



SAN DIEGO UNIFIED PORT DISTRICT BOARD OF PORT COMMISSIONERS MEETING AGENDA

May 6, 2008

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.

Note: 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. Documents that relate to an agenda item are available at the Office of the District Clerk, 3165 Pacific Highway, San Diego, California.

1. Pledge of Allegiance.
2. Roll Call
3. Approval of minutes for the April 4, 2008 and April 8, 2008 special meetings and the April 8, 2008 regular meeting.
4. Public Communications (3 minutes each). No actions may be taken on these items.

CONSENT AGENDA

- * 5. Resolution Providing for Pick Up of Employee Contributions to the District's Retirement Plan.
- * 6. 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.

CONSENT AGENDA (continued)

- * 7. Resolution Adopting the FY 08/09 Preliminary Budget and setting the date for Public Hearing on the budget as June 10, 2008.
- * 8. Ordinance Granting Amendment No. 1 to the lease with Maritime Museum Association of San Diego to add the *USS Dolphin* Submarine as a permanent vessel to the leasehold.
- * 9. Resolution Consenting to Fifth Amendment of Sublease between San Diego Seaport Village, Ltd., and Aloha Partners, LP (Buster's Beach House/Longboard Bar).
- * 10. Ordinance Granting Amendment No. 2 to Solar Turbines Incorporated lease to conclude the rent review for the period February 1, 2003 through January 31, 2013.
- * 11. Resolution Establishing Proposed Rent for Tideland Use and Occupancy Permit for Parking for Solar Turbines Incorporated at Pacific Highway and Laurel Street for the period June 1, 2004 to May 31, 2009.
- * 12. Resolution Establishing Proposed Rent for Tideland Use and Occupancy Permit for Parking for Solar Turbines Incorporated at Pacific Highway and Hawthorn Street for the period June 1, 2004 to May 31, 2009.
- * 13. Resolution Selecting and Authorizing an Agreement with Marine Group Boatworks, LLC for removal of "Neptune's Palace" from San Diego Bay in the amount of \$341,000.
- * 14. Resolution Proclaiming Support of National Public Works Week, May 18-24, 2008, "The Future is Now!".
- * 15. Resolution Authorizing Agreement with URS Corporation dba URS Corporation Americas for Project Management Services for Chula Vista Bayfront Phase I Infrastructure and Authorizing Stage One in an amount not to exceed \$536,000.
- * 16. Ordinance Granting Lease Amendment No. 3 to Dole Fresh Fruit Company Amending Provision for leasehold located at Northern portion of Tenth Avenue Marine Terminal, San Diego.
- * 17. Resolution Proclaiming Support of National Maritime Day.
- * 18. Resolution Selecting and Authorizing an Agreement with Weston Solutions, Inc. to provide professional services for the Regional Harbor Monitoring Program (RHMP) on an as-needed basis over a period of five years in an amount not to exceed \$1,800,000 and subject to annual funding.

CONSENT AGENDA (continued)

- * 19. Resolution Authorizing Amendment to Resolution Number 2007-183 to Authorize Staff to apply for Financial Assistance provided by the Governor's Office of Homeland Security.
- * 20. Resolution Authorizing Agreement between the San Diego Unified Port District and San Diego Medical Services Enterprise, LLC for oversight of the District's AED Program.
Board Action No Longer Required
- * 21. Resolution Selecting and Awarding a Purchase Agreement with _____ to furnish storage area network equipment (new and unused goods) in an amount not to exceed \$_____ including California sales tax.
The Board will consider staff's request to continue this item to a future Board meeting.
- * 22. Resolution Establishing Rent for the San Diego County Regional Airport Authority for the 17,666 square foot parcel located Southwesterly of Pacific Highway at the prolongation of Palm Street for the period May 1, 2008 to April 30, 2012.
The Board will consider staff's request to continue this item to a future Board meeting.
- * 23. Ordinance Granting Lease Amendment No. 3 to National Steel and Shipbuilding Company Amending Leasehold adding approximately _____ square feet of tideland area to leasehold located along Belt Street, in San Diego.
The Board will consider staff's request to continue this item to a future Board meeting.

PRESENTATION/ACTION AGENDA

- 24. Recommendation of Port Scholarship Advisory Committee to award three scholarships totaling \$6,000 and presentation to recipients of school year 2008/2009 Port with No Borders Scholarships.
- 25. Presentation of Proclamation to Captain Charles V. Strangfeld, U.S. Coast Guard, to honor and acknowledge his positive contributions to the Port of San Diego Regional Community, as the Captain of the Port.
- 26. Discussion Regarding Initiative entitled "The Port of San Diego Marine Freight Preservation and Bayfront Redevelopment Initiative", direction to staff and/or Adoption of Resolution concerning initiative.

PUBLIC HEARING/ACTION AGENDA

27. Ferry Landing Associates, LLC
 - A) Resolution Granting Concept Approval for Ferry Landing Associates proposed restaurant development.
 - B) Conduct Public Hearing and Adopt Resolution Authorizing the Issuance of an Amendment to the Appealable Coastal Development Permit for the Ferry Landing Expansion Project.
 - C) Resolution Consenting to 25-Year Sublease from Ferry Landing Associates, LLC to Ferry Landing Associates Restaurant Group, LLC dba Arthur's Prime Steak House.

ACTION AGENDA

28. Fifth Avenue Landing, LLC
 - A) Resolution Consenting to Assignment and Assumption of Fifth Avenue Landing, LLC Lease Agreement to Spinnaker Waterfront Hotel, LLC;
 - B) Resolution Consenting to Assignment and Assumption of Fifth Avenue Landing, LLC Option Agreement for development of the Spinnaker Hotel to Spinnaker Waterfront Hotel, LLC; and
 - C) Adopt the following Resolutions and Ordinances conditioned upon the Board's consent of items A and B above:
 - 1) Ordinance Authorizing Amended, Restated and Combined Lease Agreement with Spinnaker Waterfront Hotel, LLC for the property located bayward of Convention Way and Marina Park Way;
 - 2) Ordinance Authorizing Amendment No. 3 to Spinnaker Option Agreement to update terms and extend the term for one year with Spinnaker Waterfront Hotel, LLC; and
 - 3) Resolution Consenting to Sublease from Spinnaker Waterfront Hotel, LLC to Fifth Avenue Landing, LLC for the Water Transportation Center.
29. Resolution Adopting BPC Policy No. 725 – Transition Zone Policy.
30. Resolution Requesting the San Diego City Employees' Retirement System Board of Directors to identify any investments in foreign owned companies with business operations in Iran or with Iran's energy, defense, or nuclear sectors, and develop a plan of divestment in any such companies or investments.
31. Discussion of State Legislation of Interest to the Port of San Diego, Status Report and possible direction to staff.
32. Review and Consideration of Proposed Board Agenda for Meeting of June 10, 2008.

PRESENTATION/ACTION AGENDA (continued)

33. Discussion of Amending Board Policy No. 609 regarding the composition of the Public Art Committee and funding of the Public Art program and direction to staff.

OFFICER'S REPORT

34. Monthly Notification of Change Orders Pursuant to BPC Policy 110:
 - A) Change Order No. 1 for \$0.00 and 59 Calendar Days to Contract No. 2004-51R with Saturn Electric, Inc. for B Street Cruise Ship Terminal Security Enhancement Project, San Diego, California.
 - B) Change Order No. 34 for (\$20,226.00) and 0 Calendar Days to Contract No. 2005-20 with Reyes Construction, Inc. for Former Navy Pier Rehabilitation, San Diego, California.
 - C) Change Order No. 7 for \$4,398.92 and 0 Calendar Days to Contract No. 2006-05 with R.E. Staite Engineering, Inc. for Pepper Park Boat Launching Facility Improvements, National City, California.
 - D) Change Order No. 3 for (\$5,413.43) and 6 Calendar Days to Contract No. 2006-20 with Hazard Construction Co. for Shelter Island Drive Pavement Repairs, San Diego, California.
 - E) Change Order No. 4 for \$54,396.16 and 15 Calendar Days to Contract No. 2006-20 with Hazard Construction Co. for Shelter Island Drive Pavement Repairs, San Diego, California.
 - F) Change Order No. 1 for \$0.00 and 59 Calendar Days to Contract No. 2007-20 with Airgas-West, Inc. for Fire Suppression System Sixth Floor Security Equipment Administration Building, San Diego, California.
 - G) Change Order No. 3 for \$700.00 and 0 Calendar Days to Contract No. 2007-27 with Hobbs Electric for Harbor Police Headquarters Electrical System Upgrade, San Diego, California.
 - H) Change Order No. 1 for \$3,264.00 and 0 Calendar Days to Contract No. 2007-32 with John Carey Construction Company, Inc. for Administration Building Fifth Floor Office Improvements, San Diego, California.
 - I) Change Order No. 1 for \$0.00 and 14 Calendar Days to Contract No. 2008-08 with United Storm Water, Inc. for Tuna Harbor Park Storm Drain Filter Inserts, San Diego, California.

OTHER MATTERS

35. President's Report.
36. Board Committee Reports
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.