



San Diego Unified Port District

3165 Pacific Hwy.
San Diego, CA 92101

Meeting Minutes

Board of Port Commissioners

Tuesday, December 14, 2021

1:00 PM

Don L. Nay Port Administration Boardroom

A. Roll Call.

Present: 7 - Commissioner Bonelli, Commissioner Castellanos, Commissioner LeSar, Commissioner Malcolm, Commissioner Moore, Commissioner Naranjo, and Chairman Zucchet

Excused: 0

Absent: 0

Officers Present: DeAngelis, Medina, Morales, Russell, Stuyvesant, and Yeilding.

B. Pledge of Allegiance.

Commissioner Bonelli led the Pledge of Allegiance.

C. Closed Session Report Out.

Thomas A. Russell, General Counsel, announced that the Board considered the items on the Closed Session Agenda, and will return after the conclusion of this meeting. No reportable action was taken.

D. Public Communications.

The following member(s) of the public addressed the Board with non agenda-related comments: David Alvarez; and Becky Rapp.

E. Board Committee Reports.

Commissioner Malcolm provided a report on the Audit Oversight Committee meeting which met on December 7th, highlights of the meeting included: Mark Yeilding, Port Auditor and Peter George, Partner MGO presented the results from the FY 21 audited financial statements and single audit with no findings, the Audit Committee recommended the Board accept and file the results, and this item (Item 14 - File No. 2021-0294) will be presented today to the Board for action. Additionally, the Port Auditor reviewed the selection of a new external audit service provider which was conducted through the Port's RFP process. The Audit Committee agreed with the selection and recommended the selection for Board approval. Presentations from staff included an audit plan status update, an ethics hotline update, review of the new ethics training video for the Port, continuous monitoring and assurance efforts from management and audit, and a financial update from Robert DeAngelis, CFO, highlighting positive revenue trends for the District.

Commissioner Castellanos provided a report on the Environmental Advisory Committee meeting held on December 1, 2021. Commissioner Castellanos shared that the committee received presentations on the following topics: an update on implementation of air quality measures through investments and partnerships; overview of the Maritime Industrial Impact Fund and its contributions to date; overview of the California Air Resources Board's Low Carbon Fuel Standard program and how the Port and tenants are reducing greenhouse gas emissions through vehicle and equipment electrification; update on the draft Climate Action Plan Technical Study; and an update on the Draft Port Master Plan Update.

F. Commissioners' Reports.

Commissioner Malcolm shared that he met the new head of the United States Section of the International Boundary and Water Commission (USIBWC), Dr. Maria-Elena Giner. Her visit was an opportunity for her to see Tijuana River Valley in person and lead a closed roundtable discussion with local stakeholders. She has promised to make sure the IBWC clears the desk and is prepared to focus on the Tijuana River Valley pollution crisis.

Commissioner Malcolm then shared that on November 8, the EPA announced its support for the "Comprehensive Alternative" Plan I-2, which is the region's preferred infrastructure solution to the Tijuana River Valley pollution crisis. This plan will expand the international treatment plant to prevent flows from reaching the coast, and will provide a river diversion treatment system. Key components of the alternative reduces frequency of impaired water quality at Imperial Beach during tourist season by 95%. It will require more than \$600 million to implement all of the projects contained in this alternative; \$300M of federal USMCA funds have already been allocated for improvements along the border. The EPA's early announcement is intended to be proactive and allow environmental work on NEPA to begin, while a plan for long-term funding is developed.

Commissioner Naranjo provided a report regarding the November 16th AB 617 Steering Committee. Highlights of the meeting included: presentation the Port's updated Vessel Speed Reduction Program (VSR Program); the AB 617 Steering Committee voted to provide a letter of support for the Workforce Development Tree Planting Program which includes planting 20 additional trees at Cesar Chavez Park in Barrio Logan; Environmental Health Coalition provided an informational update on the residential air filtration program, known as the PAIR Program which installs air filters in residential homes that are located in the Portside Community; SANDAG staff provided an informational update on Harbor Drive 2.0 for which they are currently developing a Concept of Operations which involves identifying technology improvements that can improve traveling and living conditions along the corridor, with a focus on equity and community needs; and CALTRANS staff provided an update on their statewide heavy-duty truck parking study.

Commissioner Naranjo then reported that the Port hosted the "South Bay Holiday Party" at the National City Aquatic Center on Wednesday, December 8th. Port staff distributed flyers in Spanish, Tagalog, and English, as well as provided neighborhood shuttle service, these expanded outreach efforts resulted in a successful event with over 500 people in attendance.

Commissioner Castellanos reported that last Tuesday, the San Diego City Council unanimously approved the Barrio Logan Community Plan Update. This is a model of community participatory planning, and will greatly improve the quality of life for the people in Barrio Logan, as well as support the working waterfront and the Port.

Commissioner Bonelli introduced Commissioner Emeritus Frank Urtasun as the newly appointed Port Commissioner for Coronado.

Commissioner Bonelli then provided an update on the SANDAG Regional Plan which was adopted by the SANDAG Board of Directors last Friday (December 10) . Commissioner Bonelli shared that this plan is updated every four years and is used to envision the region's transportation opportunities and challenges through 2050. Some of the major plans that affect the Port are Harbor Drive 2.0, moving the rail line from the coast at Del Mar bluffs to inland near the I-5 corridor, and development of a central mobility hub.

G. Special Recognition

Kirk Nichols, Interim Chief, Harbor Police, presented the Medal of Valor to Officer Cody Horn, for his heroic actions during an officer-involved shooting.

H. President's Report.

Joe Stuyvesant, President/CEO announced that, in November, Port staff celebrated Native American Heritage Month, or commonly called, American Indian and Alaska Native Heritage Month. It was a time to honor the rich culture and contributions of Native people. This year's theme, Resilient and Enduring: We are Native People, celebrates the history, strength, and resilience of America's first people.

Mr. Stuyvesant then shared that the Port, in furtherance of the electrification goals, is working closely with tenants to take advantage of the Low Carbon Fuel Standard (or LCFS) regulation which provides a revenue-generating opportunity that allows those who are decarbonizing through approved methods, to generate and monetize credits in the open market. Funds are required to be reinvested into further electrification or decarbonization efforts. The Port would like to thank Dole for their partnership through 2030, as well as BAE whose contract is on consent today to be renewed through this upcoming year. The Port welcomes further partnerships, and if anyone is interested in learning more, please do not hesitate to reach out to Josefina Khalidy or Adam Deaton to get more information.

Mr. Stuyvesant then announced that on Wednesday of last week, the State Lands Commission approved \$134 million for California ports. Included in that action was an award of \$61.4 million to the Port of San Diego for losses and expenses from calendar year 2020 which was the full amount requested by the Port. Port staff anticipates in early 2022 that the state will allocate the remaining \$116 million to Ports for 2021 losses and expenses related to COVID. Mr. Stuyvesant added that staff is positive that the Port should be able to secure the final amount needed to fund the \$100 million Economic Recovery Program that the Board approved in September.

I. District Clerk's Announcements.

Donna Morales, District Clerk, announced that additional materials were received by the Board after the publication of the agenda for the following items: Item 2 - File No. 2021-0258; Item 12 - File No. 2021-0151; and Item 17 - File No. 2021-0296.

Additionally Ms. Morales announced that staff requests that the board consider the following items be continued to a future Board meeting: Item 5 - File No. 2021-0427; Item 16 - File No. 2021-0393; Item 18 - File No. 2021-0429; and Item 19 - File No. 2021-0426.

On a motion by Commissioner Castellanos, seconded by Commissioner Bonelli, the Board adopted the requested docket changes. The motion carried by the following vote:

Yeas: 7 - Bonelli, Castellanos, LeSar, Malcolm, Moore, Naranjo, and Zucchet

Nays: 0

Excused: 0

Absent: 0

Abstain: 0

Recused: 0

APPROVAL OF MINUTES

[2021-0443](#) Approval of minutes for:

October 12, 2021 - CLOSED SESSION

October 12, 2021 - BPC MEETING

November 9, 2021 - CLOSED SESSION

November 9, 2021 - BPC MEETING

November 30, 2021 - CLOSED SESSION

Commissioner Naranjo called for a motion to amend the October 12 BPC minutes, as proposed at the November 9, 2021 Board meeting, with the exception of changing "Adopt" to "Prepare" on number 2 (2. Prepare a baseline of heavy duty diesel and natural gas truck trips related to the transition benchmarks above using a baseline of 100,000 truck trips.). Chairman Zucchet seconded the motion. The motion carried by the following vote:

Yeas: 7 - Bonelli, Castellanos, LeSar, Malcolm, Moore, Naranjo, and Zucchet

Nays: 0

Excused: 0

Absent: 0

Abstain: 0

Recused: 0

On a motion by Commissioner Bonelli, seconded by Commissioner Castellanos, the Board approved the November 9, 2021, minutes. The motion carried by the following vote:

Yeas: 6 - Bonelli, Castellanos, Malcolm, Moore, Naranjo, and Zucchet

Nays: 0

Excused: 0

Absent: 0

Abstain: 1 - LeSar

Recused: 0

On a motion by Commissioner LeSar, seconded by Commissioner Castellanos, the Board approved the November 30, 2021 minutes. The motion carried by the following vote:

Yeas: 7 - Bonelli, Castellanos, LeSar, Malcolm, Moore, Naranjo, and Zucchet

Nays: 0

Excused: 0

Absent: 0

Abstain: 0

Recused: 0

CONSENT AGENDA

Commissioner LeSar, and Commissioner Bonelli provided comments regarding items on the consent agenda and asked clarifying questions. Joe Stuyvesant, President/CEO, Job Nelson, Vice President, Strategy & Policy, Shirley Hirai, Manager, Diversity, Equity & Inclusion, and Stephen Shafer, Principal, Economics & Policy, and Thomas Russell, General Counsel, responded.

Commissioner LeSar, made a motion to adopt the Consent Agenda contingent on two things: 1) Item 2 - File No. 2021-0258 if there are any changes to the Point Loma Nazarene scope of work that it comes back to the Board. 2) staff will return to the Board in February with an update on how procurement can be strengthened in terms of the DEI and SBE goals and how the reports can be consistent to give an accurate picture of the competitive landscape in the scoring in the Port's procurements. Commissioner Naranjo seconded the motion, the Board thereby adopted Resolution 2021-149; Resolution 2021-150; Resolution 2021-151; Resolution 2021-152; Resolution 2021-153; Resolution 2021-154; Resolution 2021-0155; Resolution 2021-156; Resolution 2021-158; Ordinance 3032; and Resolution 2021-159. The motion carried by the following vote:

Yeas: 6 - Bonelli, Castellanos, LeSar, Malcolm, Naranjo, and Zucchet

Nays: 0

Excused: 1 - Moore

Absent: 0

Abstain: 0

Recused: 0

1. [2021-0232](#) RESOLUTION APPROVING THE TRANSFER OF FUNDS WITHIN THE FY 2021-2022 BUDGET CAPITAL IMPROVEMENT PROGRAM APPROPRIATED ITEM FROM PROGRAM CONTINGENCY TO THE SECURITY GATE PHYSICAL ENHANCEMENT AT B STREET CRUISE TERMINAL PROJECT IN THE AMOUNT OF \$53,000, AND INCREASE TO THE PROJECT BUDGET IN THE 2019-2023 CAPITAL IMPROVEMENT PROGRAM, PURSUANT TO BPC POLICIES NO. 90 AND NO. 120

On a motion by Commissioner LeSar, seconded by Commissioner Naranjo, the Board adopted Resolution 2021-149 as part of the Consent Agenda.
2. [2021-0258](#) RESOLUTION SELECTING AND AUTHORIZING AN AGREEMENT WITH CAMBRIDGE SYSTEMATICS, INC. FOR ECONOMIC IMPACT MODELING AND ANALYSIS, FOR AN AMOUNT NOT TO EXCEED \$550,000.00 OVER FOUR YEARS. FISCAL YEAR (FY) 2022 SPENDING OF \$275,000.000 FROM NON-PERSONNEL EXPENSE (NPE) FAVORABLE VARIANCE. 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

On a motion by Commissioner LeSar, seconded by Commissioner Naranjo, the Board adopted Resolution 2021-150 as part of the Consent Agenda.
3. [2021-0336](#) RESOLUTION SELECTING AND AUTHORIZING AN AGREEMENT WITH CALE AMERICA, INC. DBA FLOWBIRD GROUP FOR THE PURCHASE OF PARKING PAY STATIONS AND RELATED SERVICES IN AN AMOUNT NOT TO EXCEED \$450,000 FOR A PERIOD OF FIVE YEARS BEGINNING DECEMBER 15, 2021 THROUGH DECEMBER 14, 2026. EXPENDITURES FOR THE FIRST YEAR ARE BUDGETED IN FISCAL YEAR (FY) 2022. FUTURE FISCAL YEARS WILL BE BUDGETED IN THE APPROPRIATE FISCAL YEAR, SUBJECT TO BOARD APPROVAL UPON ADOPTION OF EACH FISCAL YEAR'S BUDGET.

On a motion by Commissioner LeSar, seconded by Commissioner Naranjo, the Board adopted Resolution 2021-151 as part of the Consent Agenda.
4. [2021-0383](#) RESOLUTION AUTHORIZING AGREEMENT NO. 109-2021SN WITH APEX COMPANIES, LLC FOR AS-NEEDED STRUCTURAL POLLUTANT CONTROL BEST MANAGEMENT PRACTICES INSPECTION AND MAINTENANCE SERVICES FROM JANUARY 1, 2022 TO JUNE 30, 2027 FOR A NOT TO EXCEED AMOUNT OF \$2,750,000. THIS SERVICE HAS BEEN DEEMED AN OPERATIONAL NECESSITY. THE AGREEMENT ALLOWS FOR EARLY TERMINATION BY THE EXECUTIVE DIRECTOR. FUNDS FOR FISCAL YEAR 2022 HAVE BEEN BUDGETED IN THE AMOUNT OF \$200,000. 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.

On a motion by Commissioner LeSar, seconded by Commissioner Naranjo, the Board adopted Resolution 2021-152 as part of the Consent Agenda.

5. [2021-0427](#) RESOLUTION AUTHORIZING THE EXECUTIVE DIRECTOR TO EXECUTE A MEMORANDUM OF UNDERSTANDING WITH NATIONAL STEEL AND SHIPBUILDING COMPANY (NASSCO), REGARDING LOW CARBON FUEL STANDARD (LCFS) CREDITS GENERATED FROM ELIGIBLE ELECTRIFIED EQUIPMENT LOCATED AT NASSCO FOR USAGE COVERING THE PERIOD FROM OCTOBER 1, 2021 THROUGH JUNE 30, 2022

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

This item was continued to a future Board meeting.

6. [2021-0392](#) RESOLUTION AUTHORIZING THE EXECUTIVE DIRECTOR TO EXECUTE A MEMORANDUM OF UNDERSTANDING WITH BAE SYSTEMS (BAE), REGARDING LOW CARBON FUEL STANDARD (LCFS) CREDITS GENERATED FROM ELIGIBLE ELECTRIFIED EQUIPMENT LOCATED AT BAE SYSTEMS FOR USAGE COVERING THE PERIOD FROM JANUARY 1, 2022 THROUGH DECEMBER 31, 2022

On a motion by Commissioner LeSar, seconded by Commissioner Naranjo, the Board adopted Resolution 2021-153 as part of the Consent Agenda.

7. [2021-0394](#) RESOLUTION AUTHORIZING A SPONSORSHIP AGREEMENT WITH H.P. PURDON & COMPANY DBA BIG BAY BOOM RELATED TO THE JULY 4, 2022 PORT OF SAN DIEGO BIG BAY BOOM FIREWORKS SHOW IN THE AMOUNT OF \$213,500 IN FUNDING AND DISTRICT SERVICES NOT TO EXCEED \$170,000; FY 2022 EXPENDITURES ARE BUDGETED.

On a motion by Commissioner LeSar, seconded by Commissioner Naranjo, the Board adopted Resolution 2021-154 as part of the Consent Agenda.

8. [2021-0407](#) RESOLUTION AUTHORIZING AMENDMENT NO. 5 TO THE AGREEMENT WITH THE REGENTS OF THE UNIVERSITY OF CALIFORNIA TO HOST SEA GRANT FELLOWS FOR AN ADDITIONAL \$57,809 AND EXTENDING THE AGREEMENT FOR 1 YEAR, FOR A NEW NOT TO EXCEED AGREEMENT TOTAL OF \$681,563. FY22 EXPENDITURES ARE BUDGETED.

On a motion by Commissioner LeSar, seconded by Commissioner Naranjo, the Board adopted Resolution 2021-155 as part of the Consent Agenda.

9. [2021-0410](#) RESOLUTION CONSENTING TO ASSIGNMENT AND ASSUMPTION OF AS-NEEDED FULL-SERVICE IMPOUNDED VESSEL SERVICES AGREEMENT NO. 50-2020MA FROM MARINE GROUP BOAT WORKS, LLC TO AUSTAL USA, LLC DUE TO LEASEHOLD ASSIGNMENT AND ASSUMPTION
- On a motion by Commissioner LeSar, seconded by Commissioner Naranjo, the Board adopted Resolution 2021-156 as part of the Consent Agenda.
11. [2021-0350](#) RESOLUTION AUTHORIZING AMENDMENT NO. 5 TO THE FIVE-PARTY AGREEMENT BETWEEN THE DISTRICT, THE CITY OF NATIONAL CITY, PASHA AUTOMOTIVE SERVICES, GB CAPITAL, AND ICF JONES & STOKES FOR THE PREPARATION OF THE NATIONAL CITY BAYFRONT PROJECTS & PLAN AMENDMENTS ENVIRONMENTAL IMPACT REPORT TO INCREASE THE AMOUNT BY \$290,000 FROM \$745,232 TO \$1,035,232; AND EXTENDING THE AGREEMENT EXPIRATION DATE TO JUNE 30, 2022 FROM DECEMBER 31, 2021. FUNDS ARE BUDGETED IN THE FY2019-2023 CAPITAL IMPROVEMENT PROGRAM FOR THE NATIONAL CITY MARINA DISTRICT PRELIMINARY PLANNING PROJECT; THIS ACTION DOES NOT INCREASE THE NATIONAL CITY MARINA DISTRICT PRELIMINARY PLANNING PROJECT BUDGET
- On a motion by Commissioner LeSar, seconded by Commissioner Naranjo, the Board adopted Resolution 2021-158 as part of the Consent Agenda.
12. [2021-0151](#) ORDINANCE AMENDING SECTION 4.09 OF THE SAN DIEGO UNIFIED PORT DISTRICT CODE - REGULATION OF VESSELS - TUNA HARBOR BASIN TO CONSOLIDATE EXISTING TUNA HARBOR BERTHING PERMIT LANGUAGE AND EXISTING CODE LANGUAGE, ALLOW FOR MORE ORGANIZED AND UNDERSTANDABLE REGULATIONS, AND MAKE TUNA HARBOR BASIN REGULATIONS MORE CONSISTENT WITH WEST COAST COMMERCIAL FISHING FACILITIES BEST MANAGEMENT PRACTICES IN REGARD TO STORAGE, PARKING OF VEHICLES, LOADING OF PASSENGERS, VESSEL MAINTENANCE, AND INOPERABLE VESSELS.
- The following member(s) of the public addressed the Board with agenda-related comments: Matt Everingham, San Diego Fisherman's Working Group; and Peter Halmay, President, San Diego Fisherman's Working Group.*
- Per request by Chairman Zucchet, Mike LaFleur, Vice President, Maritime, responded to public comment.*
- On a motion by Commissioner LeSar, seconded by Commissioner Naranjo, the Board adopted Ordinance 3032 as part of the Consent Agenda.

13. [2021-0423](#) RESOLUTION REGARDING DISTRICT VIRTUAL MEETINGS IN ACCORDANCE WITH THE RALPH M. BROWN ACT AND ASSEMBLY BILL 361

On a motion by Commissioner LeSar, seconded by Commissioner Naranjo, the Board adopted Resolution 2021-159 as part of the Consent Agenda.

ACTION AGENDA

10. [2021-0416](#) RESOLUTION AUTHORIZING THE FUNDING OF \$20,000 FROM THE DISTRICT'S MARITIME INDUSTRIAL IMPACT FUND (MIIF) FOR SUPPORT OF THE GARDEN AND NUTRITION PROGRAM AND THE FARMER'S MARKET AT MONARCH SCHOOL FOR HOMELESS STUDENTS IN BARRIO LOGAN AND AMEND BOARD POLICY NO. 773 TO ADD CHARTER AND OTHER NON-TRADITIONAL PUBLIC SCHOOLS TO THE LIST OF ENTITIES ELIGIBLE FOR MIIF FUNDING

Commissioner LeSar recused herself as she serves on the Board of Directors for the Monarch School and did not participate in this item.

On a motion by Commissioner Castellanos, seconded by Commissioner Naranjo, the Board adopted Resolution 2021-157. The motion carried by the following vote:

Yeas: 5 - Bonelli, Castellanos, Malcolm, Naranjo, and Zucchet

Nays: 0

Excused: 1 - Moore

Absent: 0

Abstain: 0

Recused: 1 - LeSar

Commissioner Malcolm left the meeting at 2:30 pm and did not return for the remainder of the meeting.

14. [2021-0294](#) RESOLUTION ACCEPTING AND FILING THE EXTERNAL AUDITOR'S REPORT ON THE AUDIT OF THE DISTRICT'S FINANCIAL STATEMENTS AND SINGLE AUDIT FOR THE YEAR ENDING JUNE 30, 2021

Mark Yeilding, Port Auditor, addressed the Board with staff's report and presentation regarding Action Agenda Item 14 - File No. 2021-0294 (A copy of the staff report, presentations and any agenda-related materials are on file with the Office of the District Clerk). Mr. Yeilding then turned the presentation over to Peter George, MGO, to provide an overview of the audit focus areas, deliverables, and present the findings from the annual audit.

The following member(s) of the public addressed the Board with agenda-related comments: None

Chairman Zucchet provided comments.

On a motion by Commissioner Bonelli, seconded by Commissioner Naranjo, the Board adopted Resolution 2021-160. The motion carried by the following vote:

Yeas: 5 - Bonelli, Castellanos, LeSar, Naranjo, and Zucchet

Nays: 0

Excused: 2 - Malcolm, and Moore

Absent: 0

Abstain: 0

Recused: 0

15. [2021-0420](#) UPDATE ON THE STATUS OF MUNICIPAL SERVICES AGREEMENTS FOR FISCAL YEAR 2023 AND DIRECTION TO STAFF

Shaun Sumner, Vice President, Business Operations, addressed the Board with staff's report and presentation regarding Action Agenda Item 15 - File No. 2021-0420 (A copy of the staff report, presentations and any agenda-related materials are on file with the Office of the District Clerk).

The following member(s) of the public addressed the Board with agenda-related comments: None

Commissioner Naranjo, Chairman Zucchet, and Commissioner Moore, provided comments and asked clarifying questions. Mr. Sumner responded.

16. [2021-0393](#) RESOLUTION AUTHORIZING A SOLE SOURCE PURCHASE AGREEMENT FOR DISTRICT ACQUISITION OF TWO KONECRANES ALL-ELECTRIC MOBILE HARBOR CRANES IN THE AMOUNT OF \$14,760,000 FOR USE AT TENTH AVENUE MARINE TERMINAL, SAN DIEGO, CA; FUNDS FOR THIS PROCUREMENT FOR THIS FISCAL YEAR ARE BUDGETED WITHIN THE ECONOMIC RECOVERY PROGRAM CAPITAL OUTLAY APPROPRIATED ITEM; ALL FUNDS REQUIRED FOR FUTURE FISCAL YEARS WILL BE BUDGETED IN THE ECONOMIC RECOVERY PROGRAM CAPITAL OUTLAY APPROPRIATED ITEM OF THE APPROPRIATE FISCAL YEAR, SUBJECT TO BOARD APPROVAL UPON ADOPTION OF EACH FISCAL YEAR'S BUDGET.

This item was continued to a future Board meeting.

17. [2021-0296](#) INFORMATIONAL PRESENTATION AND DIRECTION TO STAFF ON THE DRAFT PRELIMINARY HEALTH RISK ASSESSMENT FOR THE TENTH AVENUE MARINE TERMINAL AND THE NATIONAL CITY MARINE TERMINAL WITH A FOCUS ON DIESEL PARTICULATE

MATTER DATED DECEMBER 2021 AND NEXT STEPS

Jason Giffen, Vice President, Planning & Environment, addressed the Board with staff's report and presentation regarding Action Agenda Item 17 - File No. 2021-0296 (A copy of the staff report, presentations and any agenda-related materials are on file with the Office of the District Clerk). Mr. Giffen then turned the presentation over to Matt McFalls to provide highlights regarding baseline information. Mr. McFalls then turned the presentation over to Larry Hofreiter, Program Manager, Planning, to discuss how implementation of some key near-term Maritime Clean Air Strategy (MCAS) measures can help reduce risk, and the next steps for finalizing the Health Risk Assessment and Summary Report.

The following member(s) of the public addressed the Board with agenda-related comments: Sarah March, Dole; Sophie Silvestri, Pasha Automotive Services; Sharon Cloward, San Diego Port Tenants Association; Domingo Vigil, San Diego County Air Pollution Control District; and Josh Gaylord, Flagship Cruises & Events.

Commissioner Naranjo, Commissioner Castellanos, Commissioner Bonelli, Chairman Zucchet, provided comments and asked clarifying questions. Mr. Giffen, Mr. McFalls, Mr. Hofreiter, and Joe Stuyvesant, President/CEO, responded.

18. [2021-0429](#)
- A. RESOLUTION AUTHORIZING AGREEMENTS FOR FUNDING OF B STREET CRUISE SHIP TERMINAL INTERIOR IMPROVEMENTS AND PREFERENTIAL BERTHING WITH:
1. CARNIVAL CORPORATION IN THE AMOUNT NOT TO EXCEED \$2 MILLION; AND
 2. DISNEY CRUISE LINE IN THE AMOUNT NOT TO EXCEED \$2 MILLION
- B. ORDINANCE AUTHORIZING AN AMENDMENT TO THE FISCAL YEAR (FY) 2022 BUDGET INCREASING THE FY 2022 CAPITAL IMPROVEMENT PROGRAM (CIP) APPROPRIATION BY \$4,000,000 TO BE FUNDED FROM CRUISE LINE ADVANCE
- C. RESOLUTION AUTHORIZING AN AMENDMENT INCREASING THE FY 2019-2023 CAPITAL IMPROVEMENT PROGRAM TO ADD THE B STREET CRUISE SHIP TERMINAL INTERIOR IMPROVEMENTS PROJECT AND FUNDING OF \$4,000,000 TO BE FUNDED FROM CRUISE LINE ADVANCE
- D. RESOLUTION AUTHORIZING AN AMENDMENT INCREASING THE FY 2019-2023 CAPITAL IMPROVEMENT PROGRAM TO INCREASE CAPITAL LABOR BY \$300,000 TO BE FUNDED FROM PERSONNEL EXPENSE FOR THE B STREET CRUISE SHIP TERMINAL INTERIOR IMPROVEMENTS PROJECT WITH \$50,000 TO BE SPENT IN FY 2022

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

This item was continued to a future Board meeting.

19. [2021-0426](#) A. RESOLUTION APPROVING THE FORM OF AND AUTHORIZING THE DISTRIBUTION OF AN OFFICIAL STATEMENT IN PRELIMINARY AND FINAL FORM IN CONNECTION WITH THE ISSUANCE OF THE CHULA VISTA BAYFRONT FACILITIES FINANCING AUTHORITY REVENUE BONDS (CHULA VISTA BAYFRONT CONVENTION CENTER) SERIES 2022A (FEDERALLY TAXABLE) AND CHULA VISTA BAYFRONT FACILITIES FINANCING AUTHORITY REVENUE BONDS (CHULA VISTA BAYFRONT PHASE 1A INFRASTRUCTURE IMPROVMENTS) SERIES 2022B (TAX-EXEMPT) INCLUDING EXECUTION OF A CERTIFICATE DEEMING THE PRELIMINARY OFFICIAL STATEMENT FINAL FOR PURPOSES OF RULE 15 C2-12 UNDER THE SECURITIES AND EXCHANGE ACT OF 1934 EXCEPT FOR INFORMATION PERMITTED TO BE OMITTED FROM THE PRELIMINARY OFFICIAL STATEMENT PURSUANT TO RULE 15 C2-12;

B. RESOLUTION CONSENTING TO AN ENCUMBRANCE BY RIDA CHULA VISTA, LLC IN THE AMOUNT OF \$_____ MILLION IN FAVOR OF [INSERT BANKS] FOR THE DEVELOPMENT OF THE RESORT HOTEL AND CONVENTION CENTER, WITH CONDITIONS

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

This item was continued to a future Board meeting.

20. [2021-0396](#) REVIEW AND CONSIDERATION OF DRAFT PROPOSED BOARD AGENDA FOR THE JANUARY 11, 2022 MEETING

Commissioner Naranjo announced that due to her husband being employed by Baker Electric, she is recusing herself and did not participate in this item.

On a motion by Commissioner Castellanos, seconded by Commissioner Bonelli, the Board adopted the proposed agenda for January.

Yeas: 5 - Bonelli, Castellanos, LeSar, Moore, and Zucchet

Nays: 0

Excused: 1 - Malcolm

Absent: 0

Abstain: 0

Recused: 1 - Naranjo

OFFICER'S REPORT

21. [2021-0422](#) OFFICER'S REPORT

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

A) Change Order No. 4 to Contract No. 2019-38 with SOLPAC
Construction, Inc. dba Soltek Pacific Construction Company - Increases
Contract by \$400,000.00

B) Change Order No. 2 to Contract No. 2020-12 with Capital Industrial
Restoration, Inc. - Increases Contract by \$25,154.65

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) Amendment No. 2 to Lease (#59870) with Shelter Island, Inc. dba Tom
Ham's Lighthouse - Amends Clause Regarding Description of Leased
Premises to Incorporate Landscape Area

B) Amendment No. 1 to Lease (#72861) with SHM Cabrillo Isle, LLC -
Amends Paragraph 4.2 (a) Regarding Boat Slip Rental

C) Amendment No. 1 to Lease (#72382) with SHM Sunroad, LLC dba
Safe Harbor Sunroad - Amends Paragraph 4.2 (a) Regarding Boat Slip
Rental

D) Amendment No. 7 to Lease (#28781) with Shelter Cove Marina, Ltd. -
Amends Paragraphs 9(a) and 18 Regarding Boat Slip Rental and
Conformance with Rules and Regulations

*Secretary, Board of Port Commissioners
San Diego Unified Port District*

ATTEST:

Clerk of the San Diego Unified Port District