



**SAN DIEGO UNIFIED PORT DISTRICT  
BOARD OF PORT COMMISSIONERS  
MEETING AGENDA**

**January 6, 2009**

2:00 p.m.

Don L. Nay Port Administration Building  
3165 Pacific Highway  
San Diego, California

**PLEASE COMPLETE A "REQUEST TO SPEAK" FORM PRIOR TO THE COMMENCEMENT OF THE MEETING AND SUBMIT IT TO THE DISTRICT CLERK.**

Starred Items (\*) are considered to be routine, and will be acted upon with one vote. If you wish for an item to be removed from the Consent Agenda, submit your request to the District Clerk prior to the commencement of the meeting.

Agendas are available in alternative formats upon request. If you require assistance or auxiliary aids in order to participate at public meetings, please contact Office of the District Clerk at [publicrecords@portofsandiego.org](mailto:publicrecords@portofsandiego.org) or (619) 686-6206 within 24 hours of the meeting.

Any disclosable public records related to an open session item on a regular meeting agenda and distributed by the San Diego Unified Port District to all or a majority of the Board of Port Commissioners, including those records distributed less than 72 hours prior to that meeting, are available for public inspection at the Office of the District Clerk, 3165 Pacific Highway, San Diego, California during normal business hours.

1. Pledge of Allegiance.
2. Roll Call
3. Swearing-in of Chair, Vice Chair, and Secretary for 2009.
4. Approval of minutes for December 2, 2008 special and regular meetings; December 18, 2008 and December 19, 2008 special meetings.
5. Public Communications (3 minutes each). No actions may be taken on these items.

## **CONSENT AGENDA**

- \* 6. Ordinance Amending Salary Ordinance 2519 Establishing a Schedule of Compensation for all Officers and Employees of the San Diego Unified Port District.
- \* 7. Ordinance Establishing a Hybrid Retirement Plan for Employees of the San Diego Unified Port District.
- \* 8. Resolution Authorizing Staff to apply for approval of projects from the \$2,897,000 funds allocated to the San Diego Port Area by the Department of Homeland Security in its Fiscal Year 2009 Port Security Grant Program.
- \* 9. Resolution Authorizing Staff to submit Fiscal Year 2008 California Port and Maritime Security Grant Program Application(s) to the Governor's Office of Homeland Security and to accept any and all funds that may be awarded from the applications.
- \* 10. Resolution Selecting and Authorizing an Agreement with Innovative Emergency Management, Inc. (IEM) to develop grant funded Strategic Risk Management and Trade Resumption/Resiliency Plans for the San Diego Port Area for the period February 1, 2009 through January 31, 2010 in an amount not to exceed \$334,342.95.
- \* 11. Resolution Selecting and Authorizing Agreements with Dudek, Jones & Stokes Associates, Inc., and Helix Environmental Planning, Inc. for on-call, as-needed environmental review consulting services in an aggregate amount not to exceed \$500,000 for two years with a one-year option to extend
- \* 12. Resolution Selecting and Authorizing an Agreement with Dudek to provide environmental review consulting services for the L-Ditch Remediation Project for an amount not to exceed \$145,000 and for a term of nine (9) months.
- \* 13. Resolution Adopting Plans and Specifications and Awarding Contract No. 2007-30 to 3-D Enterprises, Inc. for North Gate Improvements Tenth Avenue Marine Terminal, San Diego, California, in the amount of \$522,776.
- \* 14. Resolution Authorizing payments up to \$238,238.50 to Centre City Development Corporation for District's share of Amendment No. 1 to Agreement with Project Design Consultants for North Embarcadero Visionary Plan.
- \* 15. Resolution Selecting and Authorizing Agreements with Harris & Associates, PBS&J, and Jacobs Field Services for as needed engineering, project management and construction management services for an aggregate amount not to exceed \$3,000,000 over a three-year period.

**CONSENT AGENDA** (continued)

- \* 16. Resolution Consenting to Assignment and Assumption of Agreement from Testing Engineers San Diego, Inc., to Bureau Veritas North America, Inc.
- \* 17. Resolution Authorizing Change Order No. 2 to Contract No. 2007-34, Tenth Avenue Marine Terminal Security Lighting, Phase III, with Ensley Electric, Inc. for 60 calendar day extension through March 2, 2009.
- \* 18. Resolution Establishing Proposed Rent for ABC Barge & Equipment, Inc. dba Tonga Landing for the Period June 15, 2008 to April 30, 2012.
- \* 19. Resolution Authorizing Assignment of Lease from Anchorage Lane II, LLC to the Anchorage Homeowners Association for 1,215 square feet of District Tidelands.
- \* 20. City of Coronado
  - A) Ordinance Authorizing Amendment No. 2 to 30-Year Lease from the City of Coronado to the District covering the Coronado Linear Park to relocate the Boat House Club Room with conditions; and
  - B) Ordinance Authorizing Amendment No. 2 to 30-Year Sublease to the City of Coronado covering the Coronado Linear Park to relocate the Boat House Club Room with conditions.
- \* 21. Sea Level Rise Analysis
  - A) Resolution Authorizing Amendment No. 2 to Grant Agreement with California Coastal Conservancy for \$15,000 to conduct Sea Level Rise Analysis.
  - B) Resolution Authorizing Amendment No. 1 to Agreement with Lisa Wise Consulting for \$15,000 to Perform Sea Level Rise Analysis.
- \* 22. Resolution Establishing Rent for Sunroad Asset Management, Inc. for the 145,979 square foot restaurant parcel located on the East End of Harbor Island for the period January 1, 2009 to December 31, 2013.
- \* 23. Resolution Selecting and Authorizing an Agreement with Stantec Consulting, Inc. to provide professional services for parking feasibility studies for an amount not to exceed \$175,000.
- \* 24. Marina Cortez
  - A) Resolution Authorizing Marina Cortez to replace and reconstruct the existing Marina and install Shoreline Protection.
  - B) Resolution Consenting to Encumbrance of Marina Cortez Leasehold in the amount of \$7,971,500 in favor of San Diego National Bank with conditions.

**CONSENT AGENDA** (continued)

- \* 25. Ordinance Granting Easement to the City of San Diego for Segment of Waterline relocated to accommodate Dole Fresh Fruit Company at the Northeastern Portion of Tenth Avenue Marine Terminal, in San Diego.
- \* 26. Resolution Granting Indemnity to the Burlington Northern and Santa Fe Railway Company for the North Gate Access Improvements at the Tenth Avenue Marine Terminal, San Diego, California.
- \* 27. Ordinance Granting a 66-Year Easement with San Diego Gas & Electric Company at Tenth Avenue Marine Terminal, San Diego, California.
- \* 28. Ordinance Granting an Easement to Pasha Automotive Services for Communication Cables at the National City Marine Terminal for the Period November 1, 2008 to October 31, 2018.
- \* 29. Resolution Authorizing Grant of Indemnity to the City of San Diego for project-related engineering services for the “Engagement” and “Walking Figures” artworks.
- \* 30. Resolution Accepting the County Registrar of Voter's official certification of the results of the November 4, 2008 Presidential General Election relating to Proposition B “Shall the San Diego Unified Port District's Master Plan be Amended by the Adoption of The Port of San Diego Marine Freight Preservation and Bayfront Redevelopment Initiative?”
- \* 31. Resolution Authorizing Amendment No. 2 to Agreement with Fujitsu Consulting Inc. for \$50,000 and one year extension to June 30, 2010.

**PRESENTATION AGENDA**

- 32. Presentation by the Mayor of the City of National City.
- 33. Staff Update on the “Safer Alternatives to Copper Antifouling Paints” Project.

**PUBLIC HEARING/ACTION AGENDA**

- 34. Broadway Cruise Ship Terminal: Conduct Public Hearing and Adopt Resolution Approving a de minimus Port Master Plan Amendment for Centre City Embarcadero Planning District 3 and Direct Filing with the California Coastal Commission for Certification.

## **ACTION AGENDA**

35. Preliminary Project Approval and Direction to begin design and California Environmental Quality Act (CEQA) review of:
  - A) Boundary adjustments, street closures and;
  - B) Restoration and Paving of the former SDG&E Tank Farm Site at the National City Marine Terminal.
  
36. Pacific Tugboat Service
  - A) Concept Approval for Pacific Maritime Freight, Inc. dba Pacific Tugboat Service proposed \$2,000,000 Pier and Leasehold Improvements located at the Foot of Cesar E. Chavez Parkway in San Diego; and
  - B) Ordinance Granting Lease Amendment No. 1 to Pacific Maritime Freight, Inc. dba Pacific Tugboat Service for Leasehold located at Foot of Cesar E. Chavez Parkway in San Diego.
  
37. Resolution Selecting and Authorizing a Maintenance, Operation, and Engineering Services Agreement for San Diego Unified Port District's Port-Wide Security and Access Control System with VeroTek Systems for a period of three (03) years in an amount not to exceed \$3.0 million.
  
38. Discussion of State Legislation of Interest to the Port of San Diego, Status Report and possible direction to staff if any.
  
39. Review and Consideration of Proposed Board Agenda for Meeting of February 3, 2009.
  
40. Resolution Adopting Plans and Specifications and Awarding Contract No. 2008-17 to \_\_\_\_\_ for Harbor Police Administration Facility Improvements in the amount of \$\_\_\_\_\_.  
**The Board will consider staff's request to continue this item to a future Board meeting.**

## **NOTIFICATION OF SETTLEMENT**

41. First State Insurance Company (Hartford)

## **OFFICER'S REPORT**

42. Monthly Notification of Change Orders Pursuant to BPC Policy 110:
  - A) Change Order No. 1 for \$4,959.09 and 0 Calendar Days to Contract No. 2007-02 with Remedial Civil Constructors, Inc. (RCC) for Tuna Boat Basin Seawall and Revetment, San Diego, California.
  - B) Change Order No. 2 for \$73,232.25 and 9 Calendar Days to Contract No. 2007-31 with Reyes Construction, Inc. for Palm Avenue Street End Improvements, Imperial Beach, California.
  - C) Change Order No. 3 for \$29,362.00 and 0 Calendar Days to Contract No. 2007-31 with Reyes Construction, Inc. for Palm Avenue Street End Improvements, Imperial Beach, California.
  - D) Change Order No. 4 for \$5,000.00 and 0 Calendar Days to Contract No. 2007-31 with Reyes Construction, Inc. for Palm Avenue Street End Improvements, Imperial Beach, California.
  - E) Change Order No. 1 for \$0.00 and 0 Calendar Days to Contract No. 2007-14 with Alpha Mechanical Heating and Air Conditioning, Inc. for Administration Building Boiler and Chiller Repair, San Diego, California.
  - F) Change Order No. 2 for (\$420.00) and 0 Calendar Days to Contract No. 2007-35 with Ace Restoration and Waterproofing, Inc. for Tuna Boat Pier and Fleet Landing Repairs North Embarcadero, San Diego, California.

## **OTHER MATTERS**

43. President's Report.
44. Board Committee Reports
45. Commissioner Comments. No actions may be taken on these items.

## **CLOSED SESSION**

46. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION  
Pursuant to Subdivision (a) of Government Code Section 54956.9:

SDUPD vs. TDY Industries, Inc., et al.  
United States District Court, Southern District of California  
No. 03 CV 1145-B (POR)

### **Note:**

For those planning to attend the Board meeting, parking is available in the Port Administration Building parking lot. Overflow parking can be accommodated to the west of the Port Administration Building in the Port District Employee/Visitor parking.

For the agenda online and more information about the Commissioners' names and city representation, and future Board meeting dates, please visit our website at [www.portofsandiego.org](http://www.portofsandiego.org).

As a courtesy to all who attend these public meetings, please turn all cell phones to off or vibrate before entering the Board Room.