

RESOLUTION 2014-70

**RESOLUTION AUTHORIZING AGREEMENT WITH
H.P. PURDON & COMPANY FOR SPONSORSHIP OF
2014 JULY 4TH BIG BAY BOOM FIREWORKS
SHOW IN THE AMOUNT OF \$125,000 IN FUNDING
AND A NOT TO EXCEED AMOUNT OF \$50,000 IN
DISTRICT SERVICES**

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, on July 16, 2013, the BPC adopted Resolution 2013-121,, which authorized a line item budget amount for the Marketing Sponsorship Program; and

WHEREAS, one of the line items in the Marketing Sponsorship Program budget was \$125,000 in funding and \$50,000 in District services for the 2014 July 4th Big Bay Boom; and

WHEREAS, the District proposes to enter into an "Agreement between the San Diego Unified Port District and H.P. Purdon & Company, Inc. for 2014 Big Bay Boom July 4th Fireworks Show" (Agreement) for the sponsorship, in the amount of \$125,000 in funding and \$50,000 in District services, of the 2014 July 4th Big Bay Boom; and

WHEREAS, the Agreement requires implementation of certain project features, including: (1) ensuring that the net explosive weight of the 2014 Big Bay Boom Fireworks Show does not exceed that of the 2013 show; (2) using a District-approved consultant to update the Sampling Plan to analyze surface water of San Diego Bay, focusing on one barge recommended by the water sampling consultant, before and after the event pursuant to the Regional Water Quality Control Board General National Pollutant Discharge Elimination System Permit; (3) immediately upon completion of the fireworks show and with the appropriate safety clearance to do so, moving one barge a sufficient distance that allows the event production team and water sampling consultant to enter the area in which the barge was discharging fireworks to capture, collect and

subsequently photograph firework debris and collect water samples; (4) obtaining a District approved consultant or coordinate with the San Diego County Regional Airport Authority to conduct California least tern monitoring during the event; and (5) employing Best Management Practices specific to firework shows before, during and after the event, including setup safety inspections and multiple clean up measures to gather debris; and

WHEREAS, the District sponsorship funding must be used to implement the above-described project features.

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 to enter into the Agreement, in substantial form as the agreement, attached as Attachment A to the corresponding Agenda Sheet for the item, with H.P. Purdon & Company for the sponsorship, in the amount of \$125,000 in funding and \$50,000 in District services, of the 2014 July 4th Big Bay Boom.

APPROVED AS TO FORM AND LEGALITY:
PORT ATTORNEY


By: ~~Assistant~~ Deputy

2014-70

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.

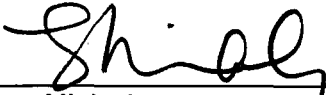
ABSENT: None.

ABSTAIN: None.



Robert E. Nelson, Chairman
Board of Port Commissioners

ATTEST:



Laura Nicholson
Deputy District Clerk

(Seal)