



# San Diego Unified Port District

3165 Pacific Hwy.  
San Diego, CA 92101

## Meeting Minutes

### Board of Port Commissioners

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Tuesday, November 6, 2018

1:00 PM

Don L. Nay Port Administration Boardroom

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#### A. Roll Call.

**Present:** 7 - Commissioner Bonelli, Chairperson Castellanos, Commissioner Malcolm, Commissioner Merrifield, Commissioner Moore, Commissioner Valderrama, and Commissioner Zucchet

**Excused:** 0

**Absent:** 0

*Officers Present: Coniglio, DeAngelis, Medina, Monson, Morales, and Russell.*

#### B. Closed Session Report Out.

*Thomas A. Russell, General Counsel, announced that the Board considered the items on the Closed Session Agenda and stated that no reportable action was taken.*

#### C. Pledge of Allegiance.

*Commissioner Merrifield led the Pledge of Allegiance.*

#### D. Public Communications.

*The following members of the public addressed the Board with non agenda-related comments: Katheryn Rhodes; Matt Reynolds, CEO, Extreme Sailing San Diego; and Chris Glenn, San Diego Surf Company.*

#### E. Commissioners' Reports.

*Commissioner Malcolm reported on his recent trip to the International Council of Shopping Centers in Los Angeles. The event is for retailers, property owners, and developers that own shopping centers. Commissioner Malcolm explained that it was important for the Port of San Diego to be there as the Port now owns and operates Seaport Village. Commissioner Malcolm explained the highlight of the conference was a meeting with Dasher Lawless, a company which develops mechanized parking solutions that maximizes parking within limited spaces.*

**F. President's Report.**

*Randa Coniglio, President/CEO invited Philippe LeBlanc, Program Manager, Aquaculture and Blue Tech, to the podium. Mr. LeBlanc provided a brief overview of the new partnership agreement between the Port of San Diego and the Navy that supports blue tech innovation. Mr. LeBlanc then invited Jay Cavalieri of the Naval Undersea Warfare Center to the podium to discuss the Navy's local test facilities and the technology-related expertise they will provide.*

*Chairman Castellanos, and Commissioner Merrifield provided comments.*

**G. District Clerk's Announcements.**

*Donna Morales, District Clerk, reported, as required by the Brown Act and as directed by the Board of Port Commissioners, that on today's agenda is an item taking final action to amend the employment agreement for the General Counsel of the San Diego Unified Port District that will modify his terms, salary, and supplemental retirement plan. Additional information can be found in the agenda prepared for that item.*

*Ms. Morales announced that additional agenda-related material was received by the Board after the publication of the agenda for the following items: Item 8 - File No. 2018-0481; and Item 11 - File No. 2018-0442.*

*Ms. Morales also reported that staff requested to continue the following items: Consent Agenda Item 1 - File No. 2018-0510; Consent Agenda Item 2 - File No. 2018-0490; and Action Agenda Item 10 - File No. 2018-0484.*

**On a motion by Commissioner Malcolm, seconded by Commissioner Merrifield, the Board approved the requested docket changes. The motion carried by the following vote:**

**Yeas:** 7 - Bonelli, Castellanos, Malcolm, Merrifield, Moore, Valderrama, and Zucchet

**Nays:** 0

**Excused:** 0

**Absent:** 0

**Abstain:** 0

**Recused:** 0

## **APPROVAL OF MINUTES**

[2018-0487](#)

Approval of minutes for:

October 9, 2018 - CLOSED SESSION

October 9, 2018 - REGULAR BPC MEETING

**On a motion by Commissioner Zucchet, seconded by Commissioner Bonelli, the Board approved the minutes. The motion carried by the following vote:**

**Yeas:** 6 - Bonelli, Castellanos, Malcolm, Merrifield, Valderrama, and Zucchet

**Nays:** 0

**Excused:** 0

**Absent:** 0

**Abstain:** 1 - Moore

**Recused:** 0

## **CONSENT AGENDA**

*Chairman Castellanos announced that he is recusing himself and will not participate in Consent Item 9B.*

**On a motion by Commissioner Bonelli, seconded by Commissioner Merrifield, the Board adopted the balance of the Consent Agenda, thereby adopting: Resolution 2018-161; Resolution 2018-162; Resolution 2018-163; Resolution 2018-164; Resolution 2018-165; Resolution 2018-166; and Resoluiton 2018-167. The motion carried by the following vote:**

**Yeas:** 7 - Bonelli, Castellanos, Malcolm, Merrifield, Moore, Valderrama, and Zucchet

**Nays:** 0

**Excused:** 0

**Absent:** 0

**Abstain:** 0

**Recused:** 0

1. [2018-0510](#) RESOLUTION SELECTING AND AUTHORIZING AN AGREEMENT WITH EDCO DISPOSAL CORPORATION FOR WASTE TRANSFER STATION SERVICES FROM JULY 1, 2019 THROUGH JUNE 30, 2024, FOR AN AMOUNT NOT TO EXCEED \$500,000. 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.

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.

2.     [2018-0490](#)     RESOLUTION SELECTING AND AUTHORIZING AN AGREEMENT WITH CALIFORNIA TREE SERVICE, INC. FOR AS NEEDED TREE MAINTENANCE SERVICES FROM JULY 1, 2019 THROUGH JUNE 30, 2024, FOR AN AMOUNT NOT TO EXCEED \$1,000,000. 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

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.

3.     [2018-0385](#)     RESOLUTION SELECTING AND AUTHORIZING AN AGREEMENT WITH NATURESCAPE SERVICES, INC. FOR BROADWAY LANDING AND PASEO MAINTENANCE SERVICES FROM JULY 1, 2019 THROUGH JUNE 30, 2024, FOR AN AMOUNT NOT TO EXCEED \$1,524,000. 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 Bonelli, seconded by Commissioner Merrifield, the Board adopted Resolution 2018-161 as part of the Consent Agenda.

4.     [2018-0440](#)     RESOLUTION ACCEPTING THE FY18 PORT SECURITY GRANT PROGRAM (PSGP) AWARDS FOR A TOTAL AMOUNT OF \$936,985, REQUIRING A COST MATCH OF \$312,329, AND AUTHORIZING THE SAN DIEGO UNIFIED PORT DISTRICT (DISTRICT) TO ENTER INTO AWARD AGREEMENTS WITH THE U.S. DEPARTMENT OF HOMELAND SECURITY, FEDERAL EMERGENCY MANAGEMENT AGENCY (DHS/FEMA). 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 Bonelli, seconded by Commissioner Merrifield, the Board adopted Resolution 2018-162 as part of the Consent Agenda.

5.     [2018-0454](#)     RESOLUTION ESTABLISHING THE BOARD OF PORT COMMISSIONERS' REGULAR MEETING DATES FOR CALENDAR YEAR 2019

On a motion by Commissioner Bonelli, seconded by Commissioner Merrifield, the Board adopted Resolution 2018-163 as part of the Consent Agenda.

6. [2018-0471](#) RESOLUTION AUTHORIZING PURCHASE ORDERS WITH DELL TECHNOLOGIES INC. AND INSIGHT PUBLIC SECTOR INC. IN AN AGGREGATE AMOUNT NOT TO EXCEED \$1,400,000 FOR THE WORKSTATION REFRESH PROGRAM OVER THE NEXT FIVE YEARS, WITH A FIVE-YEAR TOTAL COST OF OWNERSHIP OF \$1,400,000. FY2019 EXPENDITURES ARE BUDGETED. FUNDS 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 Bonelli, seconded by Commissioner Merrifield, the Board adopted Resolution 2018-164 as part of the Consent Agenda.**

7. [2018-0474](#) RESOLUTION AUTHORIZING APPENDIX 13 TO BOARD-APPROVED SOFTWARE END-USER LICENSE AGREEMENT WITH SAP PUBLIC SERVICES INC. TO ADD SINGLE SIGN-ON IN AN AMOUNT NOT TO EXCEED \$35,377 WITH A FIVE-YEAR TOTAL COST OF OWNERSHIP OF \$65,406.25. 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.

**On a motion by Commissioner Bonelli, seconded by Commissioner Merrifield, the Board adopted Resolution 2018-165 as part of the Consent Agenda.**

8. [2018-0481](#) RESOLUTION APPROVING AMENDMENT TO THE EMPLOYMENT AGREEMENT FOR THE GENERAL COUNSEL

**On a motion by Commissioner Bonelli, seconded by Commissioner Merrifield, the Board adopted Resolution 2018-166 as part of the Consent Agenda.**

9. [2018-0482](#) A) RESOLUTION AUTHORIZING AMENDMENT NO.1 TO THE AS-NEEDED AGREEMENTS WITH TUCKER SADLER ARCHITECTS, INC. AND SILLMAN WRIGHT ARCHITECTS FOR ARCHITECTURAL AND ADA CODE COMPLIANCE REVIEW SERVICES, INCREASING THE AGGREGATE TOTAL BY \$250,000 FROM \$500,000 TO \$750,000 WITH NO INCREASE REQUIRED TO THE FY2019 BUDGET.

B) RESOLUTION AUTHORIZING AMENDMENT NO.1 TO INCREASE THE COMBINED BASE AMOUNT OF THE AS-NEEDED AGREEMENTS BY \$300,000 WITH KTU+A AND SCHMIDT DESIGN GROUP, INC. FOR LANDSCAPE ARCHITECTURE SERVICES, INCREASING THE AGGREGATE TOTAL AMOUNT BY \$300,000 FROM \$500,000 TO \$800,000 WITH NO INCREASE REQUIRED TO THE FY2019 BUDGET.

**On a motion by Commissioner Bonelli, seconded by Commissioner Merrifield, the Board adopted Item 9A Resolution 2018-167 as part of the consent agenda.**

*Chairman Castellanos recused himself and did not participate in Item 9B.*

**On a motion by Commissioner Valderrama, seconded by Commissioner Malcolm, the Board adopted Item 9B Resolution 2018-168. The motion carried by the following vote:**

**Yeas:** 6 - Bonelli, Malcolm, Merrifield, Moore, Valderrama, and Zucchet

**Nays:** 0

**Excused:** 0

**Absent:** 0

**Abstain:** 0

**Recused:** 1 - Castellanos

## **ACTION AGENDA**

**10.     [2018-0484](#)     PRESENTATION OF SERVICE AWARDS TO EMPLOYEES WITH 15 OR MORE YEARS OF SERVICE**

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

**This item was continued to a future Board meeting.**

**11.     [2018-0442](#)     PRESENTATION AND UPDATE ON THE REDEVELOPMENT OF THE CENTRAL EMBARCADERO, INCLUDING CHANGES TO THE PROPOSED DEVELOPMENT**

*Tony Gordon, Director, Real Estate, addressed the Board with staff's report and presentation regarding Action Agenda Item 11 - File No. 2018-0442 (A copy of the staff report, presentations and any agenda-related materials are on file with the Office of the District Clerk). Mr. Gordon then turned the presentation over to Lucy Contreras, Program Manager, Real Estate, to provide a refresher on the project site process. Ms. Contreras then turned the presentation over to Yehudi Gaffen, representative from 1HWY1, LLC, to present the proposed site changes. Mr. Gaffen then turned the presentation back to Ms. Contreras.*

*The following members of the public addressed the Board with agenda-related comments: Alex Rolek; Dwight Colton, Vice President of Operations, Fish Market Restaurant; Margaret Leinen, Vice Chancellor for Marine Science, University of California San Diego; Matthew Peterson, Peterson & Price, representing The Fish Market Restaurant; Katheryn Rhodes; Alexandra Berenter, Downtown San Diego Partnership; Richard Ledford, San Diego Symphony; Stefanie Benvenuto, San Diego Regional Chamber of Commerce; Candice Eley, San Diego Tourism Authority; Chris Glenn, San Diego Surf Company; Mac McLaughlin, CEO, USS Midway Museum; Derrin Hill, Responsibility Foundation; Rick Mueller, President, North America AEG Live; Peter Halmay, President, San Diego Working Fishermen's Group; Dr. Murtaza Baxamusa, San Diego Building Trades Family Housing Corp.; Tom Lemmon, San Diego Building Trades; Rick Bates, UNITE - HERE Local 30; John McNab; and Don Wood, San Diego Waterfront Coalition.*

*Commissioner Merrifield, Commissioner Moore, Commissioner Malcolm, Commissioner Bonelli, Commissioner Zucchet, Commissioner Valderrama, Commissioner Merrifield, Commissioner Moore, and Chairman Castellanos, provided comments and asked clarifying questions. Lesley Nishihira, Director, Planning, Shaun Sumner, Assistant Vice President, Real Estate Development, Randa Coniglio, President/CEO, and Lucy Contreras, responded on behalf of staff; Yehudi Gaffen, responded on behalf of 1HWY1, Rick Mueller responded on behalf of North America AEG Live.*

**12.     [2018-0483](#)     RESOLUTION ELECTING CHAIRPERSON, VICE CHAIRPERSON AND SECRETARY OF THE BOARD OF PORT COMMISSIONERS OF THE SAN DIEGO UNIFIED PORT DISTRICT FOR CALENDAR YEAR 2019**

*Commissioner Merrifield, Chairman Castellanos, and Commissioner Bonelli provided comments.*

**On a motion by Commissioner Merrifield, seconded by Commissioner Valderrama, the Board adopted Resolution 2018-169 electing Garry J. Bonelli as Chair; Ann Moore as Vice-Chair, and Michael Zucchet, as Secretary, for the 2019 term. The motion carried by the following vote:**

**Yeas:**   7 -   Bonelli, Castellanos, Malcolm, Merrifield, Moore, Valderrama, and Zucchet

**Nays:**   0

**Excused:** 0

**Absent:**  0

**Abstain:** 0

**Recused:** 0

**13.     [2018-0423](#)     REVIEW AND CONSIDERATION OF DRAFT PROPOSED BOARD AGENDA FOR THE DECEMBER 11, 2018 MEETING**

**On a motion by Commissioner Malcolm, seconded by Commissioner Valderrama, the Board adopted the proposed agenda for the December 11, 2018 meeting. The motion carried by the following vote:**

**Yeas:**   7 -   Bonelli, Castellanos, Malcolm, Merrifield, Moore, Valderrama, and Zucchet

**Nays:**   0

**Excused:** 0

**Absent:**  0

**Abstain:** 0

**Recused:** 0

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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*