



San Diego Unified Port District

3165 Pacific Hwy.
San Diego, CA 92101

Meeting Agenda Board of Port Commissioners

Wednesday, September 12, 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**

[2018-0386](#)

Approval of minutes for:

August 9, 2018 - SPECIAL CLOSED SESSION

August 14, 2018 - CLOSED SESSION

August 14, 2018 - REGULAR BPC MEETING

CONSENT AGENDA

1. [2018-0291](#) RESOLUTION APPOINTING LESLIE FREEMAN AS CHAIRPERSON OF THE PERSONNEL ADVISORY BOARD FROM SEPTEMBER 2, 2018 TO SEPTEMBER 1, 2019
2. [2018-0334](#) SCHEDULE OF COMPENSATION
 - A) ORDINANCE ESTABLISHING A SCHEDULE OF COMPENSATION FOR ALL OFFICERS AND EMPLOYEES OF THE SAN DIEGO UNIFIED PORT DISTRICT
 - B) RESOLUTION AMENDING THE SAN DIEGO UNIFIED PORT DISTRICT DIRECTORY OF CLASSIFICATION SPECIFICATIONS FOR FY 18/19
3. [2018-0339](#) RESOLUTION AUTHORIZING AMENDMENT NO. 3 TO TELECOMMUNICATIONS LICENSE AGREEMENT WITH THE IRVINE COMPANY, LLC, A DELAWARE LIMITED LIABILITY COMPANY, EXTENDING THE TERM FOR AN ADDITIONAL TWO (2) YEARS PLUS ONE (1), ONE (1) YEAR OPTION THROUGH JUNE 30, 2021 AND GRANTING INDEMNITY AND JURY TRIAL WAIVER UNDER THE TELECOMMUNICATIONS LICENSE AGREEMENT FOR ANY CLAIMS ARISING OUT OF THE USE, OPERATION, MAINTENANCE AND

REPAIR OF THE TELECOMMUNICATIONS EQUIPMENT FOR THIS AGREEMENT AND FUTURE SIMILAR AGREEMENTS

4. [2018-0340](#) ORDINANCE GRANTING A ONE (1) YEAR LEASE WITH NINETEEN (19) ADDITIONAL ONE (1) YEAR OPTION PERIODS TO THE UNITED STATES OF AMERICA, ACTING THROUGH THE UNITED STATES COAST GUARD, FOR THE OPERATION OF A REAR RANGE LIGHT LOCATED AT THE WEST END OF SHELTER ISLAND IN THE CITY OF SAN DIEGO
5. [2018-0343](#) RESOLUTION SELECTING AND AUTHORIZING AN AGREEMENT WITH AGREEYA SOLUTIONS, INC. FOR INTERNAL INTRANET REDESIGN, DEVELOPMENT, IMPLEMENTATION, AND MAINTENANCE SERVICES FOR TWO YEARS IN AN AMOUNT NOT TO EXCEED \$394,000. FY2019 EXPENDITURES 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
6. [2018-0357](#) RESOLUTION AUTHORIZING AN ASSIGNMENT AND ASSUMPTION OF THE SPONSORSHIP AGREEMENT WITH EXTREME SAN DIEGO, LLC TO EXTREME SAILING SAN DIEGO, LLC FOR THE OCTOBER 2018 EXTREME SAILING SERIES, CLERK'S DOCUMENT NO. 68444, AND ADOPTED BY RESOLUTION 2018-064
7. [2018-0369](#) RESOLUTION AMENDING BOARD OF PORT COMMISSIONERS (BPC) POLICY No. 371, RECORDS RETENTION POLICY AND RENAMING THE POLICY TO RECORDS AND INFORMATION MANAGEMENT POLICY
8. [2018-0371](#) EMERGENCY MARINE FENDER REPLACEMENT AT BROADWAY PIER
 - A) RESOLUTION BY A FOUR-FIFTHS VOTE AUTHORIZING CONTINUED ACTION FOR THE EMERGENCY MARINE FENDER REPLACEMENT AT BROADWAY PIER
 - B) RESOLUTION APPROVING THE TRANSFER OF FUNDS WITHIN THE FY 2018-19 BUDGET FROM DISTRICT CONTINGENCY TO CAPITAL MAJOR MAINTENANCE CONTINGENCY IN THE AMOUNT OF \$250,000 PURSUANT TO BOARD POLICY 90, AND ALLOCATING FUTURE REIMBURSEMENT FROM VESSEL OPERATOR AND INSURANCE PROCEEDS TO DISTRICT CONTINGENCY
9. [2018-0372](#) ORDINANCE AMENDING ARTICLE 10 OF THE SAN DIEGO UNIFIED PORT DISTRICT CODE, STORMWATER MANAGEMENT AND DISCHARGE CONTROL, TO MAKE EDITORIAL AND CLARIFYING CHANGES IN CONFORMANCE WITH SAN DIEGO REGIONAL WATER QUALITY CONTROL BOARD ORDER NO. R9-2013-0001 (MUNICIPAL

PERMIT)

10. [2018-0379](#) RESOLUTION CONSENTING TO A SUBLEASE BETWEEN LFS DEVELOPMENT, LLC, A DELAWARE LIMITED LIABILITY COMPANY, DBA INTERCONTINENTAL HOTEL AND GELATO & CO., A CALIFORNIA CORPORATION, DBA GELATO & FRIENDS, FOR A TEN (10) YEAR TERM WITH ONE (1) FIVE (5) YEAR OPTION, WITH CONDITIONS
11. [2018-0381](#) ORDINANCE GRANTING AMENDMENT NO. 1 TO LEASE WITH DRISCOLL, INC. AT 2702 SHELTER ISLAND DRIVE TO EXTEND THE CONSTRUCTION COMPLETION DEADLINE OF THE LEASE TO JANUARY 1, 2019

ACTION AGENDA

12. [2018-0420](#) RESOLUTION AUTHORIZING BLUE ECONOMY INCUBATOR AGREEMENT WITH PACIFIC OCEAN AQUAFARMS, LLC (POA) FOR DISTRICT TO COOPERATE IN POA'S FEDERAL PERMIT APPLICATION AND NATIONAL ENVIRONMENTAL PROTECTION ACT (NEPA) REVIEW PROCESSES FOR POA'S PROPOSED PROJECT DEMONSTRATING SUSTAINABLE OFFSHORE AQUACULTURE IN FEDERAL WATERS
13. [2018-0380](#) NAVY PIER MAJOR MAINTENANCE AND REDEVELOPMENT
A) PRESENTATION OF THE TEN-YEAR MAJOR MAINTENANCE PLAN FOR NAVY PIER AND TIMELINE ON PLANNING PROCESS FOR FUTURE REDEVELOPMENT OF NAVY PIER
B) 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
C) 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
14. [2018-0431](#) A) RESOLUTION AUTHORIZING AMENDED AND RESTATED JOINT EXERCISE OF POWERS AGREEMENT BETWEEN THE DISTRICT AND THE CITY OF CHULA VISTA (CITY) FOR THE CHULA VISTA BAYFRONT FACILITIES FINANCING AUTHORITY TO REFLECT CHANGES IN THE AMENDED AND RESTATED FINANCING AGREEMENT BETWEEN THE DISTRICT AND THE CITY DATED JUNE 20, 2017, AND CORRECT OTHER NON-SUBSTANTIVE CHANGES
B) RESOLUTION APPOINTING [] AND

[] TO THE BOARD OF THE CHULA VISTA BAYFRONT FACILITIES FINANCING AUTHORITY, WITH CONDITIONS

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

15. [2018-0413](#) PRESENTATION OF THE SAN DIEGO UNIFIED PORT DISTRICT EQUAL OPPORTUNITY PROGRAM ANNUAL REPORT FOR FISCAL YEAR 17/18

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

16. [2018-0331](#) REVIEW AND CONSIDERATION OF DRAFT PROPOSED BOARD AGENDA FOR THE OCTOBER 9, 2018 MEETING

PUBLIC HEARING AGENDA

17. [2018-0390](#) COSTA VISTA RV RESORT AT CHULA VISTA BAYFRONT:
A) CONDUCT PUBLIC HEARING AND ADOPT RESOLUTION RE-AUTHORIZING ISSUANCE OF AN APPEALABLE COASTAL DEVELOPMENT PERMIT TO SUN COMMUNITIES, INC. FOR THE COSTA VISTA RV RESORT REVISED PROJECT, CONDITIONED ON SATISFACTION OF CERTAIN CONDITIONS PRECEDENT
B) RESOLUTION RESCINDING BOARD RESOLUTION 2018-070 AUTHORIZING ISSUANCE OF AN APPEALABLE COASTAL DEVELOPMENT PERMIT FOR THE COSTA VISTA RV RESORT PROJECT CONDITIONED ON SATISFACTION OF CERTAIN CONDITIONS PRECEDENT

OFFICER'S REPORT

18. [2018-0415](#) OFFICER'S REPORT

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

A) Change Order No. 1 to Contract No. 2018-03R with Conan Construction, Inc. / 41 Calendar Day Time Reduction thru 06/30/18

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:

A) Amended, Restated, and Combined Lease to Old Town Trolley Tours of San Diego, Inc. for Operation of Amphibious Seal Tours and Trolley Tours in the San Diego Bay, and Ticket Sales Kiosk thru 11/30/24