

**RESOLUTION 20xx-xxx****RESOLUTION AUTHORIZING AN AGREEMENT  
BETWEEN THE DISTRICT AND THE SAN DIEGO  
UNIFIED SCHOOL DISTRICT TO PURCHASE,  
INSTALL, AND MAINTAIN ENHANCED AIR  
FILTRATION SYSTEMS AT PERKINS  
ELEMENTARY SCHOOL FOR \$488,165 IN  
ACCORDANCE WITH BOARD POLICY NO. 773,  
THE MARITIME INDUSTRIAL IMPACT FUND**

**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 allows the Board of Port Commissioners (Board) to pass all necessary resolutions for the regulation of the District, and Section 35 of the Port Act allows the Board to act as is necessary and convenient for the exercise of its powers; and

**WHEREAS**, on July 6, 2010, the District established the Maritime Industrial Impact Fund in recognition that certain communities may be subject to disproportionate adverse impacts and constraints as a result of the presence of maritime industry and terminals; and

**WHEREAS**, the fund may be used to pay for projects to mitigate off-tidelands impacts from the District's maritime terminals and maritime industry; and

**WHEREAS**, the District and the San Diego Unified School District have a mutual desire to provide an enhanced air filtration system at Perkins Elementary School, located near the Port's Tenth Avenue Marine Terminal, in Barrio Logan; and

**WHEREAS**, the school district would have used standard filters as part of its installation of a new heating, ventilation, and air conditioning system (HVAC) at the school, but the District's contribution would pay for enhanced air filtration; and

**WHEREAS**, to help provide cleaner air for students at the school, Port staff is proposing that the Board of Port Commissioners approve the expenditure of \$488,165 from the Port's Maritime Industrial Impact Fund to pay for an enhanced air filtration system and an agreement with the San Diego Unified School District; and

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**WHEREAS**, staff recommends the Board authorize an agreement to provide such funding to the Project.

**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 and directed on behalf of the San Diego Unified Port District to enter into an agreement with the San Diego Unified School District to purchase, install, and maintain enhanced air filtration systems at Perkins Elementary School for \$488,165 in accordance with Board Policy No. 773, the Maritime Industrial Impact Fund.

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 January 2020, by the following vote: