



San Diego Unified Port District

3165 Pacific Hwy.
San Diego, CA 92101

Meeting Minutes

Board of Port Commissioners

Thursday, February 11, 2021

1:00 PM

Virtual Meeting

A. Roll Call.

Present: 7 - Commissioner Bonelli, Commissioner Castellanos, Commissioner LeSar, Commissioner Malcolm, Commissioner Moore, Commissioner Naranjo, and Chairperson Zucchet

Excused: 0

Absent: 0

Officers Present DeAngelis, Medina, Morales, Russell, and Stuyvesant

B. Closed Session Report Out.

Thomas A. Russell, General Counsel, announced that the Board considered the items on the Closed Session Agenda.

After the conclusion of the meeting, General Counsel Russell reported that the board directed that an employment agreement for the appointment of Mark Yeilding as Port Auditor be placed on the open session agenda for consideration by the board at the next regular meeting of the Board of Port Commissioners.

C. Public Communications.

The following member(s) of the public addressed the Board with non agenda-related comments: Staci Plikaytis; Margarita Bellah; Dave Engel; Liz Jacobelly; Peter Flournoy, American Tunaboat Association; Amrit Shergill; Levi; Barbara Lafaver; Kathleen Kastner; Michelle Walther; Peter Halmay, President, San Diego Fishermen's Working Group; and David Flores, Senior Policy Advisor for Land Use and Environmental Justice, Office of Vice Chair Nora Vargas at County of San Diego.

D. Board Committee Reports.

No Board committee reports were provided.

E. Commissioners' Reports.

Commissioner LeSar began by thanking Chairman Zucchet for her committee assignments to the World Trade Center Board, the Accessibility Committee, and the San Diego Economic Development Corporation (SDEDC). Commissioner LeSar shared that she attended her first SDEDC meeting. Part of the discussion was on the SDEDC's efforts to lift an inclusive economy focusing on procurement, and helping the region understand the amount of procurement activity that serves San Diego's small and diverse

businesses. There are many anchor institutions that are part of the effort to document what the procurement dollars are in the region, the information collected from the anchor institutions is used to understand and set common metrics in support of the efforts to promote a more inclusive economy. Commissioner LeSar has spoken with President/CEO Joe Stuyvesant about exploring how the Port might join as an anchor institution.

F. President's Report.

Joe Stuyvesant, President/CEO, began by sharing he is appreciative and excited to join the Port Team and he is looking forward to working with the many stakeholders on the tidelands.

Mr. Stuyvesant then turned the presentation over to Karen Holman, Director, Environmental Protection, to remember John Anderson, Site Cleanup Program Manager of the San Diego Regional Water Quality Control Board. Ms. Holman shared that Mr. Anderson recently passed away from cancer. Mr. Anderson was an amazing geologist and had tremendous influence on improving the waters and sediments in San Diego. His contributions to water quality in the region are far reaching and profound. San Diego has lost a wonderful steward, he was a friend of the Bay and a friend of the Port. On behalf of the Port, Ms. Holman sends prayers and condolences to Mr. Anderson's family and the San Diego Regional Water Quality Control Board staff.

Mr. Stuyvesant then recognized Randa Coniglio, on her retirement as President/CEO for the Port. Ms. Coniglio began her career at the Port in the Real Estate department on May 1, 2000 as a Senior Asset Manager and progressed through the department, becoming an Area Real Estate Manager in 2004 and in 2008 the Director of Real Estate. Some highlights from her many projects in the Real Estate department include:

- Port liaison lead for all Superbowl related events/venues for Superbowl XXXVII, San Diego's very first Superbowl*
- The Historic Waterfront and Old Police Station Projects, which in later years would become The Headquarters*
- Real Estate lead for the Chula Vista Bayfront Master Plan and the South Bay Powerplant projects*
- In December 2010 Randa was promoted to Vice President, Operations/Chief Operating Officer and the next year to Executive Vice President.*

Ms. Coniglio has been known throughout her career at the Port for her excellent communication skills, her ability to build relationships and her commitment to the organization. On June 18, 2015 Ms. Coniglio was appointed as the President/Chief Executive Officer of the Port after a nationwide search, making her the first woman CEO in the Port's history. As CEO she will be remembered for her commitment to the community, stakeholders and employees. She calls employees her "port family" and her tagline, we do the greatest good by doing remarkably well, has been a reminder to employees that the better we do as an organization, the more we can give back to the community.

Commissioner Malcolm, Commissioner Castellanos, Commissioner Moore, Commissioner Bonelli, and Chairman Zucchet thanked Ms. Coniglio for everything she has done for the Port. The Commissioners remarked that she is one of the best and most consequential President/CEO's the Port has had, and she has led the Port through some of the biggest deals with enthusiasm, a spirit of optimism, and a great sense of humor. Ms. Coniglio served a major role in moving the Chula Vista Bayfront project forward. She brought stability to the Port when it was sorely needed and has been an

outstanding leader by personally living and communicating very well the value of the employees, and that she genuinely cared about every employee at the Port. She will be greatly missed.

Ms. Coniglio thanked everyone for their kind words and generous praise, she stated she is grateful that the Board took a chance on her--it was a wonderful adventure--she is also grateful for the unwavering support of the Commissioners as President/CEO over the years. She is also very grateful that the Board selected Joe Stuyvesant to succeed her as President/CEO. The Board's choice of Mr. Stuyvesant has allowed her to leave with peace of mind, as he is someone that she respects, admires and trusts. Ms. Coniglio has complete confidence in leaving her Port family in Joe's care. Ms. Coniglio also wanted to publicly state how blessed and privileged she feels to have worked along-side such professional, hardworking, bright, people over the past two decades. She is looking forward to all the brilliant things the Port will accomplish together (like a proud parent on the sidelines).

Mr. Stuyvesant then invited Ms. Coniglio to recognize Denise Buth on her retirement. Ms. Coniglio shared that she is delighted that her "last act" on her way out the door to retirement is to be able to recognize a very deserving person who is retiring along with her. Ms. Buth was hired on January 28, 2000, she started at the Port as an Administrative Assistant II, and has supported many executives as well as the Commissioners over her 20-years with the Port of San Diego. Ms. Buth has a great sense of humor, and was always willing to help others. Ms. Coniglio added that she is a lovely person that always has a smile on her face, and she treats everyone with the same level of respect--and has performed that way for 20 years. Ms. Coniglio appreciated her shining light on the 7th floor and all around the Port. Ms. Coniglio congratulated Ms. Buth on her retirement and wished her the very best.

Ms. Buth thanked Ms. Coniglio for her kind words, and stated that the feeling is mutual. Ms. Buth stated that it has been a honor working for the Port, and remarked that for anyone coming in at entry level, she is proof that people can work their way up to the Executive Offices. Ms. Buth added that she is sorry she had to remove the candy dish when she emptied out her office. She stated she will miss everyone, and she closed by thanking everyone at the Port.

Mr. Stuyvesant then reported that the Port continues to closely monitor the COVID situation and its impacts on the Port and the region. The Executive Leadership Group continues to meet on a regular basis to provide direction on COVID-related matters. Since the start of the pandemic, the Port has had 56 employees across the Port who have tested positive for COVID, which is an increase of 5 since the last Board meeting. Mr. Stuyvesant added that he is pleased to report that to date, most have made a full recovery. As you are aware, the distribution of the COVID vaccine has begun in San Diego County, and he is pleased to report that 57 of our Harbor Police Officers have been able to receive the vaccine. The Port is currently surveying the rest of our workforce for their interest in receiving the vaccine, and will be encouraging all to take the vaccine when it is made available.

G. District Clerk's Announcements.

Donna Morales, District Clerk, announced that additional agenda-related materials were received by the Board for the following items: Item 9 - File No. 2021-0042, and Item 11 - File No. 2021-0032.

APPROVAL OF MINUTES

[2021-0084](#) Approval of minutes for:

January 19, 2021 - CLOSED SESSION
January 19, 2021 - BPC MEETING

On a motion by Commissioner Castellanos, seconded by Commissioner Bonelli, the Board approved the January minutes. The motion carried by the following vote:

Yeas: 7 - Bonelli, Castellanos, LeSar, Malcolm, Moore, Naranjo, and Zucchet

Nays: 0

Excused: 0

Absent: 0

Abstain: 0

Recused: 0

CONSENT AGENDA

On a motion by Commissioner Castellanos, seconded by Commissioner LeSar, the Board adopted the Consent Agenda, thereby adopting Resolution 2021-009; Resolution 2021-010; Ordinance 2990; Resolution 2021-011; Ordinance 2991; Resolution 2021-012; and Resolution 2021-013. The motion carried by the following vote:

Yeas: 7 - Bonelli, Castellanos, LeSar, Malcolm, Moore, Naranjo, and Zucchet

Nays: 0

Excused: 0

Absent: 0

Abstain: 0

Recused: 0

1. [2020-0406](#) RESOLUTION AUTHORIZING AMENDMENT NO. 2 TO AGREEMENT WITH FLEETCOR TECHNOLOGIES OPERATING COMPANY, LLC dba FUELMAN FOR OFFSITE FUELING OF HARBOR POLICE DEPARTMENT AND DISTRICT VEHICLES. THIS AMENDMENT EXTENDS THE PERIOD OF SERVICE FROM APRIL 1, 2021 TO MARCH 31, 2022 AND INCREASES THE MAXIMUM AMOUNT PAYABLE BY \$190,000 FOR A NEW NOT TO EXCEED AMOUNT OF \$610,000. THIS SERVICE HAS BEEN DEEMED AN OPERATIONAL NECESSITY. THE AGREEMENT ALLOWS FOR EARLY TERMINATION BY THE EXECUTIVE DIRECTOR. FUNDS REQUIRED FOR THE CURRENT FISCAL YEAR ARE INCLUDED IN THE APPROVED FISCAL YEAR 2021 BUDGET. 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 Castellanos, seconded by Commissioner LeSar, the Board adopted Resolution 2021-009 as part of the Consent Agenda.

2. [2020-0413](#) RESOLUTION SELECTING AND AUTHORIZING AN AGREEMENT WITH DAY WIRELESS SYSTEMS FOR REGIONAL COMMUNICATIONS SYSTEM RADIO AND DISPATCH CONSOLE EQUIPMENT MAINTENANCE SERVICES IN AN AMOUNT NOT TO EXCEED \$200,000 FROM MARCH 1, 2021 THROUGH FEBRUARY 29, 2024. FUNDS REQUIRED FOR THE CURRENT FISCAL YEAR ARE INCLUDED IN THE APPROVED FISCAL YEAR 2021 BUDGET. 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 Castellanos, seconded by Commissioner LeSar, the Board adopted Resolution 2021-010 as part of the Consent Agenda.

3. [2020-0431](#) ORDINANCE AMENDING SAN DIEGO UNIFIED PORT DISTRICT CODE SECTION 8.15 - PARKING REGULATIONS ENFORCEMENT TO BE COMPLIANT WITH REVISIONS TO THE INDIGENT PAYMENT PLAN REQUIREMENTS WITHIN CALIFORNIA VEHICLE CODE SECTION 40220 PURSUANT TO ASSEMBLY BILL 3277

On a motion by Commissioner Castellanos, seconded by Commissioner LeSar, the Board adopted Ordinance 2990 as part of the Consent Agenda.

4. [2021-0013](#) RESOLUTION AUTHORIZING AMENDMENT NO. 6 TO AGREEMENT WITH WINBOURNE CONSULTING LLC, TO PROVIDE PROJECT MANAGEMENT SERVICES FOR COMPUTER-AIDED DISPATCH SYSTEM REPLACEMENT, EXTENDING THE TERM AND INCREASING THE AGREEMENT AMOUNT BY \$100,000 TO A NEW NOT-TO-EXCEED AMOUNT OF \$438,245. FUNDS FOR FY21 ARE BUDGETED IN THE TECHNOLOGY MANAGEMENT PROGRAM EXPENSE. FUNDS REQUIRED FOR FUTURE FISCAL YEARS WILL BE BUDGETED IN THE APPROPRIATE FISCAL YEAR, SUBJECT TO BOARD APPROVAL UPON THE ADOPTION OF EACH FISCAL YEAR'S BUDGET

On a motion by Commissioner Castellanos, seconded by Commissioner LeSar, the Board adopted Resolution 2021-011 as part of the Consent Agenda.

5. [2021-0011](#) ORDINANCE GRANTING AMENDMENT NO. 5 TO CONDITIONAL AGREEMENT WITH MITSUBISHI CEMENT CORPORATION TO EXTEND THE TERM OF THE CONDITIONAL AGREEMENT TO ALLOW ADDITIONAL TIME TO DEVELOP A ZERO EMISSION VEHICLE

STRATEGY FOR THE PROPOSED CEMENT IMPORT TERMINAL IN WAREHOUSE C AT THE TENTH AVENUE MARINE TERMINAL, IN SAN DIEGO

On a motion by Commissioner Castellanos, seconded by Commissioner LeSar, the Board adopted Ordinance 2991 as part of the Consent Agenda.

6. [2021-0040](#) RESOLUTION AUTHORIZING THE SAN DIEGO UNIFIED PORT DISTRICT TO ENTER INTO AN EASEMENT WITH NORTH C.V. WATERFRONT L.P., SUBJECT TO REASONABLE INDEMNITY PROVISIONS, AS APPROVED BY THE GENERAL COUNSEL, FOR THE IMPLEMENTATION OF THE H-23 PHASE 2 GRADING PROJECT LOCATED IN THE CITY OF CHULA VISTA

On a motion by Commissioner Castellanos, seconded by Commissioner LeSar, the Board adopted Resolution 2021-012 as part of the Consent Agenda.

7. [2021-0043](#) RESOLUTION AUTHORIZING AN INDEMNITY PURSUANT TO A RIGHT OF ENTRY LICENSE AGREEMENT WITH MARINE GROUP BOAT WORKS, LLC FOR THE SAN DIEGO UNIFIED PORT DISTRICT'S IMPLEMENTATION OF UTILITY UPGRADES RELATED TO THE RESORT HOTEL & CONVENTION CENTER IN CHULA VISTA.

On a motion by Commissioner Castellanos, seconded by Commissioner LeSar, the Board adopted Resolution 2021-013 as part of the Consent Agenda.

ACTION AGENDA

8. [2021-0012](#) MONTHLY REPORTING OF FINANCIAL RESULTS AND DIRECTION TO STAFF

Robert DeAngelis, CFO/Treasurer, addressed the Board with staff's report and presentation regarding Action Agenda Item 8 - File No. 2021-0012 (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

Chairman Zucchet provided comments and asked clarifying questions. Mr. DeAngelis and Joe Stuyvesant, President/CEO, responded.

9. [2021-0042](#) RESOLUTION SUPPORTING THE COUNTY OF SAN DIEGO DEVELOPING A FRAMEWORK FOR A REGIONAL CARBON SUSTAINABILITY PLAN IN PARTNERSHIP WITH THE UNIVERSITY OF CALIFORNIA SAN DIEGO SCHOOL OF GLOBAL POLICY AND STRATEGY

Philip Gibbons, Program Manager, Energy & Sustainability, addressed the Board with staff's report and presentation regarding Action Agenda Item 9 - File No. 2021-0042 (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 Moore, Commissioner Naranjo, and Chairman Zucchet provided comments.

On a motion by Commissioner Castellanos, seconded by Commissioner Naranjo, the Board adopted Resolution 2021-014. The motion carried by the following vote:

Yeas: 7 - Bonelli, Castellanos, LeSar, Malcolm, Moore, Naranjo, and Zucchet

Nays: 0

Excused: 0

Absent: 0

Abstain: 0

Recused: 0

- 10. [2021-0033](#) RESOLUTION AUTHORIZING THE DISTRICT TO ENTER INTO A MEMORANDUM OF UNDERSTANDING BETWEEN THE SAN DIEGO UNIFIED PORT DISTRICT AND THE SAN DIEGO FOUNDATION TO ADVANCE A COLLABORATIVE PARTNERSHIP TO EXPLORE OPPORTUNITIES FOR PROGRAM ALIGNMENT AND INVESTMENT TO SUPPORT COASTAL ACCESS; CLIMATE INITIATIVES AND COASTAL RESILIENCY; ENVIRONMENTAL CONSERVATION AND STEWARDSHIP; ENVIRONMENTAL JUSTICE; AND A THRIVING, SUSTAINABLE WATERFRONT

Jason Giffen, Vice President, Planning, Environment and Government Relations, addressed the Board with staff's report and presentation regarding Action Agenda Item 10 - File No. 2021-0033 (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 Candace Wo, San Diego Foundation, to provide an overview of the San Diego Foundation. Ms. Wo then turned the presentation over to Everett Au, San Diego Foundation, to provide overview of the San Diego Foundation's strategies to support environmental initiatives in the region. Mr. Au then turned the presentation to Eileen Maher, Director, Environmental Conservation, Port of San Diego, to discuss staff's recommendation and to close the presentation.

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

Commissioner Malcolm, Commissioner LeSar, Commissioner Castellanos, Chairman Zucchet provided comments. Mr. Giffen responded to Commissioner's comments.

On a motion by Commissioner Malcolm, seconded by Commissioner Castellanos, the Board adopted Resolution 2021-015. The motion carried by the following vote:

Yeas: 7 - Bonelli, Castellanos, LeSar, Malcolm, Moore, Naranjo, and Zucchet

Nays: 0

Excused: 0

Absent: 0

Abstain: 0

Recused: 0

11. [2021-0032](#) INFORMATIONAL PRESENTATION AND STATUS UPDATE ON THE DEVELOPMENT OF THE DISTRICT'S MARITIME CLEAN AIR STRATEGY

Jason Giffen, Vice President, Planning, Environment and Government Relations, addressed the Board with staff's report and presentation regarding Action Agenda Item 11 - File No. 2021-0032 (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 to Larry Hofreiter, Program Manager, Planning & Green Port, to provide a deeper dive into the contents of the MCAS. Mr. Hofreiter then turned the presentation to Maggie Weber, Senior Planner, to summarize the public engagement efforts. Ms. Weber then turned the presentation back to Mr. Hofreiter to present the status on each of the 7 sectors. Mr. Hofreiter then turned the presentation to Job Nelson, Chief Policy Strategist, to discuss next steps, the MCAS schedule overview, and to close the presentation.

The following member(s) of the public addressed the Board with agenda-related comments: Danny Serrano, Environmental Health Coalition; Sharon Cloward, President, San Diego Port Tenants Association; Andrea Swanson, Momentum; Liz Perez, GC Green; Silvia Calzada; Maritza Garcia; Dr. Stephanie Yoon; and Alicia Sanchez.

Commissioner Naranjo, Commissioner LeSar, Commissioner Castellanos, and Chairman Zucchet, provided comments and asked clarifying questions. Mr. Giffen, and Mr. Nelson responded.

12. [2021-0041](#) ORDINANCE AUTHORIZING:

(A) AMENDED AND RESTATED JOINT COMMUNITY FACILITIES AGREEMENT WITH THE CITY OF CHULA VISTA FOR THE CHULA VISTA BAYFRONT PROJECT SPECIAL TAX FINANCING DISTRICT, WITH CONDITIONS; AND

(B) THE VOTE OF THE DISTRICT IN FAVOR OF PROPOSITIONS A (LEVY OF SPECIAL TAXES AT RATES NOT TO EXCEED 5.5% OF RENT CHARGED ON HOTEL PROPERTY AND CAMPSITE PROPERTY) AND B (EXPANSION OF LOCATION OF IMPROVEMENTS AND SERVICES) RELATED TO THE CHULA VISTA BAYFRONT PROJECT SPECIAL TAX FINANCING DISTRICT.

RESOLUTION AUTHORIZING:

(A) THIRD AMENDED AND RESTATED REVENUE SHARING AGREEMENT WITH THE CITY OF CHULA VISTA AND THE AUTHORITY, WITH CONDITIONS; AND

(B) SUPPORT AGREEMENT WITH THE CHULA VISTA BAYFRONT FACILITIES FINANCING AUTHORITY, WITH CONDITIONS, FOR THE PUBLIC FINANCING OF THE CONVENTION CENTER AND PHASE 1A IMPROVEMENTS IN THE CITY OF CHULA VISTA

Chairman Zucchet invited Chula Vista Mayor Mary Casillas Salas to provide opening comments.

Shaun Sumner, Vice President, Real Estate, Engineering and Facilities, addressed the Board with staff's report and presentation regarding Action Agenda Item 12 - File No. 2021-0041 (A copy of the staff report, presentations and any agenda-related materials are on file with the Office of the District Clerk).

No additional public comments were received.

Commissioner Moore, Commissioner Malcolm, Commissioner Castellanos, Chairman Zucchet, Commissioner LeSar, and Commissioner Bonelli, provided comments and asked clarifying questions. Thomas A. Russell, General Counsel responded.

On a motion by Commissioner Moore, seconded by Commissioner Malcolm, the Board adopted Ordinance 2992. The motion carried by the following vote:

Yeas: 7 - Bonelli, Castellanos, LeSar, Malcolm, Moore, Naranjo, and Zucchet

Nays: 0

Excused: 0

Absent: 0

Abstain: 0

Recused: 0

On a motion by Commissioner Moore, seconded by Commissioner Malcolm, the Board adopted Resolution 2021-016; and Resolution 2021-017. The motion carried by the following vote:

Yeas: 7 - Bonelli, Castellanos, LeSar, Malcolm, Moore, Naranjo, and Zucchet

Nays: 0

Excused: 0

Absent: 0

Abstain: 0

Recused: 0

13. [2021-0002](#) REVIEW AND CONSIDERATION OF DRAFT PROPOSED BOARD AGENDA FOR THE MARCH 9, 2021 MEETING

On a motion by Commissioner Castellanos, seconded by Commissioner Bonelli, the Board approved the proposed agenda for March. The motion carried by the following vote:

Yeas: 7 - Bonelli, Castellanos, LeSar, Malcolm, Moore, Naranjo, and Zucchet

Nays: 0

Excused: 0

Absent: 0

Abstain: 0

Recused: 0

OFFICER’S REPORT

14. [2021-0085](#) OFFICER’S REPORT

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

A) Change Order No. 1 to Contract No. 2020-23 with American Scaffold, Inc. - \$2,975.00 Increase

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 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