



San Diego Unified Port District

3165 Pacific Hwy.
San Diego, CA 92101

Meeting Minutes

Board of Port Commissioners

Tuesday, January 19, 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 Chairperson Zucchet

Excused: 0

Absent: 0

Officers Present: Coniglio, DeAngelis, Medina, Morales, and Russell

Chairman Zucchet began the meeting by acknowledging the break from tradition as the Port will not be holding the January swearing in event for 2021. Chairman Zucchet added that the Port hopes to be able to hold an in-person event this summer, with an update on the "State of the Port" at that time.

Chairman Zucchet also welcomed the new Port Commissioners: Sandy Naranjo, who was appointed by the City of National City; and Jennifer LeSar, who was appointed by the City of San Diego. Chairman Zucchet also congratulated Commissioner Castellanos on his re-appointment by the City of San Diego.

Chairman Zucchet then turned the floor to former Port Chair Moore to speak about the accomplishments of 2020. Commissioner Moore shared highlights and significant events from 2020, thanked staff, Port tenants, and her fellow Commissioners for all their hard work this past year. She welcomed the new Commissioners Sandy Naranjo and Jennifer LaSar to the Board, and congratulated Commissioner Castellanos on his reappointment. Commissioner Moore bid farewell to Commissioners Valderrama and Merrifield and thanked them both for their incredible service over the years. She then announced Jason Giffen, Vice President, Planning, Environment and Government Relations, as the recipient of the 2020 Chairman's Cup Award.

Chairman Zucchet thanked Commissioner Moore for her leadership during 2020.

Chairman Zucchet then spoke about the look ahead for 2021; he outlined the priorities, the areas of focus, and initiatives for the Port for the upcoming year.

SPECIAL ORDER OF THE DAY

1. [2021-0006](#) RESOLUTION AUTHORIZING PROCLAMATION AND APPOINTING ROBERT "DUKIE" VALDERRAMA AS COMMISSIONER EMERITUS EFFECTIVE JANUARY 3, 2021

Commissioner Malcolm, Commissioner Naranjo, Commissioner Bonelli, Chairman Zucchet, and Commissioner Castellanos thanked Commissioner Valderrama as the "Dean of the Port" for his many years of generous and selfless service. He has been a role model, as well as opened the door for so many. He will be greatly missed.

Commissioner Emeritus Valderrama thanked everyone for their words. He has enjoyed all 16 years of serving on the Board of Port Commissioners. He wanted to specifically thank Commissioner Services staff, Margret Hernandez, Julie Waterman, Ellinore Giacinto, and Donna Morales (as well as so many others in Commissioner Services over the years) for all that they do to keep the Commissioners organized. Commissioner Valderrama then spoke to the Board, when making decisions--all he asks--make sure it's a win for the Port, a win for the tenants, and especially a win for the community.

¡Adiós mis amigos!

On a motion by Commissioner Castellanos, seconded by Commissioner Malcolm, the Board adopted Resolution 2021-001 Authorizing Proclamation and Appointing Robert "Dukie" Valderrama as Commissioner Emeritus Effective January 3, 2021. 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

2. [2021-0007](#) RESOLUTION AUTHORIZING PROCLAMATION AND APPOINTING MARSHALL MERRIFIELD AS COMMISSIONER EMERITUS EFFECTIVE JANUARY 3, 2021

Commissioner Bonelli, Chairman Zucchet, Commissioner LeSar, Commissioner Castellanos, Commissioner Malcolm, and Commissioner Moore, thanked Commissioner Merrifield for his enthusiasm, and passion for issues on behalf of the Port. The Commissioners also thanked him for his mentorship and friendship, and expressed their appreciation for his pragmatism, business acumen, and impressive ability for out-of-the-box thinking.

Commissioner Emeritus Merrifield echoed Commissioner Valderrama's thanks to Port staff and Commissioner Services for their work. Commissioner Merrifield also thanked Commissioner Valderrama for being a wonderful teacher. He thanked everyone for their kind words, and stated it has been an honor serving the Port, and working together to build the economic engine around the San Diego bay in an environmentally responsible

way. He can't wait to see how the electric vehicle initiative and Tenth Avenue Marine Terminal Microgrid project work out. "Entrepreneur and public servant signing off".

On a motion by Commissioner Castellanos, seconded by Commissioner Malcolm, the Board adopted Resolution 2021-002. 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

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. Public Communications.

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

D. Board Committee Reports.

No Board committee reports were provided.

E. Commissioners' Reports.

No Commissioner reports were provided.

F. President's Report.

Randa Coniglio, President/CEO, announced that she has a couple of employee recognitions today.

Ms. Coniglio shared that the first employee being recognized today is retiring after 30 years with the Port. She then invited Chief Mark Stainbrook to recognize Kathy Fischer, Assistant to Vice President (also known as The Chief's Assistant) for her 30 years of serving with an extreme attention to duty, unquestioned loyalty, effervescent personality, and eternally positive attitude. Chief Stainbrook presented Ms. Fischer with the San Diego Harbor Police Distinguished Service Medal. Ms. Fischer expressed her gratitude and stated that it was such an honor being a part of the Harbor Police department.

Ms. Coniglio then recognized Ignacio "Nacho" Sobers for his 28 years of service. Nacho was the "go to person" for all things at the Administration Building for employees, he was also the main point of contact for all contractors that came to do work at the building, and he always greeted everyone with a smile. Ms. Coniglio then invited Marco Cromartie, Director, General Services, to say a few words. Mr. Cromartie thanked Nacho for being the "behind the scenes" person that made magic happen, and added that Nacho will be

sorely missed. Nacho spoke and thanked everyone, and added that he was extremely blessed, he is grateful that God provided him the job at the Port of San Diego so he could provide for his family and be a more successful human being.

Ms. Coniglio then provided an update regarding COVID-19. Ms. Coniglio explained that the Port continues to closely monitor the COVID situation and its impacts on the Port and the region. The Port's Executive Leadership Group continues to meet twice a week for regular updates and to provide direction on COVID-related matters. Additionally, in response to the Governor's latest stay at home order in December, the Port resumed the Emergency Operations Center as a proactive measure. The Emergency Operations Center is made up of a cross-departmental team who prepare for emergency operations and business continuity as necessary. Since the start of the pandemic, the Port has had 51 employees across the Port who have tested positive for COVID. Ms. Coniglio added that she was pleased to report that to date, most have made a full recovery, and she wishes all the best to everyone who is still recovering. The County Office of Public Health has put protocols in place regarding the distribution of the COVID vaccine, starting with health care workers and first responders. Thirty four of the Port's Harbor Police Officers have been able to receive the vaccine so far, with more to follow. Additionally, this week the Port will begin surveying the rest of the workforce for their interest in receiving the vaccine. The Port wants to ensure that when the opportunity is made available, all our Port staff who desire to do so, will be able to get vaccinated.

G. District Clerk's Announcements.

Donna Morales, District Clerk, announced that as required by the Brown Act and directed by the Board of Port Commissioners, she is reporting that on today's agenda is an item taking final action to approve the employment agreement for the President/CEO of the San Diego Unified Port District. Additional information can be found in the agenda prepared for that item.

Ms. Morales then added that additional agenda-related materials were received for the following items: Special Order of the Day Item 1 - File No. 2021-0006; and Action Item 13 - File 2020-0355.

Additionally, the Board will consider staff's request to continue the following items to a future Board meeting: Consent Agenda Item 5 - File No. 2021-0005.

On a motion by Commissioner Bonelli, seconded by Commissioner Malcolm, the Board approved 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

[2021-0030](#) Approval of minutes for:

December 1, 2020 - CLOSED SESSION
December 7, 2020 - PMPU WORKSHOP
December 8, 2020 - CLOSED SESSION
December 8, 2020 - BPC MEETING
December 10, 2020 - CLOSED SESSION
December 14, 2020 - CLOSED SESSION
December 18, 2020 - CLOSED SESSION
December 28, 2020 - CLOSED SESSION
December 28, 2020 - SPECIAL BPC MEETING

On a motion by Commissioner Bonelli, seconded by Commissioner Castellanos, the Board approved the nine sets of 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

CONSENT AGENDA

On a motion by Commissioner Castellanos, seconded by Commissioner Bonelli, the Board adopted Ordinance 2989, Resolution 2021-003, Resolution 2021-004, Resolution 2021-005, Resolution 2021-006, Resolution 2021-007, and Resolution 2021-008.

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

Nays: 0

Excused: 0

Absent: 0

Abstain: 0

Recused: 0

3. [2020-0269](#) A) ORDINANCE AMENDING THE FISCAL YEAR 2021 BUDGET INCREASING THE EQUIPMENT OUTLAY AND OTHER CAPITAL PROJECTS APPROPRIATION BY \$1,250,000 FOR AN INCREASE TO THE U.S. COAST GUARD PHASE II TENANT IMPROVEMENTS PROJECT TO BE FUNDED FROM THE OPERATING RESERVES. UPON COMPLETION OF THE PROJECT, OPERATING RESERVES WILL BE REPLENISHED FROM THE COAST GUARD/GENERAL SERVICES ADMINISTRATION (GSA) REIMBURSEMENT OF \$844,308
- B) RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AWARDED CONTRACT NO. 2019-38 TO SOLTEK PACIFIC CONSTRUCTION IN THE AMOUNT OF \$2,889,091 FOR THE U.S COAST GUARD PHASE II TENANT IMPROVEMENTS PROJECT AS AUTHORIZED BY THE BOARD IN THE FY2021 EQUIPMENT OUTLAY AND OTHER CAPITAL PROJECTS BUDGET

The following member(s) of the public addressed the Board with agenda-related comments: Captain Eric Cooper, U.S. Coast Guard.

On a motion by Commissioner Castellanos, seconded by Commissioner Bonelli, the Board adopted Ordinance 2989 and Resolution No. 2021-003 as part of the Consent Agenda.

4. [2020-0282](#) RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AWARDED CONTRACT NO. 2020-04 TO SIERRA PACIFIC WEST, INC. IN THE AMOUNT OF \$886,616.33 FOR THE SITE H-23 PHASE 2 GRADING PROJECT, A COMPONENT OF THE SOUTH CAMPUS PAVEMENT AND DEMOLITION PROJECT IN THE CHULA VISTA BAYFRONT, AS AUTHORIZED BY THE BOARD IN THE FY 2019-2023 CAPITAL IMPROVEMENT PROGRAM, CONDITIONED ON FUTURE EXECUTION OF AN EASEMENT AGREEMENT WITH PACIFICA COMPANIES

On a motion by Commissioner Castellanos, seconded by Commissioner Bonelli, the Board adopted Resolution 2021-004 as part of the Consent Agenda.

5. [2021-0005](#) SHELTER ISLAND YACHTWAYS, LTD., DBA SHELTER ISLAND BOATYARD LOCATED AT 2330 AND 2390 SHELTER ISLAND DRIVE, SAN DIEGO:
- A) RESOLUTION CONSENTING TO THE ASSIGNMENT AND ASSUMPTION OF THE LEASEHOLD INTEREST FROM SHELTER ISLAND YACHTWAYS, LTD. DBA SHELTER ISLAND BOATYARD TO SHM SHELTER ISLAND, LLC.
- B) ORDINANCE GRANTING AN AMENDED AND RESTATED LEASE TO SHM SHELTER ISLAND LLC., TO UPDATE TO CURRENT LEASE TERMS.

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. [2020-0405](#) RESOLUTION AUTHORIZING AGREEMENT AND PURCHASE ORDER WITH CARAHSOFT TECHNOLOGY CORPORATION FOR DOCUSIGN LICENSING AND ENTERPRISE PREMIER SUPPORT SERVICES WITH FIVE-YEAR TOTAL COST OF OWNERSHIP NOT TO EXCEED \$660,603.15. EXPENDITURES FOR FY2021 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 Castellanos, seconded by Commissioner Bonelli, the Board adopted Resolution 2021-005 as part of the Consent Agenda.
7. [2020-0416](#) RESOLUTION AMENDING THE SAN DIEGO UNIFIED PORT DISTRICT (DISTRICT) DIRECTORY OF CLASSIFICATION SPECIFICATIONS FOR FISCAL YEAR 2020/2021
- On a motion by Commissioner Castellanos, seconded by Commissioner Bonelli, the Board adopted Resolution 2021-006 as part of the Consent Agenda.
8. [2021-0003](#) RESOLUTION APPROVING AN EMPLOYMENT AGREEMENT FOR THE EXECUTIVE DIRECTOR (PRESIDENT/CEO)
- On a motion by Commissioner Castellanos, seconded by Commissioner Bonelli, the Board adopted Resolution 2021-007 as part of the Consent Agenda.
9. [2021-0022](#) RESOLUTION AUTHORIZING THE GENERAL COUNSEL TO EXECUTE AMENDMENT NO. 3 TO THE AGREEMENT FOR LEGAL SERVICES WITH ORRICK, HERRINGTON & SUTCLIFFE LLP INCREASING THE MAXIMUM AMOUNT BY \$249,450 FROM \$1,006,400 to \$1,255,850; FY 2021 EXPENDITURES ARE BUDGETED
- On a motion by Commissioner Castellanos, seconded by Commissioner Bonelli, the Board adopted Resolution 2021-008 as part of the Consent Agenda.

ACTION AGENDA

10. [2020-0400](#) MONTHLY REPORTING OF FINANCIAL RESULTS AND DIRECTION TO STAFF
- Robert DeAngelis, CFO/Treasurer, addressed the Board with staff's report and presentation regarding Action Agenda Item 10 - File No. 2020-0400 (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 Malcolm, and Chairman Zucchet provided comments and asked clarifying*

questions. Mr. DeAngelis responded.

11. [2020-0408](#) PRESENTATION ON 2021-2022 PORT OF SAN DIEGO LEGISLATIVE PRIORITIES AND DIRECTION TO STAFF

Job Nelson, Chief Policy Strategist, addressed the Board with staff's report and presentation regarding Action Agenda Item 11 - File No. 2020-0408 (A copy of the staff report, presentations and any agenda-related materials are on file with the Office of the District Clerk). Mr. Nelson then turned the presentation over to Jonathan Clay, Carpi & Clay, Port Lobbyist in Sacramento, to discuss the upcoming environment at the state. Mr. Clay then turned the presentation over to David Yow, Legislative Policy Administrator, Government and Civic Relations to discuss the proposed priorities for 2021. Mr. Yow then turned the presentation back to Mr. Nelson to close the presentation.

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

Commissioner LeSar, Commissioner Castellanos, Commissioner Naranjo, and Chairman Zucchet provided comments and asked clarifying questions. Mr. Nelson responded.

12. [2021-0010](#) PRESENTATION AND UPDATE ON THE DISTRICT'S BLUE ECONOMY INCUBATOR INCLUDING THE SECOND EDITION OF THE BLUE ECONOMY INCUBATOR HIGHLIGHTS REPORT

Jason Giffen, Vice President, Planning, Environment and Government Relations, addressed the Board with staff's report and presentation regarding Action Agenda Item 12 - File No. 2021-0010 (A copy of the staff report, presentations and any agenda-related materials are on file with the Office of the District Clerk). Mr. Nelson then turned the presentation over to Eileen Maher, Director, Environmental Conservation, to present the updates made to the Blue Economy webpage on the Port's public website, and to provide a virtual tour of the three recently approved and deployed pilot projects. Ms. Maher then turned the presentation over to Philip LeBlanc, Consultant, to continue virtual tour of pilot projects, and discuss the second edition of the Blue Economy Incubator Highlights Report. Mr. Leblanc then turned the presentation back to Mr. Giffen to close the presentation.

The following member(s) of the public addressed the Board with agenda-related comments: David Lloyd, CEO & Co-Founder, FREDsense Technologies; Sergio Albino, ecoSPEARS; and Ido Sella, EConcrete.

Commissioner Castellanos and Commissioner Malcolm provided comments.

13. [2020-0355](#) ORDINANCE AMENDING ARTICLE 4, SECTION 4.37 - REGULATION OF SIX PAC CHARTER VESSELS, TO SECTION 4.37 - REGULATION OF CHARTER VESSEL OPERATIONS IN SAN DIEGO BAY AND DISTRICT TIDELANDS

Chief Mark Stainbrook, Harbor Police Department, addressed the Board with staff's report and presentation regarding Action Agenda Item 13 - File No. 2020-0355 (A copy of the staff report, presentations and any agenda-related materials are on file with the Office of the District Clerk). Chief Stainbrook then turned the presentation over to Ellen Gross, Assistant General Counsel, to discuss the current and proposed Charter operations regulations, the permitting framework, insurance requirements, and next steps for implementing the ordinance.

The following member(s) of the public addressed the Board with agenda-related comments: Frank Ursitti, H & M Landing; Sharon Cloward, President, San Diego Port Tenants Association, on behalf of Frank Lopreste, President, Fisherman's Landing; Andy Kurtz, Seaforth Boat Rentals; Lance Carter, Harbor Island Yacht Club; Ken Manzoni, Adventuress Luxury Catamaran; Steve Pinard, Action Beach & Bay Rentals; Troy Sears, Next Level Sailing; and Tyler Peters, Luxury Jet Ski Rentals.

Chairman Zucchet provided opportunity for staff to respond to the public, Ms. Gross, Simon Kann, Deputy General Counsel responded. Chairman Zucchet invited Frank Ursitti to respond to staff remarks.

Commissioner Malcolm, Chairman Zucchet, Commissioner Bonelli, and Commissioner Castellanos, provided comments and asked clarifying questions. Ms. Gross; Annette Dahl, Department Manager, Real Estate; Chief Stainbrook; and Thomas A. Russell, General Counsel, responded.

On a motion by Commissioner Bonelli, seconded by Commissioner Malcolm the Board continued the item until the March Board meeting and directed staff to work with the stakeholders one more time before bringing the item back to the Board. 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

14. [2021-0001](#) REVIEW AND CONSIDERATION OF DRAFT PROPOSED BOARD AGENDA FOR THE FEBRUARY 11, 2021 MEETING

On a motion by Commissioner Bonelli, seconded by Commissioner Castellanos, the Board approved the proposed February agenda. 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

OFFICER'S REPORT**15. [2021-0023](#) OFFICER'S REPORT**

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

A) Change Order No. 1 to Contract No. 2020-20 - \$780.00 Decrease & 30 Calendar Day Time Reduction thru 12-02-20

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 San Diego Mooring Company, LLC for Grape Street Float Rehab District Project, for total amount \$2,786.00

B) Request for User Fee Waiver Form from KIGT, Inc. for EV Charging Installation at the San Diego Convention Center, for total amount \$1,800.00

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:

None to Report

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

ATTEST:

Clerk of the San Diego Unified Port District