



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

**May 10, 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 April 12, 2011 special meeting and the April 12, 2011 regular meeting.
4. Public Communications (3 minutes each). No actions may be taken on these items.

## **CONSENT AGENDA**

- \* 5. Ordinance Granting Amendment No. 1 to Lease with San Diego County Regional Airport Authority to increase leased premises by approximately 35,179 square feet.
- \* 6. Resolution Consenting to Assignment of Ownership Interests within Eichenlaub Marine, Inc.
- \* 7. Resolution Consenting to \$4,447,500 Loan between Banco Popular and PLA-Art International, Inc., dba San Diego Cold Storage.
- \* 8. Resolution Authorizing an Amendment No. 1 to the Memorandum of Understanding with San Diego Association of Governments for a change order of \$671,320 to extend the Port-Wide Fiber Optic Connectivity Project for a total MOU amount of \$970,000.
- \* 9. Resolution Adopting Plans and Specifications and Awarding Contract No. 2011-04 to Pal General Engineering, Inc. for the National City Marine Terminal Pavement Maintenance in the amount of \$288,776.25.
- \* 10. Resolution Authorizing a Transfer of Ownership Agreement with San Diego Gas & Electric Company transferring ownership of a utility pipeline located on the former Teledyne Ryan Leasehold.
- \* 11. Ordinance Amending the FY 2010-11 Equipment Outlay Budget - increasing the Equipment Outlay Budget by \$50,000.
- \* 12. Resolution Adopting the FY 11/12 Preliminary Budget and setting the date for Public Hearing on the budget as June 14, 2011.  
**This item has been moved to the Action Agenda as Item No. 29.1.**

**CONSENT AGENDA** (continued)

- \* 13. Amend Agreements with Post, Buckley, Schuh & Jernigan, Inc. (PBS&J) to change consultant name to Atkins North America, Inc.:
  - A) Resolution Authorizing Amendment No. 1 to Agreement with PBS&J for as-needed Engineering, Project Management and Construction Management Services to change consultant name from PBS&J to Atkins North America, Inc.
  - B) Resolution Authorizing Second Amendment to Agreement with PBS&J for Environmental Review Consulting Services for the Tenth Avenue Marine Terminal Building Demolition and Office Relocation Project to change service provider name from PBS&J to Atkins North America, Inc.
  - C) Resolution Authorizing Second Amendment to Three-Party Agreement with Pacific Gateway, Ltd. and PBS&J for Environmental Review Consulting Services for the San Diego Marriott Hotel & Marina Facilities Improvement Project to change consultant name from PBS&J to Atkins North America, Inc.
  
- \* 14. Resolution Authorizing an Agreement with En Pointe Technologies Sales Inc. for the purchase of 575 Microsoft Office 2010 Standard Licenses in the amount of \$152,020.54.
  
- \* 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 Authorizing Acceptance of the Transportation Security Administration FY11 Grant Award Modification #6 in the amount of \$46,477 for the Harbor Police Department (HPD) Explosive Detection Canine Team Program per BPC Policy No. 109.
  
- \* 17. Resolution Authorizing Execution of a Memorandum of Understanding (MOU) between the City of San Diego and the District and provide mutual indemnity to participate in the Urban Area Security Initiative (UASI) Grant Program and accept any and all grant funds that may be awarded.
  
- \* 18. Resolution Approving Proclamation to Honor and Acknowledge Captain Thomas H. Farris, U.S. Coast Guard, for his positive contribution to the Port of San Diego Regional Community, as the Captain of the Port.
  
- \* 19. Resolution Authorizing a Tidelands Use & Occupancy Permit (TUOP) for the San Diego Symphony to conduct its 2011 Summer Pops Concert Series at Embarcadero Marina Park South and finding that no further environmental review is required.

**CONSENT AGENDA** (continued)

- \* 20. Recommendation of Port Scholarship Advisory Committee to Award two scholarships totaling \$3,000 to recipients of School Year 2011/2012 for the Port With No Borders Scholarships.
- \* 21. Resolution Proclaiming Support of National Public Works Week, May 15-21, 2011.
- \* 22. Resolution Adopting Plans and Specifications and Awarding Contract No. 2010-32 to {Company Name} for B Street Pier North and West Berths Bull Rail Safety Modification in the amount of {dollar amount}.  
**Board Action No Longer Required.**

**PUBLIC HEARING AGENDA**

- 23. Sunroad Harbor Island Hotel  
**Disclosure of ex parte communications as directed by Chair**
  - A) Ordinance Granting Option Agreement for 55-Year Lease.
  - B) Conduct Public Hearing, Certify Environmental Impact Report, Adopt Findings of Fact and a Statement of Overriding Considerations, Adopt Mitigation Monitoring and Reporting Program, and Direct Filing of the Notice of Determination.
  - C) Conduct Public Hearing, Approve Port Master Plan Amendment, and Direct Filing with the California Coastal Commission for Certification.
  - D) Resolution Granting Concept Approval for Hotel Project.

**ACTION AGENDA**

- 24. Resolution Authorizing a Sponsorship Agreement with Sea San Diego (Sea SD) for a cash contribution in the amount of \$316,000 and for promotional sponsorship in support of an AC45 Sailboat Racing Regatta, and granting indemnity for district negligence.
- 25. Resolution Authorizing Funding in an amount not to exceed \$722,250 and District Services not to exceed \$838,000 for Fiscal Year 2012 Marketing Sponsorship and Fee For Service Program and Waiving BPC Policy No. 110 with respect to the selection process for those agreements between \$75,000 and \$125,000.

**ACTION AGENDA** (continued)

26. Resolution Authorizing Revised Memorandum of Understanding between San Diego Unified Port District, San Diego Convention Center Corporation and One Park Boulevard, LLC concerning the future San Diego Convention Center Hotel and Phase III Expansion Project.
27. Resolution Adopting Plans and Specifications and Awarding Contract No. 2010-23 to Miller Environmental, Inc. for Teledyne Ryan Site Demolition Project Phase III in the amount of \$11,908,671.
28. Government & Community Relations Update & Direction to Staff.
29. Review and Consideration of Proposed Board Agenda for the Meeting of June 14, 2011.
- 29.1 Resolution Adopting the FY 11/12 Preliminary Budget and setting the date for Public Hearing on the budget as June 14, 2011.
30. Ordinance Adopting UPD Code Section 4.14 for Regulation of In-Water Hull Cleaning.  
**The Board will consider staff's request to continue this item to a future Board meeting.**
31. Resolution Waiving BPC Policy No. 360 and Authorizing an Exclusive Negotiating Agreement with Port of San Diego Biofuels, LLC, to develop a Green Energy Park at the National City Marine Terminal.  
**The Board will consider staff's request to continue this item to a future Board meeting.**

**PRESENTATION AGENDA**

32. Resolution Approving Proclamation Commemorating May 22, 2011 as National Maritime Day and Presentation of Maritime Week Activities.
33. Staff Presentation and Update on South Bay Power Plant.

## **OFFICER'S REPORT**

34. Monthly Notification of Change Orders Pursuant to BPC Policy No. 110:
  - A) Change Order No. 4 for \$50,000.00 and 0 Calendar Days to Contract No. 2007-25 with Miller Environmental, Inc. for TDY Site Demolition Project Phase 1, San Diego, California.
  - B) Change Order No. 1 for \$3,982.00, Change Order No. 2 for \$2,773.00 and Change Order No. 3 for \$1,576.00 with 0 Calendar Days change to Contract No. 2009-25 with ATP General Engineering Contractors for Shelter Island Pavement Repair, San Diego, California.
  - C) Change Order No. 2 for (\$37,842.10) and 0 Calendar Days to Contract No. 2010-01 with Marathon Construction Corporation for Chula Vista Wildlife Reserve Restoration & Enhancement Project, Chula Vista, California.
  - D) Change Order No. 1 for \$2,200.00 and 7 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.
  - E) Change Order No. 1 for \$0.00 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, California.

## **OTHER MATTERS**

35. President's Report.
36. 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).

As a courtesy to all who attend these public meetings, please turn all cell phones to off or vibrate before entering the Board Room.