



# San Diego Unified Port District

3165 Pacific Hwy.  
San Diego, CA 92101

## Meeting Minutes

### Board of Port Commissioners

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Tuesday, October 8, 2019

1:00 PM

Don L. Nay Port Administration Boardroom

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## REVISED AGENDA

**This agenda was updated 10/4/19 to correct listing of Item 19 - File No. 2019-0358 as a Consent Agenda Item.**

### A. Roll Call.

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

**Excused:** 0

**Absent:** 0

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

### B. Pledge of Allegiance.

*Chairman Bonelli led the Pledge of Allegiance.*

### C. Closed Session Report Out.

*Thomas A. Russell, General Counsel, announced that the Board considered the items on the Closed Session Agenda with the exception of Items 8 and 10 which will be considered at a future Board meeting. Mr Russell also stated that the Board will reconvene to Closed Session to continue considering matters after the conclusion of this meeting.*

### D. Public Communications.

*Corchelle Worsham, San Diego Port Tenants Association; Carlos Solorio, National City Chamber of Commerce; Jacqueline Reynoso, President/CEO, National City Chamber of Commerce.*

*Commissioner Valderrama and Chairman Bonelli provided comments.*

**E. Board Committee Reports.**

*Commissioner Castellanos reported on the Environmental Advisory Committee (EAC). Commissioner Castellanos explained that the EAC received four presentations from staff on the following topics: current status of the Blue Economy Incubator projects; update on the Climate Action Plan and the Port's progress towards meeting the emission reduction goals; overview of the 2019 energy efficiency efforts including lighting retrofits and energy goal campaign for Port and tenants; an update on the environmental education program; and presentation on the pollution prevention campaign. The EAC Workplan will be amended to include a discussion on the ecology elements of the Port Master Plan Update at the next EAC meeting on December 4, 2019.*

*Commissioner Zucchet reported on the Audit Oversight Committee. Commissioner Zucchet explained that the Committee received the preliminary review of the District's financial statements and federal grants for FY 2019. Commissioner Zucchet further explained that Mark Yielding, Assistant Port Auditor, presented the annual report on audit activities related to District's 2019 audit plan, and an assessment by the Auditor's Office based on a number of performance measures. Also, the Committee received status from Port Auditor related to two reports received through the District's ethics hotline in June.*

*Chairman Bonelli reported on the SANDAG Airport Connectivity Subcommittee. Chairman Bonelli explained that the Subcommittee met on two occasions to review four mobility hub alternatives for the airport. The SANDAG Board voted to authorize \$50 million to analyze the four potential sites over the next six months to pare down options for the location consideration.*

**F. Commissioners' Reports.**

*Commissioner Valderrama announced that October is National Disability Awareness Month, and introduced Steve Goldman, member of the Port's Accessibility Advisory Committee. Commissioner Valderrama then invited Mr. Goldman to the podium to speak about his experience in participating in the 1970 Paralympics and subsequent world class competitions such as the Pan American Games.*

*Commissioner Valderrama and Chairman Bonelli provided comments.*

*Commissioner Castellanos explained that he and Commissioner Valderrama attended the monthly meeting of the South County Economic Development Council and learned about a new branding campaign which is focused on the south bay called SINCO. Commissioner Castellanos explained that SINCO is a play on words for cinco (five in Spanish), and each letter stands for the five member cities which are: San Diego, Imperial Beach, National City, Chula Vista, and the Otay commercial sector. The branding campaign hopes to attract Fortune 1000 companies to relocate to the South Bay. SINCO operates under the umbrella of the South County Economic Development Council, the campaign will be rolled out nationally in January to highlight the many benefits of doing business in the South County border region. The campaign tagline is Five communities, One region, Endless possibilities. For more information about SINCO, you can visit its website at [sincoregion.com](http://sincoregion.com).*

*Chairman Bonelli spoke about the trip that he and Commissioner Zucchet took to Washington, D.C. as part of the San Diego Regional Chamber of Commerce delegation. The focus of the trip was to discuss the Tijuana River sewage flows/transborder sewage pollution. The delegation met with multiple federal bureau heads and legislators to*

*discuss what the state and federal governments can do together to solve this chronic problem. Commissioner Zucchet added that the trip was very valuable and he appreciated all the work done by staff to make this trip possible.*

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

*Randa Coniglio, President/CEO, invited Jason Giffen to the podium and announced that he has a new title, he is now Vice President of Planning, Environment, and Government Relations. Ms. Coniglio congratulated Jason and invited him to present the Michelle White Environmental Awards. Mr. Giffen began by explaining that last month was Green Port Month at the Port which is an annual tradition, and as part of this tradition, the Port honors environmental champions through the Michelle White Environmental Awards. Mr. Giffen announced that today the Port would like to honor the Port Tenant award winner, Sarah Marsh from Dole Fresh Fruit International. Ms. Marsh has been working closely with the Port to implement environmental initiatives at Dole which have included: 100% of vessel calls utilizing shorepower; Using over 700 electrical outlets so that refrigerated containers can plug-in rather than use diesel generators; and Working with their partners drayage truck program to shuttle goods from Tenth Ave Marine Terminal and the National Distribution Center.*

*Ms. Coniglio then asked Chief Stainbrook to the podium to present the Distinguished Service Medal. Chief Stainbrook announced that Officer Robert Brownyard is being recognized for his outstanding performance and consistency over the 23 years he has served as a Harbor Police Officer. Chief Stainbrook shared that Officer Brownyard is being praised for his communications skills, his patience, and flexibility to adapt to the training styles of all the new employees over the years. He is also tireless in his outreach to the homeless population and works closely with many nonprofits that provide homeless services. Chief Stainbrook shared the following statement from Officer Brownyard's peers who submitted the award nomination: "Officer Brownyard embodies the core values of the District and the Harbor Police every day, and as such is very deserving of this Distinguished Service Medal".*

*Ms. Coniglio then invited Jeff Wohler, Chairman of the San Diego Harbor Police Foundation to the podium to present a video regarding human trafficking, how it impacts San Diego, what the Harbor Police is doing to combat this crisis, and how the Foundation is helping to raise funds to support the effort. In closing, Mr. Wohler offered for anyone interested in more information, or would like to donate, please visit [sdharborpolicefoundation.org](http://sdharborpolicefoundation.org).*

*Commissioner Merrifield provided comments.*

*Next, Ms. Coniglio invited Sharon Cloward, President, San Diego Port Tenants Association, to present a video regarding the charitable activities and community services provided by the five Port tenant yacht clubs.*

*Commissioner Malcolm provided comments.*

*Ms. Coniglio then spoke about the Strategic Port Military Operations at the Port this year. The Port of San Diego is an important partner of the U.S. military in the movement of military vehicles and equipment worldwide. Ms. Coniglio announced that so far this year, the Port has had two military operations take place at the Tenth Avenue Marine Terminal with three vessels, the Green Bay, Green Lake, and Liberty, which participated in the loading and offloading of approximately 2,250 units which included: containers, tanks, fighting vehicles, minesweeping gear, and various rolling stocks. Ms. Coniglio thanked the Maritime Department, particularly the Marine Terminal Supervisors Bruce Cummings*

and Brion Bargo, along with wharfinger staff Russell Keltner, Luis Plancarte, Chris Sharp, Carson Gil, Evan Warren, David Carrillo, Ian Fidel, Isaac Gutierrez, Kyle Link, Tyrone Moody, Anthony Palombit, and Chris Anderson. These men worked many many hours to map out the operation and coordinate with the Port's commercial tenants and military personnel to provide successful movements.

Ms. Coniglio also announced that the Port has won three more awards for marketing and communications efforts from the American Association of Port Authorities. For the second year in a row the Port has won the top honor of the competition, the Overall Award of Communications Excellence for the That's My Bay pollution prevention videos. The Port also took home an Award of Excellence for the portofsandiego.org website, and an Award of Distinction for community outreach with the Chula Vista Bayfront Parks Design.

Ms. Coniglio announced that on September 12, the Waterfront Arts & Activation department hosted a free event at Coronado Tidelands Park to celebrate the installation of the District's "Penelope" sculpture. The event had over 200 attendees and included live music, interactive games, food, giveaways, and brief remarks by Port Chairman Garry Bonelli, Coronado Mayor Pro Tem Whitney Benzian and artist Michael Stutz. A short video highlighting the event was shown.

Ms. Coniglio introduced and welcomed Michael LaFleur, the new Vice President of Maritime.

## H. District Clerk's Announcements.

Donna Morales, District Clerk, announced that copies of agenda-related materials for Consent Agenda Item 9 - File No. 2019-0387; Action Agenda Item 14 - File No. 2019-0405; and Consent Agenda Item 19 - File No. 2019-0358 were submitted after the publication of the agenda and copies were available at the Clerk's desk.

Ms. Morales then reported that staff requested to continue the following items: Consent Agenda Item 10 - File No. 2019-0389; Consent Agenda Item 11 - File 2019-0390; and Action Agenda Item 18 - File No. 2019-0391.

Additionally, Ms. Morales confirmed that Item 19 - File No. 2019-0358 is part of the Consent Agenda.

**On a motion by Commissioner Malcolm, seconded by Commissioner Merrifield, the Board accepted 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**[2019-0409](#)

Approval of minutes for:

September 16, 2019 - CLOSED SESSION

September 16, 2019 - BPC MEETING

**On a motion by Commissioner Castellanos, seconded by Commissioner Valderrama, the Board approved the minutes. 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

**CONSENT AGENDA**

**On a motion by Commissioner Castellanos, seconded by Commissioner Merrifield, the Board adopted the Consent Agenda as follows: Resolution 2019-112; Resolution 2019-113; Resolution 2019-114; Resolution 2019-115; Ordinance 2954; Resolution 2019-116; Ordinance 2955; Resolution 2019-117; Resolution 2019-118; Resolution 2019-119; Resolution 2019-120; Resolution 2019-121; Ordinance 2956; Resolution 2019-122; and Resolution 2019-124. 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. [2019-0270](#) RESOLUTION CONSENTING TO ASSIGNMENT AND ASSUMPTION OF AS NEEDED MARINE STRUCTURAL ENGINEERING AGREEMENT NO. 193-2016AC FROM BERGERABAM, INC. TO WSP USA, INC. DUE TO AN ACQUISITION AND MERGER

**On a motion by Commissioner Castellanos, seconded by Commissioner Merrifield, the Board adopted Resolution 2019-112 as part of the Consent Agenda.**

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2. [2019-0299](#) RESOLUTION ADOPTING A MEMORANDUM OF UNDERSTANDING WITH THE CITY OF NATIONAL CITY TO PROVIDE \$900,000 IN MARITIME INDUSTRIAL IMPACT FUNDS FOR A PORTION OF SECTION FIVE OF THE BAYSHORE BIKEWAY, IN ACCORDANCE WITH BOARD OF PORT COMMISSIONERS POLICY NO. 773, RESOLUTION 2018-133, AND AS MATCH TO THE CITY OF NATIONAL CITY'S SUCCESSFUL CALIFORNIA DEPARTMENT OF TRANSPORTATION ACTIVE TRANSPORTATION GRANT APPLICATION
- On a motion by Commissioner Castellanos, seconded by Commissioner Merrifield, the Board adopted Resolution 2019-113 as part of the Consent Agenda.**
3. [2019-0319](#) RESOLUTION APPROVING PROCLAMATION IN RECOGNITION OF OCTOBER 2019 AS "CELEBRATION OF THE ARTS MONTH" IN SUPPORT OF NATIONAL ARTS AND HUMANITIES MONTH
- On a motion by Commissioner Castellanos, seconded by Commissioner Merrifield, the Board adopted Resolution 2019-114 as part of the Consent Agenda.**
4. [2019-0324](#) ACTIONS RELATED TO THE FY19 PORT SECURITY GRANT PROGRAM:
- A) RESOLUTION ACCEPTING THE FY19 PORT SECURITY GRANT PROGRAM (PSGP) AWARDS FOR A TOTAL AMOUNT OF \$1,401,743.00, REQUIRING A COST MATCH OF \$495,625.00, AND AUTHORIZING THE SAN DIEGO UNIFIED PORT DISTRICT (DISTRICT) TO ENTER INTO AGREEMENTS WITH THE U.S. DEPARTMENT OF HOMELAND SECURITY, FEDERAL EMERGENCY MANAGEMENT AGENCY (DHS/FEMA).
- B) ORDINANCE AMENDING THE FY 19/20 BUDGET INCREASING THE NON- PERSONNEL EXPENSE (NPE) BUDGET BY \$58,326, AND THE EQUIPMENT OUTLAY AND OTHER CAPITAL PROJECTS BUDGET BY \$433,000. FUNDING FOR \$368,495 WILL BE FROM THE PSGP GRANT WHILE THE REQUIRED DISTRICT MATCH OF \$122,831 WILL BE FUNDED FROM CUMULATIVE UNRESTRICTED RESOURCES. 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 Castellanos, seconded by Commissioner Merrifield, the Board adopted Resolution 2019-115 and Ordinance 2954 as part of the Consent Agenda.**
5. [2019-0325](#) RESOLUTION AUTHORIZING AMENDMENT NO. 3 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 \$375,000 FROM \$750,000 TO \$1,125,000.

FUNDS FOR FY 2020 HAVE BEEN BUDGETED/ 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.

**On a motion by Commissioner Castellanos, seconded by Commissioner Merrifield, the Board adopted Resolution 2019-116 as part of the Consent Agenda.**

6. [2019-0342](#) ORDINANCE AUTHORIZING THE DISTRICT'S EXECUTIVE DIRECTOR AND AUTHORIZED DESIGNEE TO GRANT FIVE (5) YEAR WAIVERS ON TENANT RENT PAYMENTS FOR ELECTRICITY CHARGES PASSED THROUGH TO SLIP RENTERS AT MARINAS AND YACHT CLUBS THAT ARE FULLY SUB-METERED

**On a motion by Commissioner Castellanos, seconded by Commissioner Merrifield, the Board adopted Ordinance 2955 as part of the Consent Agenda.**

7. [2019-0343](#) RESOLUTION AUTHORIZING AN INCREASE TO THE PURCHASE ORDER WITH GRAINGER, INC. FOR GENERAL MAINTENANCE SUPPLIES, INCREASING THE MAXIMUM AMOUNT PAYABLE UNDER THE PURCHASE ORDER BY \$400,000 FOR A NEW MAXIMUM AMOUNT OF \$980,000 AND EXTENDING THE TERMINATION DATE THROUGH DECEMBER 31, 2024. FUNDS REQUIRED FOR THE CURRENT FISCAL YEAR ARE INCLUDED IN THE APPROVED FY 2020 BUDGET. 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.

**On a motion by Commissioner Castellanos, seconded by Commissioner Merrifield, the Board adopted Resolution 2019-117 as part of the Consent Agenda.**

8. [2019-0357](#) A) RESOLUTION APPROVING AN AMENDMENT TO THE FISCAL YEAR 2019-2023 CAPITAL IMPROVEMENT PROGRAM TO ADD THE IMPERIAL BEACH PIER ENHANCEMENTS PROJECT; TO CANCEL THE COMFORT STATION AND STREET END IMPROVEMENTS AT BEACH AVENUE PROJECT; AND TRANSFER REMAINING PROJECT FUNDS of \$1,859,462.90 FROM THE COMFORT STATION AND STREET END IMPROVEMENTS AT BEACH AVENUE PROJECT TO THE IMPERIAL BEACH PIER ENHANCEMENTS PROJECT

B) RESOLUTION APPROVING AN AMENDMENT TO THE FISCAL YEAR 2019-2023 CAPITAL IMPROVEMENT PROGRAM TO ADD THE SECURITY GATE PHYSICAL ENHANCEMENTS AT TENTH AVENUE MARINE TERMINAL PROJECT WITH A TOTAL BUDGET OF \$463,980; WITH \$347,985 TO BE FUNDED BY A DEPARTMENT OF HOMELAND SECURITY PORT SECURITY GRANT AND \$115,995 TO BE FUNDED BY THE DISTRICT'S CUMULATIVE UNRESTRICTED RESOURCES

C) RESOLUTION APPROVING AN AMENDMENT TO THE FISCAL

YEAR 2019-2023 CAPITAL IMPROVEMENT PROGRAM TO ADD THE SECURITY GATE PHYSICAL ENHANCEMENTS AT B STREET CRUISE TERMINAL PROJECT WITH A TOTAL BUDGET OF \$128,040; WITH \$96,030 TO BE FUNDED BY A DEPARTMENT OF HOMELAND SECURITY PORT SECURITY GRANT AND \$32,010 TO BE FUNDED BY THE DISTRICT'S CUMULATIVE UNRESTRICTED RESOURCES

D) RESOLUTION APPROVING AN AMENDMENT TO THE FISCAL YEAR 2019-2023 CAPITAL IMPROVEMENT PROGRAM TO INCREASE CAPITAL LABOR BY \$350,000 TO BE FUNDED BY THE DISTRICT'S CUMULATIVE UNRESTRICTED RESOURCES

E) ORDINANCE AMENDING THE Fiscal Year 2020 BUDGET INCREASING THE CAPITAL IMPROVEMENT PROGRAM APPROPRIATION BY \$942,020

*Commissioner Valderrama, and Commissioner Malcolm provided comments.*

**On a motion by Commissioner Castellanos, seconded by Commissioner Merrifield, the Board adopted Resolution 2019-118, Resolution 2019-119, Resolution 2019-120, Resolution 2019-121, and Ordinance 2956 as part of the Consent Agenda.**

9. [2019-0387](#) RESOLUTION AUTHORIZING THE CHULA VISTA BAYFRONT PROJECT FUNDING AGREEMENT BY AND AMONG THE COUNTY OF SAN DIEGO, THE CITY OF CHULA VISTA, THE SAN DIEGO UNIFIED PORT DISTRICT AND THE CHULA VISTA BAYFRONT FACILITIES FINANCING AUTHORITY FOR A \$25 MILLION CONTRIBUTION, WITH CONDITIONS

*Commissioner Moore provided comments.*

**On a motion by Commissioner Castellanos, seconded by Commissioner Merrifield, the Board adopted Resolution 2019-122 as part of the Consent Agenda.**

10. [2019-0389](#) ORDINANCE GRANTING AN APPROXIMATE THIRTY-NINE (39) YEAR UTILITY EASEMENT TO SAN DIEGO GAS & ELECTRIC COMPANY FOR SUBSURFACE UTILTIY EQUIPMENT TO PROVIDE ELECTRICAL AND GAS SERVICE TO PORTSIDE PIER

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.**

11. [2019-0390](#) RESOLUTION IN ACCORDANCE WITH BOARD POLICY NO. 360, AUTHORIZING STAFF TO ISSUE A REQUEST FOR PROPOSALS FOR THE REDEVELOPMENT OF THE CROSBY STREET PIER AND ADJACENT LANDSIDE AREA SOUTH OF THE TENTH AVENUE MARINE TERMINAL OR, IN THE ALTERNATIVE, WAIVING THE REQUIREMENT FOR A COMPETITIVE PROCESS IN ACCORDANCE



WITH BOARD POLICY NO. 360 AND DIRECTING STAFF TO BEGIN NEGOTIATIONS WITH AUSTAL USA IN REGARDS TO AN UNSOLICITED PROPOSAL

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**

12. [2019-0376](#) PRELIMINARY PROJECT REVIEW PRESENTATION AND DIRECTION TO STAFF REGARDING THE SUNROAD HIE HOTEL PARTNERS, L.P. (SUNROAD) DEVELOPMENT OF A 450-ROOM, SINGLE-PHASE, DUAL BRANDED HOTEL ON THE ELBOW PARCEL OF EAST HARBOR ISLAND IN THE CITY OF SAN DIEGO

*Commissioner Castellanos recused himself and did not participate in this item.*

*Anthony Gordon, Director, Real Estate, addressed the Board with staff's report and presentation regarding Action Agenda Item 12 - File No. 2019-0376 (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 to Wendy Siao, Program Manager, Real Estate, to provide project background, and preliminary project review. Ms. Siao then turned the presentation to Uri Feldman, Sunroad, and Vincent Mudd, Carrier Johnson, to discuss their vision for the elbow parcel. Mr. Feldman turned the presentation back to Ms. Siao to discuss the 10 point criteria, and direction to staff.*

*The following member(s) of the public addressed the Board with agenda-related comments: Ryan Karlsgodt, Research Analyst, Unite Here Local 30; and Tom Lemmon, San Diego County Building and Construction Trades Council.*

*Commissioner Malcolm, Commissioner Merrifield, Commissioner Moore, Commissioner Valderrama, and Commissioner Zucchet provided comments and asked clarifying questions. Dana Sclar, Senior Planner, Development Services, Vincent Mudd, and Uri Feldman, responded.*

*Thomas A. Russell, General Counsel, provided clarification that there is no approval of any project at this time, the Board is only evaluating whether to undertake the time and expense of the environmental process.*

**Commissioner Malcolm made a motion to direct applicant to commence with the California Environmental Quality Act (CEQA) Environmental Review process, and bring the project back to Board at appropriate time as required by CEQA process. Commissioner Merrifield seconded the motion. Commissioner Moore made a friendly amendment to include direction to applicant to incorporate the 10-point criteria as appropriate into the project design features, and direct applicant to determine the best way to activate the front public-facing portion of the development in response to comments from the California Coastal Commission. Commissioner Malcolm and Commissioner Merrifield accepted the amendment. 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

**14.     [2019-0405](#)     BOARD DISCUSSION OF HOTEL WORKER RETENTION UPON  
CHANGE OF OWNERSHIP OR OPERATION OF HOTELS ON DISTRICT  
PROPERTY AND DIRECTION TO STAFF**

*Job Nelson, Chief Policy Strategist, addressed the Board with staff's report and presentation regarding Action Agenda Item 14 - File No. 2019-0405 (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: Paloma Aguirre, Councilmember, City of Imperial Beach; Diamond Brandon, Field Representative for Assemblymember Lorena Gonzalez; Corinne Wilson, Communications Manager & Policy Advisor, Office of San Diego City Council President Georgette Gomez; Tom Lemmon, San Diego County Building and Construction Trades Council; Sharon Cloward, President, San Diego Port Tenants Association; Tyler Burch, Council Representative, San Diego Councilmember Chris Ward's Office; John Cox; Consuelo Guzman; Jordan Beane; Stephen Hill, District Director, Office of Assemblymember Todd Gloria; Alberto Velasquez, Senior Policy Advisor, Office of the Mayor, City of Chula Vista; and Evan Strawn, representing Councilwoman Barbara Bry, City of San Diego.*

*Commissioner Valderrama spoke on behalf of Mayor Alejandra Sotelo-Solis, and Councilmember Mona Rios, of National City.*

*Commissioner Zucchet, Commissioner Merrifield, Commissioner Valderrama, Commissioner Castellanos, Commissioner Moore, Commissioner Malcolm, and Chairman Bonelli provided comments and asked clarifying questions. Thomas A. Russell, General Counsel, responded.*

**13.     [2019-0341](#)     PRESENTATION AND DIRECTION TO STAFF ON IN-WATER HULL  
CLEANING POLICY APPROACHES:  
A) INFORMATIONAL UPDATE ON IN-WATER HULL CLEANING  
BENCHMARKING AND CONCEPTUAL MODEL UPDATE;  
B) REVIEW OF PORT DISTRICT REGULATION OF IN-WATER HULL  
CLEANING; AND  
C) ADDITIONAL VESSEL POLLUTION MATTERS**

*Jason Giffen, Vice President, of Planning, Environment, and Government Relations, addressed the Board with staff's report and presentation regarding Action Agenda Item 13 - File No. 2019-0341 (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 to Karen Holman, Director, Environmental Protection, to provide of summary of what staff is presenting, and re-cap of June 2019 data. Ms. Holman then turned the*

*presentation over to Kelly Tait, Program Manager, Environmental Protection, regarding benchmarking what other communities do relating to copper reduction, exploring the best available science, findings and conclusions from the life cycle study, cleaning projections and the impact on the copper load, and topics for consideration. Ms. Tait then turned the presentation back to Ms. Holman to provide proposed timeline for drafting ordinance for Board approval, improving program for copper reduction, and to request for direction from Board.*

*The following member(s) of the public addressed the Board with agenda-related comments: Sharon Cloward, President, Port Tenants Association.*

*Commissioner Merrifield, Commissioner Malcolm, and Chairman Bonelli provided comments and asked clarifying questions. Ms. Holman, Thomas A. Russell, General Counsel, and Mr. Giffen, responded.*

**15.     [2019-0369](#)     INFORMATIONAL PRESENTATION AND UPDATE ON PORT MARKETING CAMPAIGNS**

*Michael Brown, Vice President, Marketing & Communications, addressed the Board with staff's report and presentation regarding Action Agenda Item 15 - File No. 2019-0369 (A copy of the staff report, presentations and any agenda-related materials are on file with the Office of the District Clerk). Mr. Brown then turned the presentation to Jenifer Barsell, Director, Marketing & Communications, to discuss the significant contributions that Marketing & Communications have made toward achieving the Port's marketing goals. Ms. Barsell also presented three marketing videos.*

*The following member(s) of the public addressed the Board with agenda-related comments: Sharon Cloward, San Diego Port Tenants Association.*

*Commissioner Malcolm, Chairman Bonelli, Commissioner Valderrama, Commissioner Castellanos, Commissioner Merrifield, and Commissioner Moore provided comments and asked clarifying questions. Ms. Barsell and Mr. Brown responded.*

**16.     [2019-0338](#)     RESOLUTION ELECTING CHAIRPERSON, VICE CHAIRPERSON AND SECRETARY OF THE BOARD OF PORT COMMISSIONERS OF THE SAN DIEGO UNIFIED PORT DISTRICT FOR CALENDAR YEAR 2020**

**On a motion by Chairperson Bonelli, seconded by Commissioner Valderrama, the Board adopted Resolution 2019-123 electing Ann Moore as Chair, Michael Zucchet as Vice-Chair, and Dan Malcolm as Secretary, for the 2020 term. The motion carried by the following vote:**

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

**Nays:** 0

**Excused:** 1 - Merrifield

**Absent:** 0

**Abstain:** 0

**Recused:** 0

17. [2019-0318](#) REVIEW AND CONSIDERATION OF DRAFT PROPOSED BOARD AGENDA FOR THE NOVEMBER 5, 2019 MEETING
- On a motion by Commissioner Malcolm, seconded by Commissioner Valderrama, the Board adopted the proposed agenda for November.
- Yeas: 6 - Bonelli, Castellanos, Malcolm, Moore, Valderrama, and Zucchet
- Nays: 0
- Excused: 1 - Merrifield
- Absent: 0
- Abstain: 0
- Recused: 0
18. [2019-0391](#) A) PRESENTATION ON THE REDEVELOPMENT OF EAST HARBOR ISLAND  
B) PRESENTATION ON TOPGOLF INTERNATIONAL, INC. AND RESOLUTION WAIVING REQUIREMENTS FOR A COMPETITIVE PROCESS IN ACCORDANCE WITH BOARD OF PORT COMMISSIONERS POLICY NO. 360 AND DIRECTING STAFF TO ENTER INTO AN EXCLUSIVE NEGOTIATING AGREEMENT WITH TOPGOLF INTERNATIONAL, INC. THROUGH DECEMBER 31, 2020
- The Board will consider staff's request to continue this item to a future Board meeting.

### **CONSENT AGENDA CONTINUED**

19. [2019-0358](#) RESOLUTION CONSENTING TO ASSIGNMENTS, SUBLEASE, AND MANAGEMENT AGREEMENT FOR HOST SAN DIEGO HOTEL LLC DBA SHERATON SAN DIEGO HOTEL AND MARINA (MARINA TOWER AND BAY TOWER) LOCATED AT 1380 HARBOR ISLAND DRIVE AND 1590 HARBOR ISLAND DRIVE CONDITIONED ON UPDATE OF LEASE TERMS:
- A) ASSIGNMENT AND ASSUMPTION OF LEASEHOLD INTERESTS FROM HOST SAN DIEGO HOTEL LLC, A DELAWARE LIMITED LIABILITY COMPANY DBA SHERATON SAN DIEGO HOTEL AND MARINA TO SSD HOLDINGS, LLC, A DELAWARE LIMITED LIABILITY COMPANY
- B) 5-YEAR SUBLEASE WITH TWO 5-YEAR OPTIONS FOR THE

ENTIRE LEASED PREMISES BETWEEN SSD HOLDINGS, LLC, A DELAWARE LIMITED LIABILITY COMPANY AND SSD OPERATING CO., LLC, A DELAWARE LIMITED LIABILITY COMPANY

C) 10-YEAR MANAGEMENT AGREEMENT BETWEEN SSD OPERATING CO., LLC, A DELAWARE LIMITED LIABILITY COMPANY AND SSD MANAGEMENT, LLC, A DELAWARE LIMITED LIABILITY COMPANY FOR OPERATION OF THE HOTEL

*Commissioner Zucchet, Commissioner Valderrama, provided comments and asked clarifying questions. Thomas A. Russell, General Counsel, responded.*

**On a motion by Commissioner Castellanos, seconded by Commissioner Merrifield, the Board adopted Resolution 2019-124 as part of the Consent Agenda.**

## **OFFICER'S REPORT**

20.     [2019-0396](#)     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 County of San Diego Air Pollution Control District for San Diego Air Pollution Control District Community Air Protection Program Air Monitoring Equipment, for total amount \$1,658.00

B) Request for User Fee Waiver Form from Sweetwater Union High School District for Facility Use Permit at National City Aquatic Center, for total amount \$500.00

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 California Yacht Marina - Chula Vista, LLC for Rental Period Beginning 07/01/19 thru 06/30/24

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*