



# San Diego Unified Port District

3165 Pacific Hwy.  
San Diego, CA 92101

## Meeting Minutes

### Board of Port Commissioners

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Tuesday, July 12, 2022

1:00 PM

Don L. Nay Port Administration Boardroom

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#### A. Roll Call.

**Present:** 7 - Commissioner Rafael Castellanos, Chairman Dan Malcolm, Commissioner Ann Moore, Commissioner Danielle Moore, Commissioner Sandy Naranjo, Commissioner Frank Urtasun, and Commissioner Michael Zucchet

**Excused:** 0

**Absent:** 0

**Recused:** 0

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

#### B. Pledge of Allegiance.

*Commissioner A. Moore led the pledge of allegiance.*

#### C. Closed Session Report Out.

*Rebecca Harrington, Assistant General Counsel, announced that the Board considered the items on the Closed Session Agenda, and stated that no reportable action was taken.*

#### D. Public Communications.

*The following member(s) of the public addressed the Board with non agenda-related comments: Corchelle Worsham.*

#### E. Board Committee Reports.

*Commissioner Naranjo provided a report on the Audit Oversight Committee meeting held on June 23, 2022. Commissioner Naranjo shared that the agenda included presentations on the proposed Fiscal Year 2023 Audit Plan; the Port Auditor's status report on audit Activities related to the Port's Audit plan for FY 2022; the District's Financial Performance through April 30, 2022; and the status of hotline reports received through the District's Fraud Prevention Ethics Hotline. Commissioner Naranjo announced that the next Audit Oversight Committee meeting is Thursday, September 22, 2022 and upcoming items of interest are Office of the Port Auditor Annual Report for FY 2022; Fraud Prevention Ethics Hotline Update for FY 2022; and consideration of recommendation to the Board for approval of a contract for As-Needed Audit Services.*

Commissioner Urtasun announced that he and fellow Commissioner Castellanos facilitated the Maritime Stakeholder Forum on June 16, 2022. Commissioner Urtasun reported that presentations included overviews of the truck transition plan; the health risk assessment; and the Port's Low Carbon Fuel Standard (LCFS) program. Commissioner Urtasun also announced that the committee received a preview and presentation on Crowley's race to be the first all-electric tug. Commissioner Urtasun shared that the committee heard public comments including National Pineapple Day on June 27, 2022; Pasha provided information regarding stabilizing volumes at the National City Marine Terminal; Terminal Lift reported about their struggles finding electric longer hauling trucks; and the committee heard comments about where the Port excels and where they can continue to improve regarding the Green Marine certification.

## **F. Commissioners' Reports.**

Commissioner Naranjo provided a report on the AB 617 Community Steering Committee and Implementation Subcommittee meeting held on June 23, 2022. Commissioner Naranjo shared that staff provided an overview of the Board's discussion from the June 13, 2022, Board of Port Commissioners meeting on the Port's updated Health Risk Assessment and the Port's Zero Emission Truck Transition Plan. Commissioner Naranjo announced that the Subcommittee requested to learn more about quality related topics including SANDAG's regional freight planning strategy at future meetings and also shared that San Diego APCD staff canceled the June 28, 2022, AB 617 Steering Committee meeting and the next Steering Committee meeting is scheduled for July 26, 2022.

Chairman Malcolm announced that there is a special Board Meeting on July 21, 2022 to further the discussion on the Central Embarcadero project.

## **G. President's Report.**

Joe Stuyvesant, President/CEO thanked Parks and Recreation, Harbor Police, 911 Dispatchers, General Services, Marketing and Communications, and Information Technology for providing a safe event and positive experience for the estimated half million people who attended the annual Big Bay Boom on San Diego Bay.

Mr. Stuyvesant shared that the Port received its first two fully electric vehicles, a Ford F150 Lightning pick up truck and a 2022 Ford E-Transit cargo van. Mr. Stuyvesant also shared that over the course of the next few months, General Services will purchase 10 additional Ford F150 Lightning Pros, 4 E-Transit Cargo Vans, build 18 charging stations and 4 DC fast charges.

Mr. Stuyvesant reported that the Port had been re-certified by Green Marine, North America's largest voluntary environmental certification program for the maritime industry. Mr. Stuyvesant added that to earn re-certification, the Port had to undergo a rigorous evaluation of its environmental initiatives. Results of the evaluation were verified by an accredited third party and the Port ranked in the top ten percent of North America ports in the Green Marine program.

Mr. Stuyvesant announced that in June the main budget bill was passed for the state of California and a series of "trailer bills" were drafted to implement the budget. Mr. Stuyvesant added that the Port has been working closely with the cities of San Diego and Coronado and the US Navy regarding abandoned and derelict vessels at Zuniga Shoal that are degrading the environment, health, safety, and national security in the San Diego region. Mr. Stuyvesant then shared that the state will allocate \$1,400,000 to the Port to address this challenge.

*Mr. Stuyvesant then recognized and thanked the Police officers, dispatchers, and staff of the Harbor Police Department for the tremendous job they do. Mr. Stuyvesant reported that through retirement and attrition, the Port has lost about 20% of the sworn staff, however, the Port has implemented an officer recruitment incentive program in which Lateral Officers hired will be eligible to receive up to \$10,000 and Trainee Officers will be eligible to receive up to \$1,000.*

*Lastly, Mr. Stuyvesant shared that Corporal Matthew Oakley has been named the Port of San Diego Harbor Police Department Officer of the Year and added that Corporal Oakley's excellent attributes benefit the entire department and community.*

## H. District Clerk's Announcements.

*Donna Morales, District Clerk announced that no additional agenda-related materials were received by the Board after publication of the agenda.*

*Ms. Morales then announced that staff requests that the Board consider the following items be continued to a future Board meeting: Item 9 - File 2022-0206.*

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

**Yeas:** 7 - Rafael Castellanos, Dan Malcolm, Ann Moore, Danielle Moore, Sandy Naranjo, Frank Urtasun, and Michael Zucchet

**Nays:** 0

**Excused:** 0

**Absent:** 0

**Abstain:** 0

**Recused:** 0

## APPROVAL OF MINUTES

[2022-0210](#) Approval of minutes for:

June 14, 2022 - CLOSED SESSION

June 14, 2022 - BPC MEETING

**On a motion by Commissioner Urtasun, seconded by Commissioner Moore, the Board approved the June 2022 minutes. The motion carried by the following vote:**

**Yeas:** 7 - Rafael Castellanos, Dan Malcolm, Ann Moore, Danielle Moore, Sandy Naranjo, Frank Urtasun, and Michael Zucchet

**Nays:** 0

**Excused:** 0

**Absent:** 0

**Abstain:** 0

Recused: 0

## **CONSENT AGENDA**

On a motion by Commissioner Zucchet, seconded by Commissioner Urtasun, the Board adopted Items 1, 3 - 6 and 8; Ordinance 3051; Resolution 2022-074; Resolution 2022-075; Resolution 2022-076; Resolution 2022-077; Resolution 2022-079 and Resolution 2022-080. The motion carried by the following vote:

**Yeas:** 7 - Rafael Castellanos, Dan Malcolm, Ann Moore, Danielle Moore, Sandy Naranjo, Frank Urtasun, and Michael Zucchet

**Nays:** 0

**Excused:** 0

**Absent:** 0

**Abstain:** 0

**Recused:** 0

1. [2022-0012](#) ORDINANCE GRANTING AN AMENDED AND RESTATED LEASE WITH THE BRIGANTINE INC., DBA KETCH GRILL AND TAPS, TO UPDATE LEASE PROVISIONS AND EXTEND THE LEASE TERM BY 10 YEARS.

On a motion by Commissioner Zucchet, seconded by Commissioner Urtasun, the Board adopted Ordinance 3051 as part of the Consent agenda.

3. [2022-0139](#) RESOLUTION AUTHORIZING AMENDMENT NUMBER 9 TO AGREEMENT WITH EXCELERATE, LLC FOR AS NEEDED PROJECT MANAGEMENT OFFICE (PMO) SERVICES IN AN AMOUNT OF \$1,590,000 FOR A NEW NOT TO EXCEED AMOUNT OF \$7,019,024. FUNDS FOR FY 2023 ARE BUDGETED IN THE TECHNOLOGY MANAGEMENT PROGRAM EXPENSE BUDGET. FUNDS FOR FUTURE FISCAL YEARS WILL BE BUDGETED IN THE APPROPRIATE FISCAL YEAR, SUBJECT TO BOARD APPROVAL UPON THE ADOPTION OF EACH FISCAL YEAR'S BUDGET.

On a motion by Commissioner Zucchet seconded by Commissioner Urtasun, the Board adopted Resolution 2022-074 as part of the Consent agenda.

4. [2022-0169](#) RESOLUTION AUTHORIZING AMENDMENT NO. 8 TO AGREEMENT WITH WINBOURNE CONSULTING, LLC. FOR PROJECT MANAGEMENT SERVICES FOR COMPUTER AIDED DISPATCH SYSTEM REPLACEMENT IN AN AMOUNT NOT TO EXCEED \$80,000 FOR A NEW NOT TO EXCEED AGREEMENT VALUE OF \$518,245. FUNDS FOR FY 2023 ARE BUDGETED IN THE TECHNOLOGY MANAGEMENT PROGRAM EXPENSE BUDGET.

On a motion by Commissioner Zucchet seconded by Commissioner Urtasun, the Board adopted Resolution 2022-075 as part of the Consent agenda.



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5. [2022-0173](#) RESOLUTION APPROVING PROCLAMATION IN RECOGNITION OF JULY 2022 AS PARKS AND RECREATION MONTH
- On a motion by Commissioner Zucchet seconded by Commissioner Urtasun, the Board adopted Resolution 2022-076 as part of the Consent agenda.
6. [2022-0180](#) RESOLUTION GRANTING CONCEPT APPROVAL TO CROWLEY MARINE SERVICES, INC. FOR THE ELECTRIC TUGBOAT CHARGING STATION AND SHORE POWER INFRASTRUCTURE PROJECT LOCATED AT THE TENTH AVENUE MARINE TERMINAL
- On a motion by Commissioner Zucchet seconded by Commissioner Urtasun, the Board adopted Resolution 2022-077 as part of the Consent agenda.
8. [2022-0197](#) RESOLUTION REGARDING DISTRICT VIRTUAL MEETINGS IN ACCORDANCE WITH THE RALPH M. BROWN ACT AND ASSEMBLY BILL 361
- On a motion by Commissioner Zucchet seconded by Commissioner Urtasun, the Board adopted Resolution 2022-079 as part of the Consent agenda.
9. [2022-0206](#) SWEETWATER PARK PROJECT AND OUTDOOR RECREATION LEGACY PARTNERSHIP GRANT:
- A) RESOLUTION AUTHORIZING STAFF TO ENTER INTO A CONDITIONAL AGREEMENT WITH THE U.S. DEPARTMENT OF THE INTERIOR FOR A \$5,000,000 OUTDOOR RECREATION LEGACY PARTNERSHIP GRANT, AND TO GRANT INDEMNITY TO THE DEPARTMENT OF THE INTERIOR;
- B) RESOLUTION APPROVING AN AMENDMENT TO THE FISCAL YEAR (FY) 2019-2023 5-YEAR CAPITAL IMPROVEMENT PROGRAM TO INCREASE THE SWEETWATER PARK COST BY \$14.9 MILLION TO CONDUCT APPROXIMATE 70 PERCENT DESIGN FOR SWEETWATER PARK AND OTHER IMPROVEMENTS

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.

## **ACTION AGENDA**

Item 2 - File No. 2022-0138 and Item 7 - File No. 2022-0187 were pulled from Consent. On a motion by Commissioner Moore, seconded by Commissioner Castellanos, the Board adopted the requested docket changes. The motion carried by the following vote:

**Yeas:** 7 - Rafael Castellanos, Dan Malcolm, Ann Moore, Danielle Moore, Sandy Naranjo, Frank Urtasun, and Michael Zucchet

**Nays:** 0

**Excused:** 0

Absent: 0

Abstain: 0

Recused: 0

2. [2022-0138](#) RESOLUTION AUTHORIZING A SOLE SOURCE AGREEMENT WITH WATTS MARINE LLC FOR THE PERIOD OF JULY 1, 2022, TO JUNE 30, 2025, TO PROVIDE CRUISE SHIP SHORE POWER CONNECTION, COMMISSIONING, AND MAINTENANCE SERVICES SUPPORTING THE PROPRIETARY SHORE POWER SYSTEM AT B STREET AND BROADWAY PIERS, IN COMPLIANCE WITH CALIFORNIA AIR RESOURCES BOARD AT-BERTH REGULATIONS, IN AN AMOUNT NOT TO EXCEED \$1,750,000. FUNDS FOR THE FIRST YEAR OF THIS EXPENDITURE OF \$589,700 ARE INCLUDED IN THE APPROVED FY 2023 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

*Item 2 - File No. 2022-0138 was pulled from Consent.*

**On a motion by Commissioner Moore seconded by Commissioner Castellanos, the Board adopted Resolution 2022-073. The motion carried by the following vote:**

**Yeas:** 7 - Rafael Castellanos, Dan Malcolm, Ann Moore, Danielle Moore, Sandy Naranjo, Frank Urtasun, and Michael Zucchet

**Nays:** 0

**Excused:** 0

**Absent:** 0

**Abstain:** 0

**Recused:** 0

7. [2022-0187](#) RESOLUTION AUTHORIZING THE EXECUTIVE DIRECTOR TO EXECUTE A MEMORANDUM OF UNDERSTANDING WITH AUSTAL USA (AUSTAL), REGARDING LOW CARBON FUEL STANDARD (LCFS) CREDITS GENERATED FROM ELIGIBLE ELECTRIFIED EQUIPMENT LOCATED AT AUSTAL'S LEASEHOLD IN NATIONAL CITY, CALIFORNIA, FOR USAGE COVERING THE PERIOD FROM JULY 1, 2022, THROUGH DECEMBER 31, 2030

*Item 7 - File No. 2022-0187 was pulled from Consent.*

**On a motion by Commissioner Urtasun seconded by Commissioner D. Moore, the Board adopted Resolution 2022-078. The motion carried by the following vote:**

**Yeas:** 7 - Rafael Castellanos, Dan Malcolm, Ann Moore, Danielle Moore, Sandy Naranjo, Frank Urtasun, and Michael Zucchet

Nays: 0

Excused: 0

Absent: 0

Abstain: 0

Recused: 0

**10.     [2022-0036](#)     RESOLUTION APPROVING THE AUDIT PLAN FOR FISCAL YEAR 2023  
PURSUANT TO BOARD OF PORT COMMISSIONERS (BPC) POLICY  
NO. 035 - POWERS AND FUNCTIONS OF THE PORT AUDITOR**

*Mark Yeilding, Port Auditor, addressed the Board with staff's report and presentation regarding Action Agenda Item 10 - File No. 2022-0036 (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 Malcolm, Commissioner Urtasun and provided comments and asked clarifying questions. Mark Yeilding responded.*

**On a motion by Chairman Malcolm, seconded by Commissioner Urtasun, the Board adopted Resolution 2022-080. The motion carried by the following vote:**

**Yeas:** 7 - Rafael Castellanos, Dan Malcolm, Ann Moore, Danielle Moore, Sandy Naranjo, Frank Urtasun, and Michael Zucchet

**Nays:** 0

**Excused:** 0

**Absent:** 0

**Abstain:** 0

**Recused:** 0

**11.     [2022-0144](#)     PRESENTATION AND DIRECTION TO STAFF REGARDING THE  
RECOMMENDED DEVELOPMENT CONFIGURATION OF EAST  
HARBOR ISLAND**

*Tony Gordon, Director, Real Estate, joined by James Hammel, Department Manager, Real Estate, Lesley Nishihira, Director, Planning, David Jones, Deputy General Counsel IV, Office of the General Counsel, Scott Jordon, Design Consultant with Civitas and representatives from Top Golf, addressed the Board with staff's report and presentation regarding Action Agenda Item 11 - File No. 2022-0144 (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: Matt Smith, Top Golf; and Sharon Cloward, San Diego Working Waterfront.*

*Commissioner A. Moore, Commissioner Urtasun, Commissioner Zucchet, Commissioner Castellanos and Chairman Malcolm provided comments and asked clarifying questions. Lesley Nishihira, and James Hammel, and Scott Jordon, responded.*

12. [2022-0145](#) SHELTER ISLAND YACHT BASIN (SIYB) DISSOLVED COPPER TOTAL MAXIMUM DAILY (TMDL) LOAD:  
A. INFORMATIONAL UPDATE ON THE STATUS OF THE DISTRICT'S SIYB COPPER REDUCTION PROGRAM, INCLUDING WATER QUALITY RESULTS, LOAD REDUCTION EFFORTS AND COORDINATION WITH THE REGIONAL WATER QUALITY CONTROL BOARD ON TMDL IMPLEMENTATION ACTIONS, AND DIRECTION TO STAFF; AND  
B. INFORMATIONAL UPDATE ON THE FINDINGS FROM THE 8-WEEK TEMPORARY IN-WATER HULL CLEANING PAUSE AND ASSOCIATED 16-WEEK WATER QUALITY MONITORING PROGRAM

*Karen Holman, Director, Environmental Protection, with Jason Giffen, Vice President, Planning and Environment, and John Carter, Senior Deputy General Counsel, Office of the General Counsel, addressed the Board with staff's report and presentation regarding Action Agenda Item 12 - File No. 2022-0145 (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: John Adriany, Shelter Island Master Lease Holders Group; Cleve Hardaker, Silver Gate Yacht Club; Sharon Cloward, San Diego Working Waterfront; and Joe Ravitch, Shelter Island Marina.*

*Commissioner Urtasun, and Chairman Malcolm provided comments and asked clarifying questions. Karen Holman, and Jason Giffen responded.*

13. [2022-0195](#) PRESENTATION AND UPDATE ON THE DISTRICT'S BLUE ECONOMY INCUBATOR INCLUDING THE THIRD EDITION OF THE BLUE ECONOMY INCUBATOR HIGHLIGHTS REPORT

*Paula Sylvia, Program Director, Aquaculture and Blue Technology Program, joined by Jason Giffen, Vice President, Planning and Environment, Eileen Maher, Director, Environmental Conservation, Margaret Pilaro, Program Manager, Aquaculture and Blue Tech Team, and John Carter, Senior Deputy General Counsel, Office of the General Counsel, addressed the Board with staff's report and presentation regarding Action Agenda Item 13 - File No. 2022-0195 (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 Urtasun, Commissioner Castellanos; Commissioner Naranjo, and Chairman Malcolm provided comments and asked clarifying questions. Paula Sylvia, Joe Stuyvesant, Jason Giffen, and Eileen Maher responded.*

14. [2022-0024](#) REVIEW AND CONSIDERATION OF DRAFT PROPOSED BOARD AGENDA FOR THE AUGUST 9, 2022 MEETING

**On a motion by Commissioner Urtasun, seconded by Commissioner Castellanos, the Board approved the proposed agenda for August. The motion carried by the**



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**following vote:**

**Yeas:** 7 - Rafael Castellanos, Dan Malcolm, Ann Moore, Danielle Moore, Sandy Naranjo, Frank Urtasun, and Michael Zucchet

**Nays:** 0

**Excused:** 0

**Absent:** 0

**Abstain:** 0

**Recused:** 0

**OFFICER'S REPORT****15.     [2022-0205](#)     OFFICER'S REPORT**

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

A) Change Order No. 1 to Contract No. 2020-09R with Perimeter Security Group, LLC - 60 Calendar Day Time Extension thru 06-28-22

B) Change Order No. 2 to Contract No. 2022-10 with La Mesa Glass, Inc. - 185 Calendar Day Time Extension thru 12-31-22

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 Conservation Biology Institute for Conservation Biology Institute Sea Lavender Mapping, for total amount \$2,208.00

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:

A) Amendment No. 2 to Lease (#69887) with Old Town Trolley Tours &  
Seal Tours and Information Center - Amends Section 4.2 Regarding  
Percentage Rent, & Extends Term thru 04-30-24

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

ATTEST:

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*Clerk of the San Diego Unified Port District*