



Item 8.1: Assembly Bill 2783- San Diego Unified Port District

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AB 2783 Provisions

1. Adopt three, four-year term limits for all Commissioners.
2. Require annual rotation of Chair, Vice-Chair and Secretary.
3. Require 72-hour notification and disclosure of evidence to appointing authority if the Commissioners act to censure or remove a fellow Commissioner from their duties.
4. Require one of three City of San Diego-appointed Commissioners to live in a Portside Neighborhood as defined.
5. Require the Port District to establish an independent Board of Ethics to enforce Code of Ethics and review ethical matters.
6. Replace monthly car allowance with per diem compensation.

AB 2783 Provisions

7. Require the Port District to create the Community Impact Fund and annually deposit 1% of nontax gross revenue for projects that address maritime industrial impacts proposed by cities within the Port District.
8. Require the Port District to establish Future Public Access Fund and deposit 1% of eligible rents for future open space projects in disadvantaged communities.
9. Prevent Commissioners from lobbying, contracting or being employed by the Port for two years after ending their term.
10. Require the Port District to publicly disclose lobbying financial activity.

Recent Amendments

- A commissioner shall not serve as chairperson unless the commissioner has served on the board for at least one year.
- City of San Diego must make a good faith attempt to appoint one commissioner that resides in Portside Neighborhood.
- Require the Port district to compensate a commissioner \$100 for each day that the commissioner attends a meeting or performs duties related to the district. A commissioner shall not receive more than \$600 in a month.

City Concerns

Term Limits

- Cities must be able to determine whether limits on the length of Commissioner appointments are appropriate to best represent their cities' interests.

Disclosure of Evidence/Cooling Off Period

- Disclosure requirements should not impact the Port District's obligations and confidentiality requirements under the law.
- Align with current FPFC rules and Government Code 87640.3, which impose a one-year ban.

Diversion of Funds

- Legislative diversion of funds may materially impact the Port District's ability to refinance bonds that have already been issued, or to refinance at a competitive rate.

Potential Impact on Chula Vista Bayfront

Bond refinancing Scenario

\$400 million bond

30-year term

5.5 percent interest rate

\$45 million in additional costs

Recommended Action:

Council provide direction to staff on City position on Assembly Bill 2783: San Diego Unified Port District.

Possible positions include support, support if amended, oppose, oppose unless amended, or no position.

