



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

**October 6, 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.
  - 2.1. Swearing in of newly appointed City of Chula Vista Commissioner Steve Padilla.

**There will be a 10-minute reception break between items 2.1 and 3**

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

**CONSENT AGENDA**

- \* 5. Resolution Establishing Rent for California Yacht Marina - Chula Vista, LLC for the period July 1, 2009 to June 30, 2014.

**CONSENT AGENDA** (continued)

- \* 6. Ordinance Granting Amendment No. 4 to Lease with American Mushrooms, Inc. dba American Produce Distributors extending term for the one-year period from February 1, 2010 to January 31, 2011.
- \* 7. Resolution Establishing Rent for Searles Valley Minerals Operations, Inc. for the period January 1, 2008 through December 31, 2012.
- \* 8. Ordinance Granting a 15-Year Easement to WesPac Pipelines San Diego, LLC for the period from May 1, 2000 to April 30, 2015 for existing jet fuel pipeline from Tenth Avenue Marine Terminal to San Diego International Airport.
- \* 9. 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 co-guarantor.
- \* 10. Ordinance granting a twenty year lease with Fisherman's Landing Corporation located in America's Cup Harbor at 2838 Garrison Street.  
**The Board will consider staff's request to continue this item to a future Board meeting.**
- \* 11. Ordinance granting a twenty year lease with United Sportfishers of San Diego, Inc., located in America's Cup Harbor at 2803 Emerson Street.  
**The Board will consider staff's request to continue this item to a future Board meeting.**
- \* 12. Ordinance granting a twenty year lease with Point Loma Sportfishing Association, Inc., located in America's Cup Harbor at 1403 Scott Street.  
**The Board will consider staff's request to continue this item to a future Board meeting.**
- \* 13. Resolution Adopting Plans and Specifications and Awarding Contract No. 2008-37 to So Pac Rail, Inc. for TAMT Railways Trolley/Rail Switch Replacement, San Diego California in the amount of \$445,420.
- \* 14. Resolution Authorizing First Amendment to Three-Party Agreement between Sunroad Asset Management, Inc., Jones and Stokes Associates, Inc., and the Port District for environmental review consulting services for the completion of the Sunroad Harbor Island Hotel Project Environmental Impact Report for an additional \$5,500 and to extend term six (6) months.

**CONSENT AGENDA** (continued)

- \* 15. Resolution Authorizing Memorandum of Understanding between the San Diego Unified Port District and the San Diego Harbor Police Officers Association.
- \* 16. Ordinance Amending Salary Ordinance 2577 Establishing a Schedule of Compensation for all Officers and Employees of the San Diego Unified Port District.
- \* 17. Resolution Approving Internal Audit Plan for Fiscal Year 2010.
- \* 18. Resolution Establishing Rent for Seaport Village Operating Company, LLC dba Seaport Village for the period October 1, 2009 to September 30, 2018.  
**The Board will consider staff's request to continue this item to a future Board meeting.**
- \* 19. Ordinance Granting an Option Agreement with Sunroad Marina Partners, LP for a New 55-Year Lease.  
**The Board will consider staff's request to continue this item to a future Board meeting.**
- \* 20. Resolution Consenting to Assignment of certain ownership interests within Point Loma Marina, LLC.  
**The Board will consider staff's request to continue this item to a future Board meeting.**
- \* 21. Resolution Selecting and Authorizing a two-year Agreement with PCI for Pavement, Marking and Striping at various tidelands locations in an amount not to exceed \$180,000.  
**The Board will consider staff's request to continue this item to a future Board meeting.**

## **PRESENTATION/ACTION AGENDA**

22. Presentation by the San Diego Port Tenants Association on the Oracle Yacht Program.
23. Presentation Updating Status of 2009 Tenant Rent Deferral Program.
24. Presentation and Results of the Marketing and Public Relations investment of \$250,000 to drive business to Port Tourism and Visitor Serving Businesses as directed by the Board of Port Commissioners in June 2009.
25. Presentation and direction to staff regarding opportunities to partner with SDG&E and Nissan on the acquisition of electric vehicles for the Port fleet.
26. Update on the Port's Operating Reserve.
27. Presentation Regarding Proposed Hotel and Phase III Convention Center Expansion Project.  
**The Board will consider staff's request to continue this item to a future Board meeting.**

## **ACTION AGENDA**

28. North Embarcadero Port Master Plan Amendment:  
Resolution Authorizing Commencement of Environmental Review for Port Master Plan Amendment process to modify boundary, land uses and precise plan text of Planning District 3, Centre City Embarcadero.
29. Review and Consideration of Proposed Board Agenda for Meeting of November 3, 2009.
30. Point Loma Marina
  - A) Resolution Granting Approval to Point Loma Marina, LLC for Proposed Restaurant Tenant Improvement Project.
  - B) Resolution Consenting to Sublease from Point Loma Marina, LLC to JFAT, LLC dba Jimmy's Famous American Tavern.  
**The Board will consider staff's request to continue this item to a future Board meeting.**
31. Resolution Electing Chair, Vice-Chair and Secretary of the Board of Port Commissioners to Serve for Calendar Year 2010.  
**The Board will continue this item to a future Board meeting.**

**OFFICER'S REPORT**

32. Monthly Notification of Change Orders Pursuant to BPC Policy 110:
- A) Change Order No. 6 for <\$124.34> and 0 Calendar Days 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. 2 for \$8,637.00 and 4 Calendar Days & Change Order No. 3 for \$6,104.00 and 2 Calendar Days to Contract No. 2008-03 with Davis & Adams Construction, Inc. for Administration Building Annex Restrooms Improvements, San Diego, California.
  - C) Change Order No. 3 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. 8 for \$21,288.00 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. 6 for \$4,000.00 and 0 Calendar Days to Contract No. 2008-22 with Sim J. Harris, Inc. for Kellogg Beach Sand Replacement, San Diego, California.
  - F) Change Order No. 2 for \$7,858.00 and 3 Calendar Days to Contract No. 2008-23 with Davis & Adams Construction, Inc. for TAMT Transit Shed 1 and 2 Restroom Upgrade Project 10<sup>th</sup> Avenue Marine Terminal, San Diego, California.
  - G) Change Order No. 2 for \$7,695.00 and 0 Calendar Days & Change Order No. 3 for \$15,000.00 and 0 Calendar Days to Contract No. 2008-27 with Jaynes Corporation of California for Broadway Pier Cruise Ship Terminal, San Diego, California.
  - H) Change Order No. 4 for \$1,478.55 and 0 Calendar Days to Contract No. 2008-30 with George A. Dominguez for B Street Pier CST Modular Restroom Installation, San Diego, California.
  - I) Change Order No. 1 for \$4,895.00 and 0 Calendar Days to Contract No. 2009-11 with Salzano Engineering, Inc. for TAMT Post Indicating Fire Valve (PIV) Replacement Project Tenth Avenue Marine Terminal, San Diego, California.
  - J) Change Order No. 1 for \$0.00 and 19 Calendar Days to Contract No. 2009-12 with Gordon-Prill San Diego, Inc. for Harbor Police Administration Building Carport Installation, San Diego, California.

## **OTHER MATTERS**

33. President's Report.
34. Board Committee Reports
35. 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.