



San Diego Unified Port District

3165 Pacific Hwy.
San Diego, CA 92101

Meeting Minutes

Board of Port Commissioners

Thursday, October 13, 2016

1:00 PM

Don L. Nay Port Administration Boardroom

A. Roll Call

Present: 6 - Commissioner Castellanos, Commissioner Malcolm, Chairperson Merrifield, Commissioner Moore, Commissioner Nelson, and Commissioner Valderrama

Excused: 1 - Commissioner Bonelli

Absent: 0

Officers Present: Conigilio, DeAngelis, Russell, Monson, and Medina.

B. Closed Session Report Out.

Thomas A. Russell, General Counsel, announced that the Board continued Closed Session Agenda Item 1 – File No. 2016-0588, Closed Session Agenda Item 8 – File No. 2016-0581 and Closed Session Agenda Item 9 – File No. 2016-0583 to the end of Regular Session. In addition, Mr. Russell reported that Commissioner Malcolm would recuse himself from any participation in regard to Closed Session Agenda Item 8 – File No. 2016-0581 and Closed Session Agenda Item 9 – File No. 2016-0583 due to a relationship between himself and the parties involved in the matter.

Mr. Russell further reported that the Board took reportable action in respect to Closed Session Agenda Item 10 – File No. 2016-0579 and Closed Session Agenda Item 11 – File No. 2016-0584 in authorizing initiation of litigation for indemnity.

C. Pledge of Allegiance.

Commissioner Nelson led the Pledge of Allegiance.

D. Public Communications.

The following member(s) of the public addressed the Board with non-agenda related comments: Dennis Dubard, President, Fleet Week Foundation and Mac McLaughlin, CEO, USS Midway Museum.

E. Commissioners' Reports.

Commissioner Valderrama reported that he was the Master of Ceremonies for the 26th Annual Economic Summit on Friday, September 30, 2016. The event brought together elected officials from the five Port cities. He stated that Chairman Merrifield served on one of the panels for government officials, where he talked about some of the things that are going on at the Port of San Diego.

Commissioner Castellanos reported that the Mitigation Banking Ad-hoc committee met on September 22, 2016 as part of the ongoing due diligence for the development of a successful tidal wetland mitigation bank. Commissioners Malcolm and Chairman Merrifield also serve on the committee. Commissioner Castellanos also reported that he joined Chairman Merrifield, Commissioner Malcolm, and Randa Coniglio, Executive Director, to attend the San Diego Regional Chamber of Commerce's annual "Mission to Washington, DC" trip on September 26-28, 2016. They had several meetings that focused attention on the specific concerns for the District. He stated that they meet with leaders in Congress to advocate for the Port, including Representative Susan Davis, Juan Vargas, Duncan Hunter, and policy staff of Senator Barbara Boxer. Commissioner Castellanos reported that they traveled to the United States Department of Transportation (DOT) and met with the Director of Outreach & Development at the Build America Bureau. In addition, they attended a meeting with the United States Interagency Council on Homelessness.

Commissioner Malcolm also reported that he joined Chairman Merrifield, Commissioner Castellanos, Randa Coniglio, Executive Director, Job Nelson, Assistant Vice President, and David Yow, Legislative Policy Administrator to attend the San Diego Regional Chamber of Commerce's annual "Mission to Washington, DC" trip on September 26-28, 2016. Commissioner Malcolm reported on a CyberSecurity briefing he attended with Thomas Gresham, Director, Information Technology. The briefing was hosted by Congressman Scott Peters, and high-level staff from the United States Coast Guard, the Federal Emergency Management Agency, and San Diego's congressional delegation were in attendance. In addition they also met with Congressman Ryan Zinke and Congressman Duncan Hunter.

Chairman Merrifield reported on the September 22, 2016 inaugural "Taste of the Port" event. This event activated our waterfront by showcasing top chefs on the bay and the District's aquaculture program. "Taste of the Port" was attended by over 400 people and featured food and drink tastings from thirteen District restaurants and six breweries/wineries. Chairman Merrifield also reported that on Tuesday October 11, 2016, he and Jason Giffen, Assistant Vice President, Operations, attended a meeting with the California Energy Commission (CEC) - Ports Energy Collaborative at the Port of Oakland. They heard a variety of presentations from the ports on their energy and freight initiatives including high mast lighting at the Port of Hueneme, the Green Omni Terminal at the Port of Los Angeles, a Roadmap for a Cleaner Emissions Future from the Port of Oakland, and an Overview of the San Diego Port Tenants recent grant award from the CEC regarding Zero-Emission Vehicle Demonstrations. The meeting concluded with a tour of the Port of Oakland and surrounding community.

Commissioner Nelson reported that he had attended the 50th World Conference of Ports and Cities, hosted by the International Association of Ports and Cities (IAPC) on October 5-7, 2016 in Rotterdam, Netherlands. The conference was attended by 500 delegates from 50 countries. Commissioner Nelson reported that he participated on a panel with the President of IAPC to discuss the major conference theme of "Crossover". Commissioner Nelson urged continuing participation with IAPC, recommending a staff

member attend a future conference.

F. President's Report.

Randa Coniglio, Executive Director, reported that each year for the past 21 years, the National Procurement Institute has recognized public agencies which have developed procurement programs and processes that demonstrate excellence in procurement by attaining a high score on a rating of standardized criteria. The Achievement of Excellence in Procurement Award program is designed to measure competing agency's procurement function attributes in the areas of innovation, professionalism, e-procurement, productivity, and leadership against nationally recognized benchmarks of excellence. This program is sponsored by the National Procurement Institute, and co-sponsored by the California Association of Public Procurement Officials, the National Institute for Public Procurement, and several other national and state public procurement associations. The award is considered one of the most prestigious and significant awards that can be attained by a public procurement operation and recognizes the recipient agency's commitment to the highest standards of purchasing, contracting and materials management. Ms. Coniglio reported that the Port of San Diego was awarded the 2016 Achievement of Excellence in Procurement Award. The District is one of 45 agencies in California, and one of only 23 special districts in the United States to receive the award. Chairman Merrifield and Ms. Coniglio presented the 2016 Achievement of Excellence in Procurement Award trophy to the Port of San Diego Procurement Services Department.

Ms. Coniglio then recognized the Material Support Employees in the Procurement Services Department for passing 1,000 working days without a loss time accident or injury on August 15, 2016. Ms. Coniglio reported that at the awards reception for the San Diego chapter of the Association of Environmental Professionals, the District was honored with two acknowledgements: Outstanding Environmental Analysis went to the Dole Fresh Fruit Refrigerated Rack Improvements Project EIR, and The Integrated Planning Vision received a meritorious award for Outstanding Public Involvement, and congratulated everyone's efforts.

Additionally, Ms. Coniglio stated that the long range planning team has been hard at work on preparing the comprehensive update to the Port Master Plan which will follow the Integrated Planning Vision endorsed by the Board last November. The team, which includes consultant firms AECOM and ICF International, has spent the last several months: digitizing maps and recalculating acreage tables; Refining land and water use designations; Dissecting Planning District and Sub-district text; Drafting baywide policies by topical elements; and, coordinating with the numerous location specific planning efforts going on around the Bay. Ms. Coniglio reported that the plan is to provide the Board with an overview of the Port Master Plan Update effort at the December 13, 2016 Board Meeting.

G. District Clerk's Announcements.

Laura Nicholson, Deputy District Clerk, offered that copies of agenda related materials for Consent Agenda Item 13 - File No. 2016-0558, Action Agenda Item 17 - File No. 2016-0531, and Action Agenda Item 18 - File No. 2016-0537 submitted after the publication of the agenda were available at the Clerk's desk. Additionally, it was announced that staff requested the following agenda items be continued to a future Board meeting: Consent Agenda Item 4 - File No. 2016-0477, Consent Agenda Item 12 - File No. 2016-0539, Action Agenda Item 20 - File No. 2016-0567, Action Agenda Item 21 - File No. 2016-0568, Action Agenda Item 22 - File No. 2016-0582, Action Agenda 24 - 2016-0560, and Action Agenda 25 - File No. 2016-0559.

Commissioner Nelson addressed Thomas Russell, General Counsel regarding the continuation of Action Agenda Item 22 - File No. 2016-0582.

Simmon Kann, Deputy General Counsel addressed the Board stating that the additional agenda related information for Action Agenda Item 18 - File No. 2016-0537 were non substantial changes made to the introduction page of the MOA by the request of the State Lands Commission.

On a motion by Commissioner Nelson, seconded by Commissioner Castellanos, the Board approved staffs' request to continue the following items to a future meeting: Consent Agenda Item 4 - File No. 2016-0477, Consent Agenda Item 12 - File No. 2016-0539, Action Agenda Item 20 - File No. 2016-0567, Action Agenda Item 21 - File No. 2016-0568, Action Agenda 24 - 2016-0560, and Action Agenda 25 - File No. 2016-0559. The motion carried by the following vote:

Yeas: 6 - Castellanos, Malcolm, Merrifield, Moore, Nelson, and Valderrama

Nays: 0

Excused: 1 - Bonelli

Absent: 0

Abstain: 0

Recused: 0

ACTION AGENDA

17. [2016-0531](#) PRESENTATION AND UPDATE ON THE WORLD CLASS WATERFRONT DEVELOPMENT OPPORTUNITY (CENTRAL EMBARCADERO) REQUEST FOR PROPOSALS AND ADOPT A RESOLUTION TO OBTAIN CLARIFYING INFORMATION ON 1HWY1'S PROPOSAL, SUBMITTED BY Gafcon, Inc., AND RETURN TO THE BOARD FOR FURTHER DIRECTION

Commissioner Malcolm moved to continue Action Agenda Item 17 - File No. 2016-0531 to a future Board Meeting to be held next week or no later than the next regularly scheduled Board Meeting on November 8, 2016.

On a motion by Commissioner Malcolm, seconded by Commissioner Moore, the Board continued Action Agenda Item 17 - File No. 2016-0531 to a future Board Meeting. The motion carried by the following vote:

Yeas: 6 - Castellanos, Malcolm, Merrifield, Moore, Nelson, and Valderrama

Nays: 0

Excused: 1 - Bonelli

Absent: 0

Abstain: 0

Recused: 0

CONSENT AGENDA

The following member of the public addressed the Board regarding Consent Agenda Item 13 - File No. 2016-0558: Travis Pritchard, Programs Director, San Diego Coastkeeper.

On a motion by Commissioner Valderrama, seconded by Commissioner Nelson, the Board adopted Resolution 2016-150, Ordinance 2874, Resolution 2016-151, Ordinance 2875, Ordinance 2876, Resolution 2016-152, Resolution 2016-153, Resolution 2016-154, Resolution 2016-155, Resolution 2016-156, Resolution 2016-157, Resolution 2016-158, Ordinance 2877, Resolution 2016-159 and Resolution 2016-160 as the Consent Agenda.

Yeas: 6 - Castellanos, Malcolm, Merrifield, Moore, Nelson, and Valderrama

Nays: 0

Excused: 1 - Bonelli

Absent: 0

Abstain: 0

Recused: 0

1. [2016-0427](#) RESOLUTION AUTHORIZING AMENDMENT NO.1 TO AGREEMENT WITH RANDY BATES, DBA NATURESCAPE SERVICES FOR MAINTENANCE SERVICES AT BROADWAY LANDING, BROADWAY PASEO, AND LANE FIELD PARK, REMOVING LANE FIELD PARK FROM THE AGREEMENT AND DECREASING THE MAXIMUM AMOUNT PAYABLE UNDER THE AGREEMENT BY \$185,481, FOR A NEW MAXIMUM AMOUNT PAYABLE UNDER THE AGREEMENT OF \$1,052,167

On a motion by Commissioner Valderrama, seconded by Commissioner Nelson, the Board adopted Resolution 2016-150 as part of the Consent Agenda.

2. [2016-0452](#) ORDINANCE AMENDING THE CONFLICT OF INTEREST CODE OF THE SAN DIEGO UNIFIED PORT DISTRICT TO REFLECT CHANGES TO THE DIRECTORY OF CLASS SPECIFICATIONS AND ADD AN ADDITIONAL DISCLOSURE CATEGORY

On a motion by Commissioner Valderrama, seconded by Commissioner Nelson, the Board adopted Ordinance 2874 as part of the Consent Agenda.

3. [2016-0476](#) KONA KAI RESORT AND MARINA, LOCATED AT 1551 SHELTER ISLAND DRIVE, SAN DIEGO, CA
- A) RESOLUTION CONSENTING TO ENCUMBRANCE OF CAHUENGA ASSOCIATES II, DBA KONA KAI MARINA AND WESTGROUP KONA KAI LLC, DBA KONA KAI RESORT LEASEHOLD ESTATE BY \$54,000,000 DEED OF TRUST IN FAVOR OF PRIME FINANCE, WITH CONDITIONS
- B) ORDINANCE GRANTING AMENDMENT NO. 1 TO LEASE WITH WESTGROUP KONA KAI LLC, DBA KONA KAI RESORT TO UPDATE OPTION TO COMBINE KONA KAI RESORT AND KONA KAI MARINA LEASEHOLDS, AND UPDATE CERTAIN LEASE PROVISIONS
- C) ORDINANCE GRANTING AMENDMENT NO. 2 TO LEASE WITH CAHUENGA ASSOCIATES II, DBA KONA KAI MARINA TO UPDATE CERTAIN LEASE PROVISIONS AND UPDATING RENT
- On a motion by Commissioner Valderrama, seconded by Commissioner Nelson, the Board adopted Resolution 2016-151, Ordinance 2875, and Ordinance 2876 as part of the Consent Agenda.**
4. [2016-0477](#) ORDINANCE GRANTING A TWENTY-YEAR EASEMENT TO SAN DIEGO GAS & ELECTRIC COMPANY FOR UTILITIES LOCATED NEAR THE WESTERLY SHELTER ISLAND DRIVE TRAFFIC CIRCLE TO PROVIDE SERVICE TO THE HARBOR POLICE DOCK, COMFORT STATION AND DIVE LOCKERS
- The Board will consider staff's request to continue this item to a future Board Meeting.
- This item has been continued to a future board meeting.**
5. [2016-0482](#) RESOLUTION ESTABLISHING RENT FOR CRAB ADDISON, INC. DBA JOE'S CRAB SHACK AT THE ROWING CLUB, LOCATED AT 525 EAST HARBOR DRIVE IN THE CITY OF SAN DIEGO FOR THE PERIOD OF NOVEMBER 1, 2016 THROUGH OCTOBER 31, 2021
- On a motion by Commissioner Valderrama, Seconded by Commissioner Nelsoni, the Board adopted Resolution 2016-152 as part of the Consent Agenda.**

6. [2016-0487](#) RESOLUTION AUTHORIZING THE EXECUTIVE DIRECTOR TO GRANT INDEMNITY TO THE CITY OF SAN DIEGO, QUALCOMM STADIUM ADVISORY BOARD, PUBLIC FACILITIES FINANCING AUTHORITY AND ALL OF ITS OFFICERS, AGENTS AND EMPLOYEES FOR ANY CLAIM ARISING OUT OF THE USE OF QUALCOMM STADIUM PARKING LOTS FOR THE HARBOR POLICE TO CONDUCT EMERGENCY VEHICLE OPERATIONS (EVOC) TRAINING
- On a motion by Commissioner Valderrama, Seconded by Commissioner Nelsoni, the Board adopted Resolution 2016-153 as part of the Consent Agenda.
7. [2016-0493](#) RESOLUTION SELECTING AND AUTHORIZING A THREE-PARTY AGREEMENT WITH HELIX ENVIRONMENTAL PLANNING, INC. FOR ENVIRONMENTAL REVIEW CONSULTING SERVICES FOR THE NEW RESTAURANT AT FERRY LANDING PROJECT IN AN AMOUNT NOT TO EXCEED \$273,000 FOR A PERIOD OF 15 MONTHS
- On a motion by Commissioner Valderrama, Seconded by Commissioner Nelsoni, the Board adopted Resolution 2016-154 as part of the Consent Agenda.
8. [2016-0494](#) RESOLUTION APPROVING PROCLAMATION IN RECOGNITION OF OCTOBER 2016 AS "CELEBRATION OF THE ARTS MONTH" IN SUPPORT OF NATIONAL ARTS AND HUMANITIES MONTH
- On a motion by Commissioner Valderrama, Seconded by Commissioner Nelsoni, the Board adopted Resolution 2016-155 as part of the Consent Agenda.
9. [2016-0498](#) RESOLUTION EXERCISING A ONE-YEAR OPTION TO EXTEND THE AGREEMENT WITH MACIAS GINI & O'CONNELL, LLP FOR PROFESSIONAL EXTERNAL AUDITING SERVICES FROM MAY 1, 2017 THROUGH APRIL 30, 2018 FOR A ONE-YEAR AMOUNT NOT TO EXCEED \$105,475 INCREASING THE MAXIMUM NOT-TO-EXCEED AMOUNT FROM \$411,739 TO \$517,214 AND AUTHORIZING THE PORT AUDITOR TO ENTER INTO AMENDMENT NO. 2 TO THE AGREEMENT
- On a motion by Commissioner Valderrama, Seconded by Commissioner Nelsoni, the Board adopted Resolution 2016-156 as part of the Consent Agenda.
10. [2016-0513](#) RESOLUTION SELECTING AND AUTHORIZING AN AGREEMENT WITH DIMENSION DATA FOR STORAGE AREA NETWORK REPLACEMENT SERVICES, FOR ONE YEAR AND A TOTAL AMOUNT NOT TO EXCEED \$299,963.62
- On a motion by Commissioner Valderrama, Seconded by Commissioner Nelsoni, the Board adopted Resolution 2016-157 as part of the Consent Agenda.

11. [2016-0514](#) ACCEPTANCE OF THE FEDERAL FISCAL YEAR 2016 (FY16) PORT SECURITY GRANT PROGRAM (PSGP) AWARDS AND BUDGET AMENDMENTS IN ORDER TO EXECUTE ON FY16 PSGP PROJECTS
A) RESOLUTION ACCEPTING THE FY16 PSGP AWARDS FOR A TOTAL AMOUNT OF \$1,936,976 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)
B) ORDINANCE AMENDING THE DISTRICT'S FY16/17 BUDGET INCREASING APPROPRIATIONS FOR THE ORDINARY ANNUAL EXPENSE BY \$235,100, THE TMP CAPITAL PROJECTS BY \$420,000, AND THE EQUIPMENT OUTLAY BY \$299,300

On a motion by Commissioner Valderrama, Seconded by Commissioner Nelsoni, the Board adopted Resolution 2016-158 and Ordinance 2877 as part of the Consent Agenda.
12. [2016-0539](#) RESOLUTION SELECTING AND AUTHORIZING AN AGREEMENT WITH XXXX TO CONDUCT FISH SURVEYS IN ASSOCIATION WITH THE LIVING SHORELINES RESTORATION PROJECT FOR A PERIOD OF SIX YEARS FOR A TOTAL AMOUNT NOT TO EXCEED XXXX

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

This Item has been continued to a future Board Meeting.
13. [2016-0558](#) RESOLUTION APPROVING MEMORANDUM OF AGREEMENT BETWEEN THE CALIFORNIA STATE LANDS COMMISSION AND THE SAN DIEGO UNIFIED PORT DISTRICT REGARDING THE ESTABLISHMENT OF A COLLABORATIVE MARINE PLANNING PARTNERSHIP FOR THE STATE-OWNED TIDELANDS AND SUBMERGED LANDS LOCATED IN THE PACIFIC OCEAN OFFSHORE SAN DIEGO COUNTY

On a motion by Commissioner Valderrama, Seconded by Commissioner Nelsoni, the Board adopted Resolution 2016-159 as part of the Consent Agenda.
14. [2016-0542](#) RESOLUTION DIRECTING STAFF TO ISSUE A REQUEST FOR PROPOSALS (RFP) FOR THE DEVELOPMENT OF A 19-ACRE RECREATIONAL VEHICLE (RV) PARK LOCATED AT E STREET AND BAY BOULEVARD IN THE CITY OF CHULA VISTA

On a motion by Commissioner Valderrama, Seconded by Commissioner Nelsoni, the Board adopted Resolution 2016-160 as part of the Consent Agenda.

2016-0565 APPROVAL OF MINUTES

On a motion by Commissioner Malcolm, seconded by Commissioner Nelson, the Board adopted the following Minutes:

SEPTEMBER 8, 2016 SPECIAL MEETING - CLOSED SESSION

SEPTEMBER 8, 2016 MEETING - REGULAR SESSION

The motion carried by the following vote:

Yeas: 6 - Castellanos, Malcolm, Merrifield, Moore, Nelson, and Valderrama

Nays: 0

Excused: 1 - Bonelli

Absent: 0

Abstain: 0

Recused: 0

16. [2016-0443](#) NATIONAL CITY BAYFRONT PROJECTS AND INTEGRATION WITH THE NATIONAL CITY MARINA DISTRICT BALANCED LAND USE PLAN:
- A) PRELIMINARY PROJECT REVIEW PRESENTATION REGARDING GB CAPITAL HOLDINGS, LLC'S PROPOSAL TO CONSTRUCT AN RV PARK, DRY BOAT STORAGE, ENVIRONMENTAL LIVING UNITS, AND UP TO FOUR HOTELS NORTH AND WEST OF THE PIER 32 MARINA LEASEHOLD
 - B) PRELIMINARY PROJECT REVIEW PRESENTATION REGARDING PASHA AUTOMOTIVE SERVICES' PROPOSAL TO CONSTRUCT CONNECTOR RAIL TRACK NORTH OF WEST 32ND STREET
 - C) INFORMATIONAL PRESENTATION ON SYCUAN TRIBAL DEVELOPMENT'S PROPOSAL TO CONSTRUCT A HOTEL AND COMMERCIAL USES NORTH OF BAY MARINA DRIVE, OFF OF DISTRICT TIDELANDS
 - D) DIRECTION TO STAFF REGARDING GB CAPITAL HOLDINGS, PASHA AUTOMOTIVE SERVICES, AND SYCUAN TRIBAL DEVELOPMENT PROPOSALS AND STAFF RECOMMENDATION TO INCORPORATE THOSE PROPOSALS INTO THE ENVIRONMENTAL IMPACT REPORT FOR THE NATIONAL CITY MARINA DISTRICT BALANCED LAND USE PLAN

Lesley Nishihira, Principal, Planning & Green Port, addressed the Board and turned over the presentation of staff's report regarding Action Agenda Item 16 - File No. 2016-0443 to Anna Buzaitis, Senior Planner, Planning & Green Port. (A copy of the staff report, presentations and any agenda related materials are on file with the Office of the District Clerk.) Ms. Buzaitis turned over the presentation and introduced Glenn Quiroga, Sycuan Tribal Development Corporation; Brian Mason, Vice-President of Planning, Analysis and Development, Pasha Automotive Services; and Greg Boeh, Chief Operating Officer, GB Capital Holdings, LLC.

The following member(s) of the public addressed the Board with agenda related comments: The Honorable Ron Morrison, Mayor, City of National City; John Pasha, Senior Vice President, PASHA Automotive Services; Samantha Galltin, Director Port Business Development, BNSF Railway; George Folgner, GB Capital Holdings; Merricee Ekstrom, Chief Financial Officer, GB Holdings; John Grimstad, Managing Member, GB Capital Holdings; Alicia Sanchez, Environmental Health Coalition; Joy Williams, Environmental Health Coalition; Richard Ledfond, City of National City; Brad Raulston, City of National City;

Chairman Merrifield, Commissioner Malcolm, Commissioner Nelson, Commissioner Valderrama, Commissioner Nelson, and Commissioner Moore offered varied comments and questions regarding Action Agenda Item 16 - File No. 2016-0443. Ms. Buzaitis, Ms. Nishihira, Rebecca Harrington, Deputy General Counsel IV, General Counsel's Office, and Jason Giffen, Assistant Vice President, Planning & Green Port, responded to the questions from the Board to staff.

The Honorable Ron Morrison, Mr. Boeh, and Mr. Pasha were called to the podium to answer questions from the Board.

On a motion by Commissioner Valderrama, seconded by Commissioner Malcolm, the Board directed staff to move forward with Action Agenda Item 16 A, B, and C.

The motion carried by the following vote:

Yeas: 6 - Castellanos, Malcolm, Merrifield, Moore, Nelson, and Valderrama

Nays: 0

Excused: 1 - Bonelli

Absent: 0

Abstain: 0

Recused: 0

On a motion by Commissioner Valderrama, seconded by Commissioner Moore, the Board directed staff to move forward with Action Agenda Item 16D. The motion carried by the following vote:

Yeas: 6 - Castellanos, Malcolm, Merrifield, Moore, Nelson, and Valderrama

Nays: 0

Excused: 1 - Bonelli

Absent: 0

Abstain: 0

Recused: 0

Roll Call.

Commissioner Malcolm was excused and left dias at 4:00 pm.

Present: 5 - Commissioner Castellanos, Chairperson Merrifield, Commissioner Moore, Commissioner Nelson, and Commissioner Valderrama

Excused: 2 - Commissioner Bonelli, and Commissioner Malcolm

Absent: 0

17. [2016-0531](#) PRESENTATION AND UPDATE ON THE WORLD CLASS WATERFRONT DEVELOPMENT OPPORTUNITY (CENTRAL EMBARCADERO) REQUEST FOR PROPOSALS AND ADOPT A RESOLUTION TO OBTAIN CLARIFYING INFORMATION ON 1HWY1'S PROPOSAL, SUBMITTED BY Gafcon, Inc., AND RETURN TO THE BOARD FOR FURTHER DIRECTION

The following members of the public addressed the Board regarding Action Agenda Item 17- File No. 2016-0531: Chris Glenn, Save Seaport Village. Dr. Michael McQuary, School Board President, San Diego Unified School District; Daniel Reeves, Senior Vice President, Downtown San Diego Partnership; Lee Dulgeroff, Chief Facilities Planning and Construction, San Diego Unified School District; Dave Rude, President, Catalina Offshore; Greg Murphy, Executive Director, The Maritime Alliance; Mike Conroy, West Coast Fishery Consultant; and Peter Halmay, President, SDFWG.

This item has been continued to a future Board Meeting.

**19. [2016-0541](#) PRESENTATION OF THE SAN DIEGO UNIFIED PORT DISTRICT
EQUAL OPPORTUNITY PROGRAM ANNUAL REPORT FOR FISCAL
YEAR 15/16 AND DIRECTION TO STAFF**

Shirley Hirai, Manager Equal Opportunity, addressed the Board with staff's report and presentation regarding Action Agenda Item 19 - File No. 2016-0541 (A copy of the staff report, presentations and any agenda related materials are on file with the Office of the District Clerk.)

Commissioner Castellanos, Commissioner Nelson, Commissioner Valderrama, and Chairman Merrifield offered varied comments and questions.

The following members of staff responded and provided clarification to the Board regarding Action Agenda Item 19 - File No. 2016-0541: Thomas A. Russell, General Counsel, Ms. Hirai, and Bill McMinn, Deputy General Counsel III, Office of the General Counsel.

Presentation Only

**15. [2016-0412](#) PRESENTATION OF SERVICE AWARDS TO EMPLOYEES WITH 15 OR
MORE YEARS OF SERVICE**

Maria Sarchi, Human Resources Technician, addressed the Board with a presentation regarding Action Agenda item 15 - File No. 2016-0412. (A copy of the presentation is on file with the Office of the District Clerk). Ms. Sarchi then turned over the presentation to Randa Coniglio, Executive Director. Ms. Coniglio introduced and acknowledged tenure of District employees: Cynthia Markley, Harbor Police Officer, Harbor Police, 30 years of service; Eunice Oliver, Executive Assistant I Information Technology, 25 Years of service; and Sheila Kanoya, Marketing/Public Relations Representative, Marketing and Communications, 20 Years of service.

Presentation of Service Awards to Employees with 15 or more years of service.

18. [2016-0537](#) PRESENTATION AND UPDATE FROM STAFF ON THE ENVIRONMENTAL IMPACT REPORT FOR CERTAIN ITEMS IDENTIFIED IN COASTAL DEVELOPMENT PERMIT NO.A-6-PSD-11-006 FOR THE NORTH EMBARCADERO VISIONARY PLAN PHASE 1 PROJECT AND DIRECTION TO START PRE-DESIGN OF ALTERNATIVE ALIGNMENTS FOR NORTH HARBOR DRIVE BETWEEN THE COAST GUARD STATION AND THE INTERSECTION OF LAUREL STREET AND PACIFIC HIGHWAY FOR POTENTIAL INCORPORATION INTO THE ENVIRONMENTAL IMPACT REPORT

Shaun D. Sumner, Assistant Vice President, Real Estate Development introduced Action Agenda Item 18- File No. 2016-0537 then turned the presentation over to Anna Buzatis, Senior Planner. (A copy of the staff report, presentations and any agenda related materials are on file with the Office of the District Clerk).

Chairman Merrifield, Commissioner Nelson, Commissioner Moore, Commissioner Castellanos and Commissioner Valderrama offered varied comments and questions regarding Action Agenda Item 18 - File No. 2016-0537.

The following members of staff responded and provided clarification to the Board: Randa Coniglio, Executive Director, Mr. Sumner, Lesley Nishihira, Principal, Long Range Planning Team, Planning & Green Port.

On a motion by Commissioner Valderrama, seconded by Commissioner Nelson, the Board approved staff's recommendation to move forward on Action Agenda Item 18 - File No. 2016-0537 . The motion carried by the following vote:

Yeas: 5 - Castellanos, Merrifield, Moore, Nelson, and Valderrama

Nays: 0

Excused: 2 - Bonelli, and Malcolm

Absent: 0

Abstain: 0

Recused: 0

20. [2016-0567](#) PRESENTATION ON NEW INFORMATION TECHNOLOGY TRANSFORMATION STRATEGY TO SUPPORT CURRENT AND FUTURE OPERATIONAL NEEDS OF THE DISTRICT

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

This item has been continued to a future Board meeting.

21. [2016-0568](#) PRESENTATION ON PRELIMINARY FISCAL YEAR END 2016 RESULTS ALONG WITH STAFF RECOMMENDATIONS FOR ALLOCATION OF THE UNRESTRICTED RESOURCES GENERATED IN THE YEAR, INCLUDING FUNDING FOR THE MULTI-YEAR STRATEGIC INVESTMENTS PRESENTED TO THE BOARD AT THE APRIL 21, 2016 BUDGET WORKSHOP

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

This item has been continued to a future Board meeting.

22. [2016-0582](#) RESOLUTION ELECTING CHAIRPERSON, VICE CHAIRPERSON AND SECRETARY OF THE BOARD OF PORT COMMISSIONERS OF THE SAN DIEGO UNIFIED PORT DISTRICT FOR CALENDAR YEAR 2017

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

On a motion by Commissioner Nelson, seconded by Commissioner Castellanos, the Board adopted the continuation of this item to a future Board Meeting. The motion carried by the following vote:

Yeas: 6 - Castellanos, Malcolm, Merrifield, Moore, Nelson, and Valderrama

Nays: 0

Excused: 1 - Bonelli

Absent: 0

Abstain: 0

Recused: 0

24. [2016-0560](#) PRESENTATION ON THE BENEFITS OF ATTRACTIONS BUSINESSES LOCATED ON TIDELANDS AND RELATED BOARD DISCUSSION

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

This item has been continued to a future Board meeting.

25. [2016-0559](#) PRESENTATION OF THE 2016 COMPENSATION AND BENEFITS REVIEW FOR UNREPRESENTED CLASSIFICATIONS AND DIRECTION TO STAFF

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

This item has been continued to a future Board meeting.

PUBLIC HEARING AGENDA

26. [2016-0510](#) CONDUCT PUBLIC HEARING AND ADOPT A RESOLUTION AUTHORIZING ISSUANCE OF AN APPEALABLE COASTAL DEVELOPMENT PERMIT FOR THE SHELTER ISLAND BOAT LAUNCH FACILITY IMPROVEMENTS PROJECT

Wileen Manaois, Principal, Development Services, Real Estate, addressed the Board then turned the presentation over to Joseph Smith, Senior Planner, regarding Public Hearing Agenda Item 26 – File No. 2016-0510, (A copy of the staff report and presentation is on file with the office of the District Clerk).

On a motion by Commissioner Valderrama, seconded by Commissioner Moore, the Board adopted Resolution 2016-161. The motion carried by the following vote:

Yeas: 5 - Castellanos, Merrifield, Moore, Nelson, and Valderrama

Nays: 0

Excused: 2 - Bonelli, and Malcolm

Absent: 0

Abstain: 0

Recused: 0

23. [2016-0484](#) REVIEW AND CONSIDERATION OF DRAFT PROPOSED BOARD AGENDA FOR THE NOVEMBER 8, 2016 MEETING

On a motion by Commissioner Nelson, seconded by Commissioner Valderrama, the Board adopted. The motion carried by the following vote:

Yeas: 5 - Castellanos, Merrifield, Moore, Nelson, and Valderrama

Nays: 0

Excused: 2 - Bonelli, and Malcolm

Absent: 0

Abstain: 0

Recused: 0

OFFICER'S REPORT

27. [2016-0569](#) Monthly Notification of Change Orders Pursuant to BPC Policy No. 110:

None to Report

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 National Oceanic and Atmospheric Administration (NOAA), for total amount \$1,758.00

B) Request for User Fee Waiver Form from Jay Noland - City of San Diego Commission for Arts and Culture, for total amount \$500.00