



San Diego Unified Port District

3165 Pacific Hwy.
San Diego, CA 92101

Meeting Agenda Board of Port Commissioners

Tuesday, July 17, 2018

1:00 PM

Don L. Nay Port Administration Boardroom

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 for further discussion, please submit your request to the District Clerk prior to the commencement of the meeting.

In keeping with the Americans with Disabilities Act (ADA), the San Diego Unified Port District will make every reasonable effort to encourage participation in all its public meetings. If you require assistance or auxiliary aids in order to participate at this public meeting, please contact the Office of the District Clerk at publicrecords@portofsandiego.org or (619) 686 6206 at least 48 hours prior to 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, accessible parking is available in the Port Administration Building parking lot. All parking spots marked "Reserved" in the main parking lot at 3165 Pacific Highway are available for use by the public on Board Meeting days. 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**

[2018-0330](#)

Approval of minutes for:

June 12, 2018 - CLOSED SESSION

June 12, 2018 - REGULAR BPC MEETING

CONSENT AGENDA

1. [2018-0096](#) RESOLUTION SELECTING AND AUTHORIZING AN AGREEMENT WITH APEX COMPANIES, LLC FOR AS NEEDED INSPECTION AND MAINTENANCE SERVICES OF STRUCTURAL POLLUTANT CONTROL BEST MANAGEMENT PRACTICES FROM AUGUST 1, 2018, THROUGH JULY 31, 2021, FOR AN AMOUNT NOT TO EXCEED \$1,068,000. FUNDS FOR FISCAL YEAR 2019 HAVE BEEN BUDGETED. 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
2. [2018-0186](#) RESOLUTION SELECTING AND AUTHORIZING AN AGREEMENT WITH BIO CLEAN ENVIRONMENTAL SERVICES TO PURCHASE AND INSTALL STORMDRAIN INLET FILTERS THAT WILL PROVIDE POLLUTANT AND SEDIMENT CONTROL IN STORMWATER RUNOFF AT THE TENTH AVENUE MARINE TERMINAL, NATIONAL CITY MARINE TERMINAL, AND B STREET PIER FOR A TOTAL CONTRACT AMOUNT OF \$222,000; FY2019 EXPENDITURES ARE BUDGETED
3. [2018-0202](#) RESOLUTION APPROVING THE AUDIT PLAN FOR FY18/19 PURSUANT TO BOARD OF PORT COMMISSIONERS (BPC) POLICY

NO. 035 - POWERS AND FUNCTIONS OF THE PORT AUDITOR

4. [2018-0220](#) RESOLUTION AUTHORIZING THE SAN DIEGO UNIFIED PORT DISTRICT TO ENTER INTO A LICENSE AGREEMENT WITH THE COUNTY OF SAN DIEGO FOR A PERIOD OF UP TO FIVE YEARS FOR USE OF THE SAN DIEGO REGIONAL FIREARMS TRAINING CENTER AND GRANTING INDEMNIFICATION TO THE COUNTY OF SAN DIEGO

5. [2018-0314](#) RESOLUTION AUTHORIZING AMENDMENT NO. 1 TO AGREEMENT WITH MARINE GROUP BOAT WORKS, LLC, FOR FULL SERVICE IMPOUNDED VESSEL SERVICES, INCREASING THE MAXIMUM AMOUNT PAYABLE UNDER THE AGREEMENT BY \$767,800 FOR A NEW MAXIMUM AMOUNT OF \$1,367,800. 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.

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

6. [2018-0248](#) CHULA VISTA BAYFRONT PARKS:

A) ORDINANCE AMENDING THE FISCAL YEAR (FY) 2019 BUDGET INCREASING THE FY 2019 CAPITAL IMPROVEMENT PROGRAM (CIP) APPROPRIATION BY \$1,653,750 TO BE FUNDED FROM RESTRICTED RESERVES RELATED TO THE CHULA VISTA BAYFRONT PROJECT

B) RESOLUTION APPROVING AN AMENDMENT TO THE FY 2019-2023 5-YEAR CIP TO INCREASE THE SITE PREPARATION AT CHULA VISTA BAYFRONT PROJECT BUDGET BY \$1,653,750 PURSUANT TO BOARD OF PORT COMMISSIONERS POLICY NO. 120, CAPITAL IMPROVEMENT PROGRAM

C) RESOLUTION AUTHORIZING AMENDMENT NO. 3 TO THE AGREEMENT WITH KTU+A FOR CHULA VISTA PARKS DESIGN SERVICES INCREASING THE MAXIMUM AMOUNT PAYABLE UNDER THE AGREEMENT BY \$1,676,460 FOR A NEW MAXIMUM AMOUNT OF \$2,076,460, ADDING ADDITIONAL WORK, AND EXTENDING TERM THROUGH JUNE 30, 2020. FUNDS FOR FY 2019 ARE BUDGETED IN THE FY 2019 CIP APPROPRIATION; 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

7. [2018-0256](#) RESOLUTION CONSENTING TO AMENDMENT NO. 3 TO SUBLEASE BETWEEN PORT CORONADO ASSOCIATES, LLC DBA CORONADO

FERRY LANDING MARKETPLACE AND CHEESE WINE DESSERTS, LLC DBA CANDELAS ON THE BAY LOCATED AT 1201 FIRST STREET, IN THE CITY OF CORONADO (RESTAURANT) FOR A ONE-YEAR MANAGEMENT AGREEMENT WITH BLUE BRIDGE HOSPITALITY MANAGEMENT, LLC TO OPERATE THE RESTAURANT WITH AN OPTION TO PURCHASE THE REMAINING TERM OF THE SUBLEASE

8. [2018-0277](#) RESOLUTION SELECTING AND AUTHORIZING AN AGREEMENT WITH RI PROPERTIES, INC., DBA RETAIL INSITE FOR COMMERCIAL REAL ESTATE BROKER SERVICES FOR THE SEAPORT VILLAGE SPECIALTY RETAIL CENTER FROM JULY 18, 2018 TO JUNE 30, 2021 IN AN AMOUNT NOT TO EXCEED \$200,000, AND WAIVING BOARD OF PORT COMMISSIONERS POLICY NO. 114. 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

9. [2018-0292](#) RESOLUTION AUTHORIZING THE GENERAL COUNSEL TO EXECUTE AN AGREEMENT FOR EXPERT CONSULTANT SERVICES WITH KLEINFELDER, INC. FOR A MAXIMUM AMOUNT PAYABLE OF \$290,000; AN AGREEMENT FOR EXPERT CONSULTANT SERVICES WITH WINDWARD ENVIRONMENTAL, LLC FOR A MAXIMUM AMOUNT PAYABLE OF \$250,000; AND AN AGREEMENT FOR EXPERT CONSULTANT SERVICES WITH NEWFIELDS COMPANIES, LLC FOR A MAXIMUM AMOUNT PAYABLE OF \$218,000; FY 2019 EXPENDITURES ARE BUDGETED

10. [2018-0304](#) RESOLUTION AUTHORIZING AN AGREEMENT UNDER THE BLUE ECONOMY INCUBATOR THIRD ROUND OF INCUBATOR PROPOSALS WITH SUNKEN SEAWEED LLC FOR A 1-YEAR PILOT PROJECT TO DEMONSTRATE FEASIBILITY OF SEAWEED AQUACULTURE IN SAN DIEGO BAY FOR A TOTAL AMOUNT NOT TO EXCEED \$137,000

11. [2018-0305](#) RESOLUTION AUTHORIZING CHANGE ORDER NO. 1 TO THE DEMOLITION AND SITE IMPROVEMENTS OF TRANSIT SHED 1 AT TENTH AVENUE MARINE TERMINAL - TIGER PROJECT TO RECOGNIZE VALUE ENGINEERING RESULTING IN A NET SAVINGS OF \$967,284 TO CONTRACT NO. 2017-03R WITH \$619,035 FOR THE DISTRICT AND \$348,249 FOR DICK MILLER, INC.

12. [2018-0308](#) RESOLUTION AUTHORIZING AMENDMENT NO. 4 TO INCREASE THE COMBINED AMOUNT OF AS-NEEDED AGREEMENTS WITH AGILIS GROUP INC. AND ACME BUSINESS CONSULTING, LLC. (ASSIGNED AND ASSUMED BY EXCELERATE LLC.) FOR PROJECT MANAGEMENT OFFICE SERVICES, INCREASING THE AGGREGATE

TOTAL FROM \$2,280,000 TO \$4,225,000 THROUGH NOVEMBER 4, 2019. FY2019 EXPENDITURES, IF NEEDED, ARE BUDGETED. 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

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

13. [2018-0310](#) ORDINANCE GRANTING AN APPROXIMATELY SIXTY-THREE (63) YEAR NINE (9) MONTH EASEMENT, IN SUBSTANTIAL FORM, TO THE CITY OF SAN DIEGO FOR WATER FACILITIES LOCATED WITHIN THE SETBACK PARK, NORTH OF WEST BROADWAY BETWEEN NORTH HARBOR DRIVE AND PACIFIC HIGHWAY IN THE CITY OF SAN DIEGO, TERMINATING MAY 31, 2082
14. [2018-0258](#) ORDINANCE APPROVING SUBSTANTIALLY THE FORM OF GROUND LEASE BETWEEN THE DISTRICT AND RIDA CHULA VISTA, LLC FOR THE RESORT HOTEL AND CONVENTION CENTER PROJECT LOCATED IN THE CITY OF CHULA VISTA, FOR A 66-YEAR TERM, WITH CONDITIONS
15. [2018-0329](#) RESOLUTION APPROVING AMENDMENT TO THE EMPLOYMENT AGREEMENT FOR THE EXECUTIVE DIRECTOR (PRESIDENT/CHIEF EXECUTIVE OFFICER)
16. [2018-0268](#) RESOLUTION WAIVING BOARD OF PORT COMMISSIONERS POLICY NO. 110 SECTION II E AND AUTHORIZING AN AGREEMENT WITH STAY CLASSY SAN DIEGO, LLC FOR SPONSORSHIP OF A SAN DIEGO FESTIVAL IN NOVEMBER 2019 ON THE DOWNTOWN SAN DIEGO WATERFRONT IN AN AMOUNT NOT TO EXCEED \$100,000 IN FUNDING AND WAIVER OF DISTRICT SERVICES NOT TO EXCEED \$350,000; FY 2019 EXPENDITURES ARE BUDGETED

ACTION AGENDA

17. [2018-0227](#) PRESENTATION OF SERVICE AWARDS TO EMPLOYEES WITH 15 OR MORE YEARS OF SERVICE
18. [2018-0261](#) NEW RESTAURANT DEVELOPMENT ON THE VACANT LOT ON FERRY LANDING ASSOCIATES LEASEHOLD LOCATED AT 1311 FIRST STREET IN THE CITY OF CORONADO
A) RESOLUTION ADOPTING A SECOND ADDENDUM TO THE FINAL ENVIRONMENTAL IMPACT REPORT FOR THE "CORONADO BOATYARD PLAN AMENDMENT - THE WHARF DEVELOPMENT" AND

AUTHORIZING STAFF TO FILE A NOTICE OF DETERMINATION
B) RESOLUTION GRANTING CONCEPT APPROVAL TO FERRY
LANDING ASSOCIATES, LLC. FOR UP TO TWO NEW RESTAURANTS
AT FERRY LANDING PROJECT

19. [2018-0328](#) RESOLUTION SELECTING THE NATIONAL CITY BAYSHORE BIKEWAY
PROJECT FOR \$900,000 FROM THE MARITIME INDUSTRIAL IMPACT
FUND IN ACCORDANCE WITH BOARD OF PORT COMMISSIONERS
POLICY NO. 773, TO FUND A PORTION OF THE PROJECT,
CONTINGENT ON: NATIONAL CITY BEING AWARDED A CALIFORNIA
DEPARTMENT OF TRANSPORTATION ACTIVE TRANSPORTATION
GRANT; NATIONAL CITY ENTERING INTO AN AGREEMENT WITH THE
SAN DIEGO UNIFIED PORT DISTRICT TO RECEIVE MATCH FUNDS;
AND EXPIRATION OF 60 DAY NOTICE PERIOD TO THE STATE LANDS
COMMISSION UNDER PORT ACT SECTION 30.5, INTENT TO SPEND
MONEY OFF TIDELANDS, WITHOUT OBJECTION

20. [2018-0284](#) ACTIONS RELATED TO THE TRADE CORRIDOR ENHANCEMENT
PROGRAM FUNDS ADMINISTERED BY THE CALIFORNIA
TRANSPORTATION COMMISSION (CTC) AND THE CALIFORNIA
DEPARTMENT OF TRANSPORTATION (CALTRANS) TO FUND AN
ADVANCED MARINE EMISSIONS CONTROL SYSTEM AND SHORE
POWER EXPANSION AT THE TENTH AVENUE MARINE TERMINAL:

A) RESOLUTION AUTHORIZING A MASTER AGREEMENT WITH THE
STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION
(CALTRANS), DIVISION OF RAIL AND MASS TRANSPORTATION FOR
THE PURPOSES OF FUNDING DISTRICT PROJECTS UTILIZING
GRANT FUNDING FROM THE CALIFORNIA TRANSPORTATION
COMMISSION, AND GRANTING INDEMNITY TO CALTRANS.

B) RESOLUTION AUTHORIZING A BASELINE AGREEMENT WITH THE
CALIFORNIA TRANSPORTATION COMMISSION FOR THE PURPOSES
OF FUNDING THE TENTH AVENUE MARINE TERMINAL BEYOND
COMPLIANCE ENVIRONMENTAL ENHANCEMENT PROJECT WITH
\$5,600,000 FROM THE TRADE CORRIDOR ENHANCEMENT
PROGRAM (TCEP), AND OBLIGATING \$2,400,000 IN MATCHING
FUNDS. TCEP FUNDS AND DISTRICT MATCHING FUNDS WILL
BECOME AVAILABLE FOR ALLOCATION DURING FISCAL YEAR 19/20
AND MUST BE EXPENDED WITHIN TWO FISCAL YEARS.

21. [2018-0275](#) PRESENTATION AND DIRECTION TO STAFF ON THE PORT MASTER
PLAN UPDATE - POLICY DISCUSSION CONSIDERING
PUBLIC-PRIVATE PIERS

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

Board meeting.

22. [2018-0290](#) PRESENTATION AND DIRECTION TO STAFF ON THE PORT MASTER PLAN UPDATE - POLICY DISCUSSION CONSIDERING SMALL FORMAT INFORMATIONAL AND WAYFINDING SIGNAGE, INCLUDING DIGITAL INTEGRATION AND PAID ADVERTISING
23. [2018-0271](#) PRESENTATION AND DIRECTION TO STAFF ON ARTICLE 12 OF THE SAN DIEGO UNIFIED PORT DISTRICT CODE - REQUIRED REPORTING OF UTILITY USAGE ON TIDELANDS, INCLUDING: AN UPDATE ON 2017 CALENDAR YEAR UTILITY DATA REPORTING PURSUANT TO ARTICLE 12 AND POLICY DISCUSSION CONSIDERING OPTIONS TO INCREASE THE EFFICIENCY AND RELIABILITY OF ENERGY USAGE DATA FOR CLIMATE ACTION PLAN MANAGEMENT

24. [2018-0203](#) REVIEW AND CONSIDERATION OF DRAFT PROPOSED BOARD AGENDA FOR THE AUGUST 14, 2018 MEETING

25. [2018-0326](#) OFFICER'S REPORT

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

- A) Change Order No. 2 to Contract No. 2012-06 with R.E. Staite Engineering, Inc. / \$21,413.01 Increase & 60 Calendar Day Time Extension thru 06/28/18
- B) Change Order No. 2 to Contract No. 2016-08 with Conan Construction, Inc. / \$23,355.20 Increase & 65 Calendar Day Time Extension thru 06/04/18
- C) Change Order No. 1 to Contract No. 2016-05R with Jennette Company, Inc. / \$19,476.00 Increase, Amends Scope of Work & 14 Calendar Day Time Extension thru 06/30/18
- D) Change Order No. 1 to Contract No. 2017-53 with TL Veterans Construction, Inc. / 22 Calendar Day Time Reduction thru 06/28/18
- E) Change Order No. 2 to Contract No. 2017-53 with TL Veterans Construction, Inc. / Increases Contract by \$16,934.93

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 Duncan McIntosh Company, Inc. for 2018 San Diego International Boat Show, for total amount \$2,813.00
- B) Request for User Fee Waiver Form from HUBBS-SeaWorld Research Institute for Operation of White Sea Bass Pens, 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