



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

**November 4, 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.

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. Pledge of Allegiance.
2. Roll Call
3. Approval of minutes for the October 2, 2008 special meeting and October 7, 2008 special and regular meetings.
4. Public Communications (3 minutes each). No actions may be taken on these items.

## **CONSENT AGENDA**

- \* 5. Bartell Hotels
  - A) Resolution Establishing Proposed Rent for Bartell Hotels dba Best Western Island Palms for the period December 1, 2008 to November 30, 2018.
  - B) Resolution Consenting to transfers of interests in Bartell Hotels, a California General Partnership.
  
- \* 6. Resolution Consenting to Encumbrance of Southwestern Yacht Club's Leasehold Estate in the amount of \$6.4 million in favor of San Diego National Bank with conditions.
  
- \* 7. Resolution Consenting to Assignment of Long-Term Sublease from B&B Restaurant Ventures, LLC to SDO Ventures, LLC for a Fox Sports Grill Restaurant in the Hilton San Diego Bayfront Hotel.
  
- \* 8. Resolution Authorizing Acceptance of Transportation Security Administration (TSA) Grant Award Modification 1 for the Harbor Police Department (HPD) Explosives Detection Canine Team Program per BPC Policy No. 109.
  
- \* 9. Resolution Authorizing a Three-Year Agreement and Acceptance of Mutual Indemnity Language with the County of San Diego to receive grant funds in the amount of \$297,961 for "Operation Stonegarden".
  
- \* 10. Resolution Selecting and Authorizing a Three (3) Year Agreement with Visionary Integration Professionals, LLC (VIP) for consulting services to provide support services for SAP Administration for an amount not to exceed \$300,000.
  
- \* 11. Resolutions Adopting Revisions to the following:
  - A) Board of Commissioner Policies (BPC) No. 10 – The San Diego Unified Port District Board of Port Commissioners Policy Manual;
  - B) BPC Policy No. 21 – Meetings of the Board of Port Commissioners;
  - C) BPC Policy No. 50 – Public Notice Regarding Agenda Matters;
  - D) BPC Policy No. 105 – Uncollectible Accounts;
  - E) BPC Policy No. 116 – Credit and Debit Card Acceptance Program;
  - F) BPC Policy No. 250 – Service Recognition Program; and
  - G) BPC Policy No. 601 – Document Reproduction for the Public.
  
- \* 12. Resolution Establishing the Board of Port Commissioners' Meeting Dates for the Calendar Year 2009.

**CONSENT AGENDA** (continued)

- \* 13. National City Marine Terminal Capacity Enhancement Projects
  - A) Resolution Authorizing \$2,000,000 from the 2009-2013 Capital Development Program to begin design of the National City Marine Terminal Capacity Enhancement Projects; Wharf Extension and Vehicle Processing Facility.
  - B) Direction to staff to begin the Environmental and CEQA processes.
- \* 14. Resolution Authorizing Memorandum of Understanding with the San Diego Association of Governments (SANDAG) for initiating design of the Port of San Diego Freeway Access Projects for an amount not to exceed \$5,330,000.
- \* 15. Resolution Authorizing Two Contribution Agreements with CALTRANS to allow the use of Federal SAFETEA-LU Funds for the Port of San Diego Freeway Access Projects: \$2,400,000 for National City Marine Terminal Serving Intersection Improvements and \$400,000 for grade separation of Cesar Chavez at the entrance to the Tenth Avenue Marine Terminal.
- \* 16. Ordinance Granting Lease Amendment No. 1 to the United States Department of Homeland Security Revising Leased Premises at Tenth Avenue Marine Terminal.
- \* 17. Ordinance Authorizing Lease Amendment No. 3 to Lease with American Mushrooms, Inc. dba American Produce Distributors for a one-year term extension in National City.
- \* 18. Resolution Adopting Plans and Specifications and Awarding Contract No. 2008-04 to Fibrwrap Construction, Inc for Chula Vista Bayside Park Pier Repair, Chula Vista, California in the amount of \$533,406.80.
- \* 19. Resolution Adopting Plans and Specifications and Awarding Contract No. 2007-26 to Randall Construction, Inc. for tidelands comfort station refurbishment at various locations; Chula Vista, Coronado, Imperial Beach, National City and San Diego, California in the amount of \$1,980,097.48.
- \* 20. Resolution Selecting and Authorizing Agreement with Halcrow, Inc. for conducting a Marine Oil Terminal Engineering and Maintenance Standards (MOTEMS) Audit of the oil cargo operations at the Tenth Avenue Marine Terminal, San Diego, California in the not to exceed amount \$529,910.
- \* 21. Resolution Authorizing Executive Director to Execute Amendment No. 1 to Agreement 13-2008 with URS Corporation dba URS Corporation Americas for project management services for Chula Vista Bayfront Phase I Infrastructure in the amount of \$700,000, for a total of \$1,236,000 and extend the term to December 31, 2009.

**CONSENT AGENDA** (continued)

- \* 22. Resolution Authorizing Amendment No. 3 to Agreement with Bermello Ajamil and Partners, Inc. for additional professional design services for Broadway Pier Cruise Ship Terminal Improvements in an amount of \$900,000 for a new total of \$3,152,507.
- \* 23. Resolution Authorizing Change Order No. 1 to Contract No. 2007-35 with Ace Restoration & Waterproofing, Inc. for \$49,700.00 increase and 21 calendar day time extension through December 24, 2008.
- \* 24. Resolutions Adopting Revisions to the following:
  - A) Board of Port Commissioners (BPC) Policy No. 025 - Request for Financial Assistance;
  - B) BPC Policy No. 109 - Board Approval of Grant Awards;
  - C) BPC Policy No. 451 - Rental of District's Portable Stage.
- \* 25. Resolution Adopting Board of Port Commissioners (BPC) Policy No. 737 - Integrated Pest Management Policy.
- \* 26. Resolution Amending Resolution 2008-64 Authorizing Fee for Service and Marketing Sponsorship Program - San Diego County Hispanic Chamber of Commerce.
- \* 27. Resolution Accepting Limitation of Liability with Experian Information Solutions, Inc. for background checks and limited information not to exceed \$25,000.  
**Board Action No Longer Required.**
- \* 28. Resolution Authorizing Amendment No. 2 to Agreement with Marine Group Boat Works for abandoned and derelict vessel towing, storage and related services to remove "not to exceed" language from the agreement.  
**The Board will consider staff's request to continue this item to a future Board meeting.**
- \* 29. Resolution Authorizing a Waiver of Park Fees at Shelter Island Park for the Make-a-Wish Foundation Tuna Challenge in September 2009.  
**The Board will consider staff's request to continue this item to a future Board meeting.**
- \* 30. Resolution Authorizing Agreement for Opentext Global Services and acceptance of Limitation of Liability Language for an amount not to exceed \$15,000.  
**Board Action No Longer Required.**

## **PRESENTATION**

31. Presentation of Life Saving Commendations and Medals to three Harbor Police Officers.
32. Staff Update on the "Safer Alternatives to Copper Antifouling Paints for Marine Vessels" Project.  
**The Board will consider staff's request to continue this item to a future Board meeting.**

## **PUBLIC HEARING/ACTION AGENDA**

33. Pier 32 National City Marina Project: Conduct Public Hearing and Adopt Resolution Authorizing Issuance of an Amendment to an Appealable Coastal Development Permit #CDP-2006-02.

## **ACTION AGENDA**

34. Fifth Avenue Landing
  - A) Resolution Authorizing Memorandum of Understanding between San Diego Unified Port District, San Diego Convention Center Corporation and Fifth Avenue Landing, LLC concerning the future expansion of the San Diego Convention Center; and
  - B) Adopt the following Ordinance Conditioned upon the Board's approval of item A above: Ordinance Authorizing Amendment No. 5 to Fifth Avenue Landing, LLC Option Agreement to extend the term to November 30, 2009.
35. Resolution Authorizing Agreement with the San Diego Foundation accepting donation in the amount of approximately \$3.5 million for a waterfront park located adjacent to the Old Police Headquarters Property.
36. Resolution Adopting Restoration and Enhancement Plan to Benefit the Bay's Natural Resources.
37. Review and Consideration of Proposed Board Agenda for Meeting of December 2, 2008.
38. Discussion of State Legislation of Interest to the Port of San Diego, Status Report and possible direction to staff if any.  
**No action requested and/or required by the Board.**

## **OFFICER'S REPORT**

39. Monthly Notification of Change Orders Pursuant to BPC Policy 110:
  - A) Change Order No. 1 for Reallocate \$9,100.00 from Bid Item No. 18 to Administration Building Parking Lot & Harbor Drive Wharf Parking Lot Striping and 0 Calendar Days to Contract No. 2007-48 with Frank & Son Paving, Inc. Pavement Maintenance.

## **OTHER MATTERS**

40. President's Report.
41. Board Committee Reports
42. 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](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.