

**DRAFT****RESOLUTION 20xx-xxx****RESOLUTION AUTHORIZING THE DISTRICT TO  
ENTER INTO AN AGREEMENT WITH THE  
COUNTY OF SAN DIEGO TO RECEIVE LAW  
ENFORCEMENT HOMELAND SECURITY GRANT  
OPERATION STONEGARDEN FUNDS FOR FY2020  
AND GRANT INDEMNITY TO THE COUNTY OF  
SAN DIEGO**

**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**, 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, the purchasing of supplies, materials, and equipment, and grants; and

**WHEREAS**, in FY20, the Department of Homeland Security (DHS) awarded the County of San Diego Sheriff's Department funds from the Operation Stonegarden Grant Program; and

**WHEREAS**, these funds are used to coordinate the efforts of federal, state, and local law enforcement agencies conducting border security operations; and

**WHEREAS**, the District's Harbor Police Department is a sub-recipient of DHS Operation Stonegarden funds; and

**WHEREAS**, the Harbor Police Department uses these funds for officer overtime, fringe benefits, fuel costs, vehicle mileage, and vehicle and vessel maintenance as a result of participating in maritime and land-based border enforcement activities; and

**WHEREAS**, the Harbor Police Department plans to use \$352,200.00 in FY20 Operation Stonegarden funds to repower one vessel; and

**WHEREAS**, the County of San Diego (County) requires an agreement with the District to authorize the Harbor Police to request reimbursement for expenditures under the Operation Stonegarden grant program; and

**WHEREAS**, the Memorandum of Agreement (MOA) establishes the District's status as a sub-recipient under this program and allows for reimbursement requests to be submitted to the County within 90 days of incurring

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the qualifying costs, the MOA also requires that the District indemnify the County from and against any and all losses arising from, in connection with or caused by the District's performance of the MOA; and

**WHEREAS**, the term of the MOA runs concurrently with the Operation Stonegarden grant, which is an on-going Department of Homeland Security program, and specifies that the District, as a sub-recipient to the UASI grant, will be required to comply with all the same grant requirements, including both the U.S. General Accounting Office and Office of Management and Budget auditing standards, as the County.

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

That the Executive Director or his designated representative is hereby authorized and directed on behalf of the San Diego Unified Port District to enter into a Memorandum of Agreement with the County of San Diego, in order for the District to participate in the Operation Stonegarden Grant, granting indemnity to the County as set forth in the Memorandum of Agreement.

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 12<sup>th</sup> day of October 2021, by the following vote: