

RESOLUTION 2014-02

**RESOLUTION AUTHORIZING EXECUTION OF A
MEMORANDUM OF UNDERSTANDING BETWEEN
THE CITY OF SAN DIEGO AND THE SAN DIEGO
UNIFIED PORT DISTRICT AND AGREE TO THE
MUTUAL INDEMNITY TO PARTICIPATE IN THE
URBAN AREA SECURITY INITIATIVE FISCAL YEAR
2012 GRANT PROGRAM**

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, Section 35 of the Port Act states that the BPC may do all other acts necessary and convenient for the exercise of its powers; and

WHEREAS, as a first responder agency the District's Harbor Police Department (HPD) is entitled to participate in the Urban Area Security Initiative (UASI) grant program and was awarded to the City of San Diego (City); and

WHEREAS, the purpose of this year's funding is to participate in training necessary to meet the Homeland Security (HLS) related missions for local first responder agencies; and

WHEREAS, as a condition of participation, City requires that the District enter into a Memorandum of Understanding (MOU) that provides mutual indemnity to both parties against all liability for acts or omissions under the MOU; and

WHEREAS, this MOU is required to be reissued with each grant funding year; and

WHEREAS, this MOU will cover the Fiscal Year 2012 grant round from City; and

WHEREAS, the grant round will be realized in the Fiscal Year 2014 HPD budget.

2014-02

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 and directed to execute a Memorandum of Understanding between the City of San Diego and the San Diego Unified Port District and agree to the mutual indemnity to participate in the Urban Area Security Initiative Fiscal Year 2012 Grant Program.

BE IT FURTHER RESOLVED that the Board of Port Commissioners of the San Diego Unified Port District hereby grants indemnity to the City of San Diego as follows: The District agrees to defend, indemnify, and hold harmless the City, its agents, officers, and employees, from and against all liability arising out of the District's acts or omissions under this Memorandum of Understanding.

APPROVED AS TO FORM AND LEGALITY:
PORT ATTORNEY

A handwritten signature in cursive script, appearing to read "David [unclear]", written over a horizontal line.

By: ~~Assistant~~ Deputy

2014-02

PASSED AND ADOPTED by the Board of Port Commissioners of the San Diego Unified Port District, this 14th day of January 2014, by the following vote:

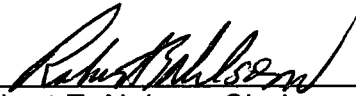
AYES: Bonelli, Castellanos, Malcolm, Merrifield, Moore, Nelson, and Valderrama

NAYS: None.

EXCUSED: None.

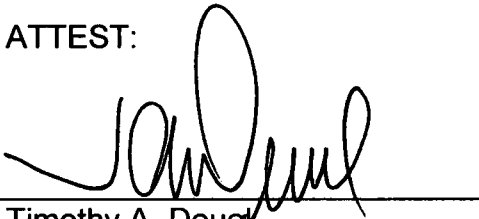
ABSENT: None.

ABSTAIN: None.



Robert E. Nelson, Chairman
Board of Port Commissioners

ATTEST:



Timothy A. Deuel
District Clerk

(Seal)