



San Diego Unified Port District

3165 Pacific Hwy.
San Diego, CA 92101

Meeting Minutes

Board of Port Commissioners

Tuesday, December 11, 2018

1:00 PM

Don L. Nay Port Administration Boardroom

A. Roll Call.

Present: 5 - Commissioner Bonelli, Chairperson Castellanos, Commissioner Merrifield, Commissioner Valderrama, and Commissioner Zucchet

Excused: 2 - Commissioner Malcolm, and Commissioner Moore

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.

Mr. Russell also reported that at the October 9, 2018 meeting, the Board voted 4 - 0 to authorize a Petition for Review in the California Supreme Court for the San Diego Unified Port District vs. the California Coastal Commission case, California Court of Appeal 27 Cal.App.5th 1111 (2018). Mr. Russell stated that Chairman Castellanos recused himself and Commissioners Malcolm and Moore were excused. The petition has been filed with the California Supreme Court and the Port is awaiting the decision.

C. Pledge of Allegiance.

Commissioner Zucchet led the Pledge of Allegiance.

Chairman Castellanos announced that the meeting order has changed and the meeting will begin with the Public Hearing Agenda Item 13.

PUBLIC HEARING AGENDA

13. [2018-0519](#) BAYSIDE PERFORMANCE PARK ENHANCEMENT PROJECT AT EMBARCADERO MARINA PARK SOUTH:
- A) CONDUCT PUBLIC HEARING AND ADOPT RESOLUTION ADOPTING THE PORT MASTER PLAN AMENDMENT, AS CERTIFIED BY THE CALIFORNIA COASTAL COMMISSION, AND DIRECTING THE

FILING OF NOTICE OF SAID ADOPTION WITH THE CALIFORNIA COASTAL COMMISSION

B) ADOPT RESOLUTION GRANTING CONCEPT APPROVAL TO THE SAN DIEGO SYMPHONY ORCHESTRA ASSOCIATION FOR THE PROJECT, CONDITIONED ON SATISFACTION OF THE CALIFORNIA COASTAL COMMISSION'S ACCEPTANCE OF THE District's ADOPTION OF THE PORT MASTER PLAN AMENDMENT, AS CERTIFIED BY THE CALIFORNIA COASTAL COMMISSION, AND APPROVAL AND EXECUTION OF A LEASE BETWEEN THE DISTRICT AND THE SAN DIEGO SYMPHONY ORCHESTRA ASSOCIATION

C) ADOPT RESOLUTION AUTHORIZING ISSUANCE OF A NON-APPEALABLE COASTAL DEVELOPMENT PERMIT TO THE SAN DIEGO SYMPHONY ORCHESTRA ASSOCIATION FOR THE PROJECT, CONDITIONED ON SATISFACTION OF THE CALIFORNIA COASTAL COMMISSION'S ACCEPTANCE OF THE District's ADOPTION OF THE PORT MASTER PLAN AMENDMENT, AS CERTIFIED BY THE CALIFORNIA COASTAL COMMISSION, AND APPROVAL AND EXECUTION OF A LEASE BETWEEN THE DISTRICT AND THE SAN DIEGO SYMPHONY ORCHESTRA ASSOCIATION

Wileen Manaois, Director, Development Services, addressed the Board with staff's report and presentation regarding Public Hearing Agenda Item 13 - File No. 2018-0519 (A copy of the staff report, presentations and any agenda-related materials are on file with the Office of the District Clerk). Ms. Manaois then turned the presentation over to Joseph Smith, Manager, Development Services, to provide an overview of the project, programming highlights, the Port Master Plan Amendment elements, Coastal Development Permit conditions, and next steps for construction.

The following member(s) of the public addressed the Board with agenda-related comments: Martha Gilmer, President/CEO, San Diego Symphony.

Commissioner Merrifield, Commissioner Zucchet, and Chairman Castellanos provided comments.

Chairman Castellanos opened the Public Hearing for Item A: No public came forward to speak.

On a motion by Commissioner Merrifield, seconded by Commissioner Zucchet the Board adopted Item A: Resolution 2018-178. The motion carried by the following vote:

Yeas: 5 - Bonelli, Castellanos, Merrifield, Valderrama, and Zucchet

Nays: 0

Excused: 2 - Malcolm, and Moore

Absent: 0

Abstain: 0

Recused: 0

On a motion by Commissioner Merrifield, seconded by Commissioner Bonelli the Board adopted Item B: Resolution 2018-179. The motion carried by the following vote:

Yeas: 5 - Bonelli, Castellanos, Merrifield, Valderrama, and Zucchet

Nays: 0

Excused: 2 - Malcolm, and Moore

Absent: 0

Abstain: 0

Recused: 0

On a motion by Commissioner Merrifield, seconded by Commissioner Bonelli the Board adopted Item C: Resolution 2018-180. The motion carried by the following vote:

Yeas: 5 - Bonelli, Castellanos, Merrifield, Valderrama, and Zucchet

Nays: 0

Excused: 2 - Malcolm, and Moore

Absent: 0

Abstain: 0

Recused: 0

Commissioner Zucchet left the dais at 1:40 pm for the remainder of the Board meeting.

D. Public Communications.

The following member(s) of the public addressed the Board with non agenda-related comments: Carole Noska, Owner, Sail JADA Charters; John Valente, Owner/Captain, San Diego Bay Cruises; Daniel Kuperschmid, General Manager, Grand Hyatt San Diego; Maggie Young, Associate Director, San Diego Fleet Week Foundation; Dr. Jonathan Freeman, Safe Walkways; Janet Rogers, Safe Walkways; and Cory Briggs, San Diego Waterfront Coalition.

Chief Mark Stainbrook responded to public comment regarding illegal charters.

E. Commissioners' Reports.

Commissioner Merrifield reported on the California Coastal Committee Hearing in San Francisco relating to the Port Master Plan Amendment for the San Diego Symphony Bayside Performance Park. The Coastal Commission was supportive of the amendment and the project.

Commissioner Merrifield then reported on his tour of the San Diego Gas & Electric Vanadium Redox Flow Battery Energy Storage Facility in Bonita. This battery storage

project is connected to the grid and can be used to preserve solar power. The batteries have the ability to recharge while they discharge, and have a two mega-watt capacity which can power approximately 10,000 homes. The Port is considering this technology for the Tenth Avenue Marine Terminal Solar Microgrid project.

Commissioner Valderrama reported on the Accessibility Advisory Committee and how they are working with RIDA Developer regarding the Gaylord Chula Vista Resort to include accessibility through universal design at the resort. A member of the Accessibility Committee and Port staff traveled to the Gaylord property in Texas to experience a property first-hand and will use this information to provide report on areas for improvement for design in Chula Vista.

F. President's Report.

Randa Coniglio, President/CEO invited Chief Mark Stainbrook, Harbor Police, to the podium. Chief Stainbrook provided report on the Harbor Police-US State Department's trip to the Philippines to provide an underwater crime scene investigation course. This is the second mission to the Philippines.

Ms. Coniglio, in honor of Veteran's Day, recognized and thanked Port staff who have served our country in uniform, as well as staff who are currently serving and will be away from home during the holiday season.

Ms. Coniglio then shared that the Port's Marketing & Communications Department received eight prestigious international awards for professional marketing, communications and public outreach campaigns, including the Port's redesigned website and new overall brand. The Port received seven of the awards from the MarCom Awards and one from the WebAward Competition. Ms. Coniglio congratulated the entire Marketing & Communications team.

G. District Clerk's Announcements.

Donna Morales, District Clerk, announced for the record that the vote on Item 13 was unanimous with yes votes by Commissioners Bonelli, Castellanos, Merrifield, Valderrama, and Zucchet; with Commissioners Malcolm and Moore excused.

Ms. Morales offered that additional agenda-related materials were received after the publication of the agenda and copies are available at the Clerk's Station for: Consent Agenda Item 7 - File No. 2018-0492, and Action Agenda Item 17 - File No. 2018-0552.

Additionally, Ms. Morales reported that staff requested the following docket changes: staff requests to continue Consent Agenda Item 3 - File No. 2018-0545; Consent Agenda Item 4 - File No. 2018-0441; Consent Agenda Item 5 - File No. 2018-0533; Action Agenda Item 12 - File No. 2018-0509; Public Hearing Agenda Item 14 - File No. 2018-0534; and Action Agenda Item 15 - File No. 2018-0516 to a future Board meeting.

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

Yeas: 4 - Bonelli, Castellanos, Merrifield, and Valderrama

Nays: 0

Excused: 3 - Malcolm, Moore, and Zucchet

Absent: 0

Abstain: 0

Recused: 0

APPROVAL OF MINUTES

[2018-0520](#)

Approval of minutes for:

November 1, 2018 - SPECIAL MEETING PMPU WORKSHOP

November 6, 2018 - CLOSED SESSION

November 6, 2018 - REGULAR BPC MEETING

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

Yeas: 4 - Bonelli, Castellanos, Merrifield, and Valderrama

Nays: 0

Excused: 3 - Malcolm, Moore, and Zucchet

Absent: 0

Abstain: 0

Recused: 0

CONSENT AGENDA

On a motion by Commissioner Bonelli, seconded by Commissioner Merrifield, the Board adopted the Consent Agenda as follows: Ordinance 2932; Resolution 2018-170; Resolution 2018-171; Resolution 2018-172; Resolution 2018-173; Resolution 2018-174; Resolution 2018-175; Resolution 2018-176; and Resolution 2018-177. The motion carried by the following vote:

Yeas: 4 - Bonelli, Castellanos, Merrifield, and Valderrama

Nays: 0

Excused: 3 - Malcolm, Moore, and Zucchet

Absent: 0

Abstain: 0

Recused: 0

1. [2017-0651](#) ORDINANCE AMENDING DISTRICT CODE 4.09 OF THE SAN DIEGO UNIFIED PORT DISTRICT CODE - REGULATION OF VESSELS - G STREET MOLE MOORING TO IMPLEMENT COMMERCIAL FISHING INDUSTRY BEST PRACTICES INCLUDING: VERIFICATION OF FISH LANDING RECEIPTS; MARINE INSURANCE LIABILITY REQUIREMENTS FOR NEW PERMITEES AND INTRANSIT COMMERCIAL FISHERMEN;

U.S. COAST GUARD SAFETY VESSEL INSPECTIONS; APPLICANT CREDIT CHECKS; REGULATION OF OVERNIGHT COMMERCIAL FISHING ACTIVITIES OR PREPARATIONS, AND UPDATE/CLARIFICATION OF EXISTING CODE LANGUAGE

On a motion by Commissioner Bonelli, seconded by Commissioner Merrifield, the Board adopted Ordinance 2932 as part of the consent agenda.

2. [2018-0412](#) RESOLUTION SELECTING AND AUTHORIZING AN AGREEMENT WITH AZTEC LANDSCAPING, INC. FOR AS-NEEDED PRESSURE WASHING SERVICES EFFECTIVE JULY 1, 2019 THROUGH JUNE 30, 2024, FOR AN AMOUNT NOT TO EXCEED \$441,000. 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 2018-170 as part of the consent agenda.

3. [2018-0545](#) RESOLUTION AUTHORIZING AN AGREEMENT WITH MARINE GROUP BOAT WORKS LLC., REPOWERING HARBOR POLICE DEPARTMENT MARINE VESSELS #2 AND #5, AND PURCHASING A SPARE VESSEL ENGINE AND TRANSMISSION PACKAGE UNIT FOR A TOTAL AMOUNT NOT TO EXCEED \$397,117 FUNDS FOR FISCAL YEAR 2018 HAS BEEN BUDGETED. ALL FUNDS REQUIRED FOR FUTURE FISCAL YEAR 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.

4. [2018-0441](#) RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AWARDED CONTRACT NO. 2018-04 TO R. E. STAITE ENGINEERING, INC. IN THE AMOUNT OF \$3,219,360.00 FOR THE FENDER SYSTEM UPGRADE AT NORTH BERTH OF B STREET PIER PROJECT AS AUTHORIZED BY THE BOARD IN THE FY2018/19 MAJOR MAINTENANCE BUDGET

This item was continued to a future Board meeting.

5. [2018-0533](#) ORDINANCE APPROVING A 66-YEAR LEASE BETWEEN THE DISTRICT AND [] FOR A 246-STALL RECREATIONAL VEHICLE (RV) PARK LOCATED IN THE CITY OF CHULA VISTA
- The Board will consider staff's request to continue item to a future Board meeting.
- This item was continued to a future Board meeting.**
6. [2018-0486](#) RESOLUTION AUTHORIZING ISSUANCE OF A NON-APPEALABLE COASTAL DEVELOPMENT PERMIT FOR THE CHULA VISTA BAYFRONT SWEETWATER PEDESTRIAN/BIKE PATHWAY PROJECT
- On a motion by Commissioner Bonelli, seconded by Commissioner Merrifield, the Board adopted Resolution 2018-171 as part of the consent agenda.**
7. [2018-0492](#) A) RESOLUTION AUTHORIZING THE SAN DIEGO UNIFIED PORT DISTRICT TO ACCEPT AN EASEMENT FROM AND GRANT INDEMNITY TO THE SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY OF THE CITY OF CHULA VISTA FOR THE IMPLEMENTATION OF THE SWEETWATER BICYCLE PATH AND PROMENADE PROJECT LOCATED IN THE CITY OF CHULA VISTA
- B) RESOLUTION AUTHORIZING THE SAN DIEGO UNIFIED PORT DISTRICT TO ACCEPT AN EASEMENT FROM AND GRANT INDEMNITY TO UTC AEROSPACE SYSTEMS, INC., SUBJECT TO REASONABLE INDEMNITY PROVISIONS AND EXCLUDING PRE-EXISTING CONDITIONS OF THE EASEMENT AREA, AS APPROVED BY THE GENERAL COUNSEL, FOR THE IMPLEMENTATION OF THE SWEETWATER BICYCLE PATH AND PROMENADE PROJECT LOCATED IN THE CITY OF CHULA VISTA
- C) RESOLUTION AUTHORIZING THE SAN DIEGO UNIFIED PORT DISTRICT TO ENTER INTO A CONSENT FOR THE USE OF LAND AGREEMENT and grant indemnity to SAN DIEGO GAS & ELECTRIC COMPANY FOR THE IMPLEMENTATION OF THE SWEETWATER BICYCLE PATH AND PROMENADE PROJECT LOCATED IN THE CITY OF CHULA VISTA
- On a motion by Commissioner Bonelli, seconded by Commissioner Merrifield, the Board adopted Resolution 2018-172, Resolution 2018-173, and Resolution 2018-174 as part of the consent agenda.**
8. [2018-0507](#) RESOLUTION APPROVING THE TRANSFER OF FUNDS WITHIN THE FY2019-2023 CAPITAL IMPROVEMENT PROGRAM BUDGET APPROPRIATION FROM CIP RESERVE AND CONTINGENCY TO CIP CAPITAL LABOR IN THE AMOUNT OF \$1,500,000 PURSUANT TO BPC POLICIES NO. 90 AND NO. 120

On a motion by Commissioner Bonelli, seconded by Commissioner Merrifield, the Board adopted Resolution 2018-175 as part of the consent agenda.

9. [2018-0512](#) RESOLUTION AUTHORIZING AMENDMENT NO. 1 TO AGREEMENT TO JOINTLY DELIVER THE ENERGY EFFICIENCY PARTNERSHIP PROGRAM BETWEEN THE SAN DIEGO UNIFIED PORT DISTRICT AND SAN DIEGO GAS & ELECTRIC COMPANY, AMENDING NONDISCLOSURE PROVISIONS

Commissioner Bonelli asked a clarifying question, Jason Giffen, Assistant Vice President, Planning & Green Port, responded on behalf of staff.

On a motion by Commissioner Bonelli, seconded by Commissioner Merrifield, the Board adopted Resolution 2018-176 as part of the consent agenda.

10. [2018-0549](#) RESOLUTION GRANTING INDEMNITY AND AUTHORIZING AN AGREEMENT WITH FLEETCOR TECHNOLOGIES OPERATING COMPANY, LLC dba FUELMAN FOR OFFSITE FUELING OF HARBOR POLICE DEPARTMENT AND DISTRICT VEHICLES EFFECTIVE DECEMBER 12, 2018 THROUGH DECEMBER 11, 2020, FOR AN AMOUNT NOT TO EXCEED \$350,000. 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 2018-177 as part of the consent agenda.

ACTION AGENDA

11. [2018-0498](#) PRESENTATION AND ACCEPTANCE OF THE SAN DIEGO OCEAN PLANNING PARTNERSHIP PRELIMINARY ASSESSMENT REPORT

Jason Giffen, Assistant Vice President, Planning & Green Port, addressed the Board with staff's report and presentation regarding Action Agenda Item 11 - File No. 2018-0498 (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 Maren Farnum, California State Lands Commission, to review the public trust use areas and the public engagement approach. Ms. Farnum then turned the presentation to Lily Tsukayama, Assistant Planner, Environmental Conservation, to review the data collection methods, a recap of the 2018 efforts to develop the report, and the elements of the Preliminary Assessment Report. Ms. Tsukayama then turned the presentation to Lesley Nishihira, Director, Planning, to discuss next steps for the partnership. Ms. Nishihira then turned the presentation back to Ms. Farnum to summarize the comments received from the California State Lands Commissioners just prior to their acceptance of the Preliminary Report. Ms. Farnum turned presentation to Ms. Nishihira to extend appreciation to all stakeholders and members of the public for their participation and contribution to the Preliminary Report.

The following member(s) of the public addressed the Board with agenda-related comments: Peter Halmay, San Diego Fishermen's Working Group.

Commissioner Bonelli, and Chairman Castellanos provided comments and asked

clarifying questions. Maren Farnum, California State Lands Commission responded.

On a motion by Commissioner Bonelli, seconded by Commissioner Merrifield, the Board accepted the San Diego Ocean Planning Partnership Preliminary Assessment Report. The motion carried by the following vote:

Yeas: 4 - Bonelli, Castellanos, Merrifield, and Valderrama

Nays: 0

Excused: 3 - Malcolm, Moore, and Zucchet

Absent: 0

Abstain: 0

Recused: 0

12. [2018-0509](#) PRESENTATION AND UPDATE ON THE NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION, NATIONAL CENTERS FOR COASTAL OCEAN SCIENCE'S EXCLUSION AND OPPORTUNITIES ANALYSIS FOR AQUACULTURE IN AND AROUND SAN DIEGO BAY

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.

Meeting went into short recess and reconvened at approximately 2:40 pm.

PUBLIC HEARING AGENDA

14. [2018-0534](#) RIDA CHULA VISTA, LLC RESORT HOTEL AND CONVENTION CENTER AT CHULA VISTA BAYFRONT:
- A) RESOLUTION GRANTING CONCEPT APPROVAL TO RIDA CHULA VISTA, LLC FOR A RESORT HOTEL AND CONVENTION CENTER
B) CONDUCT PUBLIC HEARING AND ADOPT RESOLUTION AUTHORIZING ISSUANCE OF AN APPEALABLE COASTAL DEVELOPMENT PERMIT FOR A RESORT HOTEL AND CONVENTION CENTER

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

This item was continued to a future Board meeting.

ACTION AGENDA (continued)

15. [2018-0516](#) PRESENTATION AND UPDATE ON THE REDEVELOPMENT OF THE 7-ACRE ELBOW PARCEL ON EAST HARBOR ISLAND, WHICH MAY INCLUDE DIRECTION TO STAFF AS FOLLOWS:
- A) PROVIDE FEEDBACK TO STAFF ON THE REDEVELOPMENT PROPOSED BY SUNROAD HIE HOTEL PARTNERS, L.P. (SUNROAD) FOR THE 7-ACRE ELBOW PARCEL (SITE) ON EAST HARBOR ISLAND AND RESOLUTION DIRECTING STAFF TO NEGOTIATE AN AMENDMENT TO THE EXCLUSIVE NEGOTIATING AGREEMENT BETWEEN THE DISTRICT AND SUNROAD (SUNROAD ENA) THAT REQUIRES SUNROAD TO SUBMIT IN 90 DAYS A REVISED SECOND SUBMITTAL PURSUANT TO SECTION 5(b) OF THE SUNROAD ENA WITH THE FOLLOWING CHANGES:
- I. DELETION OF THE REQUIREMENT IN SECTION 5(b)(i)(5) THAT THE PROPOSED DEVELOPMENT BE IN CONFORMANCE WITH THE SUNROAD HARBOR ISLAND HOTEL PROJECT & EAST HARBOR ISLAND SUBAREA PMPA REVISED FINAL ENVIRONMENTAL IMPACT REPORT, THE MITIGATION MONITORING AND REPORTING PROGRAM, AND FINDINGS OF FACT AND STATEMENT OF OVERRIDING CONSIDERATIONS ADOPTED BY THE BOARD OF PORT COMMISSIONERS (BOARD) ON MARCH 4, 2014 (COLLECTIVELY, 2013 EIR); AND
- II. ADDITION OF THE FOLLOWING CRITERIA IN SECTION 5(b):
- a) PROPOSED DEVELOPMENT WILL BE A HOTEL DEVELOPMENT WITH 450 TO 500 ROOMS BUILT IN ONE PHASE;
- b) PROPOSED DEVELOPMENT HAS ONE OR TWO HOTEL BUILDINGS THAT CONTRAST EACH OTHER IN SCALE AND MASSING;
- c) INTEGRATE PARKING FOR THE PROPOSED DEVELOPMENT INTO THE SITE INTERIOR BY MINIMIZING ITS VISIBILITY FROM HARBOR ISLAND DRIVE;
- d) PROPOSED DEVELOPMENT INCORPORATES TEMPORARY AND PERMANENT MINI DESTINATION AREAS THROUGHOUT THE SITE THAT DRAWS THE PUBLIC TO AND THROUGH THE SITE BY CREATING ACTIVATING USES, INCLUDING ON THE GROUND LEVEL;
- e) THE OPERATOR FOR THE HOTEL COMPONENT FOR THE PROPOSED DEVELOPMENT WILL BE AN UPSCALE HOTEL BRAND SIMILAR IN QUALITY AND AMENITIES TO AC HOTELS BY MARRIOTT, ELEMENT, ALOFT, HYATT PLACE, HYATT HOUSE, HILTON HOTELS & RESORTS, CURIO - A COLLECTION BY HILTON, TAPESTRY

COLLECTION BY HILTON, OR SWISSOTEL; AND
f) THE PROPOSED DEVELOPMENT INCORPORATES ANY OTHER
CRITERIA RECEIVED FROM THE BOARD AS PART OF FEEDBACK.

This item was continued to a future Board meeting.

16. [2018-0495](#) PRESENTATION AND UPDATE ON THE ENTITLEMENT PROCESS
FOR A WETLAND MITIGATION BANK AT POND 20, SOUTH SAN
DIEGO BAY

On a motion by Commissioner Bonelli, seconded by Commissioner Merrifield, the
Board continued this item to a future Board meeting. The motion carried by the
following vote:

Yeas: 4 - Bonelli, Castellanos, Merrifield, and Valderrama

Nays: 0

Excused: 3 - Malcolm, Moore, and Zucchet

Absent: 0

Abstain: 0

Recused: 0

17. [2018-0552](#) PRESENTATION ON THE ECONOMIC CONSIDERATIONS RELATED
TO TIDELANDS REAL ESTATE DEVELOPMENT AND CAUSES AND
IMPACTS OF PROJECT DELAYS

Shaun Sumner, Assistant Vice President, Real Estate Development, addressed the Board with staff's report and presentation regarding Action Agenda Item 17 - File No. 2018-0552 (A copy of the staff report, presentations and any agenda-related materials are on file with the Office of the District Clerk). Mr. Sumner then turned the presentation over to Anthony Gordon, Director, Real Estate to discuss the lifecycle of a typical development project for the Port District, and primary risk categories. Mr. Gordon then turned the presentation over to Stephen Shafer, Program Manager, Government & Civic Relations, to discuss impacts of risks on development projects, and potential risk mitigation approaches.

The following member(s) of the public addressed the Board with agenda-related comments: Carol Kim, Business Representative, San Diego Building & Construction Trades Council; Gretchen Newsom, Organizer/Political Director, IBEW 569; Dr. Murtaza Baxamusa, Director of Planning & Development, San Diego Building Trades Family Housing Corp.; and Tom Lemmon, San Diego Building Trades.

Commissioner Merrifield, Commissioner Valderrama, Commissioner Bonelli, and Chairman Castellanos provided comments and asked clarifying questions. Shaun Sumner, Anthony Gordon, Randa Coniglio, President/CEO, and Thomas A. Russell, General Counsel, responded on behalf of staff.

18. [2018-0514](#) REVIEW AND CONSIDERATION OF DRAFT PROPOSED BOARD AGENDA FOR THE JANUARY 16, 2019 MEETING

On a motion by Commissioner Valderrama, seconded by Commissioner Bonelli, the Board adopted the proposed agenda for January, 2019. The motion passed by the following vote:

Yeas: 4 - Bonelli, Castellanos, Merrifield, and Valderrama

Nays: 0

Excused: 3 - Malcolm, Moore, and Zucchet

Absent: 0

Abstain: 0

Recused: 0

OFFICER'S REPORT

19. [2018-0540](#) OFFICER'S REPORT

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

A) Change Order No. 4 to Contract No. 2012-06 with R.E. Staite Engineering, Inc. / \$224,383.16 Increase

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 Dole Fresh Fruit Company for Dole Lease Amendment No. 1, for total amount \$3,208.00

B) Request for User Fee Waiver Form from City of Coronado for Rehabilitation of an Existing Sewer Pump Station, for total amount \$11,270.00

C) Request for User Fee Waiver Form from City of Imperial Beach for City of Imperial Beach - Tideland Use and Occupancy Permit (TUOP) for the Palm Parking Lot, for total amount \$1,358.00

D) Request for User Fee Waiver Form from Sunken Seaweed, LLC for Sunken Seaweed Pilot Project, for total amount \$1,308.00

E) Request for User Fee Waiver Form from Old Town Trolley Tours of San Diego, Inc. for Lease Amendment No. 1, for total amount \$3,000.00

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 Eichenlaub Marine, Inc. dba Eichenlaub Marine for Rental Period Beginning 11/01/18 thru 10/31/28

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. 1 to Lease (#62637) with Old Town Trolley Tours of San Diego, Inc. / Amends Paragraph 3(c) to Add Percentage Rent Categories
- B) Amendment No. 1 to Letter Agreement to Lease (#67140) with San Diego Mooring Company / Adds Construction Work Regarding the Shelter Island Boat Launch Ramp Project

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

ATTEST:

Clerk of the San Diego Unified Port District