



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

**February 3, 2009**

1:00 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. Approval of minutes for January 5, 2009 and January 6, 2009 special meetings and January 6, 2009 regular meeting meetings.
4. Public Communications (3 minutes each). No actions may be taken on these items.

## **CONSENT AGENDA**

- \* 5. City of Imperial Beach
  - A) Resolution Authorizing Amendment No. 2 to Agreement for Police, Fire, Emergency Medical, Lifeguard and Animal Control Services with the City of Imperial Beach, increasing the agreement amount for FY 2009 by \$144,000 to allow the purchase of four (4) new lifeguard towers and the refurbishment of two (2) lifeguard towers for a FY 2009 total amount under this agreement not to exceed \$2,902,960.
  - B) Adopt the following Resolution conditioned upon the Board's Approval of item A Above: Resolution Waiving BPC Policy No. 110 and Authorizing a Sole Source Negotiation with Industrial Design Research for procurement of four (4) new pre-fabricated lifeguard towers for the City of Imperial Beach for an amount not to exceed \$152,000.
  
- \* 6. Recommendation to Approve efforts furthering the development of new non-copper based antifouling paints or antifouling strategies.
  
- \* 7. Resolution Adopting Plans and Specifications, finding International Pavement Solutions, Inc. bid is non-responsive, and Awarding Contract No. 2008-29 to Abdelrahman Jahshan, Sole Owner, dba Pal General Engineering for tidelands, various locations, preventative pavement maintenance FY 2009, San Diego, California, in the amount of \$189,462.
  
- \* 8. Resolution Authorizing Change Order No. 9 to Contract No. 2006-05 with R. E. Staite Engineering, Inc. for the Pepper Park Boat Launching Facility Improvements for 60 calendar day no cost time extension through April 1, 2009.
  
- \* 9. Resolution Authorizing Change Order No. 4 to Contract No. 2007-02 with Remedial Civil Constructor, Inc. DBA RCC for the Tuna Boat Basin Seawall and Revetment Repairs in an amount not to exceed \$274,810.96 and a contract time extension of 120 calendar days.
  
- \* 10. Resolution Authorizing Change Order No. 4 to Contract No. 2007-18, Tidelands Park Picnic Table Replacement Coronado California, with Robert L. Fox, sole owner dba Fox Construction for 58 calendar day no cost extension through March 14, 2009.
  
- \* 11. Resolution Adopting Revision to Board of Port Commissioners (BPC) Policy No. 713 - Tenant Landscaping Improvements and Maintenance.
  
- \* 12. Ordinance Granting a 66-Year Non-Exclusive Easement for a water line at Harbor Drive with conditions.

**CONSENT AGENDA** (continued)

- \* 13. Sun Harbor Marina
  - A) Ordinance Granting Access and Maintenance Agreement among Sun Harbor Marina; Point Loma Marina, LLC; and District for Maintenance and Operation of Dock Area at 4960 North Harbor Drive.
  - B) Ordinance Granting Amendment No. 2 to Lease with Sun Harbor Marina to provide default remedies for access and maintenance agreement and to update lease provisions.
  
- \* 14. The Marine Group
  - A) Resolution Authorizing Proposed Rent for The Marine Group, LLC retroactive to April 1, 2007 and establishing annual rent adjustments thereafter.
  - B) Ordinance Authorizing Amended, Restated and Combined Lease Agreement with The Marine Group, LLC for property located at 997 G Street, Chula Vista, California.
  
- \* 15. Resolution Consenting to Amendment No. 2 to Sublease from Port Coronado Associates, LLC to Cheese Wine Desserts, LLC dba Candelas on the Bay to extend the term.
  
- \* 16. Continental Maritime of San Diego, Inc.
  - A) Resolution Authorizing Proposed Rent for January 1, 2008 through December 31, 2009.
  - B) Ordinance Granting Lease Amendment No. 4 to establish rental adjustments for the balance of the lease term.

**The Board will consider staff's request to continue this item to a future Board meeting.**
  
- \* 17. Dixieline Lumber Company
  - A) Resolution Authorizing Proposed Rent commencing January 1, 2008.
  - B) Ordinance Granting Lease Amendment No. 6.
  
- \* 18. Resolution Selecting and Authorizing Agreement with XXXX for HVAC Maintenance Services in an amount not to exceed \$ \_\_\_\_\_ for three years.

**The Board will consider staff's request to continue this item to a future Board meeting.**
  
- \* 19. Resolution Authorizing Change Order No. 8 to Contract No. 2007-31, Palm Avenue Street End Improvement Project with Reyes Construction in the amount of \$1xx,xxx and increase budget by \$xx,xxx for a total of \$4,1xx,xxx.

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

**CONSENT AGENDA** (continued)

- \* 20. Resolution Consenting to Assignment and Assumption of Agreement from Boyle Engineering Corporation to Aecom USA, Inc.  
**Board Action No Longer Required**

**PRESENTATION AGENDA**

- 21. Resolution Appointing Sylvia C. Rios as Commissioner Emeritus.
- 22. Presentation Recognizing Dan Wilkens, Outgoing Executive Vice President, for Service to the District.
- 23. Update on Green Port Program.

**PUBLIC HEARING/ACTION AGENDA**

- 24. Conduct a Public Hearing and Adopt an Ordinance Adding Section 8.09 to the San Diego Unified Port District Code Regulating the Parking of Vehicles, Oversize Vehicles and Trailers upon Shelter Island Drive from the 1400 block thereof to Anchorage Lane and in Shoreline Park.
- 25. 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**

- 26. Resolution Authorizing the Implementation of a Voluntary Vessel Speed Reduction Program for the San Diego Unified Port District.
- 27. Broadway Piers Shore Power Project
  - A) Resolution Authorizing an Equipment Purchase Agreement with Cochran, Inc. in the amount of \$2,633,897; and
  - B) Resolution Authorizing a Construction Phase Consultant Services Agreement with Cochran, Inc. in the amount of \$203,028, for the B Street and Broadway Piers Shore Power Project.
- 28. Resolution Adopting Plans and Specifications, consenting to withdrawal of bid of J.R Daley Construction, and Awarding Contract No. 2008-17R to Gordon-Prill San Diego, Inc. for Harbor Police Administration Facility improvements in the amount of \$817,458.
- 29. Discussion of Drop Interest Rate and direction to staff.

**ACTION AGENDA** (continued)

30. State Legislation
  - A) Discussion of State Legislation of Interest to the Port of San Diego, Status Report and possible direction to staff if any.
  - B) Resolution Authorizing State Legislation Amending the Port Act to require future initiatives regarding land uses on State Lands be a State-Wide Ballot Vote.
  
31. Review and Consideration of Proposed Board Agenda for Meeting of March 3, 2009.