



San Diego Unified Port District

3165 Pacific Hwy.
San Diego, CA 92101

Meeting Minutes

Board of Port Commissioners

Tuesday, January 11, 2022

1:00 PM

Virtual Meeting

A. Roll Call.

Present: 7 - Commissioner Castellanos, Commissioner LeSar, Chairman Malcolm, Commissioner Moore, Commissioner Naranjo, Commissioner Urtasun, and Commissioner Zucchet

Excused: 0

Absent: 0

Recused: 0

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

SPECIAL ORDER OF THE DAY

1. [2021-0450](#) RESOLUTION AUTHORIZING PROCLAMATION AND APPOINTING GARRY BONELLI AS COMMISSIONER EMERITUS EFFECTIVE JANUARY 3, 2022

Chair Malcolm announced the Proclamation for Commissioner Emeritus Bonelli.

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

Commissioner Urtasun, Commissioner Naranjo, Commissioner Castellanos, Commissioner Zucchet, Commissioner Moore, Commissioner LeSar, and Chair Malcolm provided comments.

On a motion by Commissioner Urtasun, seconded by Commissioner Zucchet, the Board adopted Resolution 2022-001. The motion carried by the following vote:

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

Nays: 0

Excused: 0

Absent: 0

Abstain: 0

Recused: 0

B. Public Communications.

The following member(s) of the public addressed the Board with non agenda-related comments: Jill Pfeiffer; and Troy Sears, Next Level Sailing.

C. Board Committee Reports.

Commissioner Castellanos provided a report regarding the December 15, 2021, Maritime Stakeholders Forum. Highlights from the meeting included: presentations from Port staff on the Maritime Clean Air Strategy and Health Risk Assessment; an electrification status update; status of cargo operations; a cruise industry update; and an overview of a new commercial fishing ordinance.

D. Commissioners' Reports.

No Commissioner reports were provided.

E. Special Recognition.

Shirley Parsons, Manager, Diversity, Equity and Inclusion, provided an overview of Diversity Council goals in the new year. Ms. Parsons also remembered Dr. Martin Luther King, Jr. in observance of upcoming Martin Luther King, Jr. day.

F. President's Report.

Joe Stuyvesant, President/CEO began by providing an update regarding the Port's approach to Covid and recent steps taken to reduce risk and remain functional during the Omicron wave.

Mr. Stuyvesant then shared that the Port received federal funds in the amount of \$61,390,747.00 from the American Rescue Plan Act which will cover our losses for calendar year 2020. Losses and expenses from 2021 will be submitted in the next few months.

Additionally, Mr. Stuyvesant shared the Governor announced that his budget proposal includes a set aside in the amount of \$2.3 billion for California Ports, which includes \$1.2 billion for infrastructure to increase goods movement capacity, and \$875 million for zero emission port equipment and short haul trucks. The Governor also announced that in addition to the \$2.3 billion, he is also proposing \$200 million for demonstration and pilot projects in high carbon-emitting sectors (such as Maritime), \$350 million for coastal wetland protection and restoration, and \$100 million for green hydrogen projects.

G. District Clerk's Announcements.

Donna Morales, District Clerk, announced that on today's agenda is an item taking final action to amend the employment agreements for President/CEO, General Counsel, and Port Auditor, as detailed in the report for Agenda Item 9 - File No. 2021-0446.

Ms. Morales then added that additional agenda-related materials were received by the Board after publication of the agenda for the following item: Item 16 - File 2022-0005.

Ms. Morales then announced that staff requests that the Board consider the following items to be continued to a future Board meeting: Item 7 - File No. 2022-0004; Item 8 - File 2022-0002, and Item 13 - File 2022-0003

Additionally, Ms. Morales announced that staff requests the Board consider the following docket change: Item 2 - File No. 2022-0006 no longer requires Board action as design immunity happened through Board's approval of the lease which included attached plans.

Commissioner Urtasun announced that due to a previous business relationship with RIDA, he is recusing himself from this item , Action Agenda Item 13 - File No. 2022-0003, and did not participate.

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

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

Nays: 0

Excused: 0

Absent: 0

Abstain: 0

Recused: 1 - Urtasun

APPROVAL OF MINUTES

[2022-0009](#) Approval of minutes for:

December 14, 2021 - CLOSED SESSION

December 14, 2021 - BPC MEETING

December 23, 2021 - CLOSED SESSION

On a motion by Commissioner Castellanos, seconded by Commissioner Zucchet, the Board approved the December 2021 minutes. The motion carried by the following vote:

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

Nays: 0

Excused: 0

Absent: 0

Abstain: 1 - Urtasun

Recused: 0

CONSENT AGENDA

Item 4 - File 2021-0406 was removed from the Consent Agenda.

On a motion by Commissioner LeSar, seconded by Commissioner Castellanos, the Board adopted the revised Consent Agenda, excluding Item 4 - File 2021-0406, as follows: Resolution 2022-002; Resolution 2022-004; Resolution 2022-005; Resolution 2022-006; Ordinance 3033; and Resolution 2022-007. The motion carried by the following vote:

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

Nays: 0

Excused: 0

Absent: 0

Abstain: 0

Recused: 0

2. [2022-0006](#) RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND ACCEPTING THE BAYSIDE PERFORMANCE PARK ENHANCEMENT PROJECT PUBLIC IMPROVEMENTS LOCATED IN EMBARCADERO MARINA PARK SOUTH IN SAN DIEGO

Board action is no longer required for this item.

Board action no longer required for this item.

3. [2021-0372](#) RESOLUTION SELECTING AND AUTHORIZING AN AGREEMENT WITH MOSS ADAMS FOR PROFESSIONAL EXTERNAL AUDITING SERVICES FOR AN AMOUNT NOT TO EXCEED \$398,000 FOR THE AUDIT OF FISCAL YEARS 2022, 2023, AND 2024 WITH TWO ONE-YEAR OPTIONS TO EXTEND, WHICH MAY BE GRANTED AT THE SOLE DISCRETION OF THE DISTRICT FOR AN AMOUNT NOT TO EXCEED \$128,500 PER YEAR, FOR A TOTAL NOT-TO-EXCEED AMOUNT, INCLUDING OPTIONS, OF \$655,000. FUNDS FOR THIS FISCAL YEAR ARE BUDGETED, FUNDS FOR FUTURE FISCAL YEARS WILL BE BUDGETED IN THE OFFICE OF THE PORT AUDITOR IN THE APPROPRIATE FISCAL YEARS, SUBJECT TO BOARD APPROVAL UPON ADOPTION OF EACH FISCAL YEAR'S BUDGET.

On a motion by Commissioner LeSar, seconded by Commissioner Castellanos, the Board adopted Resolution 2022-002 as part of the Consent agenda.

5. [2021-0409](#) RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AWARDING CONTRACT NO. 2020-11 TO PERIMETER SECURITY GROUP IN THE AMOUNT OF \$295,887.50 FOR PHASE 1 OF THE SECURITY GATE PHYSICAL ENHANCEMENTS AT TAMT PROJECT AS AUTHORIZED BY THE BOARD IN THE 2019-2023 CAPITAL IMPROVEMENT PROGRAM

On a motion by Commissioner LeSar, seconded by Commissioner Castellanos, the Board adopted Resolution 2022-004 as part of the Consent agenda.

6. [2021-0417](#) RESOLUTION SELECTING AND AUTHORIZING AN AGREEMENT WITH JGC GOVERNMENT RELATIONS, INC. FOR STATE LEGISLATIVE CONSULTING SERVICES, FROM FEBRUARY 1, 2022 THROUGH

JANUARY 31, 2026 FOR AN AMOUNT NOT TO EXCEED \$495,000.00. FUNDS FOR THIS FISCAL YEAR ARE BUDGETED. 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 LeSar, seconded by Commissioner Castellanos, the Board adopted Resolution 2022-005 as part of the Consent agenda.

7. [2022-0004](#) RESOLUTION SELECTING AND AUTHORIZING AN AGREEMENT WITH PRESIDIO NETWORKED SOLUTIONS GROUP, LLC., FOR ENTERPRISE WIFI INFRASTRUCTURE HARDWARE AND INSTALLATION SERVICES IN AN AMOUNT NOT TO EXCEED \$399,887, FOR A FIVE YEAR TOTAL COST OF OWNERSHIP OF \$399,887. EXPENDITURES ARE BUDGETED IN THE DISTRICT'S ECONOMIC RECOVERY PROGRAM CAPITAL OUTLAY APPROPRIATED ITEM.

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.

8. [2022-0002](#) RESOLUTION AUTHORIZING THE EXECUTIVE DIRECTOR TO EXECUTE A MEMORANDUM OF UNDERSTANDING WITH NATIONAL STEEL AND SHIPBUILDING COMPANY (NASSCO), REGARDING LOW CARBON FUEL STANDARD (LCFS) CREDITS GENERATED FROM ELIGIBLE ELECTRIFIED EQUIPMENT LOCATED AT NASSCO FOR USAGE COVERING THE PERIOD FROM JANUARY 1, 2022 THROUGH JUNE 30, 2022.

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.

9. [2021-0446](#) RESOLUTION APPROVING AMENDMENTS TO THE EMPLOYMENT AGREEMENTS FOR THE EXECUTIVE DIRECTOR (PRESIDENT/CEO), GENERAL COUNSEL, AND PORT AUDITOR

On a motion by Commissioner LeSar, seconded by Commissioner Castellanos, the Board adopted Resolution 2022-006 as part of the Consent agenda.

10. [2021-0456](#) ORDINANCE GRANTING LEASE AMENDMENT NO. 19 PROVIDING FOR A 9-YEAR LEASE EXTENSION TO THE CHULA VISTA MARINA, LP, DBA CHULA VISTA MARINA FOR THE CHULA VISTA MARINA LOCATED AT THE NORTHERN MARINA IN THE CHULA VISTA MARINA BASIN WITHIN THE CHULA VISTA BAYFRONT

On a motion by Commissioner LeSar, seconded by Commissioner Castellanos,

the Board adopted Ordinance 3033 as part of the Consent agenda.

11. [2021-0458](#) RESOLUTION REGARDING DISTRICT VIRTUAL MEETINGS IN ACCORDANCE WITH THE RALPH M. BROWN ACT AND ASSEMBLY BILL 361

On a motion by Commissioner LeSar, seconded by Commissioner Castellanos, the Board adopted Resolution 2022-007 as part of the Consent agenda.

4. [2021-0406](#) RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AWARDED CONTRACT NO. 2019-14 TO BAKER ELECTRIC, INC. IN THE AMOUNT OF \$268,000 FOR THE COLD IRONING (SHORE POWER) PHASE II AT B STREET AND BROADWAY PIERS PROJECT, SAN DIEGO, CALIFORNIA AS AUTHORIZED BY THE BOARD IN THE FY 2019-2023 CAPITAL IMPROVEMENT PROGRAM

This item was removed from the Consent Agenda.

Commissioner Urtasun announced that due to owning Semptra stock, he is recusing himself from this item and did not participate.

Commissioner Naranjo announced that due to her husband being previously employed by Baker Electric, in an abundance of caution, she is recusing herself from this item and did not participate.

On a motion by Commissioner LeSar, seconded by Commissioner Castellanos, the Board adopted Resolution 2022-003. The motion carried by the following vote;

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

Nays: 0

Excused: 0

Absent: 0

Abstain: 0

Recused: 2 - Naranjo, and Urtasun

PUBLIC HEARING AGENDA

12. [2021-0351](#) 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 AN ORDINANCE AWARDED A POWER PURCHASE AGREEMENT TO EDF RENEWABLES DISTRIBUTED SOLUTIONS, INC.

FOR THE 700-KILOWATT SOLAR PHOTOVOLTAIC SYSTEM ON THE WAREHOUSE B ROOF AT TAMT UNDER A 20-YEAR TERM.

C) ADOPT A RESOLUTION APPROVING CHANGE ORDER NO. 2 FOR CONTRACT TIME EXTENSION OF 214 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

Commissioner Urtasun announced that due to owning Semptra stock, he is recusing himself from this item and did not participate.

Commissioner Naranjo announced that due to her husband being previously employed by Baker Electric, in an abundance of caution, she is recusing herself from this item and did not participate.

Renee Yarmy, Program Manager, Energy & Sustainability, addressed the Board with staff's report and presentation regarding Action Agenda Item 12 - File No. 2021-0351 (A copy of the staff report, presentations and any agenda-related materials are on file with the Office of the District Clerk).

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

Chairman Malcolm closed the Public Hearing.

Commissioner LeSar, Commissioner Castellanos, Commissioner Zucchet and Chair Malcolm, provided comments.

On a motion by Commissioner Zucchet, seconded by Commissioner Castellanos, the Board adopted Resolution 2022-008, Resolution 2022-009, and Ordinance 3034. The motion carried by the following vote:

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

Nays: 0

Excused: 0

Absent: 0

Abstain: 0

Recused: 2 - Naranjo, and Urtasun

ACTION AGENDA

13. [2022-0003](#) A. RESOLUTION APPROVING THE FORM OF AND AUTHORIZING THE DISTRIBUTION OF AN OFFICIAL STATEMENT IN PRELIMINARY AND FINAL FORM IN CONNECTION WITH THE ISSUANCE OF THE CHULA VISTA BAYFRONT FACILITIES FINANCING AUTHORITY REVENUE

BONDS (CHULA VISTA BAYFRONT CONVENTION CENTER) SERIES 2022A (FEDERALLY TAXABLE) AND CHULA VISTA BAYFRONT FACILITIES FINANCING AUTHORITY REVENUE BONDS (CHULA VISTA BAYFRONT PHASE 1A INFRASTRUCTURE IMPROVMENTS) SERIES 2022B (TAX-EXEMPT) INCLUDING EXECUTION OF A CERTIFICATE DEEMING THE PRELIMINARY OFFICIAL STATEMENT FINAL FOR PURPOSES OF RULE 15 C2-12 UNDER THE SECURITIES AND EXCHANGE ACT OF 1934 EXCEPT FOR INFORMATION PERMITTED TO BE OMITTED FROM THE PRELIMINARY OFFICIAL STATEMENT PURSUANT TO RULE 15 C2-12;

B. RESOLUTION CONSENTING TO AN ENCUMBRANCE BY RIDA CHULA VISTA, LLC IN THE AMOUNT OF \$_____ MILLION IN FAVOR OF [INSERT BANKS] FOR THE DEVELOPMENT OF THE RESORT HOTEL AND CONVENTION CENTER, WITH CONDITIONS

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.

14. [2021-0403](#)

PRESENTATION ON NEW LEGISLATION FOR 2021-2022 PORT OF SAN DIEGO LEGISLATIVE PRIORITIES AND DIRECTION TO STAFF

Job Nelson, Vice President, Strategy and Policy, addressed the Board with staff's report and presentation regarding Action Agenda Item 14 - File No. 2021-0403 (A copy of the staff report, presentations and any agenda-related materials are on file with the Office of the District Clerk). Mr. Nelson then turned the presentation over to David Yow, Legislative Policy Administrator, to discuss the legislative priorities for 2022.

The following member(s) of the public addressed the Board with agenda-related comments: Peggy Walker; and Kelly McCormick.

Commissioner LeSar, Commissioner Naranjo, Commissioner Castellanos, Commissioner Zucchet, Chair Malcolm, Commissioner Urtasun, and Commissioner Moore provided comments and asked clarifying questions. Mr. Nelson and Mr. Yow responded.

15. [2021-0421](#)

INFORMATIONAL UPDATE AND DIRECTION TO STAFF ON THE MARITIME CLEAN AIR STRATEGY'S ZERO EMISSION HEAVY-DUTY TRUCK OBJECTIVES INCLUDING:

A) PROGRESS ON THE ZERO EMISSION HEAVY-DUTY TRUCK TRANSITION PLAN; AND

B) COMPILATION OF FORESEEABLE TASKS AND MILESTONES FOR TRUCK OBJECTIVE 1B: DEVELOPMENT OF A SHORT-HAUL ZERO EMISSION TRUCK PROGRAM; TRUCK OBJECTIVE 1D: CREATION OF A TRUCK REGISTRY; AND TRUCK OBJECTIVE 2A: IDENTIFICATION OF FOUR LOCATIONS FOR ZERO EMISSION TRUCK CHARGING

Phil Gibbons, Program Manager, Planning, addressed the Board with staff's report and presentation regarding Action Agenda Item 15 - File No. 2021-0421 (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: Danny Serrano, Environmental Health Coalition (with time ceded by Allie Fen).

Commissioner Naranjo and Commissioner Urtasun provided comments and asked clarifying questions. Phil Gibbons and Jason Giffen, Vice President, Planning and Environment responded.

16. [2022-0005](#) RESOLUTION AUTHORIZING A SINGLE SOURCE PURCHASE AGREEMENT WITH KONECRANES FOR DISTRICT ACQUISITION OF TWO ALL-ELECTRIC MOBILE HARBOR CRANES WITH A PROCUREMENT COST NOT-TO-EXCEED \$14,760,000 FOR USE AT TENTH AVENUE MARINE TERMINAL, SAN DIEGO, CA; FUNDS FOR THIS PROCUREMENT FOR THIS FISCAL YEAR ARE BUDGETED WITHIN THE ECONOMIC RECOVERY PROGRAM CAPITAL OUTLAY APPROPRIATED ITEM; ALL FUNDS REQUIRED FOR FUTURE FISCAL YEARS WILL BE BUDGETED IN THE ECONOMIC RECOVERY PROGRAM CAPITAL OUTLAY APPROPRIATED ITEM OF THE APPROPRIATE FISCAL YEAR, SUBJECT TO BOARD APPROVAL UPON ADOPTION OF EACH FISCAL YEAR'S BUDGET.

Michael LaFleur, Vice President, Maritime, addressed the Board with staff's report and presentation regarding Action Agenda Item 16 - File No. 2022-0005 (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: Anthony Soniga, Vice President, ILWU.

Commissioner Zucchet, Commissioner Castellanos and Chair Malcolm provided comments and asked clarifying questions. Mr. LaFleur and Joe Stuyvesant, President/CEO responded.

On a motion by Commissioner Zucchet, seconded by Commissioner Castellanos, the Board adopted Resolution 2022-010. The motion carried by the following vote;

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

Nays: 0

Excused: 0

Absent: 0

Abstain: 0

Recused: 0

17. [2021-0424](#) REVIEW AND CONSIDERATION OF DRAFT PROPOSED BOARD AGENDA FOR THE FEBRUARY 8, 2022 MEETING

On a motion by Commissioner Castellanos, seconded by Commissioner Zucchet, the Board approved the proposed February agenda. The motion carried by the following vote;

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

Nays: 0

Excused: 0

Absent: 0

Abstain: 0

Recused: 0

18. [2022-0008](#) OFFICER'S REPORT

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

A) Change Order No. 02 for Contract No. 2020-04 with Sierra Pacific West, Inc. - Increases Contract by \$82,759.09 & 28 Calendar Day Time Extension thru 11-12-21

MONTHLY NOTIFICATION OF COST RECOVERY USER FEE WAIVERS GRANTED BY THE EXECUTIVE DIRECTOR PURSUANT TO BPC POLICY NO. 106:

None to Report

MONTHLY NOTIFICATION OF RENT REVIEWS CONSENTED TO ADMINISTRATIVELY PURSUANT TO BPC POLICY NO. 355 AS AMENDED ON JANUARY 10, 2017:

None to Report

MONTHLY NOTIFICATION OF ENCUMBRANCES CONSENTED TO ADMINISTRATIVELY PURSUANT TO BPC POLICY NO. 355 AS AMENDED ON JANUARY 10, 2017:

None to Report

MONTHLY NOTIFICATION OF LEASE AMENDMENTS CONSENTED TO ADMINISTRATIVELY PURSUANT TO BPC POLICY NO. 355 AS AMENDED ON JANUARY 10, 2017:

None to Report

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

ATTEST:

Clerk of the San Diego Unified Port District