

DRAFT

RESOLUTION 20xx-xxx

RESOLUTION APPROVING THE TRANSFER OF FUNDS WITHIN THE FY 2018-19 BUDGET FROM DISTRICT CONTINGENCY TO CAPITAL MAJOR MAINTENANCE CONTINGENCY IN THE AMOUNT OF \$250,000 PURSUANT TO BOARD POLICY 90, AND ALLOCATING FUTURE REIMBURSEMENT FROM VESSEL OPERATOR AND INSURANCE PROCEEDS TO DISTRICT CONTINGENCY

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; and

WHEREAS, Board of Port Commissioners (BPC) Policy No. 90 establishes a policy for the transfer of amounts between appropriated items in the budget; and

WHEREAS, pursuant to BPC Policy No. 90, a transfer of an amount between appropriated items requires BPC approval; and

WHEREAS, on June 25, 2018, while the 499-feet long vessel Golden Bear was pulling into the District's Broadway Pier's north side, it made direct contact to a single Yokohama fender which overloaded the supporting marine fender system; and

WHEREAS, the accident caused severe structural damage to the timber fender piles, timber walers and connecting hardware and warranted a temporary closure of Broadway Pier to berthing ships; and

WHEREAS, urgent repair is required to restore structural integrity to the marine fender elements, reinstate safe landing at Broadway Pier and to accommodate the 2018-2019 Cruise Ship Season Calls; and

WHEREAS, on August 2, 2018, the Executive Director declared an emergency pursuant to California Public Contract Code Sections 22035 and 22050 and District Resolution 2000-03; and

WHEREAS, on August 14, 2018, the Board approved a resolution ratifying the emergency action taken by the Executive Director and authorized continued action for the emergency marine fender replacement at Broadway Pier including procurement of a consultant for investigating the extent of the damage, providing design recommendations for repairs and cost and procurement of a contractor to

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repair the damage.

On August 2, 2018, the Executive Director also approved an emergency budget transfer of \$250,000 within the Capital Major Maintenance appropriation pursuant to BPC Policy No. 90; and

WHEREAS, the recommended resolution will approve a transfer of \$250,000 from the FY2018-19 District contingency to replenish the Capital Major Maintenance Contingency, and allocating future reimbursement from the vessel operator and insurance proceeds to District Contingency.

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

Adopt a resolution approving the transfer of \$250,000 within the FY2018-19 budget from District contingency to Capital Major Maintenance contingency, and allocating future reimbursement from vessel operator and insurance proceeds to District Contingency, pursuant to BPC Policy No. 90.

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 12th day of September 2018, by the following vote: