



San Diego Unified Port District

3165 Pacific Hwy.
San Diego, CA 92101

Meeting Minutes

Board of Port Commissioners

Thursday, September 10, 2020

1:00 PM

Don L. Nay Port Administration Boardroom

A. Roll Call.

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

Excused: 0

Absent: 0

Officers Present: Coniglio, DeAngelis, Medina, 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 Item 3 - File No. 2020-0325 and Item 4 - File No. 2020-0326 were not discussed and will be considered after the conclusion of this meeting. Mr. Russell added that no reportable action was taken.

C. Public Communications.

The following member(s) of the public addressed the Board with non agenda-related comments: David Flores, Environmental Health Coalition; and Carol Noska.

D. Board Committee Reports.

Chair Moore reported that a staff presentation was made to the Budget Ad Hoc Committee on August 25 with the committee supportive of staffs' recommendations. The full board will receive the presentation as an agenda item today (Item 11 - File No. 2020-0274).

E. Commissioners' Reports.

Commissioner Bonelli explained that he wanted to take this moment to commemorate that tomorrow is the 19th anniversary of the tragic events of September 11, 2001.

Traditionally the Port has a small ceremony in front of the Administration Building to acknowledge this day with Port staff, and the Harbor Police Honor Guard raising the flag and playing the National Anthem, along with a wreath laying ceremony to honor all who lost their lives on that sad day. However, with the current restrictions due to COVID-19, there will be no ceremony this year. Commissioner Bonelli explained that he didn't want this day to go unnoticed, seeing that there are so many things going on in the world today – the pandemic, racial unrest, protests. There were nearly 3,000 people who lost their

lives, including approximately 80 port employees at the Port Authority of New York and New Jersey. He stated that we must never forget them and what happened to our country that day.

Commissioner Bonelli then quoted Ronald Reagan, the 40th President of the United States of America who said, "Freedom is never more than one generation away from extinction. We didn't pass it to our children in the bloodstream. It must be fought for, protected and handed on for them to do the same."

Commissioner Bonelli then asked for moment of silence.

F. President's Report.

Randa Coniglio, President/CEO announced that she had a few updates to share today. Ms. Coniglio invited Jason Giffen, Vice President of Planning, Environment & Government Relations, to present the first item which highlights September as Green Port Month.

Mr. Giffen announced that this is a time for the Port to celebrate environmental champions through an Awards ceremony and environmental educational events. Mr. Giffen explained that this year's Green Port Month looks a little different as compared to previous years with a shift toward virtual events for our employees. Each year, the Port honors environmental champions through the Michelle White Environmental Awards. The five employees who received the 2020 Michelle White Environmental Awards are: Robert Alcala, Jeremy Cadua, Miguel Sanchez, and Daniel Toscano, from General Services; and Annabelle Burruss, from Planning & Greent Port. The Port also honors port tenants and partners with this award. This year's Port Tenant award winner is Corchelle Worsham with the San Diego Port Tenants Association. Mr. Giffen added that this year, the Port has achieved many environmental accomplishments and suggested everyone check out the Port's website to read the Green Port Year In Review 2020 where these achievements are celebrated.

Ms. Coniglio then announced that the Port continues to focus their efforts on the health and safety of our employees. The Executive Leadership Group meets twice a week to discuss COVID-related issues and cross-departmental collaboration continues to occur to ensure the Port is pro-actively addressing COVID-related issues and concerns as the pandemic continues to evolve. Ms. Coniglio further explained that since the last update at the August Board meeting, there have been no new cases of COVID-positive employees. The total Port employees that have tested positive for COVID-19 since the pandemic began remains at 6.

Additionally, Ms. Coniglio explained that staff continues to monitor very closely what other neighboring jurisdictions and regional public agencies are doing with respect to in-office versus remote working for their employees, how they conduct public meetings, and the public services they are providing. The Port wants to make sure we are aligning with the majority of the jurisdictions/public agencies regarding practices and will make sure the Board and public are notified when things begin to change.

Ms. Coniglio then explained she wanted to address the fact that there are an unusually high number of items on the agenda that have either been requested to be continued to future meeting, or Board action is no longer required. For the benefit of the Board and the public Ms. Coniglio stated that some of the items are related to Port Security Grants which involve several local public agencies, when we are dealing with numerous agencies, delays are not uncommon. The two items that are designated as "Board action is no longer required" involve purchases; purchases of equipment such as vehicles, and IT

equipment. These items were pulled off the agenda today due to budgetary limitations, and were expenses previously planned in areas where staff is recommending budgetary cuts. These recommendations will be presented during the CFO financial update today (Action Item 11 - File No. 2020-0274). Depending on Board's direction these items may, or may not return.

G. District Clerk’s Announcements.

Donna Morales, District Clerk, announced that additional materials were received by the Board after the publication of the agenda for the following items: Item C - Public Comment, and Action Agenda Item 11 - File No. 2020-0274.

Ms. Morales added that staff requests the following items be continued to a future Board meeting: Consent Agenda Item 5 - File No. 2020-0340, Consent Agenda Item 8 - File No. 2020-0339, Consent Agenda Item 9 - File No. 2020-0335, Consent Agenda Item 10 - File No. 2020-0336, and Action Item 12 - File No. 2020-0316. Additionally, Ms. Morales announced that the following items no longer require Board action: Consent Agenda Item 6 - File No. 2020-0311, and Consent Agenda Item 7 - File No. 2020-0312.

On a motion by Commissioner Bonelli, seconded by Commissioner Castellanos, the Board accepted the requested docket changes. 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

APPROVAL OF MINUTES

[2020-0337](#) Approval of minutes for:

August 4, 2020 - PORT MASTER PLAN UPDATE WORKSHOP
August 18, 2020 - CLOSED SESSION
August 18, 2020 - BPC MEETING

On a motion by Commissioner Bonelli, seconded by Commissioner Valderrama, the Board approved the minutes. 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

CONSENT AGENDA

Commissioner Castellanos announced that he is recusing himself from Consent Agenda Item 1 - File No. 2020-0270 and requested that it be voted on separately from the remaining Consent items.

On a motion by Commissioner Malcolm, seconded by Commissioner Zucchet, the Board adopted the following Consent agenda items: Item 2 - File No. 2020-0280; Item 3 - File No. 2020-0283; and Item 4 - File No. 2020-0317; thereby adopting Resolution 2020-075, Resolution 2020-076, Resolution 2020-077, Ordinance 2980, Resolution 2020-078, and Resolution 2020-079. 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

- 2. [2020-0280](#) APPOINTMENT OF SAN DIEGO UNIFIED PORT DISTRICT PERSONNEL ADVISORY BOARD:
 - A) RESOLUTION REAPPOINTING STEPHEN CASCIOPPO, ANTHONY CHARTRAND AND TRACI BECERRA TO THE SAN DIEGO UNIFIED PORT DISTRICT (DISTRICT) PERSONNEL ADVISORY BOARD FOR A SECOND TERM OF THREE YEARS' DURATION COMMENCING SEPTEMBER 10, 2020
 - B) RESOLUTION APPOINTING LISA RICHER BENDER, AGNES GENEROSO, BRIGID HERNANDEZ, HAROLD RUCKER AND JANICE SPEROW TO THE PERSONNEL ADVISORY BOARD FOR A TERM OF THREE YEARS' DURATION COMMENCING SEPTEMBER 10, 2020
 - C) RESOLUTION APPOINTING ANTHONY CHARTRAND AS CHAIRPERSON OF THE PERSONNEL ADVISORY BOARD FROM SEPTEMBER 10, 2020 TO SEPTEMBER 1, 2021

On a motion by Commissioner Malcolm, seconded by Commissioner Zucchet, the Board adopted Resolution 2020-075, Resolution 2020-076, and Resolution 2020-077 as part of the Consent Agenda.

- 3. [2020-0283](#) SCHEDULE OF COMPENSATION
 - A) ORDINANCE ESTABLISHING A SCHEDULE OF COMPENSATION FOR ALL OFFICERS AND EMPLOYEES OF THE SAN DIEGO UNIFIED PORT DISTRICT
 - B) RESOLUTION AMENDING THE SAN DIEGO UNIFIED PORT DISTRICT DIRECTORY OF CLASSIFICATION SPECIFICATIONS FOR

FISCAL YEAR (FY) 2020/2021

On a motion by Commissioner Malcolm, seconded by Commissioner Zucchet, the Board adopted Ordinance 2980 and Resolution 2020-078 as part of the Consent Agenda.

- 4. [2020-0317](#) RESOLUTION AUTHORIZING THE EXECUTIVE DIRECTOR TO EXECUTE A MEMORANDUM OF UNDERSTANDING WITH DOLE FRESH FRUIT COMPANY, REGARDING LOW CARBON FUEL STANDARD (LCFS) CREDITS GENERATED FROM THE SHORE POWER PLUG LOCATED AT THE TENTH AVENUE MARINE TERMINAL FOR USAGE COVERING THE PERIOD FROM JULY 1, 2020 THROUGH DECEMBER 31, 2020.

On a motion by Commissioner Malcolm, seconded by Commissioner Zucchet, the Board adopted Resolution 2020-079 as part of the Consent Agenda.

- 5. [2020-0340](#) RESOLUTION SELECTING AND AUTHORIZING PURCHASE OF ANNUAL SUBSCRIPTION SERVICES AND SUPPORT FROM DIGITAL SCEPTER FOR A SECURITY ORCHESTRATION, AUTOMATION, AND RESPONSE (SOAR) PLATFORM FROM AUGUST 23, 2020 THROUGH AUGUST 22, 2021 FOR A COST OF \$75,000 AND AUTHORIZING SUBSEQUENT ANNUAL SUBSCRIPTIONS, IN AN AMOUNT NOT TO EXCEED \$200,454 FOR THREE YEARS OF SERVICE, FUNDED 75% BY PORT SECURITY GRANT PROGRAM FY 2017 (EMW-2017-PU-00651). THIS WORK HAS BEEN DEEMED AN OPERATIONAL NECESSITY. FY2020 EXPENDITURES ARE BUDGETED IN THE INFORMATION TECHNOLOGY CAPITAL PROJECT. FUNDS REQUIRED FOR FUTURE YEARS WILL BE BUDGETED IN THE APPROPRIATE FISCAL YEAR, SUBJECT TO BOARD APPROVAL

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.

- 6. [2020-0311](#) RESOLUTION SELECTING AND AUTHORIZING AN AGREEMENT WITH LOGICALIS FOR DATA CENTER NETWORK SWITCHES REPLACEMENT AND INSTALLATION SERVICES IN AN AMOUNT NOT TO EXCEED \$255,000, FOR A FIVE YEAR TOTAL COST OF OWNERSHIP OF \$XXX,XXX. FY21 EXPENDITURES ARE BUDGETED IN THE INFORMATION TECHNOLOGY CAPITAL TECHNOLOGY MANAGEMENT PROGRAM. FUNDS REQUIRED FOR FUTURE FISCAL YEARS WILL BUDGETED IN THE APPROPRIATE FISCAL YEAR, SUBJECT TO BOARD APPROVAL UPON THE ADOPTION OF EACH FISCAL YEAR'S BUDGET

Board action is no longer required for this item.

Board action is no longer required for this item.

- 7. [2020-0312](#) RESOLUTION SELECTING AND AUTHORIZING AN AGREEMENT WITH 72 HOUR LLC DBA NATIONAL AUTO FLEET GROUP FOR THE PURCHASE OF FOUR (4) VEHICLES CONSISTING OF ONE (1) DIESEL AND THREE (3) HYBRID POWERED VEHICLES IN AN AMOUNT NOT TO EXCEED \$274,000. THIS PURCHASE HAS BEEN DEEMED AN OPERATIONAL NECESSITY. FUNDS HAVE BEEN BUDGETED IN THIS FISCAL YEAR.

Board action is no longer required for this item.

Board action is no longer required for this item.

- 8. [2020-0339](#) RESOLUTION AUTHORIZING ACCEPTANCE OF GRANT FUNDS FOR THE CANINE EXPLOSIVE DETECTION TEAM PROGRAM FROM THE TRANSPORTATION SECURITY ADMINISTRATION IN THE AMOUNT OF \$1,136,250 FOR A PERIOD OF FOUR AND ONE HALF YEARS, AND EXECUTION OF A TRANSACTION AGREEMENT WITH TSA PURSUANT TO BPC POLICY NO 110, SECTION IV C1

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.

- 9. [2020-0335](#) RESOLUTION AUTHORIZING EXECUTION OF A MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF SAN DIEGO AND THE SAN DIEGO UNIFIED PORT DISTRICT IN ORDER TO PARTICIPATE IN THE URBAN AREA SECURITY INITIATIVE FY 19 GRANT PROGRAM, AND GRANTING INDEMNITY

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.

- 10. [2020-0336](#) ACTIONS RELATED TO THE FY20 PORT SECURITY GRANT PROGRAM:

A) RESOLUTION ACCEPTING THE FY20 PORT SECURITY GRANT PROGRAM (PSGP) AWARDS FOR A TOTAL AMOUNT OF \$1,012,500.00, REQUIRING A COST MATCH OF \$337,500.00, AND AUTHORIZING THE SAN DIEGO UNIFIED PORT DISTRICT (DISTRICT) TO ENTER INTO AGREEMENTS WITH THE U.S. DEPARTMENT OF HOMELAND SECURITY, FEDERAL EMERGENCY MANAGEMENT AGENCY (DHS/FEMA).

B) ORDINANCE AMENDING THE FY 20/21 BUDGET INCREASING THE NON- PERSONNEL EXPENSE (NPE) BUDGET BY \$150,000, TECHNOLOGY PROGRAM BY \$200,000, AND EQUIPMENT OUTLAY AND OTHER CAPITAL PROJECTS BY \$550,000. GRANT FUNDS OF \$675,000 WILL BE FUNDED FROM THE PSGP PROGRAM. THE REQUIRED DISTRICT MATCH OF \$225,000 WILL BE FUNDED FROM OPERATING RESERVES. 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.

C) ORDINANCE AMENDING THE FY 20/21 BUDGET INCREASING THE CAPITAL IMPROVEMENT PROGRAM APPROPRIATION BY \$450,000. GRANT FUNDS OF \$337,500 WILL BE FUNDED FROM THE PSGP PROGRAM. THE REQUIRED DISTRICT MATCH OF \$112,500 WILL BE FUNDED FROM OPERATING RESERVES.

D) RESOLUTION APPROVING AN AMENDMENT TO THE FY 2019-2023 CIP TO INCREASE THE SECURITY GATE PHYSICAL ENHANCEMENTS AT TENTH AVENUE MARINE TERMINAL PROJECT BUDGET BY \$450,000.

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.

- 1. [2020-0270](#) RESOLUTION AUTHORIZING AMENDMENT NO. 5 TO THE AGREEMENT WITH KTU+A FOR CHULA VISTA PARKS DESIGN SERVICES, A COMPONENT OF THE SITE PREPARATION FOR CHULA VISTA BAYFRONT PROJECT, TO INCREASE THE AGREEMENT AMOUNT BY \$100,203, INCREASING THE AGGREGATE TOTAL OF THE AGREEMENT FROM \$2,076,460 TO \$2,176,663. FUNDS ARE BUDGETED IN THE FY 2019-2023 CAPITAL IMPROVEMENT PROGRAM AND THIS ACTION DOES NOT INCREASE THE PROJECT BUDGET.

On a motion by Commissioner Malcolm, seconded by Commissioner Bonelli, the Board adopted Resolution 2020-074. The motion carried by the following vote:

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

Nays: 0

Excused: 0

Absent: 0

Abstain: 0

Recused: 1 - Castellanos

ACTION AGENDA

11. [2020-0274](#) MONTHLY REPORTING OF FINANCIAL RESULTS AND DIRECTION TO STAFF

Randa Coniglio, President/CEO, addressed the Board with staff's report and presentation regarding Action Agenda Item 11 - File No. 2020-0274 (A copy of the staff report, presentations and any agenda-related materials are on file with the Office of the District Clerk). Ms. Coniglio then turned the presentation to Robert DeAngelis, Vice President/Chief Financial Officer, to provide an overview of the presentation, he then turned the presentation to Shaun Sumner, Vice President, Real Estate, Engineering and Facilities, to present the updated revenue projections. Mr. Sumner then turned the presentation to Tony Gordon, Director, Real Estate, to provide methodology used for Real Estate revenue reforecast, and discuss the FY 20/21 base case budget vs. reforecast, and the Real Estate concession methodology. Mr. Gordon then turned the presentation back to Mr. Sumner to discuss the parking revenue reforecast. Mr. Sumner then turned the presentation to Mike LaFleur, Vice President, Maritime, to discuss the Maritime revenue reforecast. Mr. LaFleur then turned the presentation back to Mr. DeAngelis to provide recap of numbers for: operating revenue reductions; personnel expense reductions; non-personnel expenses; capital expenditure reductions; updated budget; and reserves balance.

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

Commissioner Valderrama, Commissioner Zucchet, Commissioner Merrifield, Commissioner Malcolm, Commissioner Castellanos, Commissioner Bonelli, and Chair Moore, provided comments and asked clarifying questions. Robert DeAngelis, Randa Coniglio, Thomas A. Russell, General Counsel, Shaun Sumner, and Tony Gordon, responded.

12. [2020-0316](#) RESOLUTION AUTHORIZING THE DISTRICT TO ENTER INTO A "MEMORANDUM OF UNDERSTANDING REGARDING COOPERATIVE WORK ON IMPROVING ACCESSIBILITY, SUSTAINABILITY, AND ECONOMIC VITALITY TO THE PORT TIDELANDS WITHOUT COMPROMISING THE HEALTH OF LOCAL COMMUNITIES" WITH THE SAN DIEGO ASSOCIATION OF GOVERNMENTS AND CALIFORNIA DEPARTMENT OF TRANSPORTATION

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. [2020-0333](#) RESOLUTION AUTHORIZING A SECOND AMENDED AND RESTATED REVENUE SHARING AGREEMENT WITH THE CITY OF CHULA VISTA, WITH CONDITIONS, FOR THE PUBLIC FINANCING FOR THE RESORT HOTEL AND CONVENTION CENTER AND PHASE 1A INFRASTRUCTURE IMPROVEMENTS

Shaun Sumner, Vice President, Real Estate, Engineering and Facilities, addressed the Board with staff's report and presentation regarding Action Agenda Item 13 - File No. 2020-0333 (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 Castellanos, Commissioner Malcolm, Commissioner Merrifield, Commissioner Zucchet, Commissioner Valderrama, and Chair Moore, provided comments and asked clarifying questions. Mr. Sumner responded.

On a motion by Commissioner Malcolm, seconded by Chair Moore, the Board adopted Resolution 2020-080. 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

14. [2020-0227](#) REVIEW AND CONSIDERATION OF DRAFT PROPOSED BOARD AGENDA FOR THE OCTOBER 6, 2020 MEETING

On a motion by Commissioner Malcolm, seconded by Commissioner Castellanos, the Board adopted the proposed agenda for October. 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

OFFICER'S REPORT

15. [2020-0338](#) OFFICER'S REPORT

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

A) Change Order No. 3 to Contract No. 2018-27 with 3-D Enterprises, Inc. / Increases Contract by \$33,830.00 & 170 Calendar Day Time Extension

thru 12/22/20

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 EConcrete, Inc. for EConcrete Pilot Project, 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