

DRAFT**SAN DIEGO UNIFIED PORT DISTRICT****ORDINANCE xxxx**

ORDINANCE AMENDING THE DISTRICT'S FY 2023 BUDGET, INCREASING THE EQUIPMENT OUTLAY AND OTHER CAPITAL PROJECTS APPROPRIATION BY \$2,723,000 FOR THE ELECTRICAL IMPROVEMENTS PHASE 3 AT THE TENTH AVENUE MARINE TERMINAL PROJECT. ADDITIONAL PROJECT FUNDS WILL BE BUDGETED IN THE APPROPRIATE FISCAL YEAR SUBJECT TO BOARD APPROVAL UPON ADOPTION OF EACH FISCAL YEAR'S BUDGET.

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, on April 28, 2022, the San Diego Air Pollution Control District (APCD) announced that the District's application for \$2,723,000 in Community Air Protection Program funds for crane charging infrastructure as part of the Electrical Improvements Phase 3 at Tenth Avenue Marine Terminal (TAMT) Project had been tentatively approved; and

WHEREAS, District and APCD staff have worked collaboratively to finalize the grant agreement so that the Board of Port Commissioners (Board) may accept the grant funds; and

WHEREAS, if approved by the Board, the District would provide a match amount of \$1,167,000; and

WHEREAS, the District's match is fully budgeted in the Economic Recovery Program budget; and

WHEREAS, staff recommends the Board adopt an Ordinance amending the District's FY 2023 Budget, increasing the Equipment Outlay and Other Capital Projects appropriation by \$2,723,000 for the Electrical Improvements Phase 3 at Tenth Avenue Marine Terminal Project.

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

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Section 1. The FY 2023 Budget is hereby amended to increase the Equipment Outlay and Other Capital Projects appropriation by \$2,723,000 for the Electrical Improvements Phase 3 at Tenth Avenue Marine Terminal Project.

Section 2. This Ordinance shall take effect on the 31st 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 13th day of September 2022, by the following vote: