

RESOLUTION 2014-40

RESOLUTION AUTHORIZING THE EXECUTIVE DIRECTOR TO ENTER INTO A MEMORANDUM OF AGREEMENT WITH THE CALIFORNIA COASTAL COMMISSION REGARDING THE SAN DIEGO UNIFIED PORT DISTRICT'S ACCEPTANCE OF PERMIT CONDITION FUNDS FOR THE LOWER COST OVERNIGHT ACCOMMODATIONS MITIGATION FEE

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 87(b) of the Port Act grants authority to the District to lease the tidelands or submerged lands, or parts thereof, for limited periods, not exceeding 66 years, for purposes consistent with the trusts upon which those lands are held, by the State of California; and

WHEREAS, LPP Lane Field, LLC (Developer) was issued an Amendment to its Coastal Development Permit (CDP) from the California Coastal Commission (CCC) for the Lane Field project; and

WHEREAS, the CDP Amendment requires the Developer to pay \$3 million to the District as a mitigation fee for lower cost overnight accommodations; and

WHEREAS, the fee would be used to establish lower cost overnight accommodations such as hostel beds, tent campsites, cabins or campground units on District tidelands; and

WHEREAS, the CDP Amendment further requires that prior to the Developer's payment of the mitigation fee and occupancy of the hotel, the CCC and the District must have entered into an Memorandum of Agreement (MOA) addressing the conditions of expenditure of the funds from the mitigation fee; and

WHEREAS, BPC authorization is required for the Executive Director to enter into the MOA with the CCC.

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 on behalf of the San Diego Unified Port District to enter into a Memorandum of Agreement with the California Coastal Commission regarding San Diego Unified Port District's acceptance of permit condition funds for the lower cost overnight accommodations mitigation fee.


APPROVED AS TO FORM AND LEGALITY:
PORT ATTORNEY



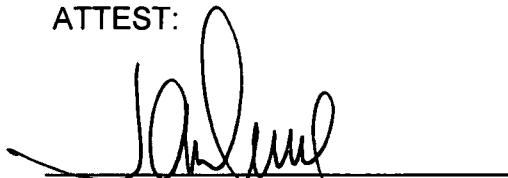
By: ~~Assistant~~/Deputy

PASSED AND ADOPTED by the Board of Port Commissioners of the San Diego Unified Port District, this 4th day of March, 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)