



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

**September 1, 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 the August 4, 2009 special and regular meetings.
4. Public Communications (3 minutes each). No actions may be taken on these items.

**CONSENT AGENDA**

- \* 5. Resolution Approving funding of six Environmental Fund Projects for an amount not to exceed \$481,192.
- \* 6. Resolution Selecting and Authorizing a Three-Year Agreement with Raphael's Party Rentals, Inc. for temporary Tent Structures and other Equipment Rental Services to support Cruise Ship Operations in an amount not to exceed \$535,000.

**CONSENT AGENDA** (continued)

- \* 7. Resolution Authorizing the Purchase of three Urban Trees Artworks from the "Urban Trees 5" Exhibit titled "My Bike" by Amos Robinson; "Sea and Sky" by Ken Smith; and "School of Blue Bottlenoses" by David Boyer for an amount not to exceed \$56,000.
- \* 8. Cemex Pacific Coast Cement Corporation
  - A) Resolution Consenting to Assignment of Lease from Cemex Pacific Coast Cement Corporation to CEMEX Construction Materials Pacific, LLC.
  - B) Ordinance Granting Amendment No. 1 to Lease with CEMEX Construction Materials Pacific, LLC to modify assignment/sublease language and to add Cemex, Inc. as additional guarantor.
- \* 9. San Diego Yacht Club
  - A) Resolution to Authorize Delaying the Army Corps of Engineers Permit required in Option Agreement with San Diego Yacht Club.
  - B) Resolution Approving Proposed Public Art installation for San Diego Yacht Club.
- \* 10. Resolution Approving Proposed Public Art for Eichenlaub Marine, Inc. dba Eichenlaub Marine.
- \* 11. Resolution Authorizing Staff to Apply for a \$23 million American Recovery and Reinvestment Act of 2009, Transportation Investment Generating Economic Recovery, "Tiger Discretionary Grant" for infrastructure improvements at the Tenth Avenue and National City Marine Terminals.
- \* 12. Ordinance Authorizing Amendment No. 1 to 1998 Convention Center Management Agreement with the City of San Diego.
- \* 13. Resolution Selecting and Authorizing Agreement with Glenn A. Rick Engineering & Development Corporation dba Rick Engineering Company for Professional Engineering Services for the extension of H Street from Bay Boulevard to Marina Parkway, in Chula Vista, California in an amount not to exceed \$364,813.
- \* 14. Resolution Adopting Plans and Specifications and Awarding Contract No. 2009-14 to R.E. Staite Engineering Inc. for Navy Pier North Berth Fender Pile Replacement in the amount of \$113,769.
- \* 15. Resolution Authorizing a Thirty-Three Month Agreement with the City of Imperial Beach for Maintenance Services on Tidelands Properties for an amount not to exceed \$2,334,589.53.

**CONSENT AGENDA** (continued)

- \* 16. Resolution Selecting and Authorizing a Three Year (3) Agreement with Allied Waste Systems, Inc., dba Allied Waste Services of San Diego for monthly Dumpster Services for an amount not to exceed \$270,000.
- \* 17. Sales Tax Rate increase
  - A) Resolution Consenting to Assignment and Assumption of Agreement from Enterprise Rent-A-Car Company of Los Angeles, a Nevada Corporation, dba, Enterprise Fleet Services to Enterprise Rent-A-Car Company of Los Angeles, LLC, a Delaware Limited Liability Company dba, Enterprise Fleet Management, and Authorizing Amendment to Master Lease Agreement to pay additional sales taxes affected by the California Sales Tax Rate increase.
  - B) Resolution Authorizing Payment of Additional Sales Taxes on Purchase Agreement affected by the California State Sales Tax Rate increase.
- \* 18. Ordinance Establishing a Schedule of Compensation for all Officers and Employees of the San Diego Unified Port District.
- \* 19. Resolution Authorizing an Agreement with the City of Chula Vista for Police, Fire, and Emergency Medical Services in an amount not to exceed \$2,275,600 for fiscal years July 1, 2009 through June 30, 2012.
- \* 20. Resolution Selecting and Authorizing Agreements with LBL Technology Partners a Division of Lurie Besikof Lapidus & Co., LLP and KPMG, LLP for as-needed Information Technology Auditing and Consulting Service for an amount not to exceed \$225,000 for the period September 1, 2009 to June 30, 2012.
- \* 21. Resolution Establishing the Board of Port Commissioners Meeting Dates for the Calendar Year 2010.

**PRESENTATION/ACTION AGENDA**

- 22. Presentation of District Employee of Second (2<sup>nd</sup>) Quarter, 2009.
- 23. Kick-off of Green Port Month and Presentation of 2009 Employee Environmental Awards.
- 24. Presentation from the San Diego Superyacht Association on their Organization's Origin, Objectives, and Efforts.
- 25. Presentation Updating Status of 2009 Tenant Rent Deferral Program.

**PRESENTATION/ACTION AGENDA** (continued)

26. Discussion and Direction to Staff concerning calculation of Port's Annual Required Contribution.
27. Presentation Regarding Proposed Hotel and Phase 3 Convention Center Expansion and Direction to Staff.  
**The Board will consider staff's request to continue this item to a future Board meeting.**

**ACTION AGENDA**

28. Shelter Island, Inc. dba Bali Hai
  - A) Resolution Granting Concept Approval to Shelter Island, Inc. dba Bali Hai for proposed restaurant renovation.
  - B) Ordinance Granting an Option Agreement with Shelter Island, Inc. dba Bali Hai for a new 30-year lease, with a 10-year option.
29. Resolution Waiving Board Policy No. 110 and Authorize staff to enter into a Sole Source Purchase Agreement with Metalcraft Marine Inc. for the purchase of two Marine Firefighting/Harbor Patrol and Homeland Security Vessels utilizing California Maritime Port Security Grant Program (CMPSPG) funds for a total price not to exceed \$1,917,000.
30. Review and Consideration of proposed Board Agenda for meeting of October 6, 2009.
31. Discussion of State Legislation of interest to the Port of San Diego, Status Report and possible direction to staff, if any.  
**The Board will consider staff's request to continue this item to a future Board meeting.**

**PRESENTATION AGENDA**

32. Update on the Port's Operating Reserves.

## OFFICER'S REPORT

33. Monthly Notification of Change Orders Pursuant to BPC Policy 110:
- A) Change Order No. 1 for \$39,100.00 and 7 Calendar Days to Contract No. 2007-03 with Hazard Construction Company, Inc. for FY10 Pavement Maintenance TAMT, NCMT, & National City, San Diego and National City, California.
  - B) Change Order No. 1 for \$0.00 and 30 Calendar Days to Contract No. 2008-12 with Sullivan Solar Power for Administration Building Annex Photovoltaic System, San Diego, California.
  - C) Change Order No. 2 for \$0.00 and 14 Calendar Days to Contract No. 2008-12 with Sullivan Solar Power for Administration Building Annex Photovoltaic System, San Diego, California.
  - D) Change Order No. 2 for \$1,620.00 and 0 Calendar Days to Contract No. 2008-17R with Gordon-Prill San Diego, Inc. for Harbor Police Administration Facility Improvements, San Diego, California.
  - E) Change Order No. 3 for \$5,448.00 and 0 Calendar Days to Contract No. 2008-17R with Gordon-Prill San Diego, Inc. for Harbor Police Administration Facility Improvements, San Diego, California.
  - F) Change Order No. 4 for \$2,792.00 and 0 Calendar Days to Contract No. 2008-17R with Gordon-Prill San Diego, Inc. for Harbor Police Administration Facility Improvements, San Diego, California.
  - G) Change Order No. 5 for \$4,175.00 and 0 Calendar Days to Contract No. 2008-17R with Gordon-Prill San Diego, Inc. for Harbor Police Administration Facility Improvements, San Diego, California.
  - H) Change Order No. 6 for \$8,590.00 and 14 Calendar Days to Contract No. 2008-17R with Gordon-Prill San Diego, Inc. for Harbor Police Administration Facility Improvements, San Diego, California.
  - I) Change Order No. 7 for \$0.00 and 30 Calendar Days to Contract No. 2008-17R with Gordon-Prill San Diego, Inc. for Harbor Police Administration Facility Improvements, San Diego, California.
  - J) Change Order No. 1 for \$100,000.00 and 0 Calendar Days to Contract No. 2008-27 with Jaynes Corporation of California for Broadway Pier Cruise Ship Terminal, San Diego, California.

**OTHER MATTERS**

34. President's Report.
35. Board Committee Reports
36. 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](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.