted Resolution 2018-134 and Resolution 2018-135.

The motion carried by the following vote:

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

Nays: 0

Excused: 1 - Bonelli

Absent: 0

Abstain: 0

Recused: 0

21. [2018-0275](#) PRESENTATION AND DIRECTION TO STAFF ON THE PORT MASTER PLAN UPDATE - POLICY DISCUSSION CONSIDERING PUBLIC-PRIVATE PIERS

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

This item was continued to a future Board meeting.

22. [2018-0290](#) PRESENTATION AND DIRECTION TO STAFF ON THE PORT MASTER PLAN UPDATE - POLICY DISCUSSION CONSIDERING SMALL FORMAT INFORMATIONAL AND WAYFINDING SIGNAGE, INCLUDING DIGITAL INTEGRATION AND PAID ADVERTISING

Lesley Nishihira, Director, Planning, addressed the Board with staff's report and presentation regarding Action Agenda Item 22 - File No. 2018-0290 (A copy of the staff report, presentations and any agenda-related materials are on file with the Office of the District Clerk). Ms. Nishihira then turned the presentation over to Ken Wallis, Director, Port as a Service, to provide potential funding scenarios for interactive kiosks. Mr. Wallis then turned the presentation back to Ms. Nishihira to discuss the focus questions for the Port Master Plan Update.

The following members of the public addressed the Board with agenda-related comments: Stephanie Jackel; Gary Smith, President, San Diego Downtown Residents Group; Nick Marinovich, Waterfront Committee; Pam Wilson, Director, Scenic San Diego; Mary Jo Barr, Scenic San Diego; Judy Radke; Sharon Cloward, President, San Diego Port Tenants Association; Diane Coombs, San Diego Waterfront Coalition; and Alexandra Berenter, Downtown San Diego Partnership.

Commissioner Merrifield provided comments and invited Gary Smith to the podium to answer questions. Commissioner Moore, Commissioner Zucchet, Commissioner Malcolm, Commissioner Valderrama, and Chairman Castellanos provided comments and asked clarifying questions. Ken Wallis, Rebecca Harrington, Senior Deputy Counsel, and Jason Giffen, Assistant Vice President, Planning & Green Port, responded on behalf of staff. Thomas A. Russell, General Counsel, and Randa Coniglio, President/CEO provided clarifying remarks.

The Board provided direction to not include Small Format Digital Integration and Paid Advertising Policies in the Port Master Plan Update and to have staff separately explore a pilot project for wayfinding using digital technology.

23. [2018-0271](#) PRESENTATION AND DIRECTION TO STAFF ON ARTICLE 12 OF THE SAN DIEGO UNIFIED PORT DISTRICT CODE - REQUIRED REPORTING OF UTILITY USAGE ON TIDELANDS, INCLUDING: AN UPDATE ON 2017 CALENDAR YEAR UTILITY DATA REPORTING PURSUANT TO ARTICLE 12 AND POLICY DISCUSSION CONSIDERING OPTIONS TO INCREASE THE EFFICIENCY AND RELIABILITY OF ENERGY USAGE DATA FOR CLIMATE ACTION PLAN MANAGEMENT

Renee Yarmy, Program Manager, Energy & Sustainability, addressed the Board with staff's report and presentation regarding Action Agenda Item 23 - File No. 2018-0271 (A copy of the staff report, presentations and any agenda-related materials are on file with the Office of the District Clerk).

The following members of the public addressed the Board with agenda-related comments: Sharon Cloward, President, San Diego Port Tenants Association; and Joy Williams, Environmental Health Coalition.

Commissioner Merrifield, Commissioner Zucchet, Commissioner Valderrama, Commissioner Malcolm, and Chairman Castellanos provided comments and asked clarifying questions. Ms. Yarmy, Jason Giffen, Simon Kann, Deputy General Counsel, and Rachel Stern, Senior Environmental Specialist, responded on behalf of staff. Joy Williams responded to questions on behalf of the Environmental Health Coalition posed by Commissioner Zucchet.

The Board provided direction to go forward with Option 1: for staff to amend language to the Local Government Partnership Agreement with SDG&E, staff will return to the Board with amended agreement for approval; Board also agreed to temporarily suspend reporting requirement (estimated 3-4 months) with the understanding that the Board will be kept apprised of the progress during the suspension.

24. [2018-0203](#) REVIEW AND CONSIDERATION OF DRAFT PROPOSED BOARD AGENDA FOR THE AUGUST 14, 2018 MEETING

On a motion by Commissioner Malcolm, seconded by Commissioner Valderrama, the Board adopted the draft agenda for August 14, 2018. The motion carried by the following vote:

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

Nays: 0

Excused: 1 - Bonelli

Absent: 0

Abstain: 0

Recused: 0

6. [2018-0248](#) CHULA VISTA BAYFRONT PARKS:

A) ORDINANCE AMENDING THE FISCAL YEAR (FY) 2019 BUDGET INCREASING THE FY 2019 CAPITAL IMPROVEMENT PROGRAM (CIP)

APPROPRIATION BY \$1,653,750 TO BE FUNDED FROM RESTRICTED RESERVES RELATED TO THE CHULA VISTA BAYFRONT PROJECT

B) RESOLUTION APPROVING AN AMENDMENT TO THE FY 2019-2023 5-YEAR CIP TO INCREASE THE SITE PREPARATION AT CHULA VISTA BAYFRONT PROJECT BUDGET BY \$1,653,750 PURSUANT TO BOARD OF PORT COMMISSIONERS POLICY NO. 120, CAPITAL IMPROVEMENT PROGRAM

C) RESOLUTION AUTHORIZING AMENDMENT NO. 3 TO THE AGREEMENT WITH KTU+A FOR CHULA VISTA PARKS DESIGN SERVICES INCREASING THE MAXIMUM AMOUNT PAYABLE UNDER THE AGREEMENT BY \$1,676,460 FOR A NEW MAXIMUM AMOUNT OF \$2,076,460, ADDING ADDITIONAL WORK, AND EXTENDING TERM THROUGH JUNE 30, 2020. FUNDS FOR FY 2019 ARE BUDGETED IN THE FY 2019 CIP APPROPRIATION; ALL FUNDS REQUIRED FOR FUTURE FISCAL YEARS WILL BE BUDGETED IN THE APPROPRIATE FISCAL YEAR, SUBJECT TO BOARD APPROVAL UPON ADOPTION OF EACH FISCAL YEAR'S BUDGET

This item was pulled from Consent. Chairman Castellanos recused himself and did not participate in the item.

On a motion by Commissioner Valderrama, seconded by Commissioner Merrifield, the Board adopted Ordinance 2921, Resolution 2018-122, and Resolution 2018-123. The motion carried by the following vote:

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

Nays: 0

Excused: 1 - Bonelli

Absent: 0

Abstain: 0

Recused: 1 - Castellanos

8. [2018-0277](#) RESOLUTION SELECTING AND AUTHORIZING AN AGREEMENT WITH RI PROPERTIES, INC., DBA RETAIL INSITE FOR COMMERCIAL REAL ESTATE BROKER SERVICES FOR THE SEAPORT VILLAGE SPECIALTY RETAIL CENTER FROM JULY 18, 2018 TO JUNE 30, 2021 IN AN AMOUNT NOT TO EXCEED \$200,000, AND WAIVING BOARD OF PORT COMMISSIONERS POLICY NO. 114. ALL FUNDS REQUIRED FOR FUTURE FISCAL YEARS WILL BE BUDGETED IN THE APPROPRIATE FISCAL YEAR, SUBJECT TO BOARD APPROVAL UPON ADOPTION OF EACH FISCAL YEAR'S BUDGET

This item was pulled from Consent.

Public Comments: Maya Grim, was asked whether she would like to speak again (her

comment was taken before consent). She indicated from the audience that she was available for questions but had no additional comments. No other public came forward to speak.

Commissioner Merrifield provided comments and asked clarifying questions. Alexa Paulus, Asset Manager, Real Estate, and Penny Maus, Department Manager, Real Estate, responded on behalf of staff. Commissioner Malcolm and Chairman Castellanos provided clarifying comments.

On a motion by Commissioner Merrifield, seconded by Commissioner Valderrams, the Board adopted Resolution 2018-125. The motion carried by the following vote:

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

Nays: 0

Excused: 1 - Bonelli

Absent: 0

Abstain: 0

Recused: 0

16. [2018-0268](#) RESOLUTION WAIVING BOARD OF PORT COMMISSIONERS POLICY NO. 110 SECTION II E AND AUTHORIZING AN AGREEMENT WITH STAY CLASSY SAN DIEGO, LLC FOR SPONSORSHIP OF A SAN DIEGO FESTIVAL IN NOVEMBER 2019 ON THE DOWNTOWN SAN DIEGO WATERFRONT IN AN AMOUNT NOT TO EXCEED \$100,000 IN FUNDING AND WAIVER OF DISTRICT SERVICES NOT TO EXCEED \$350,000; FY 2019 EXPENDITURES ARE BUDGETED

This item was pulled from Consent.

Commissioner Moore, Commissioner Valderrama, Commissioner Merrifield, Commissioner Malcolm, and Commissioner Zucchet provided comments and asked clarifying questions. Jim Hutzelman, Manager, Business Development & Recreation Services, Thomas A. Russell, General Counsel, and Rebecca Harrington, Senior Deputy General Counsel, responded on behalf of staff. Paul Thornton, Stay Classy San Diego, responded on behalf of applicant.

On a motion by Commissioner Valderrama, seconded by Commissioner Moore, the Board adopted Resolution 2018-130 with modifications to the Resolution and Agreement to: include specific festival dates, specify the festival locations on the Tidelands; District services are not to exceed \$350,000; and to remove the \$100,000 grant and have Stay Classy San Diego, LLC compete for the \$100,000 funding through the next Tidelands Activation Program Funding process. Also final acceptance will be contingent upon securing all required permits. The motion carried by the following vote.

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

Nays: 0

Excused: 1 - Bonelli

Absent: 0

Abstain: 0

Recused: 0

25. [2018-0326](#) OFFICER'S REPORT

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

- A) Change Order No. 2 to Contract No. 2012-06 with R.E. Staite Engineering, Inc. / \$21,413.01 Increase & 60 Calendar Day Time Extension thru 06/28/18
- B) Change Order No. 2 to Contract No. 2016-08 with Conan Construction, Inc. / \$23,355.20 Increase & 65 Calendar Day Time Extension thru 06/04/18
- C) Change Order No. 1 to Contract No. 2016-05R with Jennette Company, Inc. / \$19,476.00 Increase, Amends Scope of Work & 14 Calendar Day Time Extension thru 06/30/18
- D) Change Order No. 1 to Contract No. 2017-53 with TL Veterans Construction, Inc. / 22 Calendar Day Time Reduction thru 06/28/18
- E) Change Order No. 2 to Contract No. 2017-53 with TL Veterans Construction, Inc. / Increases Contract by \$16,934.93

MONTHLY NOTIFICATION OF COST RECOVERY USER FEE WAIVERS GRANTED BY THE EXECUTIVE DIRECTOR PURSUANT TO BPC POLICY NO. 106:

- A) Request for User Fee Waiver Form from Duncan McIntosh Company, Inc. for 2018 San Diego International Boat Show, for total amount \$2,813.00
- B) Request for User Fee Waiver Form from HUBBS-SeaWorld Research Institute for Operation of White Sea Bass Pens, for total amount \$1,308.00

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

None to Report

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

None to Report

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

None to Report

*Secretary, Board of Port Commissioners
San Diego Unified Port District*

ATTEST:

Clerk of the San Diego Unified Port District