

RESOLUTION 2014-65

**RESOLUTION AUTHORIZING AN AGREEMENT
WITH THE CITY OF SAN DIEGO TO ACCEPT 22
BIGBELLY SOLAR-POWERED TRASH
COMPACTOR AND RECYCLING RECEPTACLES
FOR USE BY THE SAN DIEGO UNIFIED PORT
DISTRICT ON DISTRICT PROPERTY WITHIN THE
CITY OF SAN DIEGO FOR A PERIOD OF FIVE
YEARS AND GRANTING INDEMNITY TO THE CITY
OF SAN DIEGO**

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 21 of the Port Act authorizes the Board of Port Commissioners (BPC) to pass all necessary ordinances and resolutions for the regulation of the District; and

WHEREAS, the District and the City of San Diego, a municipal corporation, (City) desire to enter into an Agreement whereby the District would agree to accept 22 BigBelly Solar-Powered Trash Compactor and Recycling Receptacles ("BigBellys") valued at \$100,000 from the City for use on District property within the City of San Diego; and

WHEREAS, as a condition of the Agreement, the District would install, operate and maintain the BigBellys for a period of five (5) years at an estimated total cost of \$70,655 through Fiscal Year 2019, without taking into account operational efficiency offsets; and

WHEREAS, as an additional condition of the Agreement, the District would agree to indemnify the City for liability arising out of the District's performance under the Agreement; and

WHEREAS, by entering into the Agreement, the District would promote waste and greenhouse gas emission goals as set forth in the District's Climate Action Plan and further demonstrate the District's leadership with respect to environmental stewardship.

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

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That the Executive Director or his designated representative is hereby authorized to enter into an Agreement, on behalf of the San Diego Unified Port District, with the City of San Diego for the acceptance of 22 BigBelly solar-powered trash compactor and recycling receptacles for use by the District on District property within the City of San Diego, to install, operate and maintain the 22 BigBelly solar-powered trash compactor and recycling receptacles for a period of five (5) years, and indemnifying the City of San Diego for liability arising out of the District's performance under the Agreement.

APPROVED AS TO FORM AND LEGALITY:
PORT ATTORNEY


By: Assistant/Deputy

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PASSED AND ADOPTED by the Board of Port Commissioners of the San Diego Unified Port District, this 15th day of April, 2014, by the following vote:

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

NAYS: None.

EXCUSED: None.

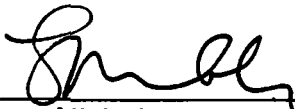
ABSENT: None.

ABSTAIN: None.



Robert E. Nelson, Chairman
Board of Port Commissioners

ATTEST:



Laura Nicholson
Deputy District Clerk

(Seal)