

DRAFT

SAN DIEGO UNIFIED PORT DISTRICT

ORDINANCE xxxx

**ORDINANCE AMENDING THE FISCAL YEAR (FY)
2019 BUDGET INCREASING THE FY 2019
CAPITAL IMPROVEMENT PROGRAM (CIP)
APPROPRIATION BY \$1,653,750 TO BE FUNDED
FROM RESTRICTED RESERVES RELATED TO
THE CHULA VISTA BAYFRONT PROJECT**

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, Board of Port Commissioners (BPC) adopted BPC Policy No. 090, to establish a policy for the transfer of amounts between appropriated items in the budget in accordance with Section 86 of the Port Act, as well as within appropriated items; and

WHEREAS, on April 10, 2018, the District entered into the Disposition and Development Agreement (DDA) (a copy of which is on file in the Office of the District Clerk, Clerk's Document No. 68398) between the District, the City of Chula Vista and RIDA Chula Vista, LLC; and

WHEREAS, in accordance with paragraph 4.4(b) of the DDA, the District is responsible to prepare Schematic Plans for Phase 1A Infrastructure Improvements, including Sweetwater and Harbor Parks; and

WHEREAS, Section 5 of Attachment No. 4 to the DDA, Conceptual Outline of the Joint Exercise of Powers Agreement Plan of Finance, lists SDG&E relocation fees of \$1,653,750 as a District funding contribution; and

WHEREAS, Staff is requesting that these funds be transferred to the FY 2019-2023 5-year Capital Improvement Program and designated for the Chula Vista Bayfront Site Preparation Project, increasing the total project budget from \$9,240,000 to \$10,893,750.

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

Section 1. The FY 2019 budget is amended to increase the FY 2019 Capital Improvement Program appropriation by \$1,653,750 to be funded from restricted reserves related to the Chula Vista Bayfront Project.

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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 17th day of July, 2018, by the following vote: