

## **RESOLUTION 2014-16**

### **RESOLUTION AUTHORIZING AMENDMENT NO. 2 TO THE GRANT-RELATED AGREEMENTS WITH FOUR BOATYARDS, DRISCOLL BOAT WORKS, SHELTER ISLAND BOATYARD, NIELSEN BEAUMONT MARINE, AND KOEHLER KRAFT EXTENDING THE TERM OF THE AGREEMENTS FROM JUNE 30, 2014 TO JULY 31, 2015**

**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**, Section 4 of the Port Act provides the District may use the powers and authority granted pursuant to this section to protect, preserve, and enhance physical access to the bay, the natural resources of the bay, including plant and animal life and the quality of water in the bay; and

**WHEREAS**, on March 1, 2010, the District staff submitted a grant application to the State of California, Water Resources Control Board (Water Board) under its 319(h) Grant Funding Programs, for removal of copper-based hull paint from recreational boats berthed in the Shelter Island Yacht Basin to be replaced with copper alternatives (Project); and

**WHEREAS**, in May 2010, the Water Board approved a \$600,000 grant for the Project, and on February 8, 2011, pursuant to Resolution No. 2011-11, the Board of Port Commissioners (BPC) authorized the Executive Director or his authorized representative to enter into a grant agreement (Grant Agreement) with the Water Board for the grant and the parties subsequently did enter into said Grant Agreement; and

**WHEREAS**, on July 12, 2011, pursuant to Resolution No. 2011-97 adopted by the BPC, the District entered into agreements (collectively, Agreements), on file in the Office of the District Clerk, with Driscoll Boat Works, Nielsen Beaumont Marine, Inc., Shelter Island Yachtways, Ltd., dba Shelter Island Boatyard, Koehler Kraft Company, Inc., Knight & Carver Yacht Center, Inc., and Marine Group Boat Works, LLC to provide hull paint removal services for the Project consistent with the Grant Agreement, on an as-needed basis for an aggregate fee not to exceed six hundred thousand dollars (\$600,000), for a period of two (2) years, commencing on July 1, 2011, and terminating on June 30, 2013, the terms of which may be extended for an additional one (1) year term at the sole discretion of the District; and

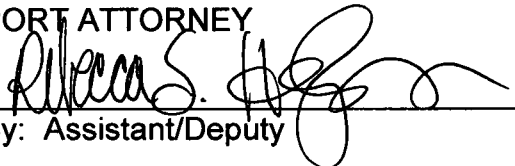
**WHEREAS**, four of the six boat yards, Driscoll Boat Works, Koehler Kraft, Nielsen Beaumont Marine, and Shelter Island Boat Yard, extended the term of their Agreements for an additional one (1) year pursuant to Amendment No. 1, on file in the Office of the District Clerk and are effective through June 2014; and

**WHEREAS**, on February 11, 2014, the BPC adopted Resolution No. 2014-15, authorizing and directing the Executive Director or his authorized representative to execute Amendment No. 1 to the Grant Agreement to extend the time of the grant for one year from June 30, 2014 to June 30, 2015, update the budget allocations of the grant and modify the provisions for funding hull paint conversions.

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

That Executive Director or his authorized representative is hereby authorized and directed to execute Amendment No. 2 to the Agreements with Driscoll Boat Works, Nielsen Beaumont Marine, Inc., Shelter Island Yachtways, Ltd., dba Shelter Island Boatyard and Koehler Kraft Company, Inc. to extend the term of said Agreements from June 30, 2014 to July 31, 2015.

APPROVED AS TO FORM AND LEGALITY:  
PORT ATTORNEY

  
By: Assistant/Deputy

2014-16

PASSED AND ADOPTED by the Board of Port Commissioners of the San Diego Unified Port District, this 11<sup>th</sup> day of February, 2014, by the following vote:

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

NAYS: None.

EXCUSED: None.

ABSENT: None.

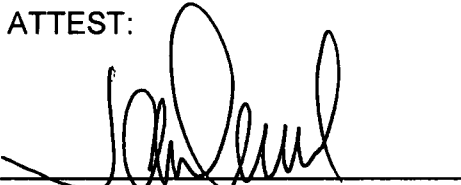
ABSTAIN: None.



---

Robert E. Nelson, Chairman  
Board of Port Commissioners

ATTEST:



---

Timothy A. Deuel  
District Clerk

(Seal)