

RESOLUTION 2017-053

RESOLUTION ADOPTING BOARD OF PORT COMMISSIONERS POLICY NO. 777 GOVERNING THE DISTRICT'S PROCESSES AND ADMINISTRATION DURING EMERGENCY OPERATIONS, TO INCLUDE AUTHORITIES TO ACT, PROCESSES FOR PROCLAIMING A LOCAL EMERGENCY, DELEGATION OF AUTHORITY, SUCCESSION PLANNING, EMERGENCY COMMUNICATION, AND FINANCIAL SPENDING

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 (Board) to “pass all necessary ordinances and resolutions for the regulation of the District”; and

WHEREAS, Section 35 of the Port Act authorizes the Board to do all other acts necessary and convenient for the exercise of its powers; and

WHEREAS, under the State of California's Standardized Emergency Management System (SEMS), the San Diego Unified Port District is considered a Special District and also a local government, as local governments include cities, counties and special districts; and

WHEREAS, pursuant to California Government Code, Article 15 – Preservation of Local Government, Section 8635, the California Legislature has recognized that the preservation of local government in the event of enemy attack or in the event of a state of emergency or a local emergency is a matter of statewide concern; and

WHEREAS, as a local government agency, the District has the primary responsibility for emergency management activities within its jurisdiction; and

WHEREAS, “Emergency Management” is defined as a perpetual cycle of: (1) mitigation (preventing/deterring), (2) preparedness (planning, training, equipping, exercising, improving), (3) response (immediate response and incident stabilization), and (4) recovery (short-term [weeks to months], and long-term [months to years]); and

WHEREAS, in order to be eligible for any funding of response-related costs under disaster assistance programs, California Government Code Section 8607(a) requires all state agencies and any local government agencies to use SEMS; and

WHEREAS, SEMS provides for a multiple level emergency response organization and is intended to structure and facilitate the flow of emergency information and resources within and between organizational levels; and

WHEREAS, the foundation for the District's organization during an emergency is the District's Emergency Management Policy (Policy) and provides the basis for the District's emergency management program by: (1) Defining an emergency, (2) Defining the District's Emergency Management Organization, (3) Articulating how and where the District fits within the larger local, regional, state, and federal disaster organizational structure (per State and Federal law), (4) Necessitating the District's use of SEMS for organization and structured response to an emergency, (5) Establishing a "local emergency" proclamation process, which sets the stage for additional State and/or Federal assistance in an emergency, (6) Establishing orders of succession and delegations of authority for key positions and department leads in the District, and (7) Establishing financial expenditure limits and authorities, inclusive of outlining Federal and State procurement requirements essential to post-disaster reimbursement; and

WHEREAS, adoption of the Policy authorizes the preparation of an Emergency Operations Plan (Plan) for approval by the Board, which will ensure the most effective and economical allocation of resources for maximum benefit to preserve life, property, the environment, and commerce during an emergency; and

WHEREAS, the Plan will define the District's concept of operations for its Emergency Management Organization, establish a structure to define and classify incidents and events, and will provide a framework for operations throughout the entire emergency management cycle; and

WHEREAS, separate but related to the Plan will be administrative and functional Annexes to the Plan which will address general types of necessary activities and provide protocols during an emergency; and

WHEREAS, Annexes will also be developed to address specific types of incidents the District may encounter (e.g., flooding, earthquakes, and major power outages); and

WHEREAS, the State of California Governor's Office of Emergency Services has put forth a requirement that as a local government, the District's governing body must authorize three individuals who thereafter are authorized (either by name and title or title alone) to execute for and on behalf of the District

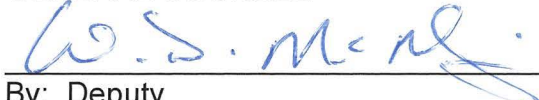
when the District files a claim with the California Governor's Office of Emergency Services for the purpose of obtaining certain federal financial assistance; and

WHEREAS, by executing on behalf of the District, these individuals also have the authority to certify the District is in compliance, as appropriate, with a prescribed list of project assurances for federal assistance; and

WHEREAS, the authorization of three individuals as Authorized Agents by a local government's governing body is a requirement of all applicants to be eligible to receive disaster funding and this requirement must be updated every three (3) years in order to maintain eligibility.

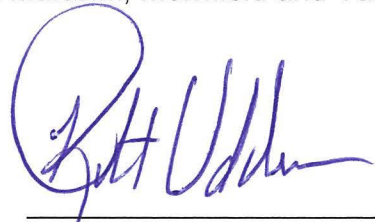
NOW, THEREFORE, BE IT RESOLVED that the Board of Port Commissioners of the San Diego Unified Port District, hereby adopts BPC Policy No. 777, Emergency Management Policy, governing the District's processes and administration during emergency operations, to include authorities to act, processes for proclaiming a local emergency, delegation of authority, succession planning, emergency communication, and financial spending.

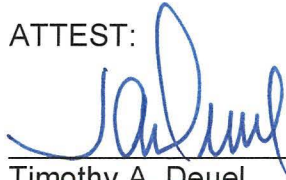
APPROVED AS TO FORM AND LEGALITY:
GENERAL COUNSEL


By: Deputy

PASSED AND ADOPTED by the Board of Port Commissioners of the San Diego Unified Port District, this 11th day of April, 2017, by the following vote:

- AYES: Moore, Nelson, Castellanos, Malcolm, Merrifield and Valderrama
- NAYS: None.
- EXCUSED: Bonelli
- ABSENT: None.
- ABSTAIN: None.


Robert Valderrama, Chair
Board of Port Commissioners

ATTEST:

Timothy A. Deuel
District Clerk

(Seal)