

**DRAFT****RESOLUTION 20xx-xxx****RESOLUTION AUTHORIZING AN APPLICATION  
FOR ENVIRONMENTAL MITIGATION LAND  
MANAGEMENT GRANT PROGRAM FUNDS TO  
THE SAN DIEGO ASSOCIATION OF  
GOVERNMENTS FOR ENDANGERED AVIAN  
NESTING SITE STEWARDSHIP AT D-STREET FILL  
PROJECT, COMMITTING TO PROVIDE FUNDS IN  
KIND, AND AUTHORIZING THE EXECUTIVE  
DIRECTOR OR DESIGNEE TO ACCEPT GRANT  
FUNDS AND EXECUTE GRANT AGREEMENT**

**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**, the Board of Port Commissioners (BPC) adopted BPC Policy No. 110 to establish a policy governing the processing and administration of public projects, consulting and service agreements, grant funded projects and supplies, materials, and equipment purchases; and

**WHEREAS**, in November 2004, the voters of San Diego County approved SANDAG Ordinance 04-01, which extended the *TransNet* 1/2 cent sales and use tax through 2048 (*TransNet* Ordinance); and

**WHEREAS**, the *TransNet* Extension Ordinance contains provisions for the creation of an Environmental Mitigation Program (EMP), which began being funded by the *TransNet* Ordinance on April 1, 2008; and

**WHEREAS**, on October 25, 2021, SANDAG issued its Cycle 10 call for projects from entities wishing to apply for a portion of the EMP Regional Habitat Conservation grant funds for use on environmental land management projects meeting certain criteria; and

**WHEREAS**, the District wishes to receive EMP Regional Habitat Conservation grant funds for the following project: Endangered Avian Nesting Site Stewardship at D-Street Fill Project; and

**WHEREAS**, the District understands that the EMP Regional Habitat Conservation grant funding is fixed at the programmed amount, and therefore project cost increases that exceed the grant awarded will be the sole responsibility of the grantee; and

**WHEREAS**, the District would provide in-kind services of \$10,000, of staffing resources to manage the grant and consultant agreements, provide oversight, and organize volunteer events.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Port Commissioners of the San Diego Unified Port District that San Diego Unified Port District staff is authorized to submit an application to SANDAG for EMP Regional Habitat Conservation funding for Endangered Avian Nesting Site Stewardship at D-Street Fill Project; and

**BE IT FURTHER RESOLVED** that, if a grant award is made by SANDAG to fund Endangered Avian Nesting Site Stewardship at D-Street Fill Project, the Board of Port Commissioners authorizes San Diego Unified Port District staff to commit to providing in-kind contributions up to \$10,000, as set forth in its grant application; authorizes the San Diego Unified Port District staff to accept the grant funds; and authorizes execution of the Grant Agreement included in the Cycle 10 call for projects with SANDAG without exceptions.

APPROVED AS TO FORM AND LEGALITY:  
GENERAL COUNSEL

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By: Assistant/Deputy

PASSED AND ADOPTED by the Board of Port Commissioners of the San Diego Unified Port District, this 9<sup>th</sup> day of August 2022, by the following vote: