



## Legislation Text

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**File #:** 2020-0285, **Version:** 1

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**DATE:** October 6, 2020

**SUBJECT:**

### **RESOLUTION APPOINTING RICARDO RODRIGUEZ TO THE SAN DIEGO PORT DISTRICT AUDIT OVERSIGHT COMMITTEE (AOC) FOR A TERM OF THREE YEARS COMMENCING DECEMBER 7, 2020**

#### **EXECUTIVE SUMMARY:**

The Audit Oversight Committee (AOC) is composed of two members from the Board of Port Commissioners (BPC) and three external members of the public. The BPC members serve a one-year term, and the three external members serve a three-year, staggered term. The external committee members include Mr. Ivan Sotomayor, who was reappointed by the Board in March 2020 and Ms. Mona Dickerson, reappointed by the Board in March 2018. Mr. Jeff Miller, who has served on the AOC since 2013 and was reappointed in December 2017. Mr. Miller's term was to be completed on December 11, 2020; however, he had to vacate his position on the AOC in June 2020 due to personal reasons.

#### **RECOMMENDATION:**

Adopt a Resolution appointing Ricardo Rodriguez as a public member to the AOC for a term of three years commencing December 7, 2020.

#### **FISCAL IMPACT:**

The agenda item has no fiscal impact.

#### **COMPASS STRATEGIC GOALS:**

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

- A Port that the public understands and trusts.
- A financially sustainable Port that drives job creation and regional economic vitality.

#### **DISCUSSION:**

The Audit Oversight Committee (AOC) serves to assist the Board of Port Commissioners in fulfilling its oversight responsibilities for the District's financial reporting process and the internal control system. The AOC is subject to the provisions of BPC Policy No. 776, Port Audit Oversight Committee.

The Policy provision entitled “Structure” describes the make-up of the AOC. The provision requires that the AOC be composed of five members. Two members will be Board of Port Commissioners appointed by the Chairman of the Board. Three members will be from the community appointed by the Board of Port Commissioners.

Currently, one public member position has is open and needs to be filled. Human Resources advertised the opportunity and received five applications. All five applicants were interviewed by a selection committee composed of Karen Porteous (Executive Vice President - Administration) and Bob DeAngelis (CFO/Treasurer). As a result of those interviews, the selection committee recommended two individuals be interviewed by the AOC on September 14, 2020 to fill the vacant public member position. During the September 14, 2020 meeting, the AOC recommended Ricardo Rodriguez to move forward to be approved by the BPC to sit on the AOC Committee for a term of three years.

Mr. Rodriguez has over twenty years of experience in designing and implementing information systems, cyber security, regulatory compliance, and conducting information security audits in banking, public, and private sector organizations. He holds a graduate certificate in Cybersecurity, a Master of Science in Engineering, and a bachelor’s degree in Business Administration. He holds professional certificates and designations in various areas including Certified Internal Controls Auditor, Certification in Risk Management Assurance, Certified ISO27001 Lead Auditor. See Attachment A.

### **General Counsel’s Comments:**

The Office of the General Counsel has reviewed and approved this agenda and resolution, as presented, as to form and legality.

### **Environmental Review:**

The proposed Board action, including without limitation, a resolution appointing a member of the public to the San Diego Port District Audit Oversight Committee, does not constitute a “project” under the definition set forth in California Environmental Quality Act (CEQA) Guidelines Section 15378 because it would not have the 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.

The proposed Board action complies with Sections 21 and 35 of the Port Act, which allow for the Board to pass resolutions and to do all acts necessary and convenient for the exercise of its powers. 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.

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:**

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Acting Port Auditor

Attachment(s):

Attachment A: Ricardo Rodriguez Resume