



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

**October 11, 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 August 23, 2011 special meeting, September 13, 2011 special meeting and the September 13, 2011 regular meeting.
4. Public Communications (3 minutes each). No actions may be taken on these items.

## **CONSENT AGENDA**

- \* 5. Ordinance Amending the Conflict of Interest Code of the San Diego Unified Port District.
- \* 6. Resolution Authorizing First Amendment to Agreements with AMEC Earth & Environmental, Inc.; Weston Solutions, Inc.; and Merkel & Associates, Inc. for \$250,000 for a new total not to exceed amount of \$625,000 to comply with Regional Water Quality Control Board Investigative Order.
- \* 7. Resolution Authorizing Agreements with California Strategies and RRM Design Group for Coastal Consulting Services, on an as needed basis, for two years and approve funding not to exceed \$313,000.  
**The Board will consider staff's request to continue this item to a future Board meeting.**
- \* 8. Resolution Accepting the FY 2011 Port Security Grant Program Award for the San Diego Port Area, resulting in a total award amount of \$3,063,888.
- \* 9. Resolution Authorizing Amendment No. 2 to Agreement with ONA, Inc. for additional construction support services for Ruocco Park in the amount of \$85,000 for a new not to exceed total of \$703,825, and an extension of the agreement until December 31, 2012.
- \* 10. Resolution Selecting and Authorizing Agreement with Transystems Corporation for professional services for design of the Shelter Island Boat Launching Facility Improvement in San Diego, California, in an amount not to exceed \$495,000.
- \* 11. Resolution Waiving BPC Policy No. 110 and Authorizing an Agreement with Civitas, Inc. for design of Broadway Pier Surface Enhancements and Security Fence in an amount not to exceed \$176,780.
- \* 12. Resolution Adopting Plans and Specifications and Awarding Contract No. 2011-15 to Hearne Corporation for Administration Building First and Second Floor Security Upgrade in the amount of \$369,281.
- \* 13. FY 11/12 Final Budget
  - A) Ordinance Rescinding Ordinance 2641 Adopting the Annual Budget for FY 11/12.
  - B) New Ordinance Adopting the Annual Budget for FY 11/12.
- \* 14. Resolution Consenting to Sublease and First Amendment to Sublease from HST Lessee San Diego LP to FedEx Office and Print Services, Inc., for five years with one option to extend for five years.

**CONSENT AGENDA** (continued)

- \* 15. Resolution Authorizing the following actions with the San Diego and Arizona Eastern Railway (SDAE) for the "H" Street At-Grade Crossing in Chula Vista:
  - A) Accepting Easement;
  - B) Entering into a Construction and Maintenance Agreement; and
  - C) Granting Indemnity.
  
- \* 16. Resolution Establishing Minimum Rent for Joe's Crab Shack Restaurant for the period from November 1, 2011 through October 31, 2016 in the amount of \$77,200.
  
- \* 17. Ordinance Granting Option Amendment No. 1 to Extend Term of Option and Lease Agreement with Coronado Yacht Club for 36 Months to November 3, 2014.
  
- \* 18. Resolution Approving Proclamation Welcoming the Tara Oceans Research Vessel to the Port of San Diego.
  
- \* 19. Pro Build Company, LLC, dba Dixieline Lumber Company:
  - A) Ordinance Granting an Amended, Restated and Combined Lease, with Guaranty; reducing lumber yard acreage; Minimum Annual Guarantee (MAG); and rent.
  - B) Ordinance Granting an Amended, Restated and Combined Industrial/Commercial Multi-Tenant Lease with Guaranty, separating National Distribution Center Area from Lumber Yard Leasehold.

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

**PRESENTATION AGENDA**

- 20. Presentation on North Embarcadero Port Master Plan Amendment Citizens Advisory Committee.

**ACTION AGENDA**

- 21. Marina Cortez Landside Redevelopment
  - A) Resolution Granting Concept Approval to Marina Cortez, Inc., for proposed Marina Landside Renovation.
  - B) Ordinance Granting an Option Agreement with Marina Cortez, Inc., for a new 40 Year Lease.
  
- 22. Resolution Authorizing the Annual Adoption of BPC Policy No. 115, Guidelines for Prudent Investments.

**ACTION AGENDA** (continued)

23. Review and Consideration of Proposed Board Agenda for the Meeting of November 8, 2011.
24. Resolution Electing Chair, Vice-Chair and Secretary of the Board of Port Commissioners to serve for Calendar Year 2012.
25. Presentation of the Draft Report and Preliminary Recommendation for the Cabrillo Circulator Shuttle and request for direction to staff.  
**The Board will consider staff's request to continue this item to a future Board meeting.**
26. Presentation on Proposed Changes to Board of Port Commissioners' (BPC) Policy No. 355 – Real Estate Leasing Policy and Administrative Practices; and direction to staff.  
**The Board will consider staff's request to continue this item to a future Board meeting.**
27. Presentation on Visionary Concepts for San Diego Seaport Village and Surrounding Area and direction to staff.  
**The Board will consider staff's request to continue this item to a future Board meeting.**
28. Revisions to BPC Policy Related to Receipt of Donations and Loans and Board Policies related to Public Art
  - A) Resolution Deleting BPC Policy No. 610 - Memorials, Markers and Plaques.
  - B) Resolution Adopting Revisions to BPC Policy No. 611- Receipt of Donations and Loans.
  - C) Resolution Adopting Revisions to BPC Policy No. 609- Public Art.
  - D) Resolution Adopting BPC Policy No. 608- Tenant Percent for Art.**The Board will consider staff's request to continue this item to a future Board meeting.**

## **OFFICER'S REPORT**

29. Monthly Notification of Change Orders Pursuant to BPC Policy No. 110:
  - A) Change Order No. 7 for (\$174.00) and 0 Calendar Days to Contract No. 2010-37 with Chula Vista Electric for Broadway Pier Port Pavilion Exterior Lighting Back-Up Power System, San Diego, CA.
  - B) Change Order No. 9 for \$50,000.00 and 0 Calendar Day Time Extension to Contract No. 2010-11 with Becerra's HVAC for Administration Building 5<sup>th</sup> Fl IT Server Room HVAC Upgrade, San Diego, California.
  - C) Change Order No. 8 for \$0.00 and 54 Calendar Day Time Extension to Contract No. 2010-11 with Becerra's HVAC for Administration Building 5<sup>th</sup> Fl IT Server Room HVAC Upgrade, San Diego, California.
  - D) Change Order No. 2 for \$81,614.88 and 0 Calendar Day Time Extension to Contract No. 2009-30 with PAL Engineering, Inc. for Tidelands ADA Accessibility Improvements Phase II, San Diego, California.

## **OTHER MATTERS**

30. President's Report.
31. Commissioner Comments/Review of today's meeting. 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](http://www.portofsandiego.org).

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