



## Legislation Text

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**File #:** 2017-0370, **Version:** 1

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**DATE:** August 8, 2017

**SUBJECT:**

**RESOLUTION ADOPTING THE CHARTER OF THE MARITIME STAKEHOLDER FORUM AND APPROVING THE CALENDAR YEAR 2017 ANNUAL WORK-PLAN OF THE FORUM PURSUANT TO BPC POLICY NO. 018A**

**EXECUTIVE SUMMARY:**

Board of Port Commissioners (Board) Policy 018A sets forth procedures for Board Stakeholder Forums, established annually by the Chair, which are intended to provide a venue for the District, tenants and other interested persons to discuss and provide input on various issues. This year the Chair established the Maritime Stakeholder Forum ("Forum"). On August 1, 2017, a cross-section of interested stakeholders met to discuss the Charter of the Forum and potential items for the annual work-plan. Based on that discussion, Staff has prepared a Maritime Stakeholder Forum Charter and a calendar year 2017 annual work-plan, and recommends Board adoption of the Charter and approval of the annual work-plan.

**RECOMMENDATION:**

Adopt a resolution adopting the Charter of the Maritime Stakeholder Forum and approving the 2017 annual work-plan for the Maritime Stakeholder Forum pursuant to BPC 018A.

**FISCAL IMPACT:**

There is no direct fiscal impact related to staff's recommendation.

**COMPASS STRATEGIC GOALS:**

This agenda item supports the following Strategic Goal(s).

- A Port that the public understands and trusts.
- A thriving and modern maritime seaport.
- A Port with a healthy and sustainable bay and its environment.
- A Port with a comprehensive vision for Port land and water uses integrated to regional plans.
- A Port that is a safe place to visit, work and play.
- A Port with an innovative and motivated workforce.
- A financially sustainable Port that drives job creation and regional economic vitality.

## **DISCUSSION**

Board Stakeholder Forums, as set forth in Board Policy 018A, provide a venue for the District, Port tenants and other interested persons to discuss and give input to the Board of Port Commissioners (Board). This year the Chair established the Maritime Stakeholder Forum (“Forum”). On August 1, 2017, a cross-section of interested stakeholders met to discuss the Charter of the Forum and potential items for the annual work-plan. Based on that discussion, Staff has prepared a Maritime Stakeholder Forum Charter and a calendar year 2017 annual work-plan, and recommends Board adoption of the Charter and approval of the annual work-plan

### **Proposed Forum Charter**

With input from the August 1 meeting, Staff recommends adoption of the Forum Charter (Attachment A). The highlights include the following:

- Forum composition will consist of two members of the Board of Port Commissioners, maritime staff and a representative cross-section of maritime, community and civic stakeholders and adjacent communities, and is open to the public.
- The goals of the Forum include:
  1. Fostering innovative maritime business and trade development
  2. Enhancing maritime industry relationships and relationships with adjacent communities, including balancing business goals with improving the environment, public health and worker health and safety
  3. Providing stakeholder feedback on significant maritime projects/plans including the Port Master Plan Update and preservation of maritime property and Coastal Act issues
- The Forum will meet at least quarterly to discuss items on the Board-approved annual work-plan.
- The Forum will have no authority to negotiate for, represent, or commit the District in any respect. There will be no voting on any matter being discussed by the Forum participants.
- The Forum was created to provide a venue to discuss the topics stated in the annual work-plan approved by the Board. The Board retains the final authority on all matters. Forum participants are not authorized to give direction to District staff.
- Forum discussions will be focused on items contained in the annual work-plan adopted by the Board. Annual work-plans may be modified by the Board
- District staff will support requests for information and will create summary reports of the Forum discussions for the Board after each session is held.
- The public is welcome to attend and there will be an opportunity for public comment at each Forum meeting.

### **Proposed 2017 Annual Work-Plan**

Also with input from the August 1 meeting, Staff recommends approval of the 2017 annual work-plan (Attachment B). The proposed work-plan includes:

1. Ways to foster innovative maritime business and trade development
2. Ways to enhance maritime industry relationships
3. Cruise Optimization Plan
4. Planning initiatives related to Maritime
5. Tenth Avenue Marine terminal (TAMT) Redevelopment Plan
6. National City Balanced Plan
7. Other Significant Emergent Maritime Issues

The proposed work-plan also recommends that the Forum's next meeting, scheduled for August 10, shall focus on Issue No. 3, Cruise Optimization Plan, and Issue No. 4, Planning initiatives, including the Port Master Plan Update land use designations.

### **General Counsel's Comments:**

The Office of the General Counsel has reviewed and approved this agenda, the proposed Charter, and the proposed annual work-plan as to form and legality.

### **Environmental Review:**

The proposed Board action to adopt the Maritime Stakeholder Forum's charter and annual work-plan does not constitute an "approval" of a project under the California Environmental Quality Act (CEQA) because the Board's approval does not constitute a binding commitment to approve, adopt, or fund any of the projects identified in the 2017 Annual Work-Plan of the Forum. If goals identified in the work-plan advance forward into projects, the appropriate CEQA review will be conducted before the District approval of the projects. No further action under CEQA is required.

In addition, the presentation and direction to staff allows for the District to administrate 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 presentation is consistent with the Public Trust Doctrine.

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 (CDP) Regulations. Therefore, issuance of a Coastal Development Permit or exclusion is not required for the proposed Board action. If goals identified in the 2017 Annual Work-Plan of the forum advance forward into developments, the appropriate processing under the District's Coastal Development Permit Regulations will be conducted before the District approval of the developments.

### **Equal Opportunity Program:**

Not applicable.

### **PREPARED BY:**

Joel Valenzuela  
Director, Maritime

Attachment(s):

Attachment A: Proposed Forum Charter

Attachment B: Proposed Forum 2017 Annual Work-Plan