



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

**August 9, 2011**

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. Roll Call.
2. Pledge of Allegiance.
3. Approval of minutes for the July 12, 2011 special meeting and the July 12, 2011 regular meeting.
4. Public Communications (3 minutes each). No actions may be taken on these items.

## **CONSENT AGENDA**

- \* 5. Ordinance Granting a Sixty-Six Year Sewer Easement to city of San Diego on Harbor Drive between Broadway and B Street.
- \* 6. Ordinance Granting a Twenty-One Year and Ten Month Electric and Gas Utility Easement to San Diego Gas and Electric on Harbor Drive between Ash Street and E Street.
- \* 7. San Diego Convention Center Hotel and Phase III Expansion Project (Project)
  - A) Resolution Consenting to the Assignment of Agreement for Payment of Entitlement Costs for the San Diego Convention Center Hotel and Phase III Expansion Project from the San Diego Convention Center Corporation to the City of San Diego.
  - B) Resolution Consenting to the Assignment of Agreement for Environmental Consulting Services from the San Diego Convention Center Corporation to the City Of San Diego.
  - C) Resolution Approving Partial Assignment and Assumption Agreement with One Park Boulevard, LLC for payment of entitlement costs for the San Diego Convention Center Hotel and Phase III Expansion Project.
  - D) Resolution Approving First Amendment to Agreement for Environmental Consulting Services to add One Park Boulevard, LLC as an Applicant.
- \* 8. Resolution Consenting to the partial Assignment of One Park Boulevard, LLC'S \$240 million loan secured by the Hilton San Diego Bayfront Hotel from Aareal Capital Corporation to PB Capital Corporation In the amount of \$40 million.
- \* 9. Resolution Adopting Plans and Specifications and Awarding Contract No. 2011-02 to R.E. Staite Engineering, Inc. for B Street Pier South Berth Fender System upgrade in the amount of \$977,984.05.
- \* 10. Resolution Adopting Plans and Specifications and Awarding Contract No. 2009-23 to R.E. Staite Engineering, Inc. for Embarcadero Marina Park South Revetment Replenishment, San Diego, in the amount of \$949,965.06.
- \* 11. Resolution Waiving BPC Policy No. 110 and Authorizing Agreement with Project Design Consultants for Design Support Services during construction of the North Embarcadero Visionary Plan Phase 1 in the amount of \$567,287.46.
- \* 12. Resolution Adopting Plans and Specifications and Awarding Contract No. 2009-17R to Jose Pereira Engineering and Mechanical, Inc. for Tenth Avenue Marine Terminal Communications and Fire Alarm System Upgrade in the amount of \$960,000.

**CONSENT AGENDA** (continued)

- \* 13. Resolution Authorizing Change Order No. 7 to Contract No. 2010-11 with Sergio Becerra, dba Becerra's HVAC for the Administration Building 5th Floor IT Server Room HVAC upgrade in an amount not to exceed \$20,530.
- \* 14. Resolution Authorizing Acceptance of Transportation Security Administration FY11 Grant Award Modification #7 in the amount of \$47,185.53 for the Harbor Police Department (HPD) Explosives Detection Canine Team Program per BPC Policy No. 109.
- \* 15. Resolution Authorizing Amendment No. 1 to Agreement with Visionary Integration Professionals to extend the Agreement for one year and increase the maximum expenditure by \$100,000, from \$300,000 to \$400,000.
- \* 16. Resolution Authorizing Agreement with Third Wave Corporation for Technology Strategic Plan Development Services in an amount not to exceed \$241,485.
- \* 17. Resolution Authorizing Second Amendment to Agreement with Merkel & Associates to Extend the Agreement for 2 Years and for Additional Services to Conduct Long Term Monitoring of the Restoration and Enhancement Project at the Chula Vista Wildlife Reserve in the amount of \$41,000 for a new not-to-exceed total of \$228,577.
- \* 18. SANDAG's Regional Beach Sand Project II - Imperial Beach:
  - A) Resolution Adopting the Findings of the Final Environmental Impact Report Certified by SANDAG and Authorize Staff to File the Notice of Determination.
  - B) Resolution Authorizing the Issuance of a Non-Appealable Coastal Development Permit.
- \* 19. Resolution Amending the Audit Advisory Committee Charter outlining the composition and reporting duties of the Audit Advisory Committee.
- \* 20. Resolution Selecting and Authorizing Agreement with Public Financial Management, Inc. for Financial Advisory Services for five years for a total amount not to exceed \$330,000.
- \* 21. Ratification of Adoption of the Fiscal Year 11/12 Preliminary Budget.

**CONSENT AGENDA** (continued)

- \* 22. Resolutions Authorizing Agreements -
  - A) with Xxx, for Coastal Consulting Services, on an as needed basis, for two years and approve funding not to exceed \$xxx.
  - B) with Xxx, for Coastal Consulting Services, on an as needed basis, for two years and approve funding not to exceed \$xxx.

**The Board will consider staff's request to continue this item to a future Board meeting.**
  
- \* 23. Resolution Selecting and Authorizing Agreement with {Company Name} for Professional Engineering Services for the Shelter Island Boat Launching Ramp Facilities Improvement Project, in San Diego California in an amount not to exceed {Dollar Amount}.

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

  
- \* 24. Resolution Consenting to Sublease and First Amendment to Sublease from Host San Diego Hotel, LLC to FedEx Office and Print Services, Inc., for five years with one option to extend for five years.

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

  
- \* 25. Resolution Granting Indemnity and Agreeing to a Limitation of Liability to Ecotality North America for Electric Vehicle Charging Infrastructure.

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

**PRESENTATION AGENDA**

- 26. Presentation on Status of Port of San Diego Waterfront Activation Effort.

## **ACTION AGENDA**

27. Resolution Adopting Plans and Specifications and Awarding Contract No. 2010-10 to Ledcor Construction Inc. for the Construction of Ruocco Park, San Diego, CA in the amount \$3,453,042.47.
28. Resolution Selecting and Authorizing Agreement with Arcadis US, Inc. for Construction and Project Management Services for the North Embarcadero Visionary Plan Phase 1 Project, San Diego California in an amount not to exceed \$1,697,278.72.
29. Update on Senate Bill 623 (Kehoe) Banning Copper Marine Antifouling Paint and direction to staff.
30. Review and Consideration of Proposed Board Agenda for the Meeting of September 13, 2011.
31. Barrio Logan Community Plan Update: Presentation by staff and Board direction. **The Board will consider staff's request to continue this item to a future Board meeting.**

## **OFFICER'S REPORT**

32. Monthly Notification of Change Orders Pursuant to BPC Policy No. 110:
  - A) Change Order No. 1 for \$25,468.89 and 0 Calendar Days to Contract No. 2011-04 with PAL General Engineering, Inc. for National City Marine Terminal Pavement Maintenance, National City, California.
  - B) Change Order No. 5 for \$0.00 and 15 Calendar Days to Contract No. 2010-11 with Becerra's HVAC for Administration Building 5<sup>th</sup> Floor IT Server Room HVAC Upgrade, San Diego, California.
  - C) Change Order No. 6 for \$0.00 and 31 Calendar Days to Contract No. 2010-11 with Becerra's HVAC for Administration Building 5<sup>th</sup> Floor IT Server Room HVAC Upgrade, San Diego, California.

## **OTHER MATTERS**

33. President's Report.
34. Commissioner Comments/Review of today's meeting. No actions may be taken on these items.
  - A) Discuss Concept of Staff Ombudsman for the San Diego Port Tenants Association.