

San Diego Unified Port District

Meeting Agenda Board of Port Commissioners

Tuesday, September 10, 2024, 1:00 p.m.
Don L. Nay Port Administration Boardroom
3165 Pacific Hwy.
San Diego, CA 92101

The Board of Port Commissioners (Board) hereby provides notice that it will hold a regular meeting of the Board. It is possible that some of the Commissioners may attend the meeting and participate remotely to the same extent as if they were present in accordance with Assembly Bill 2449.

PUBLIC PARTICIPATION:

The public is welcome to attend in person, or alternatively:

Members of the public may view this meeting via livestream at:
<https://www.portofsandiego.org/about-port-san-diego/board-meetings>

PROVIDING PUBLIC COMMENT:

Public comment is limited to 2 minutes per speaker on both agenda, and non-agenda items. The time allotted for speakers may be adjusted by the Board Chair at his or her discretion. Items under the Consent Agenda section 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 for further discussion, please submit your request to the District Clerk prior to the commencement of the meeting.

Public comment is available for this meeting by doing one of the following no later than the time the public comment portion for the agenda item is concluded, however the public is strongly encouraged to do so prior to the item being called:

In-Person Participation: Complete and submit a Speaker Slip and give to the District Clerk

Remote Participation:

1. Call 619-736-2155 and leave a brief voicemail message that will be played during the meeting. A voicemail longer than the time allotted for public comment on that item will be stopped after that time has elapsed.
2. Email a request to provide live comment to PublicRecords@portofsandiego.org to receive a link to participate in the meeting to provide live comments. *
3. Submit written comments to PublicRecords@portofsandiego.org. Written comments received at least 2 hours prior to the commencement of the meeting will be distributed to the Board and posted online with the meeting materials. Written comments received after the time frame will be included in the agenda-related materials record for the meeting.

* The Port of San Diego is not responsible for the member of the public's internet connections or technical ability to participate in the meeting. It is highly recommended that you use voicemail rather than provide live comment.

UNA TRANSMISIÓN EN INGLÉS Y EN ESPAÑOL DE LA REUNIÓN DE LA JUNTA ESTARÁ DISPONIBLE AL PÚBLICO A TRAVÉS DE UNA TRANSMISIÓN EN DIRECTO EN:

<https://www.portofsandiego.org/about-port-san-diego/board-meetings>

NOTA ESPECIAL PARA PARTICIPANTES DE COMENTARIOS PÚBLICOS:

Servicios de interpretación estarán disponibles durante la reunión para traducir comentarios públicos del español al inglés.

In keeping with the Americans with Disabilities Act (ADA), the San Diego Unified Port District will make every reasonable effort to encourage participation in all its public meetings. If you require assistance or auxiliary aids in order to participate at this public meeting, please contact the Office of the District Clerk at publicrecords@portofsandiego.org or (619) 686-6200 at least 48 hours prior to 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, but received at least 2 hours prior to meeting, can be viewed online at <https://www.portofsandiego.org/about-port-san-diego/board-meetings>, or are available for inspection at the Office of the District Clerk, 3165 Pacific Highway, San Diego, California during normal business hours.

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.

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- A. **Roll Call**
- B. **Statement (just cause) and/or Consideration of a Request to Participate Remotely (emergency circumstances) by a Commissioner, if applicable**
- C. **Pledge of Allegiance**
- D. **Special Order of the Day**
1. **Proclaiming Gratitude for California Senate President Pro Tempore Emeritus Toni G. Atkins, 2024-319**
- Resolution Proclaiming Gratitude for California Senate President Pro Tempore Emeritus Toni G. Atkins for Her Exemplary Service to the San Diego Region and the State of California.**
- E. **Closed Session Report Out**
- F. **Public Communications**
- Please limit comments to 2 minutes per speaker. No actions may be taken on these items.*
- G. **Board Committee Reports**
- **Maritime Stakeholder Forum**
- H. **Commissioners' Reports**
- No actions may be taken on these items.*
- I. **Special Recognition**
- **Michelle White Awards**
 - **Hispanic Heritage Month**
- J. **President's Report**
- K. **District Clerk's Announcements**
- L. **Approval of Minutes**
- October 4, 2023 - Draft Closed Session Meeting Minutes
August 13, 2024 - Draft Closed Session Meeting Minutes
August 13, 2024 - Draft BPC Meeting Minutes
- M. **Consent Agenda**

1. Additional South Berth Shore Power Connection Point at the B Street Cruise Ship Terminal, San Diego California, 2024-290

A)Resolution Adopting a First Addendum to the Final Mitigated Negative Declaration for the B Street Shore Power Project and Authorizing Staff to File a Notice of Determination.

B)Resolution Authorizing Issuance of Amendment No. 1 to the Non-Appealable Coastal Development Permit No. 2010-001 to the District for the B Street Shore Power Project.

C)Resolution Approving the Transfer of Funds Within the District FY 2025 Equipment Outlay and Other Capital Projects Appropriation, transferring \$512,610.00 from Contingency to bring the total project budget to \$1,232,273.00 for the Additional South Berth Shore Power Connection Point Project Pursuant to BPC Policy No. 90.

D)Resolution Approving Plans and Specifications and Awarding Contract No. 2023-24 to Universal Wiring Corp, in the Amount of \$463,500.00 for the Construction of Additional South Berth Shore Power Connection Point at the B Street Cruise Ship Terminal, as Budgeted in the FY 2025 Equipment Outlay and Other Capital Projects Appropriation.

2. 457(b) and 401(a) Plan Record Keeping and Administrative Services, 2024-347

Resolution Selecting and Authorizing a Service Agreement with Empower Retirement for 457(b) and 401(a) Plan Record Keeping and Administrative Services for the Period of January 1, 2025, Through December 31, 2029 for an Amount of 0.12% of Plan Assets. Funds for the Current Fiscal Year are Budgeted; All Funds Required for Future Fiscal Years Will be Budgeted in the Appropriate Fiscal Year, Subject to Board Approval Upon Adoption of Each Fiscal Year's Budget.

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

3. Ordinance Establishing a Schedule of Compensation for all Officers and Employees of the San Diego Unified Port District for Salary Year 2024/2025, 2024-324

Ordinance Establishing a Schedule of Compensation for all Officers and Employees of the San Diego Unified Port District for Salary Year 2024/2025

4. Ordinance Granting Lease to NASSCO for, 2024-358

Ordinance Granting a 16-Year and Three-Month Lease to National Steel and Shipbuilding Company for the Lot 20 Temporary Mooring Location at 2798 Harbor Drive, San Diego

5. Establishing Board of Port Commissioners' Meeting Dates, 2024-342

Resolution Establishing the Board of Port Commissioners' Regular Meeting Dates for Calendar Year 2025

6. Memorandum Of Understanding with the Port of Ensenada for 20th Year Anniversary Sister Port Commemoration, 2024-350

Adopt a Resolution Authorizing a new Memorandum of Understanding with the Port of Ensenada to Commemorate the 20th Year Anniversary of the Sister Port Relationship Between the Port of Ensenada and the Port of San Diego and Update Areas of Collaboration and Cooperation

N. Action Agenda

1. Green Port Month, Year In Review, and MCAS Highlights Report, 2024-329

Informational Presentation Celebrating Green Port Month and Providing a Summary of the 2023-2024 Green Port Year in Review and the 2023-2024 Maritime Clean Air Strategy Highlights Report

O. Public Hearing Agenda

1. Ferry Landing Associates Restaurant Development, 2024-333

A) Conduct a Public Hearing and Adopt Resolution Authorizing Issuance of Amendment No. 2 of Appealable Coastal Development Permit 97-3 to Ferry Landing Associates LLC for the Ferry Landing Associates Second Restaurant Building Project at the Ferry Landing in Coronado.

B) Adopt an Ordinance Granting an Option to Lease Agreement to Ferry Landing Associates, LLC, which Option includes an Amended and Restated Lease, a Fifth Amendment to Lease, a Memorandum and Quitclaim Deed, and a Parking and Access Easement Agreement, and also Conditionally Approving a 20-year Long-Term Sublease with Island Times, LLC.

A) Conduct a public hearing and adopt a Resolution authorizing issuance of Amendment No. 2 of Appealable Coastal Development Permit 97-3 To Ferry Landing Associates LLC for the Ferry Landing Associates Second Restaurant Building Project at the Ferry Landing In Coronado.

B) Adopt an Ordinance granting an Option to Lease Agreement to Ferry Landing Associates, LLC, which Option includes an Amended and Restated Lease, a Fifth Amendment to Lease, a Memorandum and Quitclaim Deed, and a Parking and Access Easement Agreement, and also conditionally approving a Long-Term Sublease with Island Times, LLC.

P. Action Agenda Continued

1. Sheraton San Diego Hotel and Marina Preliminary Project Review for Ballroom Expansion, 2024-336

(A) Preliminary Project Review Presentation for Proposed Redevelopment and Expansion of the Ballroom and Outdoor Event Space at Sheraton San Diego Hotel and Marina Located at 1380 Harbor Island Drive in San Diego, California by SSD Holdings, LLC, a Delaware Limited Liability Company dba Sheraton San Diego Hotel and Marina Located at 1380 Harbor Island Drive in San Diego, California; and (B) Resolution Authorizing Staff to Commence Environmental Review in Accordance with the California Environmental Quality Act for the Proposed Project

2. MOU Between SDUPD and SD APCD, 2024-330

Presentation and Direction to Staff Regarding a Preliminary Memorandum of Understanding (MOU) Between the San Diego Unified Port District and the San Diego County Air Pollution Control District to Support Further Implementation of the Maritime Clean Air Strategy (MCAS) and Portside Community Emission Reduction Plan (CERP)

3. Zero Emission Truck Stop, 2024-322

A. Receive Preliminary Project Review Presentation and Project Update on the Proposed Zero Emission Truck Stop in National City Pursuant to Maritime Clean Air Strategy (MCAS) Truck Goal 2

B. Resolution Authorizing Staff to Commence Environmental Review in Accordance with the California Environmental Quality Act for the Development of a Zero Emission Truck Stop in National City

A. Receive preliminary project review presentation and project update on the proposed zero- emission truck stop; and

B. Adopt a Resolution authorizing staff to commence environmental review in accordance with the California Environmental Quality Act for the development of a zero-emission truck stop in National City

4. Review and Consideration of Draft Proposed Board Agenda for the October 8, 2024 Meeting, 2024-331

Q. Consent Agenda Continued

1. Amending the Board of Port Commissioners' October Meeting Date, 2024-369

Adopt a Resolution Amending the Board of Port Commissioners' October 2024 Regular Meeting Date to October 15, 2024

R. Officer's Report

MONTHLY NOTIFICATION OF CHANGE ORDERS PURSUANT TO BPC POLICY NO. 110:

A.) Change Order No. 1 to Contract No. 2024-08 with Cement Cutting, Inc. - 30 Calendar Day Time Extension thru 09-05-2024

MONTHLY NOTIFICATION OF COST RECOVERY USER FEE WAIVERS GRANTED BY THE EXECUTIVE DIRECTOR PURSUANT TO BPC POLICY NO. 106:

A.) Request for User Fee Waiver Form from Skychargers, LLC for Predevelopment Activities for Truck Stop, for total amount \$2,350.00

B.) Request for User Fee Waiver Form from San Diego Bay Aquaculture, LLC for TUOP for FLUPSY Pilot Project, for total amount \$1,100.00

MONTHLY NOTIFICATION OF RENT REVIEWS CONSENTED TO ADMINISTRATIVELY PURSUANT TO BPC POLICY NO. 355 AS AMENDED ON JANUARY 10, 2017:

None to Report

MONTHLY NOTIFICATION OF ENCUMBRANCES CONSENTED TO ADMINISTRATIVELY PURSUANT TO BPC POLICY NO. 355 AS AMENDED ON JANUARY 10, 2017:

None to Report

MONTHLY NOTIFICATION OF LEASE AMENDMENTS CONSENTED TO ADMINISTRATIVELY PURSUANT TO BPC POLICY NO. 355 AS AMENDED ON JANUARY 10, 2017:

A.) Amendment No. 4 to Lease (#51460) with Pier 32 Marina Group, LLC - Amends Sections 2 & 18 Related to Boat Slip Renting and Conformance with Laws

B.) Amendment No. 6 to Lease (#52127) with Point Loma Marina, LLC - Amends Sections 2 & 18 Related to Boat Slip Renting and Conformance with Laws