



## Legislation Details (With Text)

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**File created:** 6/6/2017    **In control:** Board of Port Commissioners  
**On agenda:** 6/20/2017    **Final action:** 6/20/2017  
**Title:** RESOLUTION APPROVING AMENDMENT TO THE EMPLOYMENT AGREEMENT FOR THE EXECUTIVE DIRECTOR (PRESIDENT/CEO)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. 16. 2017-0301 Attachment A, 2. 16. 2017-0301 Draft Resolution

Date	Ver.	Action By	Action	Result
6/20/2017	2	Board of Port Commissioners	adopted	

**DATE:** June 20, 2016

**SUBJECT:**

**RESOLUTION APPROVING AMENDMENT TO THE EMPLOYMENT AGREEMENT FOR THE EXECUTIVE DIRECTOR (PRESIDENT/CEO)**

### **EXECUTIVE SUMMARY:**

The Executive Director (President/CEO) reports directly to the Board of Port Commissioners (Board). The terms and conditions under which this position serves are memorialized in an Employment Agreement. An Amendment to this Employment Agreement for the Executive Director (President/CEO) is being presented for Board consideration and approval.

### **RECOMMENDATION:**

Adopt a Resolution approving Amendment to the Employment Agreement for the Executive Director (President/CEO).

### **FISCAL IMPACT:**

The salaries and benefits for the Executive Director (President/CEO) have been budgeted and are included in the FY 2017/2018 Operating Budget.

### **COMPASS STRATEGIC GOALS:**

This agenda item is part of the reporting system to promote transparency and open communication with the community and supports the following Strategic Goals:

- A Port that the public understands and trusts.
- A Port with an innovative and motivated workforce.

### **DISCUSSION:**

The proposed amendment would change the term and salary for the Executive Director (President/CEO) (Attachment A).

### **General Counsel Comments:**

The Office of the General Counsel has reviewed and approved the Amendment to the Employment Agreement of the Executive Director (President/CEO) as to form and legality.

### **Environmental Review:**

The proposed Board action does not constitute a “project” under the definition set forth in California Environmental Quality Act (CEQA) Guidelines Section 15378 because it will not have a potential to result in a direct or indirect physical change in the environment, and is, therefore, not subject to CEQA. No further action under CEQA is required.

In addition, the proposed Board action allows for the District to implement its obligations under the Port Act and/or other laws. The Port Act was enacted by the California Legislature and is consistent with the Public Trust Doctrine. Consequently, the proposed Board action is consistent with the Public Trust Doctrine.

Finally, the proposed Board action does not allow for “development,” as defined in Section 30106 of the California Coastal Act, or “new development,” pursuant to Section 1.a. of the District’s Coastal Development Permit Regulations. Therefore, issuance of a Coastal Development Permit or exclusion is not required.

### **Equal Opportunity Program:**

Not applicable.

### **PREPARED BY:**

Michelle Corbin  
Director, Human Resources

Attachment(s):

Attachment A: Second Amendment to Employment Agreement between San Diego Unified Port District and Randa J. Coniglio