

DRAFT

RESOLUTION 20xx-xxx

**RESOLUTION AUTHORIZING AMENDMENT NO. 1
TO AGREEMENT TO JOINTLY DELIVER THE
ENERGY EFFICIENCY PARTNERSHIP PROGRAM
BETWEEN THE SAN DIEGO UNIFIED PORT
DISTRICT AND SAN DIEGO GAS & ELECTRIC
COMPANY, AMENDING NONDISCLOSURE
PROVISIONS**

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 San Diego Unified Port District Code ("Port Code"), Article 12, adopted in December 2015, which requires all Utility Account Holders on District tidelands to report utility usage, was established to measure progress towards our Climate Action Plan (CAP) Greenhouse Gas (GHG) goals and encourage reductions through utility benchmarking; and

WHEREAS, as most recently presented to the Board in July 2018, given the technical difficulties and resource intensity from implementing Port Code Article 12 over the past three years, and progress with the implementation of state requirements, staff is pursuing a streamlined approach to obtain energy data for CAP management and energy planning directly from San Diego Gas & Electric Company (SDG&E); and

WHEREAS, Amendment No. 1 to the Local Government Partnership Agreement with SDG&E adjusts provisions related to the non-disclosure and retention safeguards of tenant data and, based on discussions with SDG&E, should allow staff to obtain sector level utility usage data directly from SDG&E; and

WHEREAS, this will improve data reliability and will save the District money and time through reporting efficiency; and

WHEREAS, staff recommends the Board authorize Amendment No. 1 to Agreement to Jointly Deliver the Energy Efficiency Partnership Program between the San Diego Unified Port District and San Diego Gas & Electric Company, Amending Nondisclosure Provisions.

20xx-xxx

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

The Executive Director or her designated representative is hereby authorized on behalf of the San Diego Unified Port District to execute Amendment No. 1 to Agreement to Jointly Deliver the Energy Efficiency Partnership Program between the San Diego Unified Port District and San Diego Gas & Electric Company, Amending Nondisclosure Provisions.

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 11th day of December, 2018, by the following vote: