

**SAN DIEGO UNIFIED PORT DISTRICT****ORDINANCE xxxx****ORDINANCE AMENDING THE FY 2020 BUDGET  
ADDING \$188,165 FROM THE MARITIME  
INDUSTRIAL IMPACT FUND TO THE NON-  
PERSONNEL EXPENSE ITEM**

**WHEREAS**, the San Diego Unified Port District (District) is a public corporation created by the Legislature in 1962 pursuant to Harbors and Navigation Code Appendix I (Port Act); and

**WHEREAS**, the District has the power and responsibility under the Port Act to manage and regulate the District for the promotion of commerce, navigation, fisheries, and recreation within the District, including, without limitation, to pass ordinances for the regulation of the District (e.g., Sections 21, 30); and

**WHEREAS**, on July 6, 2010, the District established the Maritime Industrial Impact Fund in recognition that certain communities may be subject to disproportionate adverse impacts and constraints as a result of the presence of maritime industry and terminals; and

**WHEREAS**, the fund may be used to pay for projects to mitigate off-tidelands impacts from the District's maritime terminals and maritime industry; and

**WHEREAS**, the District and the San Diego Unified School District have a mutual desire to provide an enhanced air filtration system at Perkins Elementary School, located near the Port's Tenth Avenue Marine Terminal, in Barrio Logan; and

**WHEREAS**, the school district would have used standard filters as part of its installation of a new heating, ventilation, and air conditioning system (HVAC) at the school, but the District's contribution would pay for enhanced air filtration; and

**WHEREAS**, to help provide cleaner air for students at the school, Port staff is proposing that the Board of Port Commissioners approve the expenditure of \$488,165 from the Port's Maritime Industrial Impact Fund to pay for an enhanced air filtration system and an agreement with the San Diego Unified School District; and

**WHEREAS**, the Board previously approved the spending of \$300,000 for the fiscal year 2020 budget for estimated project costs that were actually \$488,165; and

XXXX

**WHEREAS**, staff recommends amending the District's budget to reflect the additional funding outlay.

**NOW THEREFORE**, the Board of Port Commissioners of the San Diego Unified Port District does ordain as follows:

Section 1. The FY 2020 Budget is hereby amended to add \$188,165 from the Maritime Industrial Impact Fund to the Non-Personnel Expense item.

Section 2. This Ordinance shall take effect on the 31<sup>st</sup> day from its passage by the Board of Port Commissioners.

APPROVED AS TO FORM AND LEGALITY:  
GENERAL COUNSEL

\_\_\_\_\_  
By: Assistant/Deputy

PASSED AND ADOPTED by the Board of Port Commissioners of the San Diego Unified Port District, this 9th day of January 2020, by the following vote: