



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

July 7, 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. Swearing in of Newly Appointed City of San Diego Commissioner Lee Burdick.
 - **There will be a 10-minute break between Items 3 and 4 •**
4. Approval of minutes for the June 9, 2009 special and regular meetings.
5. Public Communications (3 minutes each). No actions may be taken on these items.

CONSENT AGENDA

- * 6. Resolution Selecting and Authorizing Agreement with Civtel, Inc. for Design of the Port-Wide Fiber Optic Connectivity Project for an amount not to exceed \$276,180.
- * 7. Resolution Granting Indemnity to San Diego Gas and Electric for Net Energy Metering Interconnection for Administration Building Photovoltaic System.
- * 8. Resolution Selecting and Authorizing Agreement with Mactec Engineering and Consulting, Inc., for as-needed Material Testing and Inspection Services for an aggregate amount not to exceed \$400,000 over a three (3)-year period.
- * 9. Resolution Adopting Plans and Specifications for National City Pepper Park Comfort Station Relocation Project, Awarding Contract No. 2008-20 to Dick Miller, Inc. for National City Pepper Park Comfort Station Relocation Project, in the amount of \$399,405 and Authorizing the Allocation of Funds in the amount of \$72,405 to the National City Comfort Station Relocation Project from the FY 09-13 Capital Development Program Contingency Fund.
- * 10. Ordinance Granting Amendment No. 7 to Lease with Dixieline Lumber Company reducing leased premises by 5.57 Acres.
- * 11. Ordinance Granting Amendment No. 6 to Lease with Seaport Village Operating Company, LLC to allow special events at Seaport Village.
- * 12. Resolution Granting Concept Approval to CP Kelco U.S., Inc. for renovation of Warehouse Building H-10.
- * 13. Ordinance Granting a Twenty Year Utility Easement to San Diego Gas & Electric Company for Facilities at the Northwest Corner of Laurel Street and Pacific Highway.
- * 14. Resolution Waiving BPC Policy No. 360 and Authorizing Exclusive Negotiating Agreement with Cembra San Diego, LLC.
- * 15. Resolution Authorizing Exclusive Negotiating Agreement with Wallenius Wilhelmsen Logistics Americas, LLC.
- * 16. Resolution Authorizing the Annual Adoption of Amended Board Policy 115, Guidelines for Prudent Investments.
- * 17. Resolution Authorizing the Write-Off of Uncollectible Accounts Receivable totaling \$1,300.72 from the District's Financial Records.

CONSENT AGENDA (continued)

- * 18. Storage Area Network Equipment
 - A) Resolution Selecting and Authorizing an Agreement with Global Document Storage Systems, Inc. for the Purchase of Storage Area Network Equipment in the Amount of \$40,349.25.
 - B) Resolution Selecting and Authorizing an Agreement with Global Document Storage Systems, Inc. for The Acquisition and Installation of Storage Area Network Equipment.
 - C) Resolution Authorizing Property Schedule No. 2 to the Master Tax-Exempt Lease/Purchase Agreement Between the San Diego Unified Port District (District) and Key Government Finance (KGF), Inc. (Clerk's Document No. 55083) and Granting Indemnity To KGF for the Lease/Purchase Of Storage Area Network Equipment over a five-year period with Annual Payments not to exceed \$350,000.00 for the first year and \$99,730.16 for years two through five with an option for a \$1 purchase of the equipment upon lease completion for a total amount, including principal and interest, not to exceed \$748,921.64.

- * 19. Resolution Selecting and Authorizing Agreement with Merkel & Associates, Inc. for professional environmental and civil design services on the Chula Vista Wildlife Reserve Restoration and Enhancement Project in an amount not to exceed {dollar amount}.
The Board will consider staff's request to continue this item to a future Board meeting.

- * 20. Resolution Authorizing Amendment No. 3 to the Agreement with Marine Group Boat Works for Vessel Related Services increasing the agreement amount by \$140,000 for a new agreement total of \$680,000.
The Board will consider staff's request to continue this item to a future Board meeting.

PRESENTATION AGENDA

- 21. Presentation of Life Saving Commendations and Medals to Two Harbor Police Officers and Civilian Dr. Frank Mowry (Retired).
- 22. Presentation of Life Saving Commendations and Medals to Harbor Police Sergeant Salvador Colin, and United States Navy Gunner's Mate Seaman Apprentices Jennifer Hendricks and Victoria Seike.
- 23. Proclamation Honoring the South County Economic Development Council on it's 20th year anniversary.
- 24. Update on Marine Terminal Freeway Access Improvement Projects.

PUBLIC HEARING/ACTION AGENDA

25. North Embarcadero Visionary Plan Phase 1 Coastal Access Features Project
 - A) Conduct a Public Hearing and Adopt Resolution Finding that the North Embarcadero Visionary Plan Phase 1 Coastal Access Features Project is within the scope of the North Embarcadero Visionary Plan Master Environmental Impact Report.
 - B) Conduct a Public Hearing and Adopt Resolution Authorizing Issuance of an Appealable Coastal Development Permit.

ACTION AGENDA

26. North Embarcadero Visionary Plan Phase 1
 - A) Resolution Authorizing First Amendment to the Joint Exercise of Power Agreement Between the District, the City of San Diego and Redevelopment Agency of the City of San Diego acting through Centre City Development Corporation; and
 - B) Resolution Authorizing Acceptance of Capital Contribution of approximately \$5,723,862 from the Redevelopment Agency of the City of San Diego acting through Centre City Development Corporation; and
 - C) Resolution Authorizing the Allocation of Funds in the Amount of \$14,705,450 to the FY 09-13 Capital Development Program for the Construction of the Phase One Project; and
 - D) Resolution Authorizing addition of Broadway Pier Surface Improvement Project in the amount of \$1,000,000 to the FY 09-13 Capital Development Program.
27. Resolution Adopting Board of Port Commissioners (BPC) Policy regarding Operating Reserves.
28. Capital Development Program Funding Update and Direction to Staff
29. Cruise Ship Terminals Shore Power Project:
 - A) Resolution Authorizing Allocation of Funds in the amount of \$3,600,000 to fully fund the implementation of the project from the FY 09-13 Capital Development Program Contingency Fund and Environmental Fund; and
 - B) Resolution Authorizing an Equipment Purchase Agreement WITH Cochran, Inc. in the not to exceed amount of \$2,658,395.93, and Granting Indemnity to Escrow Agent; and
 - C) Resolution Authorizing a Construction Phase Consulting Services Agreement with Cochran, Inc. in the not to exceed amount of \$203,028; and
 - D) Resolution Authorizing a Three-Year Maintenance Services Agreement with Cochran, Inc. in the not to exceed amount of \$757,945.

ACTION AGENDA (continued)

30. Tenth Avenue Marine Terminal Shore Power Project Implementation Update and Direction to Staff; to proceed with the design and CEQA processing.
31. Resolution Adopting Plans and Specifications and Awarding Contract No. 2008-11 to Sierra Pacific West, Inc. for North Harbor Drive Realignment, San Diego, California, in the amount of \$2,314,069.68.
32. Tenth Avenue Marine Terminal Warehouse Site
 - A) Preliminary Project Review for the Tenth Avenue Marine Terminal Warehouse Site Demolition and Heavy Paving, Office Relocation, and New Truck Scale.
 - B) Direction to Staff to proceed with Environmental Review for the Tenth Avenue Marine Terminal Warehouse site Demolition and Paving, Office Relocation and New Truck Scale.
33. Resolution Authorizing Funding in an amount not to exceed \$733,000 and estimated District Services in the amount of \$641,420 for Fiscal Year 2009/2010 Marketing Sponsorship and Fee For Service Sponsorship Program and Waiving BPC Policy No. 110 with respect to the selection process for those Agreements exceeding \$75,000.
34. Discussion of State Legislation of Interest to the Port of San Diego, Status Report and possible direction to staff, if any.
35. Review and Consideration of Proposed Board Agenda for Meeting of August 4, 2009.

OFFICER'S REPORT

36. Monthly Notification of Change Orders Pursuant to BPC Policy 110:
- A) Change Order No. 5 for (\$412.75) to Contract No. 2007-26 with Randall Construction, Inc. for Tideland Comfort Station Refurbishment Various Locations: Chula Vista, Coronado, Imperial Beach, National City and San Diego, California.
 - B) Change Order No. 4 for \$2,452.00 with 3 Calendar Days to Contract No. 2007-30 with 3-D Enterprises, Inc. for North Gate Improvements Tenth Avenue Marine Terminal San Diego, California.
 - C) Change Order No. 1 for \$29,619.00 with 19 Calendar Days to Contract No. 2008-09 with Bergelectric Corporation for Landside Closed Circuit Television (CCTV) System with Lighting and Fixed Arrays (CCTV) System San Diego and National City, California.
 - D) Change Order No. 3 for \$6,826.84 to Contract No. 2008-29 with PAL General Engineering for Tidelands, Various Locations, Preventative Pavement Maintenance FY2009, San Diego, California.
 - E) Change Order No. 1 for (\$991.00) and Change Order No. 2 for \$3,535.00 to Contract No. 2008-30 with George A. Dominguez for B Street Pier CST Modular Restroom Installation, San Diego, California.
 - F) Change Order No. 1 for 31 Calendar Days to Contract No. 2009-07 with One Source Coatings for Convention Center Seawall Painting, San Diego, California.

OTHER MATTERS

- 37. President's Report.
- 38. Board Committee Reports
- 39. 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.