



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

March 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 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 February 3, 2009 special and regular meetings.
4. Public Communications (3 minutes each). No actions may be taken on these items.

CONSENT AGENDA

- * 5. Resolution Adopting Board of Port Commissioners (BPC) Policy No. 070, entitled "Receipt and Distribution of Passes and Tickets," setting forth the requirements for the distribution of tickets and passes by the District.

CONSENT AGENDA (continued)

- * 6. Sunroad Resort Marina
 - A) Ordinance Granting Amendment No. 8 to lease with Sunroad Resort Marina, LP to extend the term of the lease until 2037.
 - B) Resolution Consenting to \$17,000,000 Encumbrance by Sunroad Marina Partners, LP in favor of ING Life Insurance and Annuity Company with conditions.

- * 7. 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.

- * 8. Resolution Establishing Proposed Rent for HIW Associates dba Harbor Island West Marina for the period April 1, 2008 to March 31, 2013.

- * 9. Resolution to Approve Implementation Agreement No. 2 with Goodrich Aerostructures Group (Rohr, Inc.) regarding L-Ditch Remediation in the Chula Vista Bayfront.

- * 10. Silver Gate Yacht Club
 - A) Ordinance Rescinding Ordinance No. 2451 Granting Option and Granting a 15-year lease with Silver Gate Yacht Club with Option for additional 25-year extension.
 - B) Resolution Consenting to Encumbrance of Silver Gate Yacht Club's Leasehold Estate in amount not to exceed \$2.5 million in favor of First Business Bank with conditions.

- * 11. Palm Avenue Street End Improvement Project
 - A) Resolution Amending FY 2009 CDP by transferring \$49,000 from Contingency Budget to Palm Avenue Street End Improvement Project.
 - B) Resolution Authorizing Change Order No. 9 to Contract No. 2007-31 with Reyes Construction in the amount of \$98,801 and 60 calendar day extension through April 30, 2009.

- * 12. Resolution Authorizing Agreement with ONA, Inc. for Professional Services for Ruocco Park for an amount not to exceed \$540,455.

- * 13. Resolution Adopting Plans and Specifications and Awarding Contract No. 2008-12 to Daniel Sullivan, Sole Owner, dba Sullivan Solar Power for Administration Building Annex Photovoltaic System in the amount of \$210,797.

CONSENT AGENDA (continued)

- * 14. Resolution Selecting and Authorizing Agreements with Zagrodnik + Thomas Architecture and EHM Architecture for as-needed Americans with Disabilities Act (ADA) and Architectural Design Services for an aggregate amount not to exceed \$240,000 over a three-year period.
- * 15. Resolution Adopting Plans and Specifications and Awarding Contract No. 2008-23 to Davis and Adams Construction, Inc., for TAMT Transit Shed 1 and 2 Restroom Upgrade Project at Tenth Avenue Marine Terminal, San Diego, California in the amount of \$173,079.
- * 16. Resolution Adopting Plans and Specifications and Awarding Contract No. 2008-30 to George A. Dominguez, Sole Owner, for B Street Pier Cruise Ship Terminal Modular Restroom Installation, San Diego, California in the amount of \$118,800.
- * 17. Resolution Amending Board of Port Commissioners (BPC) Policy No. 730, the Port Environmental Advisory Committee Policy, and the Environmental Advisory Committee Charter to update the language, clarifying the composition and operation of the Committee.
- * 18. Resolution Authorizing Lease with _____ for phone system and data communication network in an amount not to exceed \$_____ for a period of five (5) years.
The Board will consider staff's request to continue this item to a future Board meeting.
- * 19. Resolution Amending Memorandum of Understanding with the San Diego Air Pollution Control District (APCD) to allow funding of the District's Clean Truck Program without matching funds from the State of California Proposition 1B, Goods Movement Emission Reduction Program.
The Board will consider staff's request to continue this item to a future Board meeting.
- * 20. Resolution Authorizing Agreement with _____ for Compressed Natural Gas (CNG) Vehicle Leasing Services for District Fleet for an amount not to exceed \$125,000.
The Board will consider staff's request to continue this item to a future Board meeting.

CONSENT AGENDA (continued)

- * 21. Resolution Authorizing Change Order No. 4 to Contract No. 2007-26 with Randall Construction, Inc. for Tidelands Comfort Station Refurbishment at Various Locations; Chula Vista, Coronado, Imperial Beach, National City and San Diego, California in an amount not to exceed \$_____ and _____ Calendar Day Extension through ____.
- The Board will consider staff's request to continue this item to a future Board meeting.**

PRESENTATION AGENDA

22. Presentation of District's Employee of the Fourth (4th) Quarter 2008.
23. Presentation of District's Employee of the Year 2008.
24. Presentation of District's Team of the Year 2008.
25. Presentation on the San Diego Unified Port District Energy Road Map and direction to staff.

ACTION AGENDA

26. Resolution Selecting and Authorizing Agreement with Arcadis U.S., Inc. for Construction and Project Management Services for the Broadway Pier Cruise Ship Terminal Project in an amount not to exceed \$1,200,000.
27. Broadway Piers Shore Power Project
- A) Resolution Authorizing an Equipment Purchase Agreement with Cochran, Inc. in the amount of \$2,633,897;
- 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;
- ITEMS A and B: The Board will consider staff's request to continue these items to a future Board meeting.**
- C) Resolution Selecting and Authorizing Agreement with Engineering Partners, Inc. for Professional Civil and Electrical Design Services for the Shore Power System at B Street and Broadway Pier for an amount not to exceed \$252,000.
28. Resolution Granting Preliminary Approval to Proposed Land Use Changes in National City near the National City Marine Terminal.
29. Recommendation to Approve efforts furthering the development of new Non-Copper Based Antifouling Paints or Antifouling Strategies.

ACTION AGENDA (continued)

30. Discussion of State Legislation of Interest to the Port of San Diego, Status Report and possible direction to staff if any.
31. Review and Consideration of Proposed Board Agenda for Meeting of April 7, 2009.
32. Unconditional Surrender
 - A) Resolution Authorizing up to a Six Month Loan Extension for the Sculpture "Unconditional Surrender" by J. Seward Johnson no additional cost to the District; and
 - B) Resolution Authorizing Matching Funds in the lesser amount of \$200,000, or one-third the cost, to acquire the Sculpture "Unconditional Surrender" or a permanent replacement, with the balance of the acquisition funds being provided by non-port sources.

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

CONSENT AGENDA (continued)

33. City of Imperial Beach
 - A) Resolution Authorizing Amendment No. 3 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 \$11,275 to provide for the sales tax on the purchase of four (4) new lifeguard towers for a FY 2009 total amount under this Agreement not to exceed \$2,914,235.
 - B) Adopt the following Resolution Conditioned upon the Board's Approval of Item A Above: Resolution Authorizing Agreement 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 \$163,275.

OFFICER'S REPORT

34. Monthly Notification of Change Orders Pursuant to BPC Policy No. 110:
 - A) Change Order No. 1 for \$2,875.20 with 0 Calendar Days to Contract No. 2008-04 with Fibwrap Construction, Inc. for Chula Vista Bayside Park Pier Repair, Chula Vista, CA.
 - B) Change Order No. 3 for \$0.00 with 0 Calendar Days & Change Order No. 4 for \$0.00 with 14 Calendar Days & Change Order No. 5 for \$0.00 with 15 Calendar Days to Contract No. 2007-14 with Alpha Mechanical Heating and Air Conditioning, Inc. for Administration Building Boiler and Chiller Repair, San Diego, CA.
 - C) Change Order No. 1 for \$0.00 with 10 Calendar Days to Contract No. 2008-26 with Green Horizon's Landscape & Maintenance, Inc. for Spanish Landing Water Conserving Landscape Improvements, San Diego, California.

OTHER MATTERS

35. President's Report.
36. Board Committee Reports
37. Commissioner Comments. No actions may be taken on these items.

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.

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