

RESOLUTION 2013-65

RESOLUTION AUTHORIZING AMENDMENT NO. 2 TO THE AGREEMENT WITH THE COUNTY OF SAN DIEGO AND OTHER GOVERNMENT AGENCIES FOR THE FISCAL YEAR 2012 "OPERATION STONEGARDEN" GRANT, ACCEPTING FUNDS IN THE AMOUNT OF \$200,000 PER BPC POLICY NO. 109 AND GRANTING INDEMNITY TO THE COUNTY OF SAN DIEGO FOR WORKER'S COMPENSATION CLAIMS, EMPLOYMENT RELATED CLAIMS OR ACTS OR OMISSIONS OF DISTRICT EMPLOYEES

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, Section 21 of the Port Act states that the Board of Port Commissioners (BPC) may pass all necessary ordinances and resolutions for the regulation of the District; and

WHEREAS, the Department of Homeland Security created the "Operation Stonegarden" Grant Program in order to facilitate law enforcement partnerships between federal, state, and local entities to gain control of new smuggling activities through enhanced intelligence gathering/information sharing capabilities and increase law enforcement presence in border areas; and

WHEREAS, the Department of Homeland Security has awarded an approximate \$5.25 million dollar grant to the San Diego County Sheriff's Department for "Operation Stonegarden" which will coordinate the efforts of federal, state and local law enforcement agencies to raise border security by mitigating smuggling activities in each agency's jurisdiction; and

WHEREAS, nineteen participating law enforcement agencies include state and local Sheriff/Police Departments from San Diego, Orange, Los Angeles, Ventura, Santa Barbara and San Luis Obispo counties; and

WHEREAS, as a first responder agency, the District's Harbor Police Department (HPD) has been a participant since the initial grant award in fiscal year 2008 and have received grant funds in the approximate total of \$1,434,800 since fiscal year 2011; and

WHEREAS, Amendment No. 1 awards an additional \$291,245 to the District's HPD for the period ending June 30, 2013 and grants indemnity to the

County of San Diego for Worker's Compensation claims, employment related claims or acts or omissions of District employees.

WHEREAS, as a sub-recipient of the grant funding the County of San Diego requires the District to enter into Amendment No. 2 to the 2010 Memorandum of Agreement (MOA) which further awards \$200,000 to the HPD for the period until June 30, 2014, and includes indemnifying the County of San Diego for Worker's Compensation claims, employment related claims or acts or omissions of District employees; and

WHEREAS, as a sub-recipient of the grant the District's HPD will utilize funding for overtime/fringe benefits, fuel costs, vehicle mileage and vessel maintenance; and

WHEREAS, HPD Officers will conduct maritime and landside patrols in order to provide an increased law enforcement presence in San Diego Bay, tidelands and coastal waters; and

WHEREAS, Amendment No. 2 extends to June 30, 2014, the terms and conditions of the 2010 MOA with the County of San Diego which required the District to grant indemnification to the County of San Diego for Worker's Compensation claims, employment related claims and acts or omissions of the District employees.

NOW, THEREFORE, BE IT RESOLVED by 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 Amendment No. 2 to the Agreement with the County of San Diego and other government agencies for the "Operation Stonegarden" grant accepting funds in the amount of \$200,000 per BPC Policy No. 109 and is authorized to grant indemnity to the County of San Diego for Worker's Compensation claims, employment related claims or acts or omissions of District employees.

2013-65

PASSED AND ADOPTED by the Board of Port Commissioners of the San Diego Unified Port District, this 7th day of May, 2013, by the following vote:


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

NAYS: None.

EXCUSED: None.

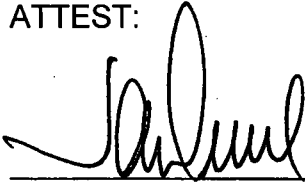
ABSENT: None.

ABSTAIN: None.



Ann Y. Moore, Chair
Board of Port Commissioners

ATTEST:



Timothy A. Deuel
District Clerk

(Seal)