



San Diego Unified Port District

3165 Pacific Hwy.
San Diego, CA 92101

Meeting Agenda Board of Port Commissioners

Thursday, October 13, 2016

1:00 PM

Don L. Nay Port Administration Boardroom

Please note: Additional Agenda Related Information may be added to this agenda prior to 72 hours before the meeting.

Please complete a Request to Speak form prior to the commencement of the meeting and submit it to the District Clerk.

Items under the Consent Agenda section are considered to be routine, and will be acted upon with one vote. If you wish for an item to be removed from the Consent Agenda, submit your request to the District Clerk prior to the commencement of the meeting.

Agendas are available in alternative formats upon request. If you require assistance or auxiliary aids in order to participate at public meetings, please contact Office of the District Clerk at publicrecords@portofsandiego.org or (619) 686-6206 within 24 hours of the meeting.

Any disclosable public records related to an open session item on a regular meeting agenda and distributed by the San Diego Unified Port District to all or a majority of the Board of Port Commissioners, including those records distributed less than 72 hours prior to that meeting, are available for public inspection at the Office of the District Clerk, 3165 Pacific Highway, San Diego, California during normal business hours.

For those planning to attend the Board meeting, parking is available in the Port Administration Building parking lot. Overflow parking can be accommodated to the west of the Port Administration Building in the Port District Employee/Visitor parking.

For the agenda online and more information about the Commissioners' names and city representation, and future Board meeting dates, please visit our website at www.portofsandiego.org. As a courtesy to all who attend these public meetings, please turn all cell phones to off or vibrate before entering the Board Room.

A. Roll Call.**B. Closed Session Report Out.****C. Pledge of Allegiance.****D. Public Communications.**

Please limit comments to 3 minutes per speaker. No actions may be taken on these items.

E. Commissioners' Reports.

No actions may be taken on these items.

F. President's Report.**G. District Clerk's Announcements.****APPROVAL OF MINUTES**

[2016-0565](#)

SEPTEMBER 8, 2016 SPECIAL MEETING - CLOSED SESSION
SEPTEMBER 8, 2016 MEETING - REGULAR SESSION

CONSENT AGENDA

1. [2016-0427](#) RESOLUTION AUTHORIZING AMENDMENT NO.1 TO AGREEMENT WITH RANDY BATES, DBA NATURESCAPE SERVICES FOR MAINTENANCE SERVICES AT BROADWAY LANDING, BROADWAY PASEO, AND LANE FIELD PARK, REMOVING LANE FIELD PARK FROM THE AGREEMENT AND DECREASING THE MAXIMUM AMOUNT PAYABLE UNDER THE AGREEMENT BY \$185,481, FOR A NEW MAXIMUM AMOUNT PAYABLE UNDER THE AGREEMENT OF \$1,052,167
2. [2016-0452](#) ORDINANCE AMENDING THE CONFLICT OF INTEREST CODE OF THE SAN DIEGO UNIFIED PORT DISTRICT TO REFLECT CHANGES TO THE DIRECTORY OF CLASS SPECIFICATIONS AND ADD AN ADDITIONAL DISCLOSURE CATEGORY

3. [2016-0476](#) KONA KAI RESORT AND MARINA, LOCATED AT 1551 SHELTER ISLAND DRIVE, SAN DIEGO, CA
A) RESOLUTION CONSENTING TO ENCUMBRANCE OF CAHUENGA ASSOCIATES II, DBA KONA KAI MARINA AND WESTGROUP KONA KAI LLC, DBA KONA KAI RESORT LEASEHOLD ESTATE BY \$54,000,000 DEED OF TRUST IN FAVOR OF PRIME FINANCE, WITH CONDITIONS

B) ORDINANCE GRANTING AMENDMENT NO. 1 TO LEASE WITH WESTGROUP KONA KAI LLC, DBA KONA KAI RESORT TO UPDATE OPTION TO COMBINE KONA KAI RESORT AND KONA KAI MARINA LEASEHOLDS, AND UPDATE CERTAIN LEASE PROVISIONS

C) ORDINANCE GRANTING AMENDMENT NO. 2 TO LEASE WITH CAHUENGA ASSOCIATES II, DBA KONA KAI MARINA TO UPDATE CERTAIN LEASE PROVISIONS AND UPDATING RENT
4. [2016-0477](#) ORDINANCE GRANTING A TWENTY-YEAR EASEMENT TO SAN DIEGO GAS & ELECTRIC COMPANY FOR UTILITIES LOCATED NEAR THE WESTERLY SHELTER ISLAND DRIVE TRAFFIC CIRCLE TO PROVIDE SERVICE TO THE HARBOR POLICE DOCK, COMFORT STATION AND DIVE LOCKERS

The Board will consider staff's request to continue this item to a future Board Meeting.
5. [2016-0482](#) RESOLUTION ESTABLISHING RENT FOR CRAB ADDISON, INC. DBA JOE'S CRAB SHACK AT THE ROWING CLUB, LOCATED AT 525 EAST HARBOR DRIVE IN THE CITY OF SAN DIEGO FOR THE PERIOD OF NOVEMBER 1, 2016 THROUGH OCTOBER 31, 2021
6. [2016-0487](#) RESOLUTION AUTHORIZING THE EXECUTIVE DIRECTOR TO GRANT INDEMNITY TO THE CITY OF SAN DIEGO, QUALCOMM STADIUM ADVISORY BOARD, PUBLIC FACILITIES FINANCING AUTHORITY AND ALL OF ITS OFFICERS, AGENTS AND EMPLOYEES FOR ANY CLAIM ARISING OUT OF THE USE OF QUALCOMM STADIUM PARKING LOTS FOR THE HARBOR POLICE TO CONDUCT EMERGENCY VEHICLE OPERATIONS (EVOC) TRAINING
7. [2016-0493](#) RESOLUTION SELECTING AND AUTHORIZING A THREE-PARTY AGREEMENT WITH HELIX ENVIRONMENTAL PLANNING, INC. FOR ENVIRONMENTAL REVIEW CONSULTING SERVICES FOR THE NEW RESTAURANT AT FERRY LANDING PROJECT IN AN AMOUNT NOT TO EXCEED \$273,000 FOR A PERIOD OF 15 MONTHS

8. [2016-0494](#) RESOLUTION APPROVING PROCLAMATION IN RECOGNITION OF OCTOBER 2016 AS "CELEBRATION OF THE ARTS MONTH" IN SUPPORT OF NATIONAL ARTS AND HUMANITIES MONTH

9. [2016-0498](#) RESOLUTION EXERCISING A ONE-YEAR OPTION TO EXTEND THE AGREEMENT WITH MACIAS GINI & O'CONNELL, LLP FOR PROFESSIONAL EXTERNAL AUDITING SERVICES FROM MAY 1, 2017 THROUGH APRIL 30, 2018 FOR A ONE-YEAR AMOUNT NOT TO EXCEED \$105,475 INCREASING THE MAXIMUM NOT-TO-EXCEED AMOUNT FROM \$411,739 TO \$517,214 AND AUTHORIZING THE PORT AUDITOR TO ENTER INTO AMENDMENT NO. 2 TO THE AGREEMENT

10. [2016-0513](#) RESOLUTION SELECTING AND AUTHORIZING AN AGREEMENT WITH DIMENSION DATA FOR STORAGE AREA NETWORK REPLACEMENT SERVICES, FOR ONE YEAR AND A TOTAL AMOUNT NOT TO EXCEED \$299,963.62

11. [2016-0514](#) ACCEPTANCE OF THE FEDERAL FISCAL YEAR 2016 (FY16) PORT SECURITY GRANT PROGRAM (PSGP) AWARDS AND BUDGET AMENDMENTS IN ORDER TO EXECUTE ON FY16 PSGP PROJECTS
A) RESOLUTION ACCEPTING THE FY16 PSGP AWARDS FOR A TOTAL AMOUNT OF \$1,936,976 AND AUTHORIZING THE SAN DIEGO UNIFIED PORT DISTRICT (DISTRICT) TO ENTER INTO AWARD AGREEMENTS WITH THE U.S. DEPARTMENT OF HOMELAND SECURITY/FEDERAL EMERGENCY MANAGEMENT AGENCY (DHS/FEMA)
B) ORDINANCE AMENDING THE DISTRICT'S FY16/17 BUDGET INCREASING APPROPRIATIONS FOR THE ORDINARY ANNUAL EXPENSE BY \$235,100, THE TMP CAPITAL PROJECTS BY \$420,000, AND THE EQUIPMENT OUTLAY BY \$299,300

12. [2016-0539](#) RESOLUTION SELECTING AND AUTHORIZING AN AGREEMENT WITH XXXX TO CONDUCT FISH SURVEYS IN ASSOCIATION WITH THE LIVING SHORELINES RESTORATION PROJECT FOR A PERIOD OF SIX YEARS FOR A TOTAL AMOUNT NOT TO EXCEED XXXX

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

13. [2016-0558](#) RESOLUTION APPROVING MEMORANDUM OF AGREEMENT BETWEEN THE CALIFORNIA STATE LANDS COMMISSION AND THE SAN DIEGO UNIFIED PORT DISTRICT REGARDING THE ESTABLISHMENT OF A COLLABORATIVE MARINE PLANNING PARTNERSHIP FOR THE STATE-OWNED TIDELANDS AND SUBMERGED LANDS LOCATED IN THE PACIFIC OCEAN OFFSHORE SAN DIEGO COUNTY
14. [2016-0542](#) RESOLUTION DIRECTING STAFF TO ISSUE A REQUEST FOR PROPOSALS (RFP) FOR THE DEVELOPMENT OF A 19-ACRE RECREATIONAL VEHICLE (RV) PARK LOCATED AT E STREET AND BAY BOULEVARD IN THE CITY OF CHULA VISTA

ACTION AGENDA

15. [2016-0412](#) PRESENTATION OF SERVICE AWARDS TO EMPLOYEES WITH 15 OR MORE YEARS OF SERVICE
16. [2016-0443](#) NATIONAL CITY BAYFRONT PROJECTS AND INTEGRATION WITH THE NATIONAL CITY MARINA DISTRICT BALANCED LAND USE PLAN:
A) PRELIMINARY PROJECT REVIEW PRESENTATION REGARDING GB CAPITAL HOLDINGS, LLC'S PROPOSAL TO CONSTRUCT AN RV PARK, DRY BOAT STORAGE, ENVIRONMENTAL LIVING UNITS, AND UP TO FOUR HOTELS NORTH AND WEST OF THE PIER 32 MARINA LEASEHOLD
B) PRELIMINARY PROJECT REVIEW PRESENTATION REGARDING PASHA AUTOMOTIVE SERVICES' PROPOSAL TO CONSTRUCT CONNECTOR RAIL TRACK NORTH OF WEST 32ND STREET
C) INFORMATIONAL PRESENTATION ON SYCUAN TRIBAL DEVELOPMENT'S PROPOSAL TO CONSTRUCT A HOTEL AND COMMERCIAL USES NORTH OF BAY MARINA DRIVE, OFF OF DISTRICT TIDELANDS
D) DIRECTION TO STAFF REGARDING GB CAPITAL HOLDINGS, PASHA AUTOMOTIVE SERVICES, AND SYCUAN TRIBAL DEVELOPMENT PROPOSALS AND STAFF RECOMMENDATION TO INCORPORATE THOSE PROPOSALS INTO THE ENVIRONMENTAL IMPACT REPORT FOR THE NATIONAL CITY MARINA DISTRICT BALANCED LAND USE PLAN
17. [2016-0531](#) PRESENTATION AND UPDATE ON THE WORLD CLASS WATERFRONT DEVELOPMENT OPPORTUNITY (CENTRAL EMBARCADERO) REQUEST FOR PROPOSALS AND ADOPT A RESOLUTION TO OBTAIN CLARIFYING INFORMATION ON 1HWY1'S PROPOSAL, SUBMITTED BY Gafcon, Inc., AND RETURN TO THE BOARD FOR FURTHER DIRECTION

18. [2016-0537](#) PRESENTATION AND UPDATE FROM STAFF ON THE ENVIRONMENTAL IMPACT REPORT FOR CERTAIN ITEMS IDENTIFIED IN COASTAL DEVELOPMENT PERMIT NO.A-6-PSD-11-006 FOR THE NORTH EMBARCADERO VISIONARY PLAN PHASE 1 PROJECT AND DIRECTION TO START PRE-DESIGN OF ALTERNATIVE ALIGNMENTS FOR NORTH HARBOR DRIVE BETWEEN THE COAST GUARD STATION AND THE INTERSECTION OF LAUREL STREET AND PACIFIC HIGHWAY FOR POTENTIAL INCORPORATION INTO THE ENVIRONMENTAL IMPACT REPORT
 19. [2016-0541](#) PRESENTATION OF THE SAN DIEGO UNIFIED PORT DISTRICT EQUAL OPPORTUNITY PROGRAM ANNUAL REPORT FOR FISCAL YEAR 15/16 AND DIRECTION TO STAFF
 20. [2016-0567](#) PRESENTATION ON NEW INFORMATION TECHNOLOGY TRANSFORMATION STRATEGY TO SUPPORT CURRENT AND FUTURE OPERATIONAL NEEDS OF THE DISTRICT

The Board will consider staff's request to continue this item to a future Board Meeting.
 21. [2016-0568](#) PRESENTATION ON PRELIMINARY FISCAL YEAR END 2016 RESULTS ALONG WITH STAFF RECOMMENDATIONS FOR ALLOCATION OF THE UNRESTRICTED RESOURCES GENERATED IN THE YEAR, INCLUDING FUNDING FOR THE MULTI-YEAR STRATEGIC INVESTMENTS PRESENTED TO THE BOARD AT THE APRIL 21, 2016 BUDGET WORKSHOP

The Board will consider staff's request to continue this item to a future Board Meeting.
 22. [2016-0582](#) RESOLUTION ELECTING CHAIRPERSON, VICE CHAIRPERSON AND SECRETARY OF THE BOARD OF PORT COMMISSIONERS OF THE SAN DIEGO UNIFIED PORT DISTRICT FOR CALENDAR YEAR 2017

The Board will consider staff's request to continue this to a future Board Meeting.
 23. [2016-0484](#) REVIEW AND CONSIDERATION OF DRAFT PROPOSED BOARD AGENDA FOR THE NOVEMBER 8, 2016 MEETING
 24. [2016-0560](#) PRESENTATION ON THE BENEFITS OF ATTRACTIONS BUSINESSES LOCATED ON TIDELANDS AND RELATED BOARD DISCUSSION

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

25. [2016-0559](#) PRESENTATION OF THE 2016 COMPENSATION AND BENEFITS REVIEW FOR UNREPRESENTED CLASSIFICATIONS AND DIRECTION TO STAFF

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

PUBLIC HEARING AGENDA

26. [2016-0510](#) CONDUCT PUBLIC HEARING AND ADOPT A RESOLUTION AUTHORIZING ISSUANCE OF AN APPEALABLE COASTAL DEVELOPMENT PERMIT FOR THE SHELTER ISLAND BOAT LAUNCH FACILITY IMPROVEMENTS PROJECT

OFFICER'S REPORT

27. [2016-0569](#) 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 National Oceanic and Atmospheric Administration (NOAA), for total amount \$1,758.00
- B) Request for User Fee Waiver Form from Jay Noland - City of San Diego Commission for Arts and Culture, for total amount \$500.00