



San Diego Unified Port District

3165 Pacific Hwy.
San Diego, CA 92101

Meeting Minutes

Board of Port Commissioners

Tuesday, November 9, 2021

1:00 PM

Don L. Nay Port Administration Boardroom

A. Roll Call.

Present: 6 - Commissioner Bonelli, Commissioner Castellanos, Chairman Malcolm, Commissioner Moore, Commissioner Naranjo, and Commissioner Zucchet

Excused: 1 - Commissioner LeSar

Absent: 0

Recused: 0

Commissioner Moore was excused until she arrived at 1:21 pm.

Officers Present: DeAngelis, Medina, Morales, Russell, Stuyvesant, and Yeilding

B. Pledge of Allegiance.

Commissioner Castellanos 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, and stated that no reportable action was taken.

D. Public Communications.

The following member(s) of the public addressed the Board with non agenda-related comments: Ann Riddle; Name not provided; and Peggy Walker.

E. Board Committee Reports.

Michelle Corbin, Director, Human Resources, provided a report on the Accessibility Advisory Committee (AAC) on behalf of Commissioner LeSar. Ms. Corbin shared that the AAC had its third meeting on October 14, 2021. Ms. Corbin explained that AAC meetings are conducted as-needed, and the purpose of the committee is to assist the Board with access, Americans with Disability Act (ADA) matters, and championing universal design. Presentations included an update on the Gaylord Pacific Project which incorporated feedback from previous presentations to the AAC including site plan and accessible routes, guest rooms, and convention center and hotel public spaces, some of the changes from previous presentations included hand bar placement in restrooms, removing barn doors from accessible bathrooms, moving light switches to be more accessible, and adjusting bed height. Finally, AAC recognized Disability Employment Awareness Month through multiple activities and highlighted some of the AAC members.

F. Commissioners' Reports.

Commissioner Naranjo provided a report on the October 19th AB 617 Steering Committee. Commissioner Naranjo explained that the meeting focused on Incident Response planning. Air Pollution Control District (APCD) staff explained several components of incident response, including the Unified Command Structure, Incident Notification Procedures, and Communication Strategies. Air District staff informed the committee they are drafting an incident response public participation plan and that they are currently recruiting a public information officer. Commissioner Naranjo shared that on November 4, 2021, APCD staff presented the Draft Incident Response plan to the APCD Governing Board, and plan to bring it back for final adoption in January.

Commissioner Castellanos shared that he took a tour of the San Diego State University Coastal and Marine Institute Lab, where Sunken Seaweed, one of the Port's Blue Economy Incubator pilot projects, is experimenting with growing a number of native seaweeds for food production and bioremediation. He saw different seaweed growing facilities along with a touch tank highlighting different marine animals. The lab is also experimenting with ranching purple sea urchin, which is referred to as uni at sushi restaurants. Commissioner Castellanos thanked Sunken Seaweed and the Coastal Marine Institute Lab for hosting the tour.

Commissioner Bonelli announced that as his second four-year term expires at the end of 2021, the Coronado City Council is in the process of appointing a new Commissioner. The City of Coronado is holding an informational public forum on November 10th at 6pm for Coronado residents to learn about serving as a Port Commissioner. The City of Coronado is accepting applications (must be registered voter and Coronado resident), through November 15, 2021, and will hold council interviews of candidates on November 30, 2021 at 3:00 pm. Commissioner Bonelli shared that more information regarding this opportunity can be found on the City of Coronado's website.

G. Special Recognition.

BPC Policy 250 - Service Recognition Program, allows employees that have achieved 15 or more years of service to be recognized during a Board meeting.

The following staff were recognized for their tenure: Kelly Missey, Senior Systems Administrator, Information Technology - 15 years of service; Ernesto Medina, Chief Engineer, Engineering-Construction - 15 years of service; Corporal Joseph Gutierrez, Harbor Police Department - 15 years of service; Officer Christine Sperry, Harbor Police Department - 20 years of service; and Corporal Ramon Colon, Harbor Police Department - 20 years of service.

H. President's Report.

Joe Stuyvesant, President/CEO, announced that the Port hosted the Association of Pacific Port's Annual Conference with delegates from around the Pacific Rim, from as far away as Guam and the Mariana Islands. Jason Giffen, Vice President, Planning & Environmental Protection, moderated a panel on Ports and Climate Resilience that included Eileen Maher, Director, Environmental Conservation, Dr. Clarissa Anderson from Scripps, Jason Golumbskie-Jones from the Navy, and Shalini Vajjhala from the new San Diego Regional Policy & Innovation Center. Mike LaFleur, Vice President, Maritime, was on a US Maritime Administration panel. Commissioner LeSar joined on Monday to hear an address from a Port of Long Beach commissioner. The highlight of the conference was a boat tour of San Diego Bay narrated by Marguerite Elicone, Marketing/Public

Relations Representative, with help from Commissioner Castellanos.

Mr. Stuyvesant then shared that the draft program Environmental Impact Report for the Port Master Plan Update (PMPU) was released on November 8th for public review. Those interested in reviewing the document or the latest version of the draft PMPU should visit the Port's PMPU webpage for more information, including links to those documents. Comments will be accepted through Thursday, December 23rd.

Mr. Stuyvesant then announced that Commissioner Moore accepted the Greg Cox Service Award--the Pioneer Award--which was presented to the Port by the South County Economic Development Council at their economic summit. The Port received this award primarily for the anticipated significant and positive economic impacts the Chula Vista Bayfront project will have on the community.

Mr. Stuyvesant then shared that from mid-September through mid-October, the Port celebrated National Hispanic/Latinx Heritage Month by reflecting on the rich heritage and culture of Hispanic/Latinx community. The Port highlighted some of the local art and history, and in the final week the Port highlighted Commissioner Castellanos and learned how his heritage influenced him in his role as a Port Commissioner.

Mr. Stuyvesant announced that October was National Disability Employment Awareness Month. This year's theme "America's Recovery: Powered by Inclusion," reflects the importance of hiring those with disabilities during the nation's financial recovery from COVID-19. Mr. Stuyvesant invited everyone to visit the online Museum of Disability History (<https://www.museumofdisability.org>) to discover remarkable stories of people with "disABILITIES". He also invited anyone interested to attend an Accessibility Advisory Committee Meeting here at the Port to find out first-hand how the committee assists the Board in championing universal design, ADA, and access for all.

Mr. Stuyvesant also announced that the Port is hiring. Since July 1st, the Port has hired 24 people, and have promoted 43 staff, with 66 positions currently in the recruiting process. Mr. Stuyvesant added that the Port is very mindful and thoughtful in casting a very wide net and the objective is to hire talented people who reflect the rich diversity of California and the U.S.

Lastly, Mr. Stuyvesant announced that Harbor Police Chief Mark Stainbrook is leaving the Port to be sworn in as Chief of Police for the City of Beverly Hills. The Port is grateful for his service to the organization, and for the effective work he did to improve the safety of all who visit the tidelands. Kirk Nichols is Acting Chief.

I. District Clerk's Announcements.

Commissioner Naranjo announced that due to her husband being employed by Baker Electric, in an abundance of caution, she is recusing herself from this item due to requested docket changes involving Consent Agenda Item 11 - File No. 2021-0390, and did not participate in this item.

Donna Morales, District Clerk, announced that additional agenda-related materials were received by the Board after the publication of the agenda for the following items: Approval of the Minutes; Action Agenda Item 15 - File No. 2021-0386; Action Agenda Item 17 - File No. 2021-0379; and Action Agenda Item 19 - File No. 2021-0381. And although not announced verbally at the meeting, the Board also received materials for Public Hearing Item 13 - File No. 2021-0063.

Additionally, Ms. Morales announced that staff requests the Board consider the following

docket changes: Consent Agenda Item 4 - File No. 2021-0359 - Item A no longer requires Board action as emergency repairs have been completed, with Items B and C still requiring Board action.

Staff requests the Board consider the following items to be continued to a future Board meeting: Public Hearing Item 11 - File No. 2021-0390; and Action Agenda Item 20 - File No. 2021-0391.

On a motion by Commissioner Castellanos, seconded by Commissioner Malcolm, the Board adopted the requested docket changes.

Yeas: 5 - Bonelli, Castellanos, Malcolm, Moore, and Zucchet

Nays: 0

Excused: 1 - LeSar

Absent: 0

Abstain: 0

Recused: 1 - Naranjo

APPROVAL OF MINUTES

[2021-0402](#)

Approval of minutes for:

October 12, 2021 - CLOSED SESSION

October 12, 2021 - BPC MEETING

The following member(s) of the public addressed the Board with agenda-related comments: Danny Serrano, Environmental Health Coalition (with time ceded by Jose Franco Garcia).

Chairman Zucchet asked clarifying questions. Simon Kann, Senior Deputy Counsel, responded.

Commissioner Malcolm, Commissioner Bonelli, Commissioner Moore, Chairman Zucchet, and Commissioner Castellanos, provided comments. Mr. Kann, and Joe Stuyvesant, President/CEO, responded to Board comments.

Commissioner Naranjo made a motion to update the minutes to reflect the changes in Environmental Health Coalitions letter received on November 7, for item 1, item 2, item 3, and item 4; with the exception of "Prohibit the addition of new heavy-duty diesel and natural gas trucks in new leases from adding to the baseline" in number 2. The update would be as follows:

1. Prepare a heavy duty truck transition plan by January 2022 with ZE heavy-duty transition benchmarks of 40% by June 30, 2026 and 100% by December 31, 2030 that includes the following:

- A compilation of all foreseeable tasks and their timelines including: charging infrastructure development; planning and implementation of a short-haul truck program, and creation of a truck registry.**
- Development of key policy concepts such as additional revenue source mechanisms and guidelines to utilize them; and, new lease provisions for ZE**

truck requirements. This section should include the process required for consideration and adoption by the Board as well as their projected hearing dates.

- Compilation and analysis of truck data (e.g., truck ownership, delivery distances within the San Diego region and beyond) needed to prepare the transition plan.

2. Adopt a baseline of 100,000 truck trips consisting of heavy duty diesel and natural gas truck trips. Utilize the baseline for projecting truck transition from diesel and natural gas to zero emission per the transition benchmarks above.

3. Edit the MCAS Definitions to add trucking-related definitions as follows:

- a. Trucking Company - Licensed motor carrier registered with the Secretary of State, registered with the Federal Motor Carrier Safety Administration.
- b. Independent Trucker - A person that has their own operating authority, like the licensed motor carrier and operates one truck all on their own.
- c. Owner Operator - A person that owns a truck but does not hold any operating authority. To be clear, Owner Operator is not a legal definition with regards to employment status, only the relationship between the owner and their equipment.
- d. Truck Driver - A person that holds the proper license to drive the equipment.

4. Edit the MCAS language in Section s.3.1 Assumptions and Advancements to read as follows:

- a. "Maritime tenants and businesses create important maritime workforce jobs for the region. The maritime terminal workforce includes longshore workers, terminal operators, and administrative employees, trucking companies and independent truckers, rail employees, transportation service providers, and others. The MCAS initiatives, including the development of clean technology, should support the existing workforce, but must balance workforce growth and economic development with achieving health equity for those that have been most disproportionately impacted by port and port tenant operations. The port acknowledges that the following conditions and advancement are important to help meet the MCAS long-term goals.

Capability: The state of heavy duty truck technology meets the load and daily mileage requirements, including cargo movements within the port's marine cargo marine terminals, and are commercially available for cargo transported to and from the port's marine cargo terminals.

Infrastructure: Zero emission infrastructure is available and accessible.

Capital expenditures: Procurement costs of zero emission vehicles and equipment will continue to be partially offset by grant subsidies and other financing mechanisms to help achieve parity with traditionally powered vehicles and equipment. Additionally, it assumes technologies and markets will continue to mature.

Commercial availability: Commercial availability of vehicles and equipment will continue to increase, particularly with specialized equipment, such as electric, top handlers and auto carrier trucks.

Education and training: The port will help promote the number of trained service personnel to repair and maintain zero emission equipment and vehicles to help

ensure that there is no undue disruption of cargo and maritime operations."

Chairman Zucchet seconded the motion. The motion failed by the following vote:

Yeas: 3 - Castellanos, Naranjo, and Zucchet

Nays: 1 - Moore

Excused: 1 - LeSar

Absent: 0

Abstain: 2 - Bonelli, and Malcolm

Recused: 0

CONSENT AGENDA

On a motion by Commissioner Castellanos, seconded by Commissioner Naranjo, the Board adopted Resolution 2021-134; Resolution 2021-135; Resolution 2021-136; Ordinance 3027; Resolution 2021-137; Resolution 2021-138; Resolution 2021-139; Resolution 2021-140; Ordinance 3028; Resolution 2021-141; Ordinance 3029; and Resolution 2021-142. The motion carried by the following vote:

Yeas: 6 - Bonelli, Castellanos, Malcolm, Moore, Naranjo, and Zucchet

Nays: 0

Excused: 1 - LeSar

Absent: 0

Abstain: 0

Recused: 0

1. [2021-0104](#) RESOLUTION AUTHORIZING AGREEMENT WITH NMS MANAGEMENT INC. FOR FACILITY JANITORIAL AND RELATED MAINTENANCE SERVICES FROM DECEMBER 1, 2021 TO JUNE 30, 2027 FOR A NOT TO EXCEED AMOUNT OF \$2,550,000. THIS SERVICE HAS BEEN DEEMED AN OPERATIONAL NECESSITY. THE AGREEMENT ALLOWS FOR EARLY TERMINATION BY THE EXECUTIVE DIRECTOR. FUNDS FOR FISCAL YEAR 2022 HAVE BEEN BUDGETED IN THE AMOUNT OF \$210,000. 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 Castellanos, seconded by Commissioner Naranjo, the Board adopted Resolution 2021-134 as part of the Consent agenda.

2. [2021-0354](#) RESOLUTION AUTHORIZING PURCHASE AND INSTALLATION AGREEMENTS WITH INNOVATIVE SIGNAL ANALYSIS, INC. IN THE

AMOUNT OF \$388,548.15 FOR THE ACQUISITION AND INSTALLATION OF A PERSISTENT CAMERA SYSTEM INSTALLED AT THE MARINE SAFETY CENTER, 950 OCEAN LANE, IMPERIAL BEACH, CA, AS AUTHORIZED BY THE BOARD IN AN AMENDED AGREEMENT WITH THE COUNTY OF SAN DIEGO AND AS PART OF THE LAW ENFORCEMENT HOMELAND SECURITY GRANT OPERATION STONEGARDEN FUNDS FOR FY2019. FUNDS FOR THESE AGREEMENTS HAVE BEEN BUDGETED IN THE HARBOR POLICE DEPARTMENT'S FY2022 BUDGET.

On a motion by Commissioner Castellanos, seconded by Commissioner Naranjo, the Board adopted Resolution 2021-135 as part of the Consent agenda.

3. [2021-0356](#) RESOLUTION AMENDING THE SAN DIEGO UNIFIED PORT DISTRICT (DISTRICT) DIRECTORY OF CLASSIFICATION SPECIFICATIONS FOR FISCAL YEAR 2021/2022

On a motion by Commissioner Castellanos, seconded by Commissioner Naranjo, the Board adopted Resolution 2021-136 as part of the Consent agenda.

4. [2021-0359](#) A) RESOLUTION BY 4/5 VOTE AUTHORIZING CONTINUED ACTION FOR THE EMERGENCY REPAIR OF 6-INCH FIRE LINE AND RELATED DAMAGES AT THE GENERAL SERVICES ADMINISTRATION BUILDING IN NATIONAL CITY

B) ORDINANCE AMENDING THE FISCAL YEAR 2022 BUDGET INCREASING THE MAJOR MAINTENANCE EXPENSE APPROPRIATION BY \$150,000 FOR THE FIRE LINE AND SITE REPAIRS AT GENERAL SERVICES ADMINISTRATION BUILDING PROJECT TO BE FUNDED FROM AN INSURANCE REIMBURSEMENT OF \$150,000

C) RESOLUTION BY 2/3 VOTE APPROVING A \$100,000 TRANSFER OF FUNDS, PURSUANT TO BPC POLICY NO. 90 FROM THE FISCAL YEAR 2022 BUDGETED PERSONNEL EXPENSE APPROPRIATION TO THE MAJOR MAINTENANCE EXPENSE FOR THE FIRE LINE AND SITE REPAIRS AT GENERAL SERVICES ADMINISTRATION BUILDING PROJECT FROM SAVINGS IN THE PERSONNEL APPROPRIATION RELATED TO VACANCIES

Item A no longer required Board action as reflected in the docket changes motion. On a motion by Commissioner Castellanos, seconded by Commissioner Naranjo, the Board adopted B - Ordinance 3027, and C - Resolution 2021-137 as part of the Consent agenda.

5. [2021-0353](#) RESOLUTION AUTHORIZING AMENDMENT TO AMENDED AND RESTATED SUBORDINATED, FULLY-NEGOTIABLE PROMISSORY NOTE WITH THE SAN DIEGO COUNTY REGIONAL AIRPORT AUTHORITY TO MODIFY THE INTEREST RATE, WITH CONDITIONS

Commissioner Malcolm congratulated staff actions related to this item.

On a motion by Commissioner Castellanos, seconded by Commissioner Naranjo, the Board adopted Resolution 2021-138 as part of the Consent agenda.

6. [2021-0363](#) RESOLUTION ACCEPTING \$2,500,000.00 IN GRANT FUNDING FROM THE STATE OF CALIFORNIA, VW MITIGATION TRUST ZERO-EMISSION FREIGHT AND MARINE PROGRAM, TO PARTIALLY FUND ONE SHORE POWER STATION AND OUTLET AT NATIONAL CITY MARINE TERMINAL BERTH 24-10/11, AND AUTHORIZING AN AGREEMENT WITH THE BAY AREA AIR QUALITY MANAGEMENT DISTRICT

On a motion by Commissioner Castellanos, seconded by Commissioner Naranjo, the Board adopted Resolution 2021-139 as part of the Consent agenda.

7. [2021-0380](#) RESOLUTION REGARDING DISTRICT VIRTUAL MEETINGS IN ACCORDANCE WITH THE RALPH M. BROWN ACT AND ASSEMBLY BILL 361

On a motion by Commissioner Castellanos, seconded by Commissioner Naranjo, the Board adopted Resolution 2021-140 as part of the Consent agenda.

8. [2021-0385](#) ORDINANCE GRANTING A TEN (10) YEAR EASEMENT TO SAN DIEGO GAS & ELECTRIC FOR THE OPERATION AND MAINTENANCE OF A TEMPORARY ELECTRICAL FACILITY IN THE CITY OF CHULA VISTA, CALIFORNIA

On a motion by Commissioner Castellanos, seconded by Commissioner Naranjo, the Board adopted Ordinance 3028 as part of the Consent agenda.

9. [2021-0377](#) CALIFORNIA YACHT MARINA - CHULA VISTA, LLC LOCATED AT 640 MARINA PARKWAY, CHULA VISTA:

A. RESOLUTION CONSENTING TO THE ASSIGNMENT AND ASSUMPTION OF THE LEASEHOLD INTEREST FROM CALIFORNIA YACHT MARINA - CHULA VISTA, LLC TO SHM SOUTH BAY, LLC DBA SAFE HARBOR SOUTH BAY; AND,

B. ORDINANCE GRANTING AN AMENDED AND RESTATED LEASE TO SHM SOUTH BAY, LLC DBA SAFE HARBOR SOUTH BAY TO UPDATE LEASE TO CURRENT TERMS.

On a motion by Commissioner Castellanos, seconded by Commissioner Naranjo, the Board adopted Resolution 2021-141, and Ordinance 3029 as part of the Consent agenda.

10. [2021-0382](#) RESOLUTION ESTABLISHING THE BOARD OF PORT COMMISSIONERS' REGULAR MEETING DATES FOR CALENDAR YEAR 2022

On a motion by Commissioner Castellanos, seconded by Commissioner Naranjo, the Board adopted Resolution 2021-142 as part of the Consent agenda.

PUBLIC HEARING AGENDA

11. [2021-0390](#) TENTATIVE - SOLAR POWER PURCHASE AGREEMENT AT TENTH AVENUE MARINE TERMINAL (TAMT) TO SUPPORT THE MICROGRID INFRASTRUCTURE PROJECT
- A) CONDUCT PUBLIC HEARING AND ADOPT RESOLUTION MAKING FINDINGS OF ENERGY SAVINGS FROM THE SOLAR POWER PURCHASE AGREEMENT AT TAMT PROJECT UNDER CALIFORNIA GOVERNMENT CODE SECTION 4217.10, ET SEQ.
- B) ADOPT RESOLUTION AWARDED AGREEMENT NO. XX-XX TO XXXXXXXXXXXX FOR THE 700 KILOWATT SOLAR PHOTOVOLTAIC SYSTEM ON THE WAREHOUSE B ROOF AT TAMT UNDER A 20 YEAR SOLAR POWER PURCHASE AGREEMENT AS AUTHORIZED BY THE BOARD
- C) RESOLUTION APPROVING CHANGE ORDER NO. X FOR CONTRACT TIME EXTENSION OF XXX DAYS FOR CONTRACT NO. 20-06, MICROGRID INFRASTRUCTURE AT TENTH AVENUE MARINE TERMINAL PROJECT, TO ALIGN PROJECT COMPLETION WITH THE POWER PURCHASE AGREEMENT DELIVERABLES, WITH NO INCREASE TO THE GRANT FUNDED BOARD APPROVED PROJECT BUDGET, PURSUANT TO BPC POLICY NO.110
- 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.**
12. [2021-0337](#) AMENDMENT OF SAN DIEGO UNIFIED PORT DISTRICT TARIFF NO. 1-G, RATES AND CHARGES, AND UPDATED FORMAT AND LANGUAGE

A. RESOLUTION FINDING THE AMENDMENT TO THE SAN DIEGO UNIFIED PORT DISTRICT TARIFF NO. 1-G, RATES AND CHARGES, TO INCREASE RATES, ADD NEW RATES, AND UPDATE TARIFF FORMAT AND LANGUAGE EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) AS SPECIFIED UNDER SECTION 15273 OF THE CEQA GUIDELINES

B. CONDUCT A PUBLIC HEARING AND ADOPT AN ORDINANCE AMENDING THE SAN DIEGO UNIFIED PORT DISTRICT TARIFF NO. 1 -G, RATES AND CHARGES, ADD NEW RATES, AND UPDATE TARIFF FORMAT AND LANGUAGE

Adam Deaton, Senior Trade Account Representative, Maritime, addressed the Board with

staff's report and presentation regarding Public Hearing Agenda Item 12 - File No. 2021-0337 (A copy of the staff report, presentations and any agenda-related materials are on file with the Office of the District Clerk).

Chairman Zucchet opened the Public Hearing for comments. The following member(s) of the public addressed the Board with agenda-related comments: None.

Chairman Zucchet closed the Public Hearing.

Commissioner Malcolm, Commissioner Castellanos, Commissioner Moore, Commissioner Bonelli, provided comments and asked clarifying questions. Joel Valenzuela, Director, Maritime, and Mr. Deaton responded.

On a motion by Commissioner Bonelli, seconded by Commissioner Malcolm, the Board adopted A - Resolution 2021-143.

Yeas: 6 - Bonelli, Castellanos, Malcolm, Moore, Naranjo, and Zucchet

Nays: 0

Excused: 1 - LeSar

Absent: 0

Abstain: 0

Recused: 0

On a motion by Commissioner Castellanos, seconded by Commissioner Bonelli, the Board adopted B - Ordinance 3030. The motion carried by the following vote:

Yeas: 6 - Bonelli, Castellanos, Malcolm, Moore, Naranjo, and Zucchet

Nays: 0

Excused: 1 - LeSar

Absent: 0

Abstain: 0

Recused: 0

- 13.** [2021-0063](#) SUNROAD HIE HOTEL PARTNERS, L.P.'S PROPOSED SUNROAD HARBOR ISLAND EAST HOTEL PROJECT AT 851 HARBOR ISLAND DRIVE IN SAN DIEGO:

A) CONDUCT PUBLIC HEARING AND ADOPT RESOLUTION AUTHORIZING ISSUANCE OF AN APPEALABLE COASTAL DEVELOPMENT PERMIT TO SUNROAD HIE HOTEL PARTNERS, L.P. FOR THE SUNROAD HARBOR ISLAND EAST HOTEL PROJECT

**B) ADOPT RESOLUTION GRANTING CONCEPT APPROVAL TO
SUNROAD HIE HOTEL PARTNERS, L.P. FOR THE SUNROAD HARBOR
ISLAND EAST HOTEL PROJECT**

Commissioner Castellanos recused himself due to a relationship one of his partners has with one of the involved parties and did not participate in this item.

Wileen Manaois, Director, Development Services, addressed the Board with staff's report and presentation regarding Public Hearing Agenda Item 13 - File No. 2021-0063 (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 Michelle Chan, Senior Planner, Development Services, to provide a project overview including the location, public access components, the concept approval and the draft Coastal Development Permit, and staff recommendation.

Chairman Zucchet opened the Public Hearing. The following member(s) of the public addressed the Board with agenda-related comments: Bridgette Browning, San Diego Labor Council; Uri Feldman, Sunroad Enterprises; Dan Mullen; and Clifford Wyler.

Chairman Zucchet, and Commissioner Malcolm, provided comments.

On a motion by Commissioner Malcolm, seconded by Chairman Zucchet the Board adopted A - Resolution 2021-144, and B - Resolution 2021-145. The motion carried by the following vote:

Yeas: 5 - Bonelli, Malcolm, Moore, Naranjo, and Zucchet

Nays: 0

Excused: 1 - LeSar

Absent: 0

Abstain: 0

Recused: 1 - Castellanos

ACTION AGENDA

**14. [2021-0343](#) DISCLOSURE TRAINING RELATING TO THE CHULA VISTA BAYFRONT
FACILITIES FINANCING AUTHORITY REVENUE BONDS TO FUND THE
PUBLIC INVESTMENT IN THE CONVENTION CENTER AND PHASE 1A
IMPROVEMENTS**

Robert DeAngelis, CFO/Treasurer, addressed the Board with staff's report and presentation regarding Action Agenda Item 14 - File No. 2021-0343 (A copy of the staff report, presentations and any agenda-related materials are on file with the Office of the District Clerk). Mr. DeAngelis then turned the presentation over to Bob Whalen, Stradling Yocca Carlson & Rauth, to provide the training.

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

Commissioner Bonelli provided comments and asked clarifying questions. Mr. DeAngelis responded.

15. [2021-0386](#) MARINE GROUP BOAT WORKS, LLC LOCATED AT 1313 BAY MARINA DRIVE, NATIONAL CITY:

A. RESOLUTION CONSENTING TO THE ASSIGNMENT AND ASSUMPTION OF THE LEASEHOLD INTEREST FROM MARINE GROUP BOAT WORKS, LLC TO AUSTAL USA, LLC; AND,

B. ORDINANCE GRANTING AN AMENDED, RESTATED AND COMBINED LEASE TO AUSTAL USA, LLC TO UPDATE LEASE TO CURRENT TERMS

Tony Gordon, Director, Real Estate, addressed the Board with staff's report and presentation regarding Action Agenda Item 15 - File No. 2021-0386 (A copy of the staff report, presentations and any agenda-related materials are on file with the Office of the District Clerk). Mr. Gordon then turned the presentation over to Amber Jensen, Asset Manager, Real Estate, to provide overview of the site, Austal USA background, Austal's commitments for: emission reduction, local hire, community engagement, and environmental and air quality improvements; staff recommendation and to close out presentation.

The following member(s) of the public addressed the Board with agenda-related comments: Danny Serrano, Environmental Heath Coalition (with time ceded by Jose Franco Garcia); Lawrence Ryder and Rusty Murdaugh, Austal USA (presentation); Sharon Cloward, President, San Diego Port Tenants Association; Vincent Bartolotta, Attorney for Marine Group Boat Works; and Summer Bales, San Diego Regional Chamber of Commerce.

Commissioner Naranjo, Commissioner Bonelli, Commissioner Castellanos, Chairman Zucchet, Commissioner Moore, and Commissioner Malcolm, provided comments.

Commissioner Naranjo made a motion, seconded by Commissioner Bonelli, to accept staff recommendation:

**A. Adopt a resolution consenting to the Assignment and Assumption of the Leasehold interest from Marine Group Board Works, LLC to Austal USA, LLC; and
B. Adopt an ordinance granting and Amended and Restated and Combined Lease to Austal USA, LLC to update lease to current terms.**

During discussion on the item, staff recommended amending the motion language to include:

C. Recommend adopting the resolution on the conditions that the Closing occurs and the ARC Lease becomes effective on or before the Outside Effective Date, as Closing and ARC Lease are defined in the Ordinance attached to the agenda sheet for this item.

Commissioner Naranjo, and Commissioner Bonelli accepted the addition of C as written above. The Board thereby adopted Resolution 2021-146, and Ordinance 3031. The motion carried by the following vote:

Yeas: 6 - Bonelli, Castellanos, Malcolm, Moore, Naranjo, and Zucchet

Nays: 0

Excused: 1 - LeSar

Absent: 0

Abstain: 0

Recused: 0

16. [2021-0120](#) PRESENTATION AND RESOLUTION APPROVING THE SAN DIEGO UNIFIED PORT DISTRICT'S VOLUNTARY VESSEL SPEED REDUCTION PROGRAM DATED NOVEMBER 2021, IN ALIGNMENT WITH THE MARITIME CLEAN AIR STRATEGY

Maggie Weber, Senior Planner, Planning, addressed the Board with staff's report and presentation regarding Action Agenda Item 16 - File No. 2021-0120 (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 Bonelli provided comments and asked clarifying questions. Jason Giffen, Vice President, Planning & Environment, and Zach Birmingham, Senior Environmental Specialist, responded.

On a motion by Commissioner Naranjo, seconded by Commissioner Castellanos, the Board adopted Resolution 2021-147. The motion carried by the following vote:

Yeas: 6 - Bonelli, Castellanos, Malcolm, Moore, Naranjo, and Zucchet

Nays: 0

Excused: 1 - LeSar

Absent: 0

Abstain: 0

Recused: 0

Commissioner Malcolm left the meeting at 5:15 PM and did not return.

17. [2021-0379](#) PRESENTATION AND ADDITIONAL DIRECTION TO STAFF ON THE MARITIME CLEAN AIR STRATEGY'S HEAVY-DUTY TRUCK TRANSITION PLAN INCLUDING:

A. PREPARATION OF A ZERO EMISSIONS HEAVY-DUTY TRUCK TRANSITION PLAN WITH A CONSULTANT TO SERVE AS A ROADMAP TO ACHIEVE THE BOARD APPROVED MARITIME CLEAN AIR STRATEGY'S ZERO EMISSION TRUCK GOALS AND BENCHMARKS,

INCLUDING 40 PERCENT ZERO EMISSION TRUCK TRIPS IN 2026 AND 100 PERCENT ZERO EMISSION TRUCK TRIPS IN 2030;

B. REQUEST TO EXPAND THE SCOPE OF THE HEAVY-DUTY TRUCK TRANSITION PLAN TO IDENTIFY AND ANALYZE MULTIPLE PATHWAYS, INCLUDING A COMBINATION OF ZERO AND NEAR-ZERO EMISSION TRUCK TRIPS TO ACHIEVE EQUIVALENT EMISSIONS REDUCTION BY 2026; AND

C. REQUEST FOR ADDITIONAL TIME TO ADEQUATELY SCOPE AND COMPLETE A HEAVY-DUTY TRUCK TRANSITION PLAN WITH A CONSULTANT.

Philip Gibbons, Program Manager, Planning, addressed the Board with staff's report and presentation regarding Action Agenda Item 17 - File No. 2021-0379 (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 non agenda-related comments: Danny Serrano, Environmental Health Coalition (with time ceded by Jose Franco Garcia); Sophie Silvestri, Pasha Automotive Services; and Sharon Cloward, President, San Diego Port Tenants Association.

Commissioner Naranjo, Commissioner Moore, Commissioner Castellanos, Chairman Zucchet, Commissioner Bonelli, provided comments and asked clarifying questions. Jason Giffen, Vice President, Planning & Environmental Protection, Thomas A. Russell, General Counsel, Simon Kann, Senior Deputy General Counsel, Joe Stuyvesant, President/CEO, Mr. Gibbons, responded.

On a motion by Chairman Zucchet, seconded by Commissioner Castellanos, the Board adopted staff's recommendation including additional direction as follows:

A. PREPARATION OF A ZERO EMISSIONS HEAVY-DUTY TRUCK TRANSITION PLAN WITH A CONSULTANT TO SERVE AS A ROADMAP TO ACHIEVE THE BOARD APPROVED MARITIME CLEAN AIR STRATEGY'S ZERO EMISSION TRUCK GOALS AND BENCHMARKS, INCLUDING 40 PERCENT ZERO EMISSION TRUCK TRIPS IN 2026 AND 100 PERCENT ZERO EMISSION TRUCK TRIPS IN 2030; with additional direction that a preliminary report be brought back to the Board in March, and a final report provided to the Board in June

B. REQUEST TO EXPAND THE SCOPE OF THE HEAVY-DUTY TRUCK TRANSITION PLAN TO IDENTIFY AND ANALYZE MULTIPLE PATHWAYS, INCLUDING A COMBINATION OF ZERO AND NEAR-ZERO EMISSION TRUCK TRIPS TO ACHIEVE EQUIVALENT EMISSIONS REDUCTION BY 2026; with additional direction that this analysis be included in the final report provided to the Board in June.

C. REQUEST FOR ADDITIONAL TIME TO ADEQUATELY SCOPE AND COMPLETE A HEAVY-DUTY TRUCK TRANSITION PLAN WITH A CONSULTANT.

The motion carried by the following vote:

Yeas: 5 - Bonelli, Castellanos, Moore, Naranjo, and Zucchet

Nays: 0

Excused: 2 - LeSar, and Malcolm

Absent: 0

Abstain: 0

Recused: 0

18. [2021-0369](#) UPDATE ON THE STATUS OF MUNICIPAL SERVICES AGREEMENTS FOR FISCAL YEAR 2023

Shaun Sumner, Vice President, Business Operations, addressed the Board with staff's report and presentation regarding Action Agenda Item 18 - File No. 2021-0369 (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 non agenda-related comments: Brad Raulston, City Manager, National City.

Commissioner Naranjo, Commissioner Moore, Commissioner Bonelli, Commissioner Castellanos, and Chairman Zucchet, provided comments and asked clarifying questions. Mr. Sumner, and Simon Kann, Senior Deputy General Counsel, responded.

19. [2021-0381](#) ADOPT A RESOLUTION ELECTING CHAIRMAN, VICE CHAIR AND SECRETARY OF THE BOARD OF PORT COMMISSIONERS FOR 2022

No staff report was provided for this item.

The following member(s) of the public addressed the Board with agenda-related comments: Christina Griffin-Jones.

Chairman Zucchet provided comments.

Chairman Zucchet made a motion to nominate current Vice-Chair Malcolm to be Chair, current Secretary Castellanos to be Vice-Chair, and Commissioner Naranjo to be Secretary, in 2022. Commissioner Moore seconded the motion. The motion carried by the following vote:

Yeas: 5 - Bonelli, Castellanos, Moore, Naranjo, and Zucchet

Nays: 0

Excused: 2 - LeSar, and Malcolm

Absent: 0

Abstain: 0

Recused: 0

20. [2021-0391](#) TENTATIVE - RESOLUTION AUTHORIZING CRUISE SHIP TERMINAL FINANCING AND BERTHING AGREEMENT WITH:
A. CARNIVAL CORPORATION FOR A LOAN AMOUNT NOT TO EXCEED \$2 MILLION.
B. DISNEY CRUISE LINE FOR A LOAN AMOUNT NOT TO EXCEED \$2 MILLION.

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.

21. [2021-0365](#) REVIEW AND CONSIDERATION OF DRAFT PROPOSED BOARD AGENDA FOR THE DECEMBER 14, 2021 MEETING

On a motion by Commissioner Bonelli, seconded by Commissioner Moore, the Board approved the proposed December agenda. The motion carried by the following vote:

Yeas: 5 - Bonelli, Castellanos, Moore, Naranjo, and Zucchet

Nays: 0

Excused: 2 - LeSar, and Malcolm

Absent: 0

Abstain: 0

Recused: 0

OFFICER'S REPORT

22. [2021-0395](#) OFFICER'S REPORT

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

A) Change Order No. 01 to Contract No. 2021-03 with 24 Hour Elevator, Inc. - 90 Calendar Day Time Extension thru 01-05-22

B) Change Order No. 1 to Contract No. 20-06 with EDF Renewables Distributed Solutions, Inc. - Increases Contract by \$195,243.34 & 120 Calendar Day Time Extension thru 10-04-21

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 State of California Department of Parks & Recreation for Crown Cove Dock - Coronado, 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:

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:

A) Amendment No. 1 to Lease (#71973) with Malibu Farm Seaport Village
dba Malibu Farm - Amends Sections 1, 2.1, 4 & 8.1.1 Regarding
Expansion of Leased Premises, Work Commencement, Rent and Other
Provisions

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

ATTEST:

Clerk of the San Diego Unified Port District