



**SAN DIEGO UNIFIED PORT DISTRICT
BOARD OF PORT COMMISSIONERS
MEETING AGENDA
July 6, 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 May 18, 2010 special meeting, June 8, 2010 special meeting and the June 8, 2010 regular meeting.
4. Public Communications (3 minutes each). No actions may be taken on these items.

CONSENT AGENDA

- * 5. Resolution Selecting and Authorizing an Agreement with ENVIRON International Corporation to provide technical climate action planning services on an as needed basis for an amount not to exceed \$300,000 for two years.
- * 6. Resolution Modifying previous Award of \$310,000 to Scripps Institution of Oceanography (SIO) to eliminate the purchase of multibeam sonar equipment and replace with two separate Agreements for a total of \$239,605.
 - A) Authorize an Agreement with the Regents of the University of California on behalf of SIO to conduct a geotech and fault survey for \$143,077.
 - B) Authorize an Agreement with San Diego State University Research Foundation on behalf of San Diego State University for \$96,528 to produce a San Diego Bay Terrain Model.
- * 7. Resolution Authorizing the Write-Off of Uncollectible Accounts Receivable totaling \$3,771.77 from the District's financial records.
- * 8. Resolution Selecting and Authorizing Agreement with Public Financial Management, Inc. for financial advisory services for 3 years with 2 optional, 1 year extensions for a total amount not to exceed \$330,000.
- * 9. Resolution Adopting Plans and Specifications and Awarding Contract No. 2009-26 to PAL General Engineering, Inc. for Tenth Avenue Marine Terminal pavement maintenance, San Diego, California in the amount of \$318,374.26.
- * 10. Resolution Authorizing Change Order No. 14 to Contract No. 2008-27 with Jaynes Corporation in an amount not to exceed \$561,911.00 for a total contract amount of \$19,168,415.00.
- * 11. Resolution Approving Amendment No. 2 to Exchange Agreement between the San Diego Unified Port District and North C.V. Waterfront, L. P., a California Limited Partnership.
- * 12. Chula Vista Marina/RV Park, Ltd.
 - A) Resolution Consenting to new Sublease of Chula Vista Marina/RV Park, Ltd's existing Sublease to SBF&G Partners, LLC dba South Bay Fish and Grill Restaurant in Chula Vista between SBF&G Partners, LLC (Sublessor) and Santa Maria and San Karas Enterprises Inc. (Sublessee).
 - B) Resolution Consenting to Option Agreement between SBF&G Partners, LLC (Optionor) and Santa Maria and San Karas Enterprises Inc. (Optionee) to purchase restaurant building at 570 Marina Parkway in Chula Vista within 24 months of this Board action for \$1.2 million.

CONSENT AGENDA (continued)

- * 13. Resolution Granting Amendment No. 1 to Amended and Restated Exclusive Negotiating Agreement with San Diego International Terminals, Inc.
- * 14. Resolution Establishing Rent for National Steel and Shipbuilding Company for the property at the Southwest Corner of Belt and Sicard for the period January 1, 2005 through December 31, 2014.
- * 15. Sunroad Asset Management, Inc.
 - A) Ordinance Accepting 40 year Lease from California State Lands Commission for use of 12,886 square foot Water Parcel Adjacent to Sunroad Asset Management, Inc. Leasehold on Harbor Island.
 - B) Contingent on Approval of (A) Ordinance Granting Amendment No. 4 to Lease with Sunroad Asset Management, Inc. to Incorporate 14 year Sublease of California State Lands Commission Parcel into Lease.

PRESENTATION AGENDA

- 16. Presentation of Service Awards to Employees with 15 or more years of service.
- 17. Presentation on the Proposed Hotel and Phase III Expansion of the San Diego Convention Center.
- 18. Presentation on SDCERS Investment Strategy and Historical Results for the investment portfolio.

PUBLIC HEARING AGENDA

- 19. Conduct a Public Hearing and Adopt an Ordinance Amending Port of San Diego Tariff No. 1-G Pilotage Fees: Establish Pilotage Rate for Mega Yachts on San Diego Bay.

ACTION AGENDA

20. Resolution Adopting a new Clean Truck Program for the Tenth Avenue and National City Marine Terminals.
21. Presentation of Americans with Disabilities Act accomplishments on Tidelands and Resolutions Approving:
 - A) Proclamation in recognition of 20th Anniversary of Americans with Disabilities Act on July 26, 2010.
 - B) Amendments to BPC Policy No. 362: Americans with Disabilities Act, to add language to encourage tenants to consider Universal Design on improvements and developments, and minor edits and formatting.
22. Discussion of possible legislation of interest to the San Diego Unified Port District, status report and direction to staff if any.
No Action Requested and/or Required by the Board.
23. Review and Consideration of Proposed Board Agenda for the Meeting of August 3, 2010.

NOTIFICATION OF SETTLEMENT

24. NOTICE OF SETTLEMENT: ARGONAUT INSURANCE COMPANY (Lloyds of London).
San Diego Unified Port District v. Argonaut Insurance Company, et al.
San Diego Superior Court Case No.: GIC 8743394

ACTION AGENDA (continued)

25. Discussion and Board Action as to a local Administrative Process setting aside funding in lieu of Senate Bill 1039.
26. Resolution Approving First Amendment to Memorandum of Understanding with San Diego 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 by August 5, 2010.

CONSENT AGENDA (continued)

27. Resolution Consenting to change of control of Manchester Grand Resorts, L.P. dba Manchester Grand Hyatt Hotel to Hyatt Hotels Corporation with conditions.

OFFICER'S REPORT

28. Monthly Notification of Change Orders Pursuant to BPC Policy No. 110:
 - A) Change Order No. 11 for \$49,026.00 and 0 Calendar Days, to Contract No. 2008-27 with Jaynes Corporation of California for Broadway Pier Cruise Ship Terminal, San Diego, California.
 - B) Change Order No. 1 for \$45,000.00 and 0 Calendar Days, to Contract No. 2009-28 with NEWest Construction Co. for B Street Pier and Broadway Pier Cold Ironing Project, San Diego, California.
 - C) Change Order No. 6 for \$868.00 and 7 Calendar Days, to Contract No. 2009-05 with Coastal Air, Inc. for Administration Building Third Floor Wellness Facility, San Diego, California.

OTHER MATTERS

29. President's Report.
30. 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.