



# San Diego Unified Port District

3165 Pacific Hwy.  
San Diego, CA 92101

## Special Meeting Minutes

### Board of Port Commissioners

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Tuesday, November 17, 2015

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, Commissioner Nelson, and Commissioner Valderrama

**Excused:** 0

**Absent:** 0

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

#### B. Closed Session Report Out.

*Thomas Russell, General Counsel, announced the Board considered the items on the Closed Session Agenda. He stated that in regard to Closed Session Item 5 - File No. 2015-1730, the Board, by a 7-0 vote, authorized the amended settlement agreement between the San Diego Unified Port District and San Diego Refrigerated Services.*

#### C. Pledge of Allegiance.

*Commissioner Valderama led the Pledge of Allegiance.*

## D. Public Communications.

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

*Katheryn Rhodes: Requested the District legal team review her plan regarding the use of Federal Aviation Administration (FAA) revenue for the tidelands around the airport. Chairman Malcolm stated the District does not receive any airport revenues from the FAA. Chairman Malcolm directed the matter to Staff for review.*

*Sophia Fang, Falun Gong Practitioners: Thanked the District and it's staff for their assistance of the meditation practitioners group currently residing in San Diego helping to raise awareness of the human rights persecution in China. Ms. Fang presented gifts to the Board which the Deputy District Clerk accepted on behalf of the District.*

*Philip Harris, Commercial Fisherman: Addressed the Board and expressed concern regarding work on the Commercial Fishermans Masterplan. Mr. Harris requested the District protect and promote local commercial fishing businesses.*

*Peter Halmay, Commercial Fisherman: Thanked the District for its support of commercial fisheries.*

## E. Commissioners' Reports.

*Commissioner Nelson reported on his presentation to Cleantech Innovation San Diego and recognized Jim Waring, Co-Founder and Chairman of Cleantech San Diego. Commissioner Nelson also provided his travel report regarding the Third Annual Intel Internet of Things (IoT) Insights Event on November 3-4, 2015 in San Francisco, California. This event focused on the future of IoT. A video presentation produced by Intel was shown regarding the Smart Port Project featuring the Port of San Diego.*

*Commissioner Moore provided a report on the Urban Land Institute (ULI) Fall Meeting in San Francisco, California on October 5-8, 2015.*

*Chairman Malcolm reported on his trip to New York, New York for the P3 (Public Private Partnerships) Infrastructure Summit on October 14-15, 2015. Additionally Chairman Malcolm reported on the North Harbor Drive Realignment Project ribbon cutting ceremony on October 12, 2015. He announced the award of the TIGER (Transportation Investment Generating Economic Recovery) Grant to the District for improvements at the Tenth Avenue Marine Terminal.*

## F. President's Report.

*Randa Coniglio, Executive Director, turned the presentation over to John Bolduc, Vice President Public Safety/Harbor Police Chief, who presented the newest members of the Harbor Police Explosive Detection K-9 Team, Shawn Wooddy, Harbor Police Officer, with Lando and Traci Cain, Harbor Police Officer, with Mischa.*

*Ms. Coniglio then invited Ernesto Medina, Chief Engineer, Engineering-Construction, to announce the American Institute Architect (AIA) Awards received by the District. The NEVP Phase 1 Project was given the 2015 AIA Award for Architectural Design, Project of the Year. Additionally it was announced that the H Street Extension project received the 2014/15 Project of the Year Award from ITE (Institute of Transportation Engineers).*

**G. District Clerk’s Announcements.**

*Timothy Deuel, District Clerk, reported that the Board received several email messages, after the publication fo the agenda, regarding Action Agenda Item 11 - File No. 2015-1651 and Action Agenda Item 23 - File No. 2015-1684. Mr. Deuel informed everyone that printed copies of the correspondence were available at the Clerk's station.*

*Mr. Deuel announced that Staff requested the following matters be continued to a future Board Meeting: Consent Agenda Item 1 - File No. 2015-1712, Consent Agenda Item 3 - File No. 2015-1735 and Public Hearing Item 19 - File No. 2015-1641.*

*Furthermore, Mr. Deuel announced that following the publication of the agenda Staff determined that no Board action was required regarding Consent Agenda Item 12 - File No. 2015-1655.*

**adopted**

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

**Nays:** 0

**Absent:** 0

**Abstain:** 0

**Recused:** 0

**APPROVAL OF MINUTES**

[2015-1724](#)

CONSIDERATION OF MINUTES FROM THE FOLLOWING MEETINGS:  
SEPTEMBER 23, 2015 - SPECIAL MEETING - WORKSHOP  
OCTOBER 6, 2015 SPECIAL MEETING - CLOSED SESSION  
OCTOBER 6, 2015 REGULAR MEETING  
OCTOBER 21, 2015 SPECIAL MEETING - CIP WORKSHOP  
**adopted**

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

**Nays:** 0

**Absent:** 0

**Abstain:** 0

**Recused:** 0

**CONSENT AGENDA**

**adopted**

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

**Nays:** 0

**Absent:** 0

Abstain: 0

Recused: 0

1. [2015-1712](#) TECHNOLOGY STRATEGIC PLAN FY 15-16 LEASE MANAGEMENT SOLUTION - IMPLEMENTATION
  - A) RESOLUTION SELECTING AND AUTHORIZING AN AGREEMENT WITH YARDI SYSTEMS, INC. FOR PROFESSIONAL SERVICES IMPLEMENTATION OF A LEASING ADMINISTRATION SOLUTION FOR AN AMOUNT NOT TO EXCEED \$XXX,XXX
  - B) RESOLUTION AUTHORIZING AN AGREEMENT WITH YARDI SYSTEMS, INC. FOR ANNUAL LICENSING AND SUBSCRIPTION SERVICES FOR AN AMOUNT NOT TO EXCEED \$XXX,XXX

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

2. [2015-1599](#) RESOLUTION AUTHORIZING ACCEPTANCE OF GRANT FUNDS FROM THE STATE OF CALIFORNIA NATURAL RESOURCES AGENCY, DEPARTMENT OF PARKS AND RECREATION, DIVISION OF BOATING AND WATERWAYS FOR THE FY 2015/2016 SURRENDERED AND ABANDONED VESSEL EXCHANGE PROGRAM IN THE AMOUNT OF \$44,900 AND GRANTING INDEMNITY

3. [2015-1735](#) CABRILLO ISLE MARINA AT 1450 HARBOR ISLAND DRIVE, SAN DIEGO:
  - A) RESOLUTION CONSENTING TO ASSIGNMENT AND ASSUMPTION OF THE LEASEHOLD INTEREST FROM CLP CABRILLO MARINA, LLC TO SHM CABRILLO ISLE, LLC
  - B) ORDINANCE GRANTING AN AMENDED AND RESTATED LEASE TO SHM CABRILLO ISLE, LLC TO UPDATE LEASE TO NEW AND REVISED TERMS
  - C) RESOLUTION CONSENTING TO ENCUMBRANCE OF SHM CABRILLO ISLE, LLC'S LEASEHOLD ESTATE BY \$12,500,000 LOAN IN FAVOR OF REGIONS BANK, WITH CONDITIONS

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

4. [2015-1618](#) RESOLUTION RESCINDING RESOLUTION 2015-64 APPROVED AT THE MAY 12, 2015 BOARD OF PORT COMMISSIONERS MEETING AND ADOPTING A LINE ITEM BUDGET IN AN AMOUNT NOT TO EXCEED \$732,500 IN SPONSORSHIP FUNDING AND WAIVED DISTRICT SERVICES NOT TO EXCEED \$896,272 TO SUPPORT 61 EVENTS THROUGH THE FISCAL YEAR 2015-16 TIDELANDS ACTIVATION PROGRAM

5. [2015-1624](#) SHELTER ISLAND YACHTWAYS, LTD., LOCATED AT 2330 & 2390 SHELTER ISLAND DRIVE, SAN DIEGO, CA
- A) RESOLUTION CONSENTING TO ASSIGNMENT OF OWNERSHIP INTERESTS WITHIN SHELTER ISLAND YACHTWAYS, LTD., D.B.A. SHELTER ISLAND BOATYARD
  - B) ORDINANCE GRANTING AMENDMENT NO. 1 TO LEASE WITH SHELTER ISLAND YACHTWAYS, LTD., D.B.A. SHELTER ISLAND BOATYARD, UPDATING CERTAIN LEASE PROVISIONS

6. [2015-1625](#) FY 15/16 MAJOR MAINTENANCE PROGRAM MANAGEMENT AND ADMINISTRATION BUILDING ELEVATOR REPAIRS
- A) RESOLUTION APPROVING TRANSFER OF FUNDS WITHIN THE FY 15/16 BUDGET EXPENSE MAJOR MAINTENANCE APPROPRIATED ITEM FROM THE NATIONAL CITY MARINE TERMINAL 24-1 ROOF REPAIR PROJECT TO MAJOR MAINTENANCE EXPENSE CONTINGENCY IN THE AMOUNT OF \$215,000, PURSUANT TO BPC POLICY NO. 90
- B) ORDINANCE AMENDING THE FY 15/16 BUDGET BY TRANSFERRING \$315,000 FROM THE MAJOR MAINTENANCE EXPENSE CONTINGENCY, WITHIN THE EXPENSE MAJOR MAINTENANCE APPROPRIATED ITEM IN THE ORDINARY ANNUAL EXPENSE CLASS TO MAJOR MAINTENANCE CAPITAL CONTINGENCY, WITHIN THE CAPITAL MAJOR MAINTENANCE APPROPRIATED ITEM IN THE CAPITAL OUTLAY CLASS PURSUANT TO BPC POLICY NO. 90, WITH NO CHANGE TO THE TOTAL APPROVED FY 15/16 MAJOR MAINTENANCE PROGRAM
- C) RESOLUTION (1) APPROVING TRANSFER OF FUNDS WITHIN THE FY 15/16 BUDGET CAPITAL MAJOR MAINTENANCE APPROPRIATED ITEM FROM THE CORAL TREE REPLACEMENT PROJECT TO MAJOR MAINTENANCE CAPITAL CONTINGENCY IN THE AMOUNT OF \$185,000, PURSUANT TO BPC POLICY NO. 90; (2) APPROVING TRANSFER OF FUNDS WITHIN THE FY 15/16 BUDGET CAPITAL MAJOR MAINTENANCE APPROPRIATED ITEM FROM MAJOR MAINTENANCE CAPITAL CONTINGENCY TO THE ADMINISTRATION BUILDING ELEVATOR REPAIRS PROJECT IN THE AMOUNT OF \$400,000, PURSUANT TO BPC POLICY NO. 90; (3) ADOPTING PLANS AND SPECIFICATIONS AND AWARDED CONTRACT NO. 2014-19 (BID SCHEDULES A, B & C) TO 24 HOUR ELEVATOR, INC. FOR THE ADMINISTRATION BUILDING ELEVATOR REPAIRS IN THE AMOUNT OF \$1,497,000, AS AUTHORIZED BY THE BOARD IN THE FY15/16 MAJOR MAINTENANCE BUDGET; AND (4) APPROVING THE ELIMINATION OF THE TENTH AVENUE MARINE TERMINAL HIGH MAST LIGHTING INSTALLATION PROJECT FROM THE FY 15/16 MAJOR MAINTENANCE PROGRAM, PURSUANT TO BPC NO. 130

7. [2015-1637](#) RESOLUTION AUTHORIZING A MEMORANDUM OF UNDERSTANDING (MOU) WITH THE CITY OF LOS ANGELES HARBOR DEPARTMENT REGARDING THE REGIONAL MARITIME LAW ENFORCEMENT TRAINING CENTER (RMLETC) FOR THE CONTINUED USE OF PORT OF SAN DIEGO HARBOR POLICE PERSONNEL AS INSTRUCTORS AT THE RMLETC AND GRANTING INDEMNIFICATION TO THE CITY OF LOS ANGELES HARBOR DEPARTMENT DURING THE COURSE AND SCOPE OF THE MOU
  
8. [2015-1639](#) RESOLUTION SELECTING AND AUTHORIZING AGREEMENTS WITH GEOSYNTEC CONSULTANTS, INC., KLEINFELDER, INC. AND TETRA TECH, INC. FOR AS-NEEDED ENVIRONMENTAL INVESTIGATION SERVICES FOR AN AGGREGATE AMOUNT NOT TO EXCEED \$1,800,000 FOR A PERIOD OF THREE YEARS
  
9. [2015-1644](#) RESOLUTION ESTABLISHING THE BOARD OF PORT COMMISSIONERS' REGULAR MEETING DATES FOR CALENDAR YEAR 2016
  
10. [2015-1645](#) ORDINANCE GRANTING 12-YEAR, 13-DAY(S) LEASE WITH ONE, 5-YEAR OPTION AND ONE, 4-YEAR OPTION TO EXTEND EXPIRING ON DECEMBER 31, 2036 TO SAN DIEGO REFRIGERATED SERVICES, INC. FOR REFRIGERATED AND WAREHOUSE SERVICES AT THE TENTH AVENUE MARINE TERMINAL
  
11. [2015-1651](#) RESOLUTION GRANTING CONCEPTUAL APPROVAL TO MARINE GROUP BOAT WORKS, LLC FOR PROPOSED 500kW ROOF MOUNTED SOLAR PHOTOVOLTAIC INSTALLATION AT ITS LEASEHOLD LOCATED AT 1313 BAY MARINA DRIVE, NATIONAL CITY, CALIFORNIA
  
12. [2015-1655](#) RESOLUTION AUTHORIZING AN AMENDMENT TO AGREEMENT WITH GEOPHEX, LTD. FOR FLIGHT AERIAL IMAGERY FOR AN AMOUNT OF \$4,433 NOT TO EXCEED \$31,034 FUNDED IN PART BY THE DEPARTMENT OF HOMELAND SECURITY 2014 PORT SECURITY GRANT PROGRAM FOR GIS ENHANCEMENTS FOR A TOTAL PROJECT AMOUNT OF \$350,000 WHICH IS INCLUDED IN THE TECHNOLOGY MANAGEMENT PROGRAM CAPITAL PROJECTS BUDGET

Board Action No Longer Required.



13. [2015-1656](#) RESOLUTION SELECTING AND AUTHORIZING AGREEMENTS WITH:

- A) V3IT CONSULTING, INC.
- B) PHOENIX BUSINESS, INC. DBA PHOENIX BUSINESS CONSULTING
- C) SAGE GROUP CONSULTING, INC.
- D) RJT COMPUQUEST, INC.
- E) NH BRANDT, INC.
- F) PAS SOFTWARE SERVICES, INC.
- G) LABYRINTH SOLUTIONS, INC. DBA LSI CONSULTING
- H) QSI, INC.

TO PROVIDE AS-NEEDED SAP LEVEL 3 SUPPORT SERVICES FOR A PERIOD OF FIVE (5) YEARS, FOR A TOTAL AGGREGATE AMOUNT NOT TO EXCEED \$1,250,000.

14. [2015-1666](#) ORDINANCE AUTHORIZING AGREEMENT FOR AMENDMENT OF LEASE AMENDMENT NO. 1 TO THE LEASE WITH THE CITY OF CORONADO FOR THE GLORIETTA BAY MARINA LOCATED AT 1715 STRAND WAY IN THE CITY OF CORONADO AMENDING RENT TERMS, REVISING THE LEASEHOLD DESCRIPTION, AND UPDATING CERTAIN LEASE PROVISIONS

15. [2015-1674](#) RESOLUTION AUTHORIZING AMENDMENT NO. 2 TO THE THREE-PARTY AGREEMENT BETWEEN THE DISTRICT, PASHA AUTOMOTIVE SERVICES AND ICF JONES & STOKES, INC. FOR ENVIRONMENTAL REVIEW CONSULTING SERVICES FOR THE NATIONAL CITY MARINE TERMINAL TANK FARM REDEVELOPMENT AND STREET CLOSURES PROJECT TO INCREASE THE AGREEMENT AMOUNT BY \$41,554 INCREASING THE AGGREGATE TOTAL OF THE AGREEMENT FROM \$198,400 TO \$239,954 AND EXTENDING THE AGREEMENT UNTIL JUNE 30, 2016

16. [2015-1680](#) RESOLUTION AUTHORIZING AMENDMENT NO. 3 TO AGREEMENT WITH HKS ARCHITECTS, P.C. FOR AS-NEEDED INTEGRATED PLANNING SUPPORT SERVICES TO INCREASE THE AGREEMENT AMOUNT BY \$380,000, INCLUDING \$180,000 COMMITTED FUNDS FOR ON-GOING SUPPORT SERVICES, PLUS \$200,000 FOR AS-NEEDED SERVICES AT THE DISTRICT'S OPTION, INCREASING THE AGGREGATE TOTAL OF THE AGREEMENT FROM \$1,300,000 TO \$1,680,000, AND EXTENDING THE CONTRACT TERM FROM JANUARY 31, 2016 TO JANUARY 31, 2019.

- 17. [2015-1700](#) RESOLUTION ADOPTING BPC POLICY NO. 774 TO ESTABLISH A POND 20 ECONOMIC DEVELOPMENT FUND

**PUBLIC HEARING AGENDA**

- 18. [2015-1640](#) BAE SYSTEMS PIER 1 NORTH DRYDOCK, ASSOCIATED REAL ESTATE AGREEMENTS AND REMOVAL OF COOLING TUNNELS PROJECT:
  - A) CONDUCT PUBLIC HEARING AND ADOPT RESOLUTION CERTIFYING THE FINAL ENVIRONMENTAL IMPACT REPORT FOR THE “PIER 1 NORTH DRYDOCK, ASSOCIATED REAL ESTATE AGREEMENTS AND REMOVAL OF COOLING TUNNELS PROJECT”, ADOPT FINDINGS OF FACT, ADOPT MITIGATION MONITORING AND REPORTING PROGRAM, AND DIRECT FILING OF THE NOTICE OF DETERMINATION
  - B) ADOPT RESOLUTION GRANTING CONCEPT APPROVAL TO BAE SYSTEMS SAN DIEGO SHIP REPAIR, INC. FOR THE PIER 1 NORTH DRYDOCK PROJECT
  - C) ADOPT RESOLUTION AUTHORIZING ISSUANCE OF A NON-APPEALABLE COASTAL DEVELOPMENT PERMIT FOR THE PIER 1 NORTH DRYDOCK PROJECT

*Jason Giffen, Director, Environmental and Land Use Management (ELUM), addressed the Board and turned over the presentation to Larry Hofreiter, Senior Redevelopment Planner, ELUM Department, regarding Public Hearing Agenda Item No. 18 – File No. 2015-1640. ( A copy of the staff report and presentation is on file in the Office of the District Clerk.)*

*Commissioner Bonelli offered comments and had questions for Mr. Hofreiter.*

*Chairman Malcolm opened the Public Hearing regarding Agenda Item No. 18 - File No. 2015-1640.*

*The following members of the public addressed the Board with varying viewpoints regarding the matter: Nate Turnbull, Vice President, Public Policy, CONNECT; Christopher Garrett was called to speak and declined; Bob Koerber, General Manager, BAE Systems; Katheryn Rhodes and Joy Williams, Environmental Health Coalition.*

*Chairman Malcolm, Commissioner Merrifield, Commissioner Nelson and Commissioner Bonelli offered varied comments regarding the presentation.*

**adopted**

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

**Nays:** 0

**Absent:** 0

**Abstain:** 0

**Recused:** 0

adopted

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

**Nays:** 0

**Absent:** 0

**Abstain:** 0

**Recused:** 0

adopted

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

**Nays:** 0

**Absent:** 0

**Abstain:** 0

**Recused:** 0

19. [2015-1641](#) SHELTER ISLAND BOAT LAUNCH FACILITY IMPROVEMENTS PROJECT
- A) CONDUCT PUBLIC HEARING AND ADOPT RESOLUTION ADOPTING THE FINAL MITIGATED NEGATIVE DECLARATION, ADOPTING THE MITIGATION MONITORING AND REPORTING PROGRAM, AND DIRECTING FILING OF THE NOTICE OF DETERMINATION
  - B) CONDUCT PUBLIC HEARING AND ADOPT RESOLUTION APPROVING THE PORT MASTER PLAN AMENDMENT AND DIRECTING FILING WITH THE CALIFORNIA COASTAL COMMISSION FOR CERTIFICATION

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

**ACTION AGENDA**

20. [2015-1654](#) PRESENTATION AND DIRECTION TO STAFF ON THE DRAFT INTEGRATED PLANNING FRAMEWORK REPORT

*Jason Giffen, Director, ELUM, addressed the Board with a presentation and was then joined by his team, Lesley Nishihira, Department Manager, ELUM; Jim Crabtree, CCI Partners and Randy Morton, Principal, Director, HKS Urban Design Studio, regarding Action Agenda Item 20 - File No. 2015-1654. (A copy of the staff report and presentation are on file in the Office of the District Clerk.)*

*The following members of the public addressed the Board with varying viewpoints regarding the matter: David Graham, Carolina Martinez, Environmental Health Coalition, and Katheryn Rhodes*

*Chairman Malcolm opened comments to the Commissioners. Commissioner Nelson, Commissioner Merrifield, Commissioner Moore and Commissioner Valderrama discussed the matter under consideration and the Staff's recommendation. Commissioners' Nelson and Moore requested that Staff provide focus on the matter with a systems checklist of items moving forward to present to the Board.*

*After the motion and second, additional comments were made by Commissioner Valderrama. Chairman Malcolm thanked the team, then restated the forward to motion under consideration.*

**adopted**

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

**Nays:** 0

**Absent:** 0

**Abstain:** 0

**Recused:** 0

23. [2015-1684](#) RESOLUTION SELECTING AND AUTHORIZING NEGOTIATIONS WITH THE BRIGANTINE, INC. FOR REDEVELOPMENT AND OPERATION OF ICONIC WATERFRONT RESTAURANT LOCATION AT 1360 NORTH HARBOR DRIVE

*Commissioner Castellanos announced he would recuse himself from consideration regarding Action Agenda Item 23 - File No. 2015-1684 due to a relationship his law firm has with one of the involved parties. Commissioner Castellanos left the dais and was excused for the remainder of Action Agenda Item 23 - File No. 2015-1684.*

*Tony Gordon, Acting Director, Real Estate; Penny Maus, Program Manager, Real Estate; Rebecca Harrington, Deputy General Counsel IV, Office of the General Counsel; and Elizabeth Alonso, Deputy General Counsel IV, Office of the General Counsel, addressed the Board with the staff report regarding Action Agenda Item 23 - File No. 2015-1684. ( A copy of the staff report and presentation are on file in the Office of the District Clerk.)*

*The following members of the public addressed the Board with varying viewpoints regarding the matter: Uri Feldman, Vice President, Sunroad Enterprises, Jan Bourgeois; Craig Ghio, Anthony's Fish Market, Mike Morton, Jr., President & CEO, Brigantine Restaurants; and Mike Morton, Sr., Founder, Brigantine Restaurants.*

*Chairman Malcolm, Commissioner Merrifield, Commissioner Bonelli, Commissioner Nelson, Commissioner Moore and Commissioner Valderrama commented on the proposals. Questions and clarifications were asked by Chairman Malcolm, Commissioner Merrifield, Commissioner Bonelli, Commissioner Nelson, Commissioner Moore and Commissioner Valderrama regarding proposal specifics, valuations and construction rent. Thomas Russell, General Counsel, joined the discussion regarding the construction rent specifics. During the discussion Ms. Herrington, Ms. Maus, Mr. Gordon, and Shaun Sumner, Acting Vice President of Operations, provided additional clarification regarding the matter under consideration. In addition, Mr. Feldman returned to the podium to further discuss and answer questions from the Board. After motion and second, Commissioners' Valderrama and Bonelli provided additional comments regarding the matter under consideration.*

**adopted**

**Yeas:** 4 - Bonelli, Malcolm, Moore, and Nelson

**Nays:** 2 - Merrifield, and Valderrama

**Absent:** 0

**Abstain:** 0

**Recused:** 1 - Castellanos

21. [2015-1704](#) INFORMATIONAL PRESENTATION ON THE MANCHESTER PACIFIC GATEWAY PROJECT AT SAN DIEGO'S NAVY BROADWAY COMPLEX

*Donald Powell, Manager, Government and Civil Relations Department, Manchester Group addressed the Board with a presentation regarding Action Agenda Item 21 - File No. 2015-1704. ( A copy of the presentation are on file in the Office of the District Clerk.)*

*Commissioner Nelson inquired about the Five Star Hotel and Museum proposals. Mr. Powell responded.*

*The following member of the public addressed the Board regarding the matter: Katheryn Rhodes*

*Commissioner Valderrama left the dais and was excused from the remainder of the meeting.*

22. [2015-1686](#) ORDINANCE GRANTING FINAL FORM LEASE BETWEEN THE DISTRICT AND LPP LANE FIELD, LLC FOR THE LANE FIELD SOUTH HOTEL PROJECT LOCATED IN THE CITY OF SAN DIEGO, FOR A 66-YEAR TERM, WITH CONDITIONS

*Tony Gordon, Acting Director, Real Estate; Jenner Smith, Program Manager, Real Estate and Dave Catalino, Deputy General Counsel III, Office of the General Counsel, addressed the Board with a presentation regarding Action Agenda Item No. 22 - File No. 2015-1686. ( A copy of the staff report and presentation is on file in the Office of the District Clerk.)*

*Craig Mueller, Vice President Development, Intercontinental Hotels Group (IHG), addressed the Board with varying viewpoints regarding the matter.*

*Chairman Malcolm, Commissioner Merrifield, Commissioner Bonelli, Commissioner Nelson, Commissioner Moore and Commissioner Castellanos discussed Staff's recommendation. Questions and clarifications regarding the lender and performance bonds were made by Chairman Malcolm, Commissioner Merrifield, Commissioner Bonelli, Commissioner Nelson, Commissioner Moore and Commissioner Castellanos. During the discussion Thomas Russell, General Counsel; Randa Coniglio, Executive Director; Mr. Gordon, Mr. Smith and Mr. Catalino provided additional clarification on performance bonds and guarantees required by the District. Upon the completion of the motion and second, Commissioner Merrifield requested Mr. Gordon provide a draft memo to the Board for consideration at the December 8, 2015 Board meeting.*  
**adopted**

**Yeas:** 5 - Bonelli, Castellanos, Merrifield, Moore, and Nelson

**Nays:** 1 - Malcolm

**Absent:** 1 - Valderrama

**Abstain:** 0

**Recused:** 0

24. [2015-1653](#) REVIEW AND CONSIDERATION OF DRAFT PROPOSED BOARD AGENDA FOR THE DECEMBER 8, 2015 MEETING

*The Board adopted the draft agenda for December 8, 2015 as presented.*

**adopted**

**Yeas:** 6 - Bonelli, Castellanos, Malcolm, Merrifield, Moore, and Nelson

**Nays:** 0

**Absent:** 1 - Valderrama

**Abstain:** 0

**Recused:** 0

25. [2015-1709](#) 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

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

ATTEST:

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*Clerk of the San Diego Unified Port District,*