

## **RESOLUTION 2013-133**

### **RESOLUTION AUTHORIZING AMENDED AND RESTATED MEMORANDUM OF UNDERSTANDING WITH THE CITY OF NATIONAL CITY TO MODIFY THE SAN DIEGO UNIFIED PORT DISTRICT'S AND NATIONAL CITY'S CONTRIBUTIONS DUE TO THE DISSOLUTION OF THE STATE OF CALIFORNIA REDEVELOPMENT AGENCIES**

**WHEREAS**, the San Diego Unified Port District (District) is a public corporation created by the Legislature in 1962 pursuant to Harbors and Navigation Code Appendix I (Port Act); and

**WHEREAS**, the District and the City of National City (City) have been working in cooperation to develop the Aquatic Center on Districts tidelands; and

**WHEREAS**, pursuant to Resolution 2011-129, adopted by the Board of Port Commissioners (BPC) on September 13, 2011, the District entered into a Memorandum of Understanding (MOU) with the City to transfer the matching funds to the City with conditions; and

**WHEREAS**, District, on the 26<sup>th</sup> day of September, 2011, fulfilled its MOU obligation to transfer funds to City in the amount of \$830,000; and

**WHEREAS**, In June 2011, the California legislature passed two bills that dissolved Redevelopment Agencies (RDA) throughout California, therefore dissolving the City's RDA; and

**WHEREAS**, the dissolution of the RDA created set-backs for the City regarding progress with the development of the Aquatic Center and meeting its obligations of conditions in its MOU with the District; and

**WHEREAS**, pursuant to Resolution 2012-176, adopted by the BPC on December 11, 2012, the District amended the MOU to extend the construction commencement deadline from December 31, 2012 to December 31, 2013; and

**WHEREAS**, City has requested the District increase its financial support for the Aquatic Center by reallocating its planned financial support for a separate National City Park project to the Aquatic Center, and such Park project has been removed from the District's amended FY 2009-2013 CIP list.

**NOW, THEREFORE, BE IT RESOLVED** the Board of Port Commissioners of the San Diego Unified Port District, as follows:

That the Executive Director or his designated representative is hereby authorized to execute the Amended and Restated Memorandum of Understanding with the City of National City to increase District's financial support for the Aquatic Center by reallocating its planned financial support for a separate National City Park project to the Aquatic Center.

APPROVED AS TO FORM AND LEGALITY:

  
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PORT ATTORNEY

2013-133

PASSED AND ADOPTED by the Board of Port Commissioners of the San Diego Unified Port District, this 13th day of August, 2013, by the following vote:

AYES: Castellanos, Merrifield, Moore, Nelson, Smith, Valderrama

NAYS: None.

EXCUSED: Malcolm.

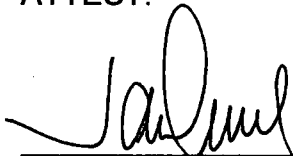
ABSENT: None.

ABSTAIN: None.



Ann Y. Moore, Chair  
Board of Port Commissioners

ATTEST:



Timothy A. Deuel  
District Clerk

(Seal)