



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

March 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 February 2, 2010 special and regular meetings.
4. Public Communications (3 minutes each). No actions may be taken on these items.

CONSENT AGENDA

- * 5. Resolution Reappointing Dency Souval to the Port's Public Art Committee for a second three year term as the representative for the City of Chula Vista.
- * 6. Resolution Authorizing Second Amendment to Agreement with CB Urban Development to provide consulting services relative to the development of the Chula Vista Bayfront by increasing the amount of funding from \$290,000 to \$430,000.
- * 7. Ordinance Granting Amendment No. 2 to lease with Point Loma Marina, LLC.
- * 8. Resolution Selecting and Authorizing Agreement with John S. Zinner dba Zinner Consultants for professional engineering and architectural services for the Administration, Annex and General Services Building LEED Certification Project in San Diego California in an amount not to exceed \$150,000.
- * 9. Resolution Authorizing Change Order No. 2 to Contract No. 2008-05 with PAL General Engineering Inc. in the amount not to exceed \$192,278 and extending the contract duration by 60 calendar days for the National City Marine Terminal Pave Southwest Perimeter Project.
- * 10. Resolution Authorizing Issuance of a Non-Appealable Coastal Development Permit for the Chula Vista L-Ditch Remediation and Habitat Replacement Project.
- * 11. Resolution Amending BPC Policy No. 730, the Port Environmental Advisory Committee Policy, and the Environmental Advisory Committee Charter to clarify language and the composition of the Committee.
- * 12. 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.
- * 13. Resolution Declaring Items of Equipment to be surplus to the needs of the Port District and Authorizing their sale or disposal in accordance with BPC Policy No. 111.
- * 14. Resolution Authorizing Acceptance of a \$25,000 Settlement from North Sails Group, Inc. for past due rent and Authorizing Write-Off of \$53,870.27 for the remaining balance.

CONSENT AGENDA (continued)

- * 15. Resolution Selecting and Authorizing a one (1) Year Agreement with XXX for consulting services to create a District-wide Technology Strategic Plan for an amount not to exceed \$250,000.
The Board will consider staff's request to continue this item to a future Board meeting.

- * 16. Resolution Authorizing Change Order No. ____ to Contract No. 2008-27 with Jaynes Construction in an amount not to exceed \${Dollar Amount} for the Broadway Cruise Ship Terminal Project.
The Board will consider staff's request to continue this item to a future Board meeting.

- * 17. Resolution Authorizing Change Order No. 6 to Contract No. 2008-20 with Dick Miller, Inc. in the amount not to exceed {Dollar Amount} for the Pepper Park Comfort Station Relocation Project.
Board Action No Longer Required.

- * 18. Resolution Authorizing Amendment No. 1 to Agreement with Adams Consulting Engineers, Inc. for L Ditch Remediation in Chula Vista, increasing the Agreement Amount by {Dollar Amount} for a total not to exceed {Dollar Amount}.
Board Action No Longer Required.

- * 19. Resolution Authorizing Memorandum of Understanding with the San Diego Association of Governments (SANDAG) for the joint construction of the Port-wide Fiber Optic Project for 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 Selecting and Authorizing a five year Agreement with US Dept of Agriculture Animal and Plant Health Inspection Service, Wildlife Services to provide Predator Control at the D St Fill for an amount not to exceed \$200,000.
Board Action No Longer Required.

- * 21. 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 AGENDA

22. Presentation of the San Diego Unified Port District (District) 2009 Employee of the Fourth (4th) Quarter.
23. Presentation of the San Diego Unified Port District (District) 2009 Employee of the Year.
24. Presentation of the San Diego Unified Port District (District) 2009 Team of the Year.
25. Presentation of California Air Resources Board Enforcement Program for the Drayage Truck Regulation, and Update on the Port's Clean Truck Program.

ACTION AGENDA

26. Presentation and direction to staff regarding proposed Open Air Cinema Series.
27. Review of FY 2009-13 Capital Development Program to ensure that it reflects current District priorities and provide direction to staff.
28. Resolution Authorizing First Amendment to Memorandum of Agreement with the United States Maritime Administration (MARAD) Authorizing Transfer of \$500,000 from the Capital Development Program to MARAD for Marine Terminal Development Program Management Services.
29. Resolution Authorizing First Amendment to Memorandum of Understanding with San Diego Area Association of Governments, for design of the Port Freeway Access Projects increasing not to exceed amount by \$2,000,000 from \$5,330,000 to \$7,330,000.
30. San Diego Convention Center
 - A) Presentation on the Proposed Hotel and Phase III Expansion of the San Diego Convention Center Project and Authorization to staff to Commence Environmental Review.
 - B) Resolution Consenting to the Assignment and Assumption of the Lease From Fifth Avenue Landing, LLC to the San Diego Convention Center Corporation.
 - C) Ordinance Granting Amended, Restated and Combined Lease to San Diego Convention Center Corporation ending June 30, 2024.
 - D) Resolution Consenting to a \$12.5 million Deed of Trust Secured by the San Diego Convention Center Corporation Leasehold Interest in favor of Fifth Avenue Landing, LLC.
 - E) Ordinance Granting 30-year Lease to Fifth Avenue Landing, LLC for a Water Transportation Center.

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

ACTION AGENDA (continued)

31. Resolution Authorizing a Memorandum of Understanding between the District and the Cities of San Diego, Chula Vista, and National City for the operation and administration of the San Diego Regional Enterprise Zone Program and granting indemnity to the Cities.
32. Discussion of Legislation of Interest to the Port of San Diego, Status Report and possible direction to staff if any.
33. Review and Consideration of Proposed Board Agenda for the Meeting of April 6, 2010.

CONSENT AGENDA (continued)

- * 34. Resolution Authorizing Amendment No. 2 to Memorandum of Understanding between San Diego Unified Port District, San Diego Convention Center Corporation and Fifth Avenue Landing, LLC to extend the term.

OFFICER'S REPORT

35. Monthly Notification of Change Orders Pursuant to BPC Policy No. 110:
 - A) Change Order No. 5 for \$3,610.00 to Contract No. 2008-32 with NEWest Construction Company for Imperial Beach Fishing Pier Repair, Imperial Beach, California.

OTHER MATTERS

36. President's Report.
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.