



# San Diego Unified Port District

3165 Pacific Hwy.  
San Diego, CA 92101

## Meeting Agenda Board of Port Commissioners

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Tuesday, August 14, 2018

1:00 PM

Pacific Daylight Time

Don L. Nay Port Administration Boardroom

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**Teleconference Location**  
**10:00 AM - Hawaii Standard Time**  
**Residence Inn Maui-Wailea, Molokini Room**  
**75 Wailea Ike, Wailea, Maui, Hawaii 96753**

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](mailto: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](http://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**

[2018-0341](#)

Approval of minutes for:

July 17, 2018 - CLOSED SESSION

July 17, 2018 - REGULAR BPC MEETING

July 25, 2018 - SPECIAL CLOSED SESSION

**CONSENT AGENDA**

1. [2018-0259](#) RESOLUTION AUTHORIZING AMENDMENT NO. 2 WITH AGILIS GROUP INC. AND AMENDMENT NO. 4 WITH EXCELERATE LLC. FOR PROJECT MANAGEMENT OFFICE SERVICES INCREASING THE TOTAL AGGREGATE AMOUNT PAYABLE UNDER THE AGREEMENTS BY \$1,945,000 FOR A NEW AGGREGATE AMOUNT PAYABLE UNDER THE AGREEMENTS NOT-TO-EXCEED \$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

2. [2018-0293](#) STRUCTURAL REPAIRS TO NAVY PIER
  - A) RESOLUTION APPROVING TRANSFER OF FUNDS FROM THE FY2018/19 CAPITAL MAJOR MAINTENANCE CONTINGENCY TO THE STRUCTURAL REPAIRS TO NAVY PIER PROJECT IN THE AMOUNT OF \$350,000.00 PURSUANT TO BPC POLICY NO. 90
  - B) RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AWARDED CONTRACT NO. 2016-37 TO REYES CONSTRUCTION, INC. IN THE AMOUNT OF \$3,585,140.00 FOR THE STRUCTURAL REPAIRS TO NAVY PIER PROJECT AS AUTHORIZED BY THE BOARD IN THE FY2018/19 MAJOR MAINTENANCE BUDGET
  
3. [2018-0306](#) RESOLUTION SELECTING AND AUTHORIZING PURCHASE AGREEMENTS WITH:
  - A) 72 HOUR LLC dba NATIONAL AUTO FLEET GROUP FOR THE PURCHASE OF NINE RENEWABLE DIESEL AND GASOLINE POWERED PICKUP AND STAKEBED VEHICLES IN THE AMOUNT OF \$424,000
  - B) HAAKER EQUIPMENT COMPANY FOR THE PURCHASE OF ONE RENEWABLE DIESEL POWERED STREET SWEEPER VEHICLE IN THE AMOUNT OF \$286,000
  - C) WILLIAM E. MUNSON, INC. FOR THE PURCHASE OF ONE STANDARD DIESEL POWERED VESSEL IN THE AMOUNT OF \$587,000. FOR A TOTAL AMOUNT NOT TO EXCEED \$1,297,000. FUNDS FOR FISCAL YEAR 2019 HAVE BEEN BUDGETED.
  
4. [2018-0307](#) ORDINANCE AMENDING THE CONFLICT OF INTEREST CODE OF THE SAN DIEGO UNIFIED PORT DISTRICT TO REFLECT CHANGES TO THE DIRECTORY OF CLASS SPECIFICATIONS, AND MODIFY AN EXISTING DISCLOSURE CATEGORY
  
5. [2018-0309](#) ORDINANCE APPROVING AN EASEMENT IN SUBSTANTIAL FORM BEGINNING SEPTEMBER 15, 2018 AND TERMINATING SEPTEMBER 14, 2028, AND POWER YOUR DRIVE SITE HOST PARTICIPATION PROGRAM AGREEMENT WITH SDG&E FOR ELECTRIC VEHICLE CHARGING STATIONS LOCATED AT: ADMINISTRATION BUILDING PARKING LOT 3165 PACIFIC HWY SAN DIEGO, CALIFORNIA 92101, INCLUDING APPLICATION FEES OF \$6,300. FY 2019 EXPENDITURES ARE BUDGETED
  
6. [2018-0323](#) RESOLUTION CONSENTING TO A TEN-YEAR LICENSE AGREEMENT BETWEEN PASHA AUTOMOTIVE SERVICES AND SAN DIEGO GAS AND ELECTRIC FOR ELECTRIC VEHICLE CHARGING INFRASTRUCTURE AT NATIONAL CITY MARINE TERMINAL

7. [2018-0327](#) RIGHT OF ENTRY LICENSE AGREEMENT TO THE CITY OF SAN DIEGO FOR THE PARK BOULEVARD AT-GRADE CROSSING IMPROVEMENT PROJECT
- A) RESOLUTION CONSIDERING THE FINAL SUBSEQUENT ENVIRONMENTAL IMPACT REPORT FOR THE "BALLPARK AND ANCILLARY DEVELOPMENT PROJECTS" PREPARED BY THE CITY OF SAN DIEGO, ADOPTING THE FINDINGS OF FACT, ADOPTING THE MITIGATION MONITORING AND REPORTING PROGRAM, ADOPTING THE STATEMENT OF OVERRIDING CONSIDERATIONS, AND AUTHORIZING STAFF TO FILE THE NOTICE OF DETERMINATION
- B) RESOLUTION AUTHORIZING THE EXECUTIVE DIRECTOR TO EXECUTE A FORTY (40) MONTH RIGHT OF ENTRY LICENSE AGREEMENT TO THE CITY OF SAN DIEGO FOR INFRASTRUCTURE AND LANDSCAPE IMPROVEMENTS AT AND AROUND THE INTERSECTION OF HARBOR DRIVE AND PARK BOULEVARD, IN THE CITY OF SAN DIEGO, IN A FORM SUBSTANTIALLY THE SAME AS THE ATTACHED DRAFT RIGHT OF ENTRY LICENSE AGREEMENT

Board Action No Longer Required.

8. [2018-0364](#) RESOLUTION BY A 4/5 VOTE RATIFYING THE EMERGENCY ACTION TAKEN BY THE EXECUTIVE DIRECTOR AND AUTHORIZING CONTINUED ACTION FOR THE EMERGENCY MARINE FENDER REPLACEMENT AT BROADWAY PIER INCLUDING PROCUREMENT OF CONSULTANT FOR INVESTIGATING THE EXTENT OF THE DAMAGE, PROVIDING DESIGN RECOMMENDATIONS FOR REPAIR AND COST, AND PROCUREMENT OF A CONTRACTOR TO REPAIR THE DAMAGE

### **ACTION AGENDA**

9. [2018-0312](#) PRESENTATION AND UPDATE ON THE SAN DIEGO OCEAN PLANNING PARTNERSHIP: DRAFT PRELIMINARY ASSESSMENT REPORT
10. [2018-0346](#) PRESENTATION AND DIRECTION TO STAFF ON THE STATUS UPDATE FOR THE NORTH HARBOR DRIVE MOBILITY AND ACCESS STUDY
11. [2018-0349](#) PRESENTATION AND DIRECTION TO STAFF ON THE PORT MASTER PLAN UPDATE - UPCOMING POLICY DISCUSSION TOPICS FOR THE REMAINDER OF 2018 AND A LOOK AHEAD TO NEXT YEAR

12. [2018-0313](#) PRESENTATION AND DIRECTION TO STAFF ON THE DISTRICT'S APPROACH TO COMPLETE A SEA LEVEL RISE VULNERABILITY ASSESSMENT AND IDENTIFY ADAPTATION STRATEGIES FOR COASTAL FLOODING AND RESILIENCY RELATED TO ASSEMBLY BILL 691, "PROACTIVELY PLANNING FOR SEA LEVEL RISE IMPACTS ON GRANTED TRUST LANDS," AND THE PORT MASTER PLAN UPDATE

Board direction on completion of a sea level rise vulnerability assessment is no longer required because more prescriptive policy guidance was recently established by the State this year. It is anticipated that a Board discussion of related adaptation related goals and strategies will be scheduled for a future date in association with the release of the Draft Port Master Plan Update and accompanying Draft Programmatic Environmental Impact Report.

13. [2018-0358](#) PRELIMINARY PROJECT REVIEW PRESENTATION AND DIRECTION TO STAFF REGARDING THE PROPOSAL FROM SUNROAD HIE HOTEL PARTNERS, L.P. (SUNROAD) TO CONSTRUCT A 500-ROOM, TWO-PHASED, DUAL BRANDED HOTEL PROJECT (PROJECT) ON THE ELBOW PARCEL ON EAST HARBOR ISLAND IN THE CITY OF SAN DIEGO PURSUANT TO THE EXCLUSIVE NEGOTIATING AGREEMENT WITH THE DISTRICT (ENA) FOR WHICH STAFF RECOMMENDS ONE OF THE FOLLOWING OPTIONS IN ADDITION TO THE BOARD PROVIDING FEEDBACK TO STAFF AND SUNROAD ON THE PROJECT:

A) RESOLUTION DIRECTING STAFF TO STUDY A TWO-PHASED, DUAL BRANDED, 500-ROOM HOTEL PROJECT ON THE ELBOW PARCEL AS PROPOSED BY SUNROAD, WAIVE THE REQUIREMENT IN SECTION 5(b)(i)(5) OF THE ENA THAT THE PROJECT BE IN CONFORMANCE WITH THE 2013 ENVIRONMENTAL IMPACT REPORT (EIR) , WAIVE THE RESTRICTION IN SECTION 4 OF THE ENA NOT TO PROPOSE ANY DEVELOPMENT THAT REQUIRES A PORT MASTER PLAN AMENDMENT, AND COMMENCE ENVIRONMENTAL REVIEW ON THE PROJECT; OR

B) RESOLUTION DIRECTING STAFF TO STUDY ONLY A SINGLE-PHASE, DUAL BRANDED, 325-ROOM HOTEL PROJECT ON THE ELBOW PARCEL, WAIVE THE RESTRICTION IN SECTION 4 OF THE ENA NOT TO PROPOSE ANY DEVELOPMENT THAT REQUIRES A PORT MASTER PLAN AMENDMENT, AND COMMENCE ENVIRONMENTAL REVIEW ON THE REVISED PROJECT.

14. [2018-0332](#) ORDINANCE AMENDING THE FISCAL YEAR 2019 FINAL BUDGET TO ADD TEN REGULAR POSITIONS WITH AN INCREASE IN THE PERSONNEL BUDGET FOR REGULAR POSITIONS OF \$624,700, AN INCREASE IN THE VARIABLE STAFFING BUDGET OF \$1,125,300 AND AN INCREASE IN OVERTIME OF \$650,000 FOR THE HARBOR POLICE, RESULTING IN AN INCREASE IN THE PERSONNEL BUDGET BY \$2,400,000 FOR FISCAL YEAR 2019
15. [2018-0281](#) REVIEW AND CONSIDERATION OF DRAFT PROPOSED BOARD AGENDA FOR THE SEPTEMBER 12, 2018 MEETING

**OFFICER'S REPORT****16. [2018-0368](#) MONTHLY NOTIFICATION OF CHANGE ORDERS PURSUANT TO BPC POLICY NO. 110:**

- A) Change Order No. 2 to Contract No. 2016-32 with Reyes Construction, Inc. / Increases Contract by \$72,440.25
- B) Change Order No. 1 to Contract No. 2017-25 with R.E. Staite Engineering, Inc. / Reconciliation - Increases Contract by \$38,687.50
- C) Change Order No. 3 to Contract No. 2012-06 with R.E. Staite Engineering, Inc. / 77 Calendar Day Time Extension thru 09/13/18

**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 Southern California Coastal Water Research Project Authority for ROE Permit, 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