

RESOLUTION 2016-107

RESOLUTION GRANTING INDEMNITY TO THE STATE OF CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE FOR GRANTS FROM 2009 TO 2018

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, in 2009 the State of California Department of Fish and Wildlife (DFG) entered into an agreement with the San Diego Unified Port District (District) for the District to act as the coordinator for facilitating all communications between the Harbor Safety Committee (HSC), subcommittees, and the DFG Office of Spill Prevention and Response (OSPR) in regards to the editing, publication and distribution of the annual San Diego Harbor Safety Plan (SDHSP); and

WHEREAS, the agreement granted \$26,015 for Personnel and Operating Expenses and Equipment to financially support and assist the District's implementation of secretariat services, like meeting scheduling and meeting minute production; and

WHEREAS, this agreement renewed annually through 2011 and requested that the District grant indemnity to DFG; and

WHEREAS, in 2012, the agreement renewed bi-annually in the amount of \$52,030; and

WHEREAS, DFG has renewed the agreement for July 1, 2016 through June 30, 2018 in the amount of \$52,030; and

WHEREAS, the District was approved for funding and staff recommends that the BPC authorize the acceptance of the award and enter into grant agreements with DFG and requests that the District grant indemnity to DFG; and

WHEREAS, the indemnity requested by DFG is for losses accruing to anyone damaged or injured due to the District's performance of the grant agreement; and

WHEREAS, this indemnity request is reasonable pursuant to the terms of the grant.

NOW, THEREFORE, BE IT RESOLVED that the Board of Port Commissioners of the San Diego Unified Port District, hereby grants indemnity to the State of California Department of Fish and Wildlife for Grants from 2009 to 2018.

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 27th day of July, 2016, by the following vote:


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

NAYS: None.

EXCUSED: None.

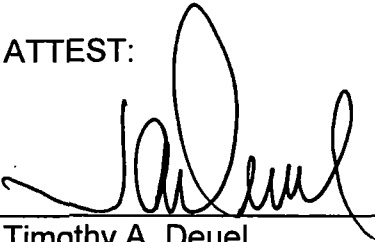
ABSENT: None.

ABSTAIN: None.



Marshall Merrifield, Chairman
Board of Port Commissioners

ATTEST:



Timothy A. Deuel
District Clerk

(Seal)