

RESOLUTION 2014-148

RESOLUTION AUTHORIZING THE CREATION OF THE TEMPORARY OFFICE OF ASSISTANT EXECUTIVE DIRECTOR AND APPOINTING AND RATIFYING THE APPOINTMENT OF THE ASSISTANT EXECUTIVE DIRECTOR TO EXERCISE THE POWERS OF THE OFFICE OF EXECUTIVE DIRECTOR IN THE ABSENCE OR UNAVAILABILITY OF THE EXECUTIVE DIRECTOR

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, pursuant to Section 22 of the Port Act, the Board of Port Commissioners (BPC) is authorized to establish offices needed for the efficient operation of the District; and

WHEREAS, pursuant to the terms of the Severance Agreement and Mutual Release approved by the BPC, the Executive Director (President/CEO) will not be exercising the powers of the office for a certain period of time; and

WHEREAS, pursuant to BPC Policy Number 030, paragraph 9, the Assistant Executive Director shall serve as Executive Director in the absence or unavailability of the Executive Director; and

WHEREAS, the temporary Office of the Assistant Executive Director shall perform the duties of the Executive Director, when the Executive Director is unable to perform those duties, and the Assistant Executive Director shall also act as the District's Acting President and Acting Chief Executive Officer while performing those duties; and

WHEREAS, while the Assistant Executive Director fulfills the duties of Executive Director, the Executive Vice Presidents shall report to the Assistant Executive Director in the same manner as the Executive Director; and

WHEREAS, at such time as a new Executive Director is appointed, the Assistant Executive Director shall return to his previous position with the District unless otherwise directed by the BPC; and

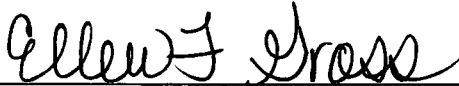
WHEREAS, the Assistant Executive Director shall be compensated in the manner established by applicable BPC Policy unless later modified by the BPC in the manner allowed by law; and

WHEREAS, notwithstanding any other BPC or District Policy to the contrary, this Resolution modifies any other conflicting BPC or administrative policy as applied to the policies set forth herein.

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

That the temporary Office of Assistant Executive Director is hereby created under the terms and conditions set out above. The General Counsel and Executive Staff of the District shall take all steps necessary to implement the intent of this Resolution, including developing and presenting to the BPC further implementing laws, rules and regulations. The Board of Port Commissioners hereby appoints and ratifies the appointment made in Closed Session, if any, of John A. Bolduc as Assistant Executive Director/Acting President/Acting Chief Executive Officer to serve under the terms and conditions set out herein and in the above-listed Recitals.

APPROVED AS TO FORM AND LEGALITY:
GENERAL COUNSEL



By: Assistant/Deputy

PASSED AND ADOPTED by the Board of Port Commissioners of the San Diego Unified Port District, this 25th day of July 2014, by the following vote:

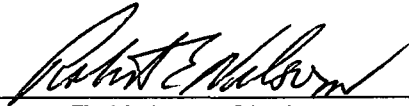
AYES: Bonelli, Castellanos, Malcolm, Merrifield, Moore, Nelson, and Valderrama.

NAYS: None.

EXCUSED: None.

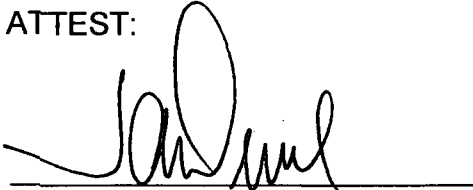
ABSENT: None.

ABSTAIN: None.



Robert E. Nelson, Chairman
Board of Port Commissioners

ATTEST:



Timothy A. Deuel
District Clerk

(Seal)