



# San Diego Unified Port District

3165 Pacific Hwy.  
San Diego, CA 92101

## Meeting Minutes

### Board of Port Commissioners

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Tuesday, July 14, 2020

1:00 PM

Don L. Nay Port Administration Boardroom

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#### A. Roll Call.

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

**Excused:** 1 - Commissioner Zucchet

**Absent:** 0

#### 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.*

#### C. Public Communications.

*The following member(s) of the public addressed the Board with non agenda-related comments: Sharon Cloward, President, San Diego Port Tenants Association.*

#### D. Board Committee Reports.

*No reports were provided.*

#### E. Commissioners' Reports.

*Commissioner Malcolm provided a video and images as he addressed the emergency event that occurred when the USS Bonhomme Richard caught fire in San Diego Bay. Commissioner Malcolm reported that the Harbor Police Department was amongst the first responders at the ship fire, and explained that HPD Officers took action as they hosed down the ship to prevent superheating. Commissioner Malcolm included that the responders understood the danger of the situation and that their actions were brave and heroic. Commissioner Malcolm and Chair Moore added that the Harbor Police Department should be recognized at a future Board of Port Commissioners meeting.*

#### Emergency Item

*Commissioner Valderrama discussed the impacts of the smoke from the USS Bonhomme Richard fire on communities in Barrio Logan and National City and requested to add an emergency item to the agenda to address the effects of smoke pollution on these communities. Commissioner Merrifield seconded the addition of an emergency item in order to discuss immediate ways to mitigate damage from the smoke pollution, and added that this could include the use of the Maritime Industrial Impact Fund. Chair Moore clarified and confirmed the motion proposed by Commissioner Valderrama and Commissioner Merrifield is to add an emergency item to the Agenda that would address the possibility of using the Maritime Industrial Impact Fund for the effects of the USS Bonhomme Richard fire. Chair Moore further clarified that this item was not previously on*

*the Agenda due to the fact that this event occurred after the Agenda had been published.*

**On a motion by Commissioner Valderrama, seconded by Commissioner Merrifield, the Board approved the amendment to the agenda to add an Emergency item. The motion passed by the following vote:**

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

**Nays:** 0

**Excused:** 1 - Zucchet

**Absent:** 0

**Abstain:** 0

**Recused:** 0

*Commissioner Valderrama discussed options for mitigation of risk to impacted communities from the USS Bonhomme Richard fire. This included the waiving requirements of BPC Policy 773 in order to access Maritime Industrial Impact Fund, identifying possible hotel accommodations, and purchasing air filters. Commissioner Merrifield added an update on identifying the feasibility of accessing available hotel rooms and suggested an ad hoc be formed to provide input to staff in the development of an assistance program; the committee to include himself, and Commissioner Valderrama. Additionally, Commissioner Castellanos noted he would like to participate in the ad hoc as well.*

*The following member(s) of the public addressed the Board with agenda-related comments: Corinne Wilson, Georgette Gomez's Office, City of San Diego; Mayor Sotelo-Solis, City of National City; and Diane Takvorian, Environmental Health Coalition.*

*Commissioner Castellanos, Commissioner Valderrama, Commissioner Merrifield, Commissioner Bonelli, Commissioner Malcolm, and Chair Moore provided comments and asked clarifying questions. Robert DeAngelis, CFO/Treasurer; Shaun Sumner VP, Real Estate, Engineering & Facilities; and Mark Stainbrook, VP, Public Safety/Chief of Harbor Police responded.*

**On a motion by Commissioner Valderrama, seconded by Commissioner Merrifield, the Board waived the requirements of BPC Policy 773 for expenditures from the Maritime Industrial Impact Fund (MIIF) and authorized the expenditure of \$200,000 from the MIIF to mitigate risk to impacted communities from the USS Bonhomme Richard fire. The motion passed by the following vote:**

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

**Nays:** 0

**Excused:** 1 - Zucchet

**Absent:** 0

**Abstain:** 0

**Recused:** 0

## F. President's Report.

*Shaun Sumner, Vice President, Real Estate, Engineering & Facilities, provided the President's Report on behalf of President/CEO Randa Coniglio. Mr. Sumner introduced Larry Schmitz, owner and operator of Terminalift. Mr. Sumner mentioned that the San Diego Port Tenants Association and five Port tenants were awarded a six-million-dollar grant from the California Energy Commission to test the operation capability of electric vehicles and equipment in the marine and seaport industrial environment. Larry Schmitz discussed the success his company has had with electric trucks for short-ranged operations. Mr. Schmitz presented a video that demonstrated the use of electric equipment being used, and provided an update for future projects.*

*Shaun Sumner provided an update that Teamsters Local 911 and the Harbor Police Officers Association have both agreed to pay concessions that will take effect October 1st, 2020. Mr. Sumner thanked both Teamsters and the Harbor Police Officers Association for meeting and working with Port staff. Mr. Sumner also thanked all front-line workers including General Services, Harbor Police, and Maritime.*

## G. District Clerk's Announcements.

*Donna Morales, District Clerk, announced that additional agenda related materials were received for the following items: Agenda Item No. 6 – File No. 2020-0235, and Agenda Item No. 9 - File No. 2020-0251. Ms. Morales also announced that eight voice mails were received regarding Grand Caribe Shoreline Park, two of which refer to Consent Agenda Item No. 2. Donna Morales added that these will be played prior to the consent vote. Additionally, Ms. Morales announced that the board will consider staff's request to continue Item No. 1 - File 2020-0253.*

*Commissioner Castellanos announced that he is recused himself from Item 3 on the Consent Agenda and requested that Item 3 be voted on separately from the Consent Agenda.*

**On a motion by Commissioner Malcolm, seconded by Commissioner Castellanos the Board approved the requested docket changes. 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

## APPROVAL OF MINUTES

[2020-0264](#) Approval of minutes for:

June 23, 2020 - CLOSED SESSION

June 23, 2020 - BPC MEETING

**On a motion by Commissioner Bonelli, seconded by Commissioner Valderrama, the Board approved the minutes by the following vote:**

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

**Nays:** 0

**Excused:** 1 - Zucchet

**Absent:** 0

**Abstain:** 0

**Recused:** 0

## **CONSENT AGENDA**

*The following member(s) of the public addressed the Board with agenda-related comments: Jim V, Coronado Cays Resident; Jennifer Blaire, Coronado Cays Resident, Helen Kupka, Coronado Cays Resident, Mary Berube, Coronado Cays Resident; Robin H., Coronado Cays Resident, Tracy; and Yvette Hickson, Kingston Court East.*

**On a motion by Commissioner Castellanos, Seconded by Commissioner Malcolm the board adopted the revised Consent Agenda as follows: Resolution 2020-067 and Ordinance 2976. 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

1. [2020-0253](#) RESOLUTION APPROVING CHANGE ORDER NO. 3 FOR \$33,830 AND A CONTRACT TIME EXTENSION OF 170 DAYS FOR CONTRACT NO. 2018-27, SWEETWATER BICYCLE PATH AND PROMENADE PROJECT, TO ALIGN PROJECT COMPLETION WITH THE ADJACENT COSTA VISTA RV RESORT PROJECT, WITH NO INCREASE TO THE GRANT FUNDED BOARD APPROVED PROJECT BUDGET, PURSUANT TO BPC POLICY NO.110

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.**

2. [2020-0234](#) RESOLUTION APPROVING PROCLAMATION IN RECOGNITION OF JULY 2020 AS PARK AND RECREATION MONTH, ENCOURAGING PEOPLE TO GET ACTIVE, ENJOY THE OUTDOORS, AND STAY HEALTHY AND SAFE DURING THE PANDEMIC
- On a motion by Commissioner Castellanos, Seconded by Commissioner Malcolm the Board adopted Resolution 2020-067 as part of the Consent Agenda.**
4. [2019-0326](#) ORDINANCE GRANTING A TEN-YEAR LEASE WITH ONE, THREE-YEAR OPTION TO EXTEND TO THE UNITED STATES OF AMERICA GENERAL SERVICES ADMINISTRATION ON BEHALF OF THE UNITED STATES COAST GUARD FOR OFFICE AND WAREHOUSE SPACE LOCATED AT THE NATIONAL DISTRIBUTION CENTER IN NATIONAL CITY
- On a motion by Commissioner Castellanos, Seconded by Commissioner Malcolm the Board adopted Ordinance 2976 as part of the Consent Agenda.**
3. [2020-0238](#) RESOLUTION SELECTING AND AUTHORIZING AGREEMENTS TO PROVIDE AS-NEEDED ENVIRONMENTAL REVIEW, MASTER PLANNING, AND/OR TECHNICAL SERVICES WITH THE SERVICE PROVIDERS LISTED BELOW AND AS SPECIFIED IN EACH INDIVIDUAL AGREEMENT FOR A TOTAL AGGREGATE AMOUNT NOT TO EXCEED \$5,000,000 FOR A PERIOD OF APPROXIMATELY FIVE YEARS FROM JULY 15, 2020 TO JUNE 30, 2025. THESE AS-NEEDED SERVICES WILL SUPPORT DISTRICT OPERATIONAL OR STRATEGIC PRIORITIES. THE AGREEMENTS ALLOW FOR A 30-DAY TERMINATION BY THE EXECUTIVE DIRECTOR. EXPENDITURES FOR THE FIRST YEAR ARE BUDGETED IN FY21. FUNDS REQUIRED FOR FUTURE YEARS WILL BE BUDGETED IN THE APPROPRIATE FISCAL YEAR SUBJECT TO BOARD APPROVAL UPON ADOPTION OF EACH FISCAL YEAR'S BUDGET.
1. ASCENT ENVIRONMENTAL, INC.
  2. ATLAS TECHNICAL CONSULTANTS LLC
  3. BARANEK CONSULTING GROUP, INC.
  4. BERMELLO AJAMIL & PARTNERS, INC.
  5. BURNS & MCDONNELL ENGINEERING COMPANY INC.
  6. CHAMBERS GROUP, INC.
  7. CHEN RYAN ASSOCIATES, INC.
  8. CIVITAS, INC.
  9. DUDEK
  10. ECONOMICS CONSULTANTS OREGON LTD. dba ECONORTHWEST
  11. ENVIRONMENTAL PLANNING DEVELOPMENT SOLUTIONS, INC.
  12. ENVIRONMENTAL SCIENCE ASSOCIATES
  13. HARRIS & ASSOCIATES, INC.

14. HDR ENGINEERING, INC.
15. HELIX ENVIRONMENTAL PLANNING, INC.
16. ICF JONES & STOKES, INC.
17. KLEINFELDER, INC.
18. KTU&A
19. LSA ASSOCIATES, INC.
20. MICHAEL BAKER INTERNATIONAL, INC.
21. MIG, INC.
22. MOFFATT & NICHOL
23. NEXUSPLAN, INC.
24. NINYO & MOORE GEOTECHNICAL AND ENVIRONMENTAL SCIENCES CONSULTANTS
25. RECON ENVIRONMENTAL, INC.
26. GLENN A. RICK ENGINEERING & DEVELOPMENT CORPORATION dba RICK ENGINEERING COMPANY
27. TIERRA DATA, INC.
28. SUMMIT PLANNING GROUP
29. UDP INTERNATIONAL, LLC
30. WSP USA INC.

**On a motion by Commissioner Valderrama seconded by Commissioner Malcolm, the Board adopted Resolution 2020-068. The motion carried by the following vote:**

**Yeas:** 5 - Bonelli, Malcolm, Merrifield, Moore, and Valderrama

**Nays:** 0

**Excused:** 1 - Zucchet

**Absent:** 0

**Abstain:** 0

**Recused:** 1 - Castellanos

## **ACTION AGENDA**

**5. [2020-0232](#) MONTHLY REPORTING OF FINANCIAL RESULTS AND DIRECTION TO STAFF**

*Robert DeAngelis, Vice President/Chief Financial Officer, addressed the Board with Staff's report and presentation regarding Action Agenda Item 5. - File No. 2020-0232 (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 Bonelli, Commissioner Merrifield and Commissioner Valderrama provided comments and asked clarifying questions. Mr. DeAngelis responded.*

7. [2020-0240](#) PRESENTATION AND UPDATE ON DISTRICT'S PUBLIC SERVICES AT THE DON L. NAY PORT ADMINISTRATION BUILDING IN CONSIDERATION OF THE COUNTY OF SAN DIEGO ORDER OF THE HEALTH OFFICER AND EMERGENCY REGULATIONS FOR CORONAVIRUS 2019 AND DIRECTION TO STAFF.

*Cid Tesoro, Assistant Vice President, Infrastructure; Ani Mehra, Associate Engineer; Anthony Kinzel, Safety Specialist II; and Donna Morales, District Clerk, addressed the Board with staff's report and presentation regarding Action Agenda Item 7. - File No. 2020-0240 (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, Commissioner Malcolm, Commissioner Bonelli, and Chair Moore provided comments and asked clarifying questions. Donna Morales responded.*

**Receive staff's presentation and provide direction to staff.**

*Chair Moore left the meeting at 2:00pm and Commissioner Malcolm served as Chair for the remainder of the Board meeting.*

6. [2020-0235](#) STATE AND FEDERAL UPDATE

*Job Nelson, Chief Policy Strategist and David Yow, Government and Civic Relations, addressed the Board with Staff's report and presentation regarding Action Agenda Item 6- File No. 2020-0235 (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: Mary Berube, Coronado resident.*

*Commissioner Bonelli, Commissioner Castellanos, and Commissioner Malcolm provided comments and asked clarifying questions. Jason Giffen Vice President, Planning, Environment and Government Relations and Job Nelson responded.*

8. [2020-0237](#) PRESENTATION ON THE COMPLETION OF TENTH AVENUE MARINE TERMINAL TRANSIT SHED DEMOLITION AND INITIAL RAIL COMPONENT (TIGER) PROJECT

*Joel Valenzuela, Maritime Director; Aimee Heim, Manager, Grants & Policy; Rudy Zelaya, Associate Engineer; and Miguel Reyes, Manager Maritime Trade Development addressed the Board with Staff's report and presentation regarding Action Agenda Item 8. - File No. 2020-0237 (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, Commissioner Castellanos, Commissioner Bonelli, and Commissioner Malcolm provided comments.*

9. [2020-0251](#) PRESENTATION AND DIRECTION TO STAFF ON CLEAN AIR AND EMISSION REDUCTION ADVANCEMENTS:

A) INFORMATIONAL UPDATE ON THE AB 617 COMMUNITY EMISSION REDUCTION PROGRAM (CERP) AND THE DISTRICT'S MARITIME CLEAN AIR STRATEGY (MCAS) INCLUDING: OPPORTUNITIES TO CONTINUE ADVANCING CLEAN AIR INVESTMENTS; PRELIMINARY TRUCK SURVEY RESULTS; UPDATED CARGO HANDLING EQUIPMENT INFORMATION; AND STATUS UPDATE ON THE CALIFORNIA AIR RESOURCES BOARD'S PROPOSED AT-BERTH REGULATION UPDATE; AND

B) STAFF RECOMMENDATIONS REGARDING PRELIMINARY EMISSION REDUCTION STRATEGIES AND COMMUNITY BENEFITS FOR DISCUSSION AND POTENTIAL INCLUSION IN THE DRAFT AB 617 CERP WITH THE AB 617 STEERING COMMITTEE AND ASSOCIATED SUBCOMMITTEES AS APPLICABLE

*Jason Giffen, Assistant Vice President, Planning, Environment and Government Relations; Larry Hofreiter, Planning & Green Port Program Manager; Tom Maclean, Energy Program Manager; Phil Gibbons, Energy & Sustainability Program Manager; and John Carter, Deputy General Counsel addressed the Board with Staff's report and presentation regarding Action Agenda Item 9. - File No. 2020-0251 (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: Sophie Silvestri, PASHA Automotive Services.*

*In addition to the above public comments, the following presentations were given by members of the public, copies of which are on file with the Office of the District Clerk*

*David Flores, Air Quality Director, Environmental Health Coalition. Presenters: David Flores*

*Ceding time: Danny Serrano*

*Commissioner Merrifield, Commissioner Castellanos, Commissioner Valderrama, Commissioner Bonelli, and Commissioner Malcolm provided comments and asked clarifying questions. Jason Giffen responded.*

10. [2020-0225](#) REVIEW AND CONSIDERATION OF DRAFT PROPOSED BOARD AGENDA FOR THE AUGUST 18, 2020 MEETING

**On a motion by Commissioner Bonelli, seconded by Commissioner Valderrama, the Board approved the proposed August agenda. The motion carried by the following vote:**

**Yeas:** 5 - Bonelli, Castellanos, Malcolm, Merrifield, and Valderrama

Nays: 0

Excused: 2 - Moore, and Zucchet

Absent: 0

Abstain: 0

Recused: 0

## **OFFICER'S REPORT**

### 11. [2020-0266](#) OFFICER'S REPORT

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

- A) Change Order No. 2 to Contract No. 2019-44 with SoCal Building & Restoration, Inc. dba SoCal Building Group / Increases Contract by \$632.00
- B) Change Order No. 1 to Contract No. 2019-39 with HCI Systems, Inc. / 110 Calendar Day Time Extension thru 06/27/20
- C) Change Order No. 2 to Contract No. 2018-27 with 3-D Enterprises, Inc. / Increases Contract by \$7,800.00
- D) Change Order No. 1 to Contract No. 2020-03 with Michael Carlos Delavega dba Michael's Discount Painting. / Client-Initiated Changes, Lump Sum as Agreed Upon

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 Juniper-Front Community Garden, Inc. for Juniper Front Community Garden TUOP Renewal for total amount \$500.00

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