

SAN DIEGO UNIFIED PORT DISTRICT

ORDINANCE 2833

**ORDINANCE AMENDING THE FISCAL YEAR 15/16
BUDGET TO INCREASE THE CAPITAL
IMPROVEMENT PROGRAM APPROPRIATION BY
\$223,110 FOR AN INCREASE IN THE BUDGET
FOR NATIONAL CITY AQUATIC CENTER, WITH
NO CHANGE TO THE APPROVED FISCAL YEAR
2014-2018 TOTAL CIP PROGRAM 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, the National City Aquatic Center, also known as the National City Waterfront Adventure Center (Project), is an existing project in the District's Fiscal Year 2014-2018 Capital Improvement Program (CIP) with a current total contribution authorized by District of \$4,410,000 and is the subject of Amendment No. 1 to the Amended and Restated Memorandum of Understanding between the San Diego Unified Port District and the City of National City regarding the National City Aquatic Center (MOU), on file with the Office of the District Clerk as Doc. No. 63880; and

WHEREAS, on June 18, 2015, the District received a letter from the City of National City requesting \$650,000 in additional funding for construction and non-construction related costs to complete the Project, the City and the District discussed the request for additional funding, gathered financial information, revised the projected construction budget and reviewed the status of the Project, and on August 4, 2015, the City submitted a revised request for additional funding of \$473,107 for construction, construction support services and non-construction related costs for the Project; and

WHEREAS, the District CIP Staff Committee reviewed the revised request and recommended approval of \$223,110 of additional funding to complete construction of the Project and also that the District waive the City's obligation to allocate one percent towards art, as set forth in BPC Policy No. 608 – Tenant Percent for Art, due to the current funding constraints of the Project; and

WHEREAS, on June 11, 2015, by Ordinance No. 2820, the Board adopted the Fiscal Year 15/16 Budget; and


WHEREAS, District staff recommended amending the Fiscal Year 15/16 Budget to increase the CIP appropriation by \$223,110 for the increase in the budget for the Project.

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

Section 1. The District's Fiscal Year 15/16 Budget is hereby amended by increasing the Capital Improvement Program appropriation by \$223,110 for an increase in the budget for the National City Aquatics Center, with no change to the approved Fiscal Year 2014-2018 total CIP Program Budget.

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 6th day of October, 2015, by the following vote:

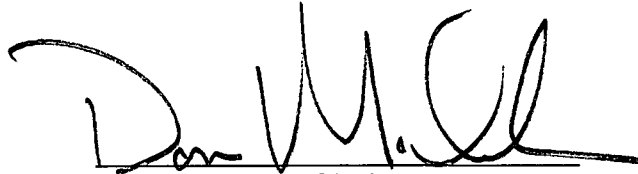
AYES: Bonelli, Castellanos, Malcolm, Merrifield, Moore, Nelson, and Valderrama.

NAYS: None.

EXCUSED: None.

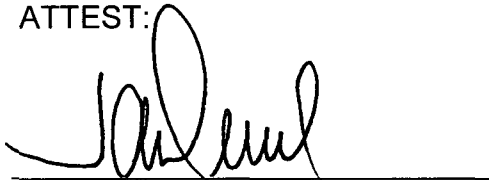
ABSENT: None.

ABSTAIN: None.



Dan Malcolm, Chairman
Board of Port Commissioners

ATTEST:



Timothy A. Deuel
District Clerk

