



**SAN DIEGO UNIFIED PORT DISTRICT
BOARD OF PORT COMMISSIONERS
MEETING AGENDA
August 3, 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 June 21, 2010 special meeting, July 6, 2010 special meeting and the July 6, 2010 regular meeting.
4. Public Communications (3 minutes each). No actions may be taken on these items.

CONSENT AGENDA

- * 5. Resolution Authorizing an Agreement with the United States Department of Defense, State of California and the Governor's Office of Emergency Services to receive excess equipment and Grant Indemnity for any claim arising out of the use and demolition of this equipment.
- * 6. Resolution Consenting to Assignment and Assumption of Agreement from the City of Chula Vista to Chula Vista Nature Center Foundation for the Light-Footed Clapper Rail Propagation Program.
- * 7. Resolution Appointing Michelle Pagni as Chairperson of the Personnel Advisory Board from September 18, 2010 to September 17, 2011.
- * 8. Resolution Authorizing a Three Year Memorandum of Understanding (MOU) with San Diego Association of Governments (SANDAG) for shared funding not to exceed \$165,000 for a goods movement policy staff position at that agency.
- * 9. Resolution Consenting to Assignment and Assumption of Interest in Lease with Weyerhaeuser Company to Weyerhaeuser NR Company with a Guaranty from Weyerhaeuser Company.
- * 10. Ordinance Granting Amendment No. 3 to extend term of Option Agreement with Atlas-Kona Kai, LLC dba Kona Kai Resort for 18 months to March 31, 2012.
- * 11. Resolution Consenting to Sublease from CIM, L.P. (Sublessee of CNL Income Cabrillo Marina, LLC dba Cabrillo Isle Marina) to Bassam and Ahlam Rihan dba Papanani's Deli.
- * 12. Resolution Consenting to \$2,000,000 Encumbrance of Knight and Carver Yacht Center, Inc. Leasehold in favor of Beach Business Bank with conditions.
- * 13. Port-Wide Fiber Optic Connectivity Project
 - A) Resolution Rescinding Resolution 2010-46 Consenting to Memorandum of Understanding (MOU) with San Diego Association of Governments (SANDAG).
 - B) Resolution Authorizing a MOU with SANDAG for the joint construction of the Port-Wide Fiber Optic Connectivity Project for an amount not to exceed \$298,680 and Granting Indemnity to SANDAG for the Port-Wide Fiber Optic Connectivity Project for District's acts or omissions.
- * 14. City of Imperial Beach
 - A) Resolution Authorizing Amendment No. 1 to Agreement with the City of Imperial Beach for Police, Fire, Emergency Medical, Lifeguard and Animal Control Services for \$27,513.
 - B) Resolution Authorizing Amendment No. 1 to Agreement with the City of Imperial Beach for Tidelands Maintenance Services for \$16,271.

CONSENT AGENDA (continued)

- * 15. 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.
- * 16. Resolution Adopting Revisions to BPC Policy No. 630 Fraud Prevention Policy.
- * 17. Ordinance Granting a Sublease to City of Coronado for Access Road at Coronado Golf Course.
The Board will consider staff's request to continue this item to a future Board meeting.

PRESENTATION AGENDA

- 18. Presentation of the Maritime Museum Project to construct a replica of the San Salvador Vessel at Spanish Landing Park.

ACTION AGENDA

- 19. Resolution Adopting Revisions to BPC Policy No. 355 and its Administrative Practices - Real Estate Leasing Policy.
- 20. Resolution Adopting Plans and Specifications and Awarding Contract No. 2010-01 to Marathon Construction Corporation for Chula Vista Wildlife Reserve Restoration and Enhancement Project in the amount of \$1,298,700.
- 21. Review and Consideration of Proposed Board Agenda for the Meeting of September 7, 2010.
- 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.

NOTIFICATION OF SETTLEMENT

- 23. NOTICE OF SETTLEMENT: BRETT TIMOTHY WHITE
Brett Timothy White v. San Diego Unified Port District, et al.
San Diego Superior Court Case No.: 37-2009-00096132-CU-PO-CTL

CONSENT AGENDA (continued)

- * 24. Resolution Providing Response to Grand Jury Report: "Efficiency in Government - Managed Competition, Outsourcing, Reengineering and Reverse Auction within San Diego County".

ACTION AGENDA (continued)

25. Update to Board and Direction to Staff regarding North Embarcadero Visionary Plan Phase 1, Lane Field Development, and Port Master Plan Amendment covering portions of North Embarcadero.

OFFICER'S REPORT

26. Monthly Notification of Change Orders Pursuant to BPC Policy No. 110:
 - A) Change Order No. 2 for \$6,579.00 and 0 Calendar Days to Contract No. 2009-28 with NeWest Construction Company for B Street Pier and Broadway Pier Cold Ironing Project, San Diego, California.
 - B) Change Order No. 5 for \$11,515.00 and 0 Calendar Days to Contract No. 2008-16 with 3-D Enterprises, Inc. for Tenth Avenue Marine Terminal and National City Marine Terminal Lighting Improvements, San Diego and National City, California.
 - C) Change Order No. 8 for (\$169.00) and 0 Calendar Days to Contract No. 2008-32 with NEWest Construction Company for Imperial Beach Fishing Pier Repair, Imperial Beach, California.

OTHER MATTERS

27. President's Report.
28. 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.