



## Legislation Text

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File #: 2020-0291, Version: 1

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**DATE:** October 6, 2020

**SUBJECT:**

**ACTIONS RELATED TO THE FY20 PORT SECURITY GRANT PROGRAM:**

**A) RESOLUTION ACCEPTING THE FY20 PORT SECURITY GRANT PROGRAM (PSGP) AWARDS FOR A TOTAL AMOUNT OF \$1,012,500.00, REQUIRING A COST MATCH OF \$337,500.00, AND AUTHORIZING THE SAN DIEGO UNIFIED PORT DISTRICT (DISTRICT) TO ENTER INTO AGREEMENTS WITH THE U.S. DEPARTMENT OF HOMELAND SECURITY, FEDERAL EMERGENCY MANAGEMENT AGENCY (DHS/FEMA). ALL PROJECTS WILL BE EXECUTED IN FUTURE FISCAL YEARS AND DISTRICT'S MATCHING FUNDS WILL BE BUDGETED IN THE APPROPRIATE FISCAL YEAR, SUBJECT TO BOARD APPROVAL UPON ADOPTION OF EACH FISCAL YEAR'S BUDGET.**

**B) RESOLUTION APPROVING AN AMENDMENT TO THE FY 2019-2023 CAPITAL IMPROVEMENT PROGRAM (CIP) TO INCREASE THE SECURITY GATE PHYSICAL ENHANCEMENTS AT TENTH AVENUE MARINE TERMINAL PROJECT BUDGET BY \$450,000. GRANT FUNDS OF \$337,500 WILL BE FUNDED FROM THE PSGP PROGRAM. THE REQUIRED DISTRICT MATCH OF \$112,500 WILL BE BUDGETED IN THE APPROPRIATE FISCAL YEAR SUBJECT TO BOARD APPROVAL UPON ADOPTION OF EACH FISCAL YEAR'S BUDGET.**

**EXECUTIVE SUMMARY:**

The Port Security Grant Program's (PSGP) purpose is to help protect critical port infrastructure from terrorism, enhance maritime domain awareness, improve port-wide maritime security risk management, and maintain or re-establish maritime security mitigation protocols that support port recovery and resiliency capabilities. The District was eligible to apply as the San Diego Unified Port District and the Harbor Police.

The following projects received funding:

- Patrol Vessel Maintenance
- Command Van Update
- MARTAC Security Equipment (Telescopic Pole & Ladder)
- Emergency Management Program
- TAMT Access Control - Phase III
- High End Cameras (TAMT)

The District's award is \$800,000 and Harbor Police will receive \$550,000, for a total \$1,350,000. The required cost match is \$337,500. The performance period for these grant awards concludes on

August 31, 2023, and all project work must be completed by this date.

In accordance with Board Port Commissioners (BPC) Policy 110, the above award allocations are being presented to the BPC for acceptance of award and for authorization to enter into grant award agreements with the DHS/FEMA.

### **RECOMMENDATION:**

- A) Adopt a Resolution Accepting the FY20 PSGP awards totaling \$1,350,000, authorizing a match of \$337,500, and authorizing the District to enter into Award Agreements with the U.S. Department of Homeland Security/Federal Emergency Management Agency. All projects will be executed in future fiscal years and District's matching funds will be budgeted in the appropriate fiscal year and subject to the Board of Port Commissioner's approval.
- B) Adopt a resolution approving an amendment to the FY 2019-2023 CIP to increase the Security Gate Physical Enhancements at Tenth Avenue Marine Terminal project budget by \$450,000. Grant funds of \$337,500 will be funded from the PSGP. The required District match of \$112,500 will be budgeted in the appropriate fiscal year subject to Board approval upon adoption of each fiscal year's budget.

### **FISCAL IMPACT:**

PSGP FY20 will have no impact on the current fiscal year budget. Funds for the District's match will be executed in future fiscal years and will be budgeted in the appropriate fiscal year, subject to Board approval upon adoption of each fiscal year's budget.

The Security Gate Physical Enhancements at Tenth Avenue Marine Terminal project budget will be increased by \$450,000 in the FY 2019-2023 CIP. This will have no impact on the current fiscal year budget. Funds for the District's match will be budgeted in future fiscal years.

### **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 vibrant waterfront destination where residents and visitors converge.
- A Port that is a safe place to visit, work and play.
- A financially sustainable Port that drives job creation and regional economic vitality.

### **DISCUSSION:**

#### **Port Security Grant Program FY20 Award**

The Port Security Grants Program (PSGP) is a Department of Homeland Security (DHS) - Federal Emergency Management Agency (FEMA) grant program that provides federal funds to support maritime transportation infrastructure security activities. This program has made \$100,000,000 available annually through a competitive grant program for transportation infrastructure security

projects that implement Area Maritime Transportation Security Plans and facility security plans at port authorities, facility operators and state and local government agencies that provide port security services. With the FY19 PSGP funds, FEMA awarded grant funds to projects that increased port-wide risk management, enhanced domain awareness, facilitated training, expanded recovery and resilience capabilities at ports, and increased preparedness and recovery from non-conventional weapons attacks.

The District and the Harbor Police have active projects funded with Port Security Grant Program funds from fiscal years 2016-2019. The District has benefited from this program by using grant funds to purchase equipment, fund disaster and recovery training, and implement infrastructure projects that increase facility security.

In February 2020, the US Department of Homeland Security released the FY20 Notice of Funding Opportunity for PSGP. The District and the Harbor Police Department are considered two entities for the PSGP and may submit separate grant applications. Each applicant is invited to submit a total of five projects for consideration.

In August, DHS/FEMA announced that the District was allocated \$800,000 for three projects and the Harbor Police Department was allocated \$550,000 for three projects. The total match required is \$337,500.

The following projects received funding:

The award letter from FEMA is attached.

### **District's Future Budgets for PSGP-Funded Projects**

Staff recommends all funding for future fiscal years will be budgeted in the appropriate fiscal year and subject to the Board of Port Commissioner's approval.

<b>District</b>			
<b>Project Name</b>	<b>Grant Award</b>	<b>Port Match</b>	<b>Total</b>
Port of San Diego Resilience and Readiness Program - Phase II	\$112,500	\$37,500	\$150,000
Tenth Avenue Marine Terminal - Security Gate Physical Enhancements - Phase III	\$337,500	\$112,500	\$450,000
Port of San Diego High Angle Security Camera Enhancements	\$150,000	\$50,000	\$200,000
<b>Total</b>	<b>\$600,000</b>	<b>\$200,000</b>	<b>\$800,000</b>

<b>Harbor Police</b>			
<b>Project Name</b>	<b>Grant Award</b>	<b>Port Match</b>	<b>Total</b>
Patrol Vessel Maintenance	\$187,500	\$62,500	\$250,000
Command Van Update	\$168,750	\$56,250	\$225,000
MARTAC Security Equipment (Ladder)	\$56,250	\$18,750	\$75,000
<b>Total</b>	<b>\$412,500</b>	<b>\$137,500</b>	<b>\$550,000</b>

PSGP-funded projects have a three-year performance period. Funds will be budgeted in future fiscal years as follows:

District				
Project Name	FY 20/21	FY 21/22	FY 22/23	Total
Port of San Diego Resilience and Readiness Program - Phase II	\$0	\$35,285	\$114,715	\$150,000
Tenth Avenue Marine Terminal - Security Gate Physical Enhancements - Phase III	\$0	\$0	\$450,000	\$450,000
Port of San Diego High Angle Security Camera Enhancements	\$0	\$75,000	\$125,000	\$200,000
<b>Total</b>	<b>\$0</b>	<b>\$110,285</b>	<b>\$689,715</b>	<b>\$800,000</b>

Harbor Police				
Project Name	FY 20/21	FY 21/22	FY 22/23	Total
Patrol Vessel Maintenance	\$0	\$125,000	\$125,000	\$250,000
Command Van Update	\$0	\$225,000	\$0	\$225,000
MARTAC Security Equipment (Ladder)	\$0	\$75,000	\$0	\$75,000
<b>Total</b>	<b>\$0</b>	<b>\$425,000</b>	<b>\$125,000</b>	<b>\$550,000</b>
<b>GRAND TOTAL</b>	<b>\$0</b>	<b>\$535,285</b>	<b>\$814,715</b>	<b>\$1,350,000</b>

In accordance with BPC Policy 110, these awards are being presented to the BPC for award acceptance and to authorize staff to enter into grant award agreements with the DHS/FEMA.

Staff recommends the Board accept the FY20 PSGP awards and approve the ordinance with the recommended budget amendments.

### General Counsel's Comments:

The Office of the General Counsel has reviewed and approved this agenda, proposed grant agreements, and resolutions, as presented, as to form and legality.

### Environmental Review:

The proposed Board actions, including without limitation, a resolution accepting the fiscal year 2020 Port Security Grant Program; an ordinance amending the fiscal year 2020/2021 budget; and a resolution approving an amendment to the fiscal year 2019-2023 CIP, are Categorically Exempt pursuant to California Environmental Quality Act (CEQA) Guidelines Sections 15301 Existing Facilities, 15302 Replacement or Reconstruction, 15303 New Construction or Conversion of Small Structures, and/or 15304 Minor Alterations to Land and Sections 3.a., 3.b., 3.c., and/or 3.d. of the District's Guidelines for Compliance with CEQA because the project consists of funding for and development of security-related projects that would involve negligible expansion of use beyond that previously existing, would consist of the replacement of an existing facilities, would be located on the same site as the structure replaced, would have substantially the same purpose and capacity, would consist of construction and location of new, small facilities, would have no permanent effects on the environment, and would not involve the removal of mature, scenic trees. The District has determined

none of the six exceptions to the use of a categorical exemption apply to this project (CEQA Guidelines Section 15300.2). No further action under CEQA is required.

The proposed Board actions comply with Sections 21, 35, and 87 of the Port Act, which allow the Board to pass resolutions and to do all acts necessary and convenient for the exercise of its powers, and which allows for the establishment, improvement, and conduct of a harbor, and for the construction, reconstruction, repair, maintenance, and operation of wharves, docks, piers, slips, quays, and all other works, buildings, facilities, utilities, structures, and appliances incidental, necessary, or convenient, for the promotion and accommodation of commerce and navigation. The Port Act was enacted by the California Legislature and is consistent with the Public Trust Doctrine. Consequently, the proposed Board actions are consistent with the Public Trust Doctrine.

The proposed Board actions are considered “excluded development” pursuant to Sections 8.a. (Existing Facilities), 8.b. (Replacement or Reconstruction), 8.c. (New Construction or Conversion of Small Structures), and 8.d. (Minor Alterations to Land) of the District’s Coastal Development Permit Regulations because the project would consist of funding for and development of security-related projects that would involve negligible expansion of use beyond that previously existing, would be located essentially on the same site as the structure replaced, would have substantially the same purpose and capacity as the structure replaced, would have no permanent effects on the environment, and would not involve the removal of mature scenic trees. No further action under the Coastal Act is required.

**Equal Opportunity Program:**

Not applicable.

**PREPARED BY:**

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**Attachment(s):**

Attachment A: AwardPackage-EMW-2020-PU-00405-Harbor

Attachment B: AwardPackager-EMW-2020-PU-00406-Port