



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

February 2, 2010

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 the January 5, 2010 special and regular meetings.
4. Public Communications (3 minutes each). No actions may be taken on these items.

CONSENT AGENDA

- * 5. Resolution Authorizing Amendment No. 4 to Professional Services Agreement with Sunlin Consulting, LLP increasing the amount of the existing agreement by \$75,000 for a new not to exceed amount of the \$200,000 and extending the term to June 30, 2011.
- * 6. Resolution Authorizing Amendment No. 1 to Agreement with Nexus IS, Inc., increasing the not to exceed amount by \$130,000 for a new not to exceed amount of \$2,841,711.23.
- * 7. Resolution Authorizing Staff to apply for and submit projects from the \$2,748,751 Funds allocated to the San Diego Port Area by the Department of Homeland Security in its Fiscal Year 2010 Port Security Grant Program.
- * 8. Resolution Selecting and Authorizing Agreement with PBS&J for Environmental Review Consulting Services for the Tenth Avenue Marine Terminal Building Demolition and Office Relocation Project for an amount not to exceed \$206,900 and for a term of 13 months.
- * 9. Resolution Authorizing Staff to proceed with implementation of the Urban Trees 7 Exhibit for placement along the North Embarcadero Pedestrian Promenade for a period of one year in an amount not to exceed \$100,000 and to enter into associated artist agreements.
- * 10. Shelter Island Yachtways
 - A) Resolution Establishing Rent for Shelter Island Yachtways, Ltd. dba Shelter Island Boatyard for the period March 1, 2010 to February 28, 2015 for property located at 2330 Shelter Island Drive.
 - B) Resolution Establishing Rent for Shelter Island Yachtways, Ltd. dba Shelter Island Boatyard for the period March 1, 2010 to February 28, 2015 for property located at 2390 Shelter Island Drive.
- * 11. Resolution Establishing Rent for Bruce Kleege, Don Beaumont and Tom Nielsen dba Gold Coast Anchorage for the period from February 1, 2010 to January 31, 2020.
- * 12. Cabrillo Isle Marina, L.P.
 - A) Resolution Consenting to Assignment and Assumption of Ownership Interests from Cabrillo Isle Marina, L.P. to CNL Income Cabrillo Marina, LLC.
 - B) Resolution Consenting to Sublease from CNL Income Cabrillo Marina, LLC to CIM, L.P.
 - C) Resolution Consenting to Management Agreement between CIM, L.P. and Almar Management, Inc.
 - D) Ordinance Granting Amendment No. 2 to Lease with CNL Income Cabrillo Marina, LLC.

CONSENT AGENDA (continued)

- * 13. Resolution Establishing Rent for Seaport Village Operating Company, LLC for the period October 1, 2009 to September 30, 2018.
- * 14. Resolution Authorizing Amendment No. 1 to the Operating Agreement with Ace Parking Management, Inc. for the Convention Center Hotel Public Parking Facility for a 24 month term extension and a 12 month increase in the Operating Expense Reimbursement Fee.
- * 15. Resolution Consenting to First Amendment to Sublease Agreement between CP Kelco U.S., Inc. and R. E. Staite Engineering, Inc. increasing sublessee's water area.
- * 16. Sunroad Asset Management Inc.
 - A) Ordinance Accepting 40 Year Lease from California State Lands Commission for use of 12,886 square foot water parcel on Harbor Island.
 - B) Contingent on Approval of (A) Resolution Consenting to 14 Year Sublease Agreement with Sunroad Asset Management, Inc. for use of 12,886 square foot water parcel on Harbor Island.

The Board will consider staff's request to continue this item to a future Board meeting.
- * 17. Resolution Extending the duration of the Enhanced Military Leave Policy for all Classified and Unclassified Employees through March 31, 2012.
- * 18. Resolution Amending BPC Policy No. 730, the Port Environmental Advisory Committee Policy, and the Environmental Advisory Committee Charter to Clarify the Composition of the Committee.

The Board will consider staff's request to continue this item to a future Board meeting.
- * 19. Resolution Granting Indemnity to the County of San Diego and City of San Diego from any claim, action or proceeding arising from the Harbor Police Department's (HPD's) participation in the San Diego Regional Command and Control Communications Program.

The Board will consider staff's request to continue this item to a future Board meeting.
- * 20. Resolution Authorizing reallocation of \$310,000 from the Environmental Fund awarded to Scripps Institution of Oceanography, to the Center for Bay and Coastal Change (SIO and SDSU), to conduct a geotech and sea level rise study.

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

PRESENTATION/ACTION AGENDA

21. Presentation of Service Awards to Employees with 15 or more years of service.
22. Presentation and direction to staff regarding Proposed Open Air Cinema Series. Communications
The Board will consider staff's request to continue this item to a future Board meeting.
23. Presentation of Anchorage Lane Development Alternatives and direction to staff.
The Board will consider staff's request to continue this item to a future Board meeting.

PUBLIC HEARINGS/ACTION AGENDA

24. Parking Rates at America's Cup Harbor Fee Lots
 - A) Conduct Public Hearing on Proposed Modification of Parking Rates at America's Cup Harbor Fee Lots (Scott Street Lot and 4975 North Harbor Drive Lot).
 - B) Ordinance Establishing Proposed Modified Parking Rates at America's Cup Harbor Fee Lots (Scott Street Lot and 4975 North Harbor Drive Lot).

ACTION AGENDA

25. Ordinance Authorizing the Second Amendment to Relocation Agreement between the City of Chula Vista, the Redevelopment Agency of the City of Chula Vista, the San Diego Unified Port District and Rohr, Inc., operating as Goodrich Aerostructures.
26. Resolution Approving a Land Exchange Agreement with North C.V. Waterfront L.P., a California Limited Partnership, and Authorization to Execute any additional documents necessary to comply with the agreement conditioned on compliance with the California Environmental Quality Act.
27. Review and Consideration of Proposed Board Agenda for the Meeting of March 2, 2010.
28. Discussion of Legislation of Interest to the Port of San Diego, Status Report and possible direction to staff if any.

OFFICER'S REPORT

29. Monthly Notification of Change Orders Pursuant to BPC Policy 110:
 - A) Change Order No. 2 for \$1,594.00, Change Order No. 3 for \$500.00 and Change Order No. 4 for \$2,500.00 to Contract No. 2008-32 with NEWest Construction Company for Imperial Beach Fishing Pier Repair, Imperial Beach, California.
 - B) Change Order No. 4 for \$1,750.00 and 6 Calendar Days to Contract No. 2008-23 with Davis & Adams Construction, Inc. for TAMT Transit Shed 1 and 2 Restroom Upgrade Project 10th Avenue Marine Terminal, San Diego, California.
 - C) Change Order No. 1 for \$5,500.00 and 0 Calendar Days to Contract No. 2008-05 with PAL General Engineering, Inc. for NCMT Pave Southwest Perimeter National City, California.
 - D) Change Order No. 2 for \$4,767.00, Change Order No. 3 for \$7,239.89 and 5 Calendar Days, Change Order No. 4 for \$4,061.80 and Change Order No. 5 for \$6,515.30 to Contract No. 2008-20 with Dick Miller, Inc. for Pepper Park Comfort Station Relocation, National City, California.
 - E) Change Order No. 1 for \$0.00 and 50 Calendar Days to Contract No. 2009-24 with Triad Construction for Imperial Beach Dunes Park Parking Lot, Trellis Refurbishment, Imperial Beach, California.
 - F) Change Order No. 1 for \$900.00 and 50 Calendar Days to Contract No. 2009-03 with Triad Construction for Shelter Island Friendship Bell Refurbishment, San Diego, California.
 - G) Change Order No. 1 for \$11,300.00 and 0 Calendar Days to Contract No. 2009-14 with R.E. Staite Engineering, Inc. for Navy Pier North Berth Fender Pile Replacement Project, San Diego, California.
 - H) Change Order No. 4 for (\$44,289.74) and 0 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, CA.
 - I) Change Order No. 5 for \$9,761.00 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

30. President's Report.

31. 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.