

RESOLUTION 2013-94

**RESOLUTION AUTHORIZING THE PRESIDENT/CEO
OF THE SAN DIEGO UNIFIED PORT DISTRICT OR
THE PORT ATTORNEY TO EXECUTE AGREEMENTS
AND GRANT INDEMNITY TO LICENSED WASTE
DISPOSAL FACILITIES FOR CERTIFICATION OF
DISPOSAL MATERIAL**

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 1, (Port Act); and

WHEREAS, District maintenance activities and construction projects generate waste materials including excess soil materials that are disposed of off tidelands; and

WHEREAS, the waste and excess soil materials are sampled, analyzed and profiled by an experienced and qualified professional services firm employed by the District to ensure compliance with waste disposal regulations; and

WHEREAS, the disposal facilities in San Diego County are not allowed to receive materials classified as toxic waste, hazardous waste, infectious waste or any other waste material that the receiving facility is prohibited from accepting, by law; and

WHEREAS, local licensed waste facilities require the waste profiles with a signed certification and indemnification clause from the waste generator prior to disposal; and

WHEREAS, authorization to allow the District President/CEO or the Port Attorney to execute agreements and grant indemnity to licensed waste disposal facilities for certification of disposal material is requested; and

WHEREAS, since the District is responsible for proper disposal of materials regardless of indemnification requirements of the licensed waste disposal facilities, signing the indemnities will add minimal risk.

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

That the President/CEO or the Port Attorney of the San Diego Unified Port District is hereby authorized to execute agreements and grant indemnity to licensed waste disposal facilities for certification of disposal material.

PASSED AND ADOPTED by the Board of Port Commissioners of the San Diego Unified Port District, this 11th day of June, 2013, by the following vote:

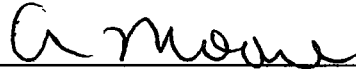
AYES: Castellanos, Malcolm, Merrifield, Moore, Nelson, Smith, Valderrama

NAYS: None.

EXCUSED: None.

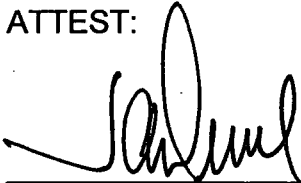
ABSENT: None.

ABSTAIN: None.



Ann Y. Moore, Chair
Board of Port Commissioners

ATTEST:



Timothy A. Deuel
District Clerk

(Seal)