



San Diego Unified Port District

3165 Pacific Hwy.
San Diego, CA 92101

Meeting Minutes

Board of Port Commissioners

Tuesday, April 11, 2023

1:00 PM

Don L. Nay Port Administration Boardroom

A. Roll Call.

Present: 5 - Chair Rafael Castellanos, Commissioner Ann Moore, Commissioner Sandy Naranjo, Commissioner Frank Urtasun, and Commissioner Michael Zucchet

Excused: 2 - Commissioner Dan Malcolm, and Commissioner Danielle Moore

Absent: 0

Recused: 0

Officers Present: DeAngelis, Medina, Morales, Russell, Stuyvesant and Yeilding.

B. Statement (just cause) and/or Consideration of a Request to Participate Remotely (emergency circumstances) by a Commissioner, if applicable

No requests received.

C. Pledge of Allegiance.

Commissioner Urtasun led the pledge of allegiance.

D. Closed Session Report Out.

Thomas A. Russell, General Counsel, announced that the Board considered items on the Closed Session Agenda. Mr. Russell stated that no reportable action was taken.

E. Public Communications.

The following member(s) of the public addressed the Board with non agenda-related comments: Sharon Cloward, President San Diego Working Waterfront, and Neil Sholander, Business Representative, Teamsters 911.

F. Board Committee Reports.

Commissioner Naranjo announced that the Audit Oversight Committee (AOC) met on March 16, 2023. Commissioner Naranjo provided an overview of the 2023 committee work plan, which the AOC accepted and is recommending for Board approval. The committee also reviewed the engagement letter for the financial statement audit and single audit ending June 30, 2023 and received presentations from staff on various topics including the Audit Plan Status Report for Fiscal Year 2023, cybersecurity and the fraud ethics prevention hotline.

Commissioner Urtasun reported on the Environmental Advisory Committee's meeting held on April 5th, 2023, which was the committee's first in-person meeting since 2019. Commissioner Urtasun shared that the committee reviewed and is recommending their work plan for the year 2023 for Board approval. The committee also received presentations on the progress of the Maritime Clean Air Strategy (MCAS), including updates on zero-emission equipment and vehicles, shore power infrastructure installation, and electrification planning, as well as an overview of I Love A Clean San Diego's environmental education programs.

Chairman Castellanos announced that he facilitated the first 2023 Maritime Stakeholder Forum on April 6th. Highlights of the forum included: presentations by Commute with Enterprise on how to encourage employees to participate in van pool programs, which furthers the Maritime Clean Air Strategy (MCAS) goals; update on proposed changes to the Port's anchorage and guest docks ordinance; presentations on the status of the Crowley's eTug (first all-electric powered harbor tugboat in the U.S.), the Port's upcoming Maritime Month Campaign, and cargo and cruise updates. In addition, BAE shared news on purchasing jellyfish bots with Low Carbon Fuel Standard (LCFS) funding to help remove debris from water.

G. Commissioners' Reports.

Commissioner Naranjo provided a report on the Transportation Committee of the San Diego Association of Governments (SANDAG) which met on March 17, 2023. Commissioner Naranjo announced that San Diego is set to receive \$61.9 million in state and federal funding for 13 projects that improve mobility and safety for bicyclists, pedestrians, transit riders, and rail passengers. The majority of the funding will be used to upgrade safe bicycle and other routes in disadvantaged communities. These projects are part of the Active Transportation Program administered by the California Transportation Commission, and were selected from 434 project applications submitted from around the state. In addition, the SANDAG Transportation Committee heard a report on a study to create a transit mobility hub in San Ysidro to accommodate trolleys and buses in an environment that is safe and inviting for the public.

Commissioner Naranjo then shared that SANDAG is seeking public input for the Sustainable Freight Implementation Strategy for San Diego and Imperial Counties to create multimodal freight projects and policies, pilot innovative technologies, develop a workforce, and identify funding sources. The Portside Community Air Toxics Model and Risk Assessment was presented to identify pollution sources and prioritize risk reduction strategies. Updates to the Portside Community Steering Committee Charter were discussed, and subcommittees identified priorities for the year. SDG&E invited the committee to their EV Fleet Day event to engage participants about MCAS implementation.

Commissioner Naranjo then shared her attendance at the American Association Port Authorities Spring Legislative Summit, where she had meetings with several Congress members, the EPA office of Transportation and Air Quality, and other federal agency partners. The summit was an opportunity to discuss and showcase the Maritime Clean Air Strategy and update policymakers about the updated National City Balanced Plan.

Commissioner Urtasun announced that he attended the Seatrade Cruise Global, a trade show for the cruise industry in Fort Lauderdale. Commissioner Urtasun shared he met with the Port Everglades and Disney Cruise Lines, who reported that bookings are back up to 2019 levels and are adding three new vessels to their fleet in 2024 and 2025. The industry is focused on reducing emissions while still offering an amazing vacation opportunity. The Port is making improvements to the terminal, and the cruise lines were pleased to provide valuable feedback on the conceptual design.

H. Special Recognition

Jeff Geary, Assistant Chief of Harbor Police, announced that in 1994, President Bill Clinton proclaimed the second week of April as National Public Safety Telecommunicators week. Assistant Chief Geary recognized Harbor Police Dispatchers, Lora Smoot, Rhonda Lockwood, David O'Bryant, Sara Welch, Jackie DeSagun, Selena Vasquez, and Marisol Gaona for their incredible work, dedication and sacrifice. In addition, Assistant Chief Geary recognized the following officers who volunteer in the communications center to supplement staffing; Christine Sperry, Malcolm Chambers, and Corporal Sara Goes.

Monique Halgrims, Administrative Assistant II, Real Estate, recognized April as World Autism Awareness Month and the Port's dedication to raising awareness, understanding, and acceptance for individuals on the Autism Spectrum. Ms. Halgrims announced that April 2, 2023 was World Autism Awareness Day in which Port staff took part in the Race for Autism Superhero 5k Run/Walk. Also, staff participated in a workshop that hosted the National Foundation of Autism Research (NFAR) and a few local businesses who hire or are operated by neurodivergent individuals.

Ms. Halgrims then recognized the following celebrations: Passover, April 5-13, a Jewish holiday that commemorates the story of the Israelites' departure from ancient Egypt; Easter, April 9, a Christian holiday that celebrates the belief in the resurrection of Jesus Christ; and Eid-al-Fitr, April 21, which commemorates the end of the fasting month of Ramadan.

I. President's Report.

Joe Stuyvesant, President/CEO, announced the Port hosted a panel discussion to celebrate National Women's History Month, with the theme "Celebrating Women who Tell our Stories." The panel was facilitated by Marguerite Elicone and featured Commissioner Danielle Moore, Harbor Police Chief Magda Fernandez, Shelly Hart from Maritime, and Sheila Kanoya from Parks & Recreation. The panelists shared their experiences and stories, answering questions and creating a lively and enjoyable atmosphere.

Mr. Stuyvesant then shared that Austal hosted a tour of their new shipyard facility in National City for students from Sweetwater High School, as part of their commitment to engaging with the local community. During the tour, the students were introduced to Austal leadership, had a discussion about career opportunities in ship building and repair, and visited the weld shop. They also had the opportunity to tour the USS Canberra, an LCS vessel moored at Austal, and were given a tour of the mission bay and flight deck by Navy Staff. The visit was a great opportunity for the students to learn about

potential careers in shipbuilding and repair along the waterfront.

Mr. Stuyvesant then announced that the Port of San Diego held its inaugural People of the Port Career fair on Friday, April 7th at the InterContinental hotel. Mr. Stuyvesant thanked staff, Port tenants and the San Diego Working Waterfront for participating and putting the event together.

J. District Clerk's Announcements.

Chairman Castellanos recused himself from the docket changes because one of the items requested to be continued involves a party that has a business relationship with one of his law partners.

Donna Morales, District Clerk, announced that additional agenda-related materials were received by the Board after publication of the agenda for the following items: Item E Non Agenda Public Comments; Approval of the Minutes for March 14, 2023, File 2023-0114; Item 6 - File 2023-0113; Item 13 - File 2022-0054; Item 16 - File 2023-0070; and Item 17 - File 2023-0045.

Ms. Morales then announced that staff requests that the Board consider the following items be continued to a future Board meeting: Item 6 - File 2023-0113, and Item 15 - File 2023-0115. Ms. Morales also announced that Board action is no longer required on Item 9 - File 2023-0094.

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

Yeas: 4 - Ann Moore, Sandy Naranjo, Frank Urtasun, and Michael Zucchet

Nays: 0

Excused: 2 - Dan Malcolm, and Danielle Moore

Absent: 0

Abstain: 0

Recused: 1 - Rafael Castellanos

APPROVAL OF MINUTES

[2023-0114](#) Approval of minutes for:

March 14, 2023 - CLOSED SESSION
March 14, 2023 - BPC MEETING

On a motion by Commissioner Zucchet, seconded by Commissioner Naranjo, the Board approved the March 14th, 2023 minutes. The motion carried by the following vote:

Yeas: 5 - Rafael Castellanos, Ann Moore, Sandy Naranjo, Frank Urtasun, and Michael Zucchet

Nays: 0

Excused: 2 - Dan Malcolm, and Danielle Moore

Absent: 0

Abstain: 0

Recused: 0

CONSENT AGENDA

Commissioner Urtasun announced that due to owning stock in Siempra Energy, he is recusing himself from Action Agenda Item 3 - File No. 2023-0036, and Action Item 7 - File No. 2023-0072, and did not participate.

On a motion made by Commissioner Naranjo, seconded by Commissioner Zucchet, the Board adopted Items 3 and 7; Ordinance 3080; Ordinance 3081; and Resolution 2023-030. The motion carried by the following vote

Yeas: 4 - Rafael Castellanos, Ann Moore, Sandy Naranjo, and Michael Zucchet

Nays: 0

Excused: 2 - Dan Malcolm, and Danielle Moore

Absent: 0

Abstain: 0

Recused: 1 - Frank Urtasun

3. [2023-0036](#) CHULA VISTA BAYFRONT

A. ORDINANCE GRANTING A SIXTY-SIX (66) YEAR EASEMENT, IN SUBSTANTIAL FORM, TO SAN DIEGO GAS & ELECTRIC FOR THE CONSTRUCTION, OPERATION AND MAINTENANCE OF UNDERGROUND ELECTRICAL FACILITIES IN CONNECTION WITH PHASE 1A OF THE CHULA VISTA BAYFRONT PROJECT IN THE CITY OF CHULA VISTA, CALIFORNIA; AND

B. ORDINANCE GRANTING A FIFTEEN (15) YEAR EASEMENT, IN SUBSTANTIAL FORM, TO SAN DIEGO GAS & ELECTRIC FOR THE CONSTRUCTION, OPERATION AND MAINTENANCE OF UNDERGROUND ELECTRICAL FACILITIES IN CONNECTION WITH PHASE 1A OF THE CHULA VISTA BAYFRONT PROJECT IN THE CITY OF CHULA VISTA, CALIFORNIA

On a motion made by Commissioner Naranjo seconded by Commissioner Zucchet, the Board adopted Ordinance 3080; and Ordinance 3081.

- 7. [2023-0072](#) RESOLUTION FINDING THE BOARD ACTION EXEMPT UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA), INCLUDING, BUT NOT LIMITED TO, CEQA GUIDELINES SECTIONS 15301, 15303, AND 15304 AND IN SUPPORT OF THE DISTRICT'S APPLICATION TO THE US DEPARTMENT OF TRANSPORTATION'S PORT INFRASTRUCTURE DEVELOPMENT PROGRAM FOR THE INSTALLATION OF SHORE POWER, BERTH REHABILITATION AND LIGHTING UPGRADES AT THE NATIONAL CITY MARINE TERMINAL

On a motion made by Commissioner Naranjo seconded by Commissioner Zucchet, the Board adopted Resolution 2023-030.

CONSENT AGENDA

On a motion made by Commissioner Urtasun, seconded by Commissioner Naranjo, the Board adopted Items 1, 2, 4 - 6 and 8 - 12; Resolution 2023-027; Resolution 2023-028; Resolution 2023-029; Ordinance 3082; Ordinance 3083; Resolution 2023-031; Resolution 2023-032; and Resolution 2023-033. The motion carried by the following vote

Yeas: 5 - Rafael Castellanos, Ann Moore, Sandy Naranjo, Frank Urtasun, and Michael Zucchet

Nays: 0

Excused: 2 - Dan Malcolm, and Danielle Moore

Absent: 0

Abstain: 0

Recused: 0

1. [2022-0405](#) RESOLUTION SELECTING AND AUTHORIZING A FIVE-YEAR AGREEMENT WITH HUB INTERNATIONAL INSURANCE SERVICES TO PROVIDE HEALTH BENEFIT BROKER AND CONSULTING SERVICES FOR AN AMOUNT NOT TO EXCEED \$161,000 PER YEAR AND A TOTAL OF \$805,000 FOR THE PERIOD OF MAY 1, 2023, THROUGH APRIL 30, 2028.

On a motion made by Commissioner Urtasun seconded by Commissioner Naranjo, the Board adopted Resolution 2023-027 as part of the Consent agenda.

2. [2022-0406](#) RESOLUTION APPROVING THE 2023 ANNUAL WORK PLAN FOR THE AUDIT OVERSIGHT COMMITTEE PURSUANT TO BOARD OF PORT COMMISSIONERS (BPC) POLICY NO. 776, PORT AUDIT OVERSIGHT COMMITTEE POLICY

On a motion made by Commissioner Urtasun seconded by Commissioner Naranjo, the Board adopted Resolution 2023-028 as part of the Consent agenda.

4. [2023-0050](#) RESOLUTION APPROVING CALENDAR YEAR 2023 ANNUAL WORK PLAN FOR THE ENVIRONMENTAL ADVISORY COMMITTEE PURSUANT TO THE BOARD OF PORT COMMISSIONERS POLICY 018, BOARD ADVISORY COMMITTEES

On a motion made by Commissioner Urtasun seconded by Commissioner Naranjo, the Board adopted Resolution 2023-029 as part of the Consent agenda.

5. [2023-0059](#) ORDINANCE FINDING THE BOARD ACTION EXEMPT UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA), INCLUDING, BUT NOT LIMITED TO, CEQA GUIDELINES SECTIONS 15301, 15302 AND 15303 AND AUTHORIZING AMENDMENT NO. 1 TO TIDELANDS USE AND OCCUPANCY PERMIT WITH NEW CINGULAR WIRELESS PCS, LLC APPROVING ADDITIONAL SMALL CELL SITE(S) FOR POTENTIAL INSTALLATION OF WIRELESS COMMUNICATIONS FACILITIES WITHIN THE PUBLIC RIGHT OF WAY

On a motion made by Commissioner Urtasun seconded by Commissioner Naranjo, the Board adopted Ordinance 3082 as part of the Consent agenda.

6. [2023-0113](#) ADOPT AN ORDINANCE GRANTING AMENDMENT NO. 1 TO AN OPTION TO LEASE AGREEMENT WITH SUNROAD HIE HOTEL PARTNERS, L.P. FOR A 66-YEAR LEASE TO DEVELOP AN UP TO 450-ROOM HOTEL ON HARBOR ISLAND TO EXTEND THE TERM OF THE OPTION

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.

8. [2023-0066](#) ORDINANCE RE-APPROVING SAN DIEGO HARBOR POLICE DEPARTMENT MILITARY EQUIPMENT USE POLICY AS REQUIRED BY ASSEMBLY BILL 481

On a motion made by Commissioner Urtasun seconded by Commissioner Naranjo, the Board adopted Ordinance 3083 as part of the Consent agenda.

9. [2023-0094](#) RESOLUTIONS PERTAINING TO GRANT APPLICATIONS
A) RESOLUTION RESCINDING RESOLUTION NO. 2021-019 REQUESTING \$227,800.00 IN GRANT FUNDS FROM THE FY22 CALIFORNIA STATE PARKS, DIVISION OF BOATING 2021 WATERWAYS PUBLIC BEACH RESTORATION PROGRAM FOR THE KELLOGG BEACH SAND REPLENISHMENT PROJECT
B) RESOLUTION RESCINDING RESOLUTION NO. 2022-085 FOR SUBMISSION OF A GRANT APPLICATION TO THE SAFE DRINKING WATER, WATER QUALITY AND SUPPLY, FLOOD CONTROL, RIVER AND COASTAL PROTECTION BOND ACT OF 2006, PROP 68, FUNDED BY THE OCEAN PROTECTION COUNCIL

Board action is no longer required for this item.

10. [2023-0091](#) RESOLUTION FINDING THE BOARD ACTION EXEMPT UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA), INCLUDING, BUT NOT LIMITED TO, CEQA GUIDELINES SECTIONS 15301 AND 15304 AND CONSENTING TO A SECOND AMENDMENT TO RESTAURANT LEASE BETWEEN PACIFIC GATEWAY, LTD DBA SAN DIEGO MARRIOTT MARQUIS AND MARINA AND OS PACIFIC, LLC DBA ROY'S RESTAURANT, LOCATED AT 333 WEST HARBOR DRIVE, TO EXTEND THE RESTAURANT LEASE TERM BY 10 YEARS WITH TWO 5-YEAR OPTIONS TO EXTEND

On a motion made by Commissioner Urtasun seconded by Commissioner Naranjo, the Board adopted Resolution 2023-031 as part of the Consent agenda.

11. [2023-0038](#) RESOLUTION AUTHORIZING THE DISTRICT'S HAZARD MITIGATION PLAN IN ACCORDANCE WITH BOARD OF PORT COMMISSIONERS POLICY NO. 777, EMERGENCY MANAGEMENT AND IS AN ANNEX WITHIN THE COUNTY OF SAN DIEGO'S HAZARD MITIGATION PLAN

On a motion made by Commissioner Urtasun seconded by Commissioner Naranjo, the Board adopted Resolution 2023-032 as part of the Consent agenda.

12. [2023-0096](#) RESOLUTION AMENDING THE SAN DIEGO UNIFIED PORT DISTRICT (DISTRICT) DIRECTORY OF CLASSIFICATION SPECIFICATIONS FOR FISCAL YEAR 2022/2023

On a motion made by Commissioner Urtasun seconded by Commissioner Naranjo, the Board adopted Resolution 2023-033 as part of the Consent agenda.

PUBLIC HEARING AGENDA

- 13. [2023-0054](#) CONDUCT A PUBLIC HEARING AND ADOPT AN ORDINANCE FINDING THE BOARD ACTION EXEMPT UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA), INCLUDING, BUT NOT LIMITED TO, CEQA GUIDELINES SECTIONS 15301 AND 15311 AND AMENDING SAN DIEGO UNIFIED PORT DISTRICT (SDUPD) CODE ARTICLE 8, SECTION 8.09 - OVERSIZED VEHICLE PARKING REGULATIONS ON TIDELANDS AND SECTION 8.11 - VEHICLE PARKING REGULATED

Ken Wallis, Director, Guest Experiences, joined by Kristine Love, Parking Manager, Guest Experiences, Captain Jonathan George, Harbor Police, and Simon Kann, Assistant General Counsel, Office of the General Counsel, addressed the Board with staff's report and presentation regarding Public Hearing Agenda Item 13 - File No. 2023-0054 (A copy of the staff report, presentations and any agenda-related materials are on file with the Office of the District Clerk).

Chairman Castellanos opened the Public Hearing.

The following member(s) of the public addressed the Board with agenda-related comments: Mick Gammen, Jeslyn Wynkoop, Kara Heiter, Sharon Cloward, President, San Diego Working Waterfront; Ted Walker; Isaac Taylor; Janne (John) Isokaanta, San Diego Yacht Club; Greg Boeh; Sandy Purdon, General Partner, Shelter Cove Marina; and Susie Bauman, Owner/Operator, Bali Hai.

Commissioner Urtasun, Commissioner Naranjo, and Chairman Castellanos provided comments and asked clarifying questions. Ken Wallis, Captain Jonathan George, Magda Fernandez, Vice President, Public Safety/Cheif of Harbor Police, and Joe Stuyvesant, President/CEO responded.

On a motion by Commissioner Urtasun, seconded by Commissioner Naranjo, the Board adopted Ordinance 3084. The motion carried by the following vote:

Yeas: 5 - Rafael Castellanos, Ann Moore, Sandy Naranjo, Frank Urtasun, and Michael Zucchet

Nays: 0

Excused: 2 - Dan Malcolm, and Danielle Moore

Absent: 0

Abstain: 0

Recused: 0

ACTION AGENDA

14. [2022-0310](#) A. ADOPT AN ORDINANCE AMENDING THE DISTRICT FY2022-2023 BUDGET INCREASING THE EQUIPMENT OUTLAY AND OTHER CAPITAL APPROPRIATION ITEM BY \$5,450,970 FOR SHORE POWER INSTALLATION AT NATIONAL CITY MARINE TERMINAL BERTH 24-10 AND 11 PROJECT, SAN DIEGO, CALIFORNIA.

B. RESOLUTION FINDING THE BOARD ACTION EXEMPT UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA), INCLUDING, BUT NOT LIMITED TO, CEQA GUIDELINES SECTIONS 15301, 15303, AND 15304 AND APPROVING PLANS AND SPECIFICATIONS AND AWARDDING CONTRACT NO. 2022-03 TO THE RYAN COMPANY INC. IN THE AMOUNT OF \$7,182,700 FOR THE SHORE POWER INSTALLATION AT NATIONAL CITY MARINE TERMINAL BERTHS 24-10 AND 11 PROJECT, SAN DIEGO, CALIFORNIA AS AUTHORIZED BY THE BOARD IN THE FY 2022 ECONOMIC RECOVERY PROGRAM APPROPRIATION.

Commissioner Urtasun announced that due to owning stock in Siempra Energy, he is recusing himself from this item, and did not participate.

Ernie Medina, Chief Engineer, Engineering-Construction, joined by Jesus Puebla, Capital Project Manager, Engineering-Construction, Mike LaFleur, Vice President, Maritime, and Job Nelson, Vice President, Strategy and Policy, addressed the Board with staff's report and presentation regarding Action Agenda Item 14 - File No. 2022-0310 (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, Meli Morales, Environmental Health Coalition.

Commissioner Naranjo, and Chairman Castellanos provided comments.

On a motion by Commissioner Naranjo, seconded by Commissioner Zucchet, the Board adopted Ordinance 3085 and Resolution 2023-034. The motion carried by the following vote:

Yeas: 4 - Rafael Castellanos, Ann Moore, Sandy Naranjo, and Michael Zucchet

Nays: 0

Excused: 2 - Dan Malcolm, and Danielle Moore

Absent: 0

Abstain: 0

Recused: 1 - Frank Urtasun

15. [2023-0115](#) MUNICIPAL SERVICES AGREEMENTS

A. RESOLUTION ESTABLISHING A BASELINE RATE AND SCOPE OF SERVICES FOR THE FY23 BASELINE RESET DATE UNDER THE MUNICIPAL SERVICES AGREEMENT WITH THE CITY OF CHULA VISTA AND AUTHORIZING AN AMENDMENT TO SUCH AGREEMENT TO REFLECT THE UPDATED RATE

B. UPDATE ON MUNICIPAL SERVICES AGREEMENT BASELINE RATE AND SCOPE OF SERVICES NEGOTIATIONS WITH THE CITY OF NATIONAL CITY

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.

16. [2023-0070](#) REDEVELOPMENT OF THE MARITIME MUSEUM OF SAN DIEGO:

A) RECEIVE PRELIMINARY PROJECT REVIEW PRESENTATION FOR PROPOSED REDEVELOPMENT OF THE MARITIME MUSEUM OF SAN DIEGO; AND

B) ADOPT A RESOLUTION AUTHORIZING STAFF TO COMMENCE ENVIRONMENTAL REVIEW IN ACCORDANCE WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT FOR THE REDEVELOPMENT OF MARITIME MUSEUM OF SAN DIEGO AT EMBARCADERO BY MARITIME MUSEUM ASSOCIATION OF SAN DIEGO (MARITIME MUSEUM); AND

C) DIRECT STAFF TO OBTAIN FROM THE MARITIME MUSEUM, AT THEIR SOLE EXPENSE, BOTH (1) AN HISTORICAL PERFORMANCE AUDIT OF THE EXISTING LEASE AND (2) AN EVALUATION OF THE MARITIME MUSEUM'S PLAN OF OPERATIONS FOR THE PROPOSED REDEVELOPMENT PROJECT TO BE DELIVERED IN ONE OR MORE REPORTS IN A FORM AND CONTENT SATISFACTORY TO DISTRICT STAFF FROM ONE OR MORE QUALIFIED, INDEPENDENT, THIRD-PARTY CONSULTANTS.

Tony Gordon, Director, Real Estate, joined by Stella Karl-Ruiz, Assistant Asset Manager, Real Estate, Annette Dahl, Department Manager, Real Estate, Megan Hamilton, Senior Planner, Development Services, Rebecca Harrington, Assistant General Counsel, Office of the General Counsel, Dr. Ray Ashley, President and CEO of the Maritime Museum of San Diego and Greg Mueller, Principle Designer and CEO, Tucker Sadler, addressed the Board with staff's report and presentation regarding Action Agenda Item 16 - File No. 2023-0070 (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: Former Congressman Brian Bilbray; AJ Estrada, Office of Assembly Member Chris Ward; Sharon Cloward, President, San Diego Working Waterfront; Sandy Purdon, Executive Producer of Big Bay Boom July 4th fireworks show, and General Partner, Shelter Cove Marina.

Commissioner Urtasun, Commissioner Zucchet and Chairman Castellanos provided comments and asked clarifying questions. Greg Mueller responded.

On a motion by Commissioner Urtasun, seconded by Commissioner Zucchet, the Board adopted Resolution 2023-035. The motion carried by the following vote:

Yeas: 4 - Rafael Castellanos, Sandy Naranjo, Frank Urtasun, and Michael Zucchet

Nays: 0

Excused: 3 - Dan Malcolm, Ann Moore, and Danielle Moore

Absent: 0

Abstain: 0

Recused: 0

17. [2023-0045](#) DISTRICT SPONSORSHIP PROGRAMS
- A. RECEIVE UPDATES ON DISTRICT EVENT SPONSORSHIP PROGRAMS MANAGED BY PARKS & RECREATION AND PROVIDE DIRECTION TO STAFF REGARDING PROPOSED CHANGES TO SPECIAL EVENT SPONSORSHIP PROGRAMS AND BALANCED ACCESS TO PORT PARKS
- B. ADOPT RESOLUTION AMENDING BPC POLICY NO. 771: TIDELANDS ACTIVATION PROGRAM, TO INCORPORATE POLICY UPDATES, RE-DEFINE SPECIAL EVENT SPONSORSHIP CATEGORIES, AND CLARIFY ADMINISTRATIVE PRACTICES

Michael Brown, Vice President, Marketing and Communications, joined by Terrie Eichholz, Senior Project Manager, Parks and Recreation, Larry Hofreiter, Director, Parks and Recreation, and Jacqueline Godoy, Deputy General Counsel IV, Office of the General Counsel, addressed the Board with staff's report and presentation regarding Action Agenda Item 17 - File No. 2023-0045 (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: Sharon Cloward, President, Working Waterfront; Meli Morales, Environmental Health Coalition; and Randy Torres-Van Vleck, Director Policy and Planning, City Heights Redevelopment Corporation.

Commissioner Naranjo, Chairman Castellanos, Joe Stuyvesant, and Commissioner Urtasun provided comments and asked clarifying questions. Michael Brown, Terrie Eichholz, Larry Hofreiter and Tom Russell, General Counsel, responded.

On a motion by Commissioner Urtasun, seconded by Commissioner Naranjo, the Board adopted Resolution 2023-036. The motion carried by the following vote:

Yeas: 4 - Rafael Castellanos, Sandy Naranjo, Frank Urtasun, and Michael Zucchet

Nays: 0

Excused: 3 - Dan Malcolm, Ann Moore, and Danielle Moore

Absent: 0

Abstain: 0

Recused: 0

- 19.** [2023-0093](#) PRESENTATION AND DIRECTION TO STAFF ON THE FRAMEWORK FOR THE PREPARATION OF A DRAFT TRUST LANDS USE PLAN FOR THE SUBMERGED LANDS AND TIDELANDS GRANTED TO THE DISTRICT THROUGH SENATE BILL 507

Lesley Nishihira, Director, Planning, joined by Lily Tsukayama, Senior Planner, Planning, Rebecca Harrington, Assistant General Counsel, General Counsel's Office, and Dennis Larson, Consultant, Planning, addressed the Board with staff's report and presentation regarding Action Agenda Item 19 - File No. 2023-0093 (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 A. Moore, Commissioner Naranjo and Commissioner Urtasun provided comments and asked clarifying questions. Lesley Nishihira, responded.

- 20.** [2023-0004](#) REVIEW AND CONSIDERATION OF DRAFT PROPOSED BOARD AGENDA FOR THE MAY 9, 2023 MEETING

On a motion by Commissioner Urtasun, seconded by Commissioner Naranjo, the Board approved the proposed agenda for May. The motion carried by the following vote:

Yeas: 5 - Rafael Castellanos, Ann Moore, Sandy Naranjo, Frank Urtasun, and Michael Zucchet

Nays: 0

Excused: 2 - Dan Malcolm, and Danielle Moore

Absent: 0

Abstain: 0

Recused: 0

18. [2022-0175](#) SWEETWATER PARK PROJECT, CHULA VISTA BAYFRONT:

A) (1) RESOLUTION (a) AUTHORIZING TRANSFER WITHIN THE DISTRICT'S FISCAL YEAR (FY) 2022-2023 BUDGET OF REMAINING UNSPENT FUNDS FOR SWEETWATER PARK PROJECT IN CAPITAL IMPROVEMENT PROGRAM APPROPRIATED ITEM TO THE SWEETWATER PARK PROJECT IN THE EQUIPMENT OUTLAY AND OTHER CAPITAL PROJECTS APPROPRIATED ITEM IN ACCORDANCE WITH BOARD OF PORT COMMISSIONERS (BPC) POLICY NO. 090; (b) APPROVING PLANS AND SPECIFICATIONS AND AWARDED CONTRACT NO. 2021-12, BASE BID, TO 3-D ENTERPRISES, INC. IN THE AMOUNT OF \$12,543,730 FOR THE SWEETWATER PARK PROJECT, CHULA VISTA, CALIFORNIA; AND (2) ORDINANCE APPROVING AN AMENDMENT TO THE DISTRICT'S FY 2022-2023, BUDGET EQUIPMENT OUTLAY AND OTHER CAPITAL APPROPRIATION TO INCREASE THE SWEETWATER PARK BUDGET BY \$13,499,708 USING FUNDS FROM THE CHULA VISTA BAYFRONT PHASE 1A INFRASTRUCTURE IMPROVEMENT BUDGET

B) CONDITIONED ON AWARD OF THE \$5.0M OUTDOOR RECREATION LEGACY PARTNERSHIP (ORLP) GRANT FROM NATIONAL PARK SERVICE: (1) RESOLUTION (a) AUTHORIZING STAFF TO ENTER INTO A CONDITIONAL AGREEMENT WITH THE CALIFORNIA STATE PARKS FOR THE ORLP GRANT; (b) AWARDED CONTRACT NO. 2021-12 ADDITIVE BID ITEMS 1, 2 AND 3 TO 3-D ENTERPRISES, INC., FOR THE SWEETWATER PARK PROJECT, CHULA VISTA, CALIFORNIA, BY UNILATERAL CHANGE ORDER, IN THE AMOUNT OF \$3,001,000; AND (2) ORDINANCE APPROVING AN AMENDMENT TO THE DISTRICT'S FY 2022-2023 BUDGET EQUIPMENT OUTLAY AND OTHER CAPITAL APPROPRIATION TO INCREASE THE SWEETWATER PARK PROJECT BUDGET BY \$3,301,100 USING FUNDS FROM THE \$5,000,000 ORLP GRANT AND RETURNING \$1,698,900 TO THE CHULA VISTA BAYFRONT PHASE 1A INFRASTRUCTURE IMPROVEMENT BUDGET

Chairman Castellanos recused himself from this item because it involves a party that has a business relationship with one of his law partners.

Ernie Medina, Chief Engineer, Engineering-Construction, joined by Mark Mcintire, Capital Project Manager, Engineering-Construction, Adam Meyer, Assistant Director, Real Estate, and Aimee Heim, Program Director, Government and Civic Relations, addressed the Board with staff's report and presentation regarding Action Agenda Item 18 - File No. 2022-0175 (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 A. Moore, Commissioner Urtasun, Commissioner Zucchet, and Commissioner Naranjo provided comments.

On a motion by Commissioner A. Moore, seconded by Commissioner Urtasun, the Board adopted Resolution 2023-037, Ordinance 3086, Resolution 2023-038, and Ordinance 3087. The motion carried by the following vote:

Yeas: 4 - Ann Moore, Sandy Naranjo, Frank Urtasun, and Michael Zucchet

Nays: 0

Excused: 2 - Dan Malcolm, and Danielle Moore

Absent: 0

Abstain: 0

Recused: 1 - Rafael Castellanos

OFFICER’S REPORT

21. [2023-0101](#) 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:

A) Request for User Fee Waiver Form from Southwestern Yacht Club, for total amount of \$1,000.00

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