

DRAFT**RESOLUTION 20xx-xxx****RESOLUTION AUTHORIZING THE DISTRICT TO ENTER INTO A MEMORANDUM OF UNDERSTANDING BETWEEN THE SAN DIEGO UNIFIED PORT DISTRICT AND THE SAN DIEGO FOUNDATION TO ADVANCE A COLLABORATIVE PARTNERSHIP TO EXPLORE OPPORTUNITIES FOR PROGRAM ALIGNMENT AND INVESTMENT TO SUPPORT COASTAL ACCESS; CLIMATE INITIATIVES AND COASTAL RESILIENCY; ENVIRONMENTAL CONSERVATION AND STEWARDSHIP; ENVIRONMENTAL JUSTICE; AND A THRIVING, SUSTAINABLE WATERFRONT**

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 87 of the Port Act, allows for the establishment and maintenance of those lands for open space, ecological preservation, and habitat restoration; and

WHEREAS, the District and the San Diego Foundation (Foundation) have been working collaboratively for years on many different projects including the creation of Ruocco Park; Bay Bridge Lighting; a climate initiative called “San Diego, 2050 is Calling”; and Port with No Borders Scholarship fund; and

WHEREAS, District staff have negotiated a draft Memorandum of Understanding (MOU) for the Board’s consideration with the Foundation to establish a cooperative relationship through mutual assistance in the areas of program alignment and fund administration; and

WHEREAS, pursuant to the draft MOU the District and the Foundation wish to explore collaboration on mutual environmental interests including but not limited to (1) environmental education and conservation programs, (2) environmental and community investment opportunities, and (3) environmental justice; and and

WHEREAS, the proposed MOU would not commit the District to any specific project or financial expenditure; and

WHEREAS, any activities or programs implemented following execution of

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the MOU would be subject to availability of funds, compliance with applicable laws, including those governing consideration and approval of discretionary projects by the District, the approval of authorized representatives, and memorialized through separate written agreements; and

WHEREAS, the proposed MOU has no fiscal impact for FY 2021 and any future costs would be formalized through independent agreement(s) and subsequent discretionary actions whereby any fiscal commitments will be subject to Board approval in future fiscal year budgets; and

WHEREAS, District staff recommends the Board adopt a resolution authorizing the President/CEO or their designee to enter into a “Memorandum of Understanding” with the San Diego Foundation to advance a collaborative partnership to explore opportunities for program alignment and investment to support coastal access; climate initiatives and coastal resiliency; environmental conservation and stewardship; environmental justice; and a thriving, sustainable waterfront.

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

The Executive Director or their designated representative is hereby authorized to enter into the Memorandum of Understanding between the District and the San Diego Foundation.

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 February 2021, by the following vote: