



# San Diego Unified Port District

3165 Pacific Hwy.  
San Diego, CA 92101

## Meeting Agenda Board of Port Commissioners

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Tuesday, August 13, 2019

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. Pledge of Allegiance.****C. Closed Session Report Out.****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. Board Committee Reports.**

- Seaport San Diego Development Ad Hoc Committee

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

[2019-0321](#) Approval of minutes for:

July 24, 2019 - CLOSED SESSION  
July 24, 2019 - BPC MEETING

**CONSENT AGENDA**

1. [2019-0305](#) RESOLUTION AUTHORIZING A SOLE SOURCE AGREEMENT TO COCHRAN MARINE, LLC FOR THE PERIOD OF AUGUST 1, 2019 TO JUNE 30, 2022 TO CONTINUE CRUISE SHIP SHORE POWER CONNECTION, COMMISSIONING, AND MAINTENANCE SERVICES SUPPORTING THE PROPRIETARY SHORE POWER SYSTEM AT B STREET AND BROADWAY PIERS IN AN AMOUNT NOT TO EXCEED \$910,000. FUNDS FOR THE FIRST YEAR OF THIS EXPENDITURE OF \$246,015 ARE INCLUDED IN THE APPROVED FY 2020 BUDGET. FUNDS REQUIRED FOR FUTURE FISCAL YEARS WILL BE BUDGETED FOR IN THE APPROPRIATE 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.

2. [2019-0320](#) RESOLUTION CONSENTING TO A SUBLEASE BETWEEN MANCHESTER RESORTS, L.P., A CALIFORNIA LIMITED PARTNERSHIP (DBA MANCHESTER GRAND HYATT), AND SANFORD

SPAS, LLC, A FLORIDA LIMITED LIABILITY COMPANY (DBA MARILYN MONROE SPAS), FOR ONE FIVE-YEAR TERM WITH TWO FIVE-YEAR OPTIONS TO EXTEND, WITH CONDITIONS

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

3. [2019-0255](#)

SOUTH CAMPUS PAVEMENT AND FOUNDATION DEMOLITION PROJECT

A) ORDINANCE AMENDING THE FISCAL YEAR (FY) 2020 BUDGET INCREASING THE FY 2020 CAPITAL IMPROVEMENT PROGRAM (CIP) APPROPRIATION BY \$2.0 MILLION FROM CUMULATIVE UNRESTRICTED RESOURCES TO FUND AN INCREASE TO THE SOUTH CAMPUS PAVEMENT AND FOUNDATION DEMOLITION PROJECT

B) RESOLUTION APPROVING AN AMENDMENT TO THE FY 2019-2023 5-YEAR CIP TO INCREASE THE SOUTH CAMPUS PAVEMENT AND FOUNDATION DEMOLITION PROJECT BY \$2.0 MILLION PURSUANT TO BPC POLICY NO. 120

4. [2019-0256](#)

RESOLUTION AUTHORIZING AGREEMENTS FOR DISTRICT SPONSORSHIP OF UPCOMING TIDELANDS ACTIVATION PROGRAM SIGNATURE EVENTS:

A) AGREEMENT WITH 3D ART EXPO LLC FOR SPONSORSHIP OF ANNUAL U.S. SAND SCULPTING CHALLENGE AND DIMENSIONAL ART EXPOSITION IN AN AMOUNT NOT TO EXCEED \$15,000 IN FUNDING AND \$78,450 IN WAIVED FEES FOR DISTRICT SERVICES EACH YEAR FOR TWO YEARS, FOR TOTAL FUNDING NOT TO EXCEED \$30,000 AND TOTAL WAIVED DISTRICT SERVICES NOT TO EXCEED \$156,900. FUNDS REQUIRED FOR FY2020 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;

B) AGREEMENT WITH THE NATIONAL CITY CHAMBER OF COMMERCE FOR SPONSORSHIP OF ANNUAL INTERNATIONAL MARIACHI FESTIVAL AND COMPETITION IN AN AMOUNT NOT TO EXCEED \$65,000 IN FUNDING AND \$31,237 IN WAIVED FEES FOR DISTRICT SERVICES EACH YEAR FOR TWO YEARS, FOR TOTAL FUNDING NOT TO EXCEED \$130,000 AND TOTAL WAIVED DISTRICT SERVICES NOT TO EXCEED \$62,474. FUNDS REQUIRED FOR FY2020 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

5. [2019-0271](#) RESOLUTION APPROVING SCHEDULE 3 TO MASTER TAX-EXEMPT LEASE/PURCHASE AGREEMENT WITH KEY GOVERNMENT FINANCE, INC. TO FINANCE BOARD-APPROVED PURCHASE OF CISCO SMARTNET SUPPORT SERVICES FROM DIMENSION DATA IN AN AMOUNT NOT TO EXCEED \$752,676.00 OVER FIVE YEARS AT ZERO PERCENT INTEREST. FY2020 EXPENDITURES ARE INCLUDED IN THE FY2020 INFORMATION TECHNOLOGY BUDGET. FUNDS REQUIRED FOR FUTURE FISCAL YEARS WILL BUDGETED IN THE APPROPRIATE FISCAL YEAR, SUBJECT TO BOARD APPROVAL UPON ADOPTION OF EACH FISCAL YEAR'S BUDGET.
6. [2019-0283](#) ORDINANCE: (A) AUTHORIZING THE EXECUTIVE DIRECTOR OR HER AUTHORIZED DESIGNEE TO ENTER INTO AN IMPLEMENTATION AGREEMENT WITH THE FEDERAL BUREAU OF INVESTIGATIONS ORGANIZED CRIME DRUG ENFORCEMENT TASK FORCE TO SUPPORT THE SAN DIEGO REGION STRIKE FORCE, INCLUDING FULL REIMBURSEMENT OF DISTRICT EXPENSES PLUS AN ADMINISTRATIVE FEE FOR A TERM NOT TO EXCEED SEVEN YEARS; (B) APPROVING A LEASE OF OFF-TIDELANDS PROPERTY WITH COLLINS BUSINESS PARK TIC FOR FIVE YEARS PLUS A TWO-YEAR OPTION; AND (C) AMENDING THE FY 2019-2020 BUDGET BY ADDING \$400,000 TO THE NON-PERSONNEL EXPENSE APPROPRIATION FROM PRIOR YEARS UNRESTRICTED RESOURCES TO BE REIMBURSED BY THE UNITED STATES UNDER THE IMPLEMENTATION AGREEMENT; ALL ACTIONS CONDITIONED ON APPROVAL BY THE CALIFORNIA STATE LANDS COMMISSION OF THE OFF-TIDELANDS EXPENDITURE UNDER THE PROPOSED LEASE

**ACTION AGENDA**

7. [2019-0240](#) PRESENTATION OF SERVICE AWARDS TO EMPLOYEES WITH 15 OR MORE YEARS OF SERVICE
8. [2018-0485](#) A) ORDINANCE GRANTING A 66-YEAR LEASE BETWEEN THE DISTRICT AND SUN CHULA VISTA BAYFRONT RV LLC FOR A RECREATIONAL VEHICLE (RV) PARK WITH A COMBINATION OF 246 RV STALLS AND PARK MODEL STALLS LOCATED IN THE CITY OF CHULA VISTA;  
B) And RESOLUTION APPROVING THE PLANS AND SPECIFICATIONS FOR THE OFFSITE IMPROVEMENTS TO BE LOCATED IN THE CITY OF CHULA VISTA
9. [2019-0307](#) RESOLUTION AUTHORIZING AMENDMENT NO. 1 TO AGREEMENT

WITH STAY CLASSY SAN DIEGO, LLC FOR SPONSORSHIP OF A FESTIVAL ON THE DOWNTOWN SAN DIEGO WATERFRONT, ADDING \$150,000 IN FUNDING, AND ASSIGNING ALL RIGHTS AND OBLIGATIONS OF STAY CLASSY SAN DIEGO, LLC TO WONDERLUST EVENTS, LLC. FY 2020 EXPENDITURES ARE BUDGETED.

10. [2019-0226](#) REVIEW AND CONSIDERATION OF DRAFT PROPOSED BOARD AGENDA FOR THE SEPTEMBER 10, 2019 MEETING

### **OFFICER'S REPORT**

11. [2019-0306](#) MONTHLY NOTIFICATION OF CHANGE ORDERS PURSUANT TO BPC POLICY NO. 110:

- A) Change Order No. 1 to Contract No. 2016-37 with Reyes Construction, Inc. / Increases Contract by \$330,700.00
- B) Change Order No. 1 to Contract No. 2018-22 with Clear Blue Energy Corp. / Decreases Contract by \$7,227.00
- C) Change Order No. 2 to Contract No. 2018-23 with Clear Blue Energy Corp. / Decreases Contract by \$863.68
- D) Change Order No. 1 for Contract No. 2019-02 with Vortex Industries, Inc. / 40 Calendar Day Time Extension thru 06/30/19
- E) Change Order No. 1 to Contract No. 2018-17 with Good-Men Roofing and Construction, Inc. (Reconciliation) / Decreases Contract by \$9,943.00

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 County of San Diego, Department of General Services for Right of Entry for Invasive Species Removal in Chula Vista, 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:

- A) Rent Review Administrative Approval Letter with Fisherman's Landing Corporation for Rental Period Beginning 06/01/19 thru 12/31/29
- B) Rent Review Administrative Approval Letter with Point Loma Sportfishing Association, Inc. for Rental Period Beginning 06/01/19 thru 12/31/29

MONTHLY NOTIFICATION OF ENCUMBRANCES CONSENTED TO ADMINISTRATIVELY PURSUANT TO BPC POLICY NO. 355 AS AMENDED ON JANUARY 10, 2017:

A) Encumbrance Review and Approval Memo with Conditional Approval for Lease with Oak Park Apartments, Inc. dba Best Western Yacht Harbor in Favor of Pacific Western Bank

MONTHLY NOTIFICATION OF LEASE AMENDMENTS CONSENTED TO ADMINISTRATIVELY PURSUANT TO BPC POLICY NO. 355 AS AMENDED ON JANUARY 10, 2017:

None to Report