

## SAN DIEGO UNIFIED PORT DISTRICT

### ORDINANCE 2942

#### ORDINANCE AMENDING SAN DIEGO UNIFIED PORT DISTRICT CODE ARTICLE 8, SECTION 8.14 PARKING METERS – TIME OF OPERATION, REVISING THE LISTED PARKING METER HOLIDAYS TO ADD PRESIDENT’S DAY AND CESAR CHAVEZ DAY AND REMOVE COLUMBUS DAY TO ALIGN WITH THE CITY OF SAN DIEGO’S PARKING METER HOLIDAYS

**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**, Section 21 of the Port Act authorizes the Board of Port Commissioners (BPC) to pass all necessary ordinances and resolutions for the regulation of the District; and

**WHEREAS**, consistent with the Public Trust Doctrine, Section 36 of the Port Act specifically gives the BPC the authority to “by ordinance fix the rate[s] or other charges which are appropriate for the use of any of the facilities owned and constructed or services furnished or provided by the [D]istrict” and therefore, it is within the District’s authority to set parking rates on tidelands; and

**WHEREAS**, the District currently manages approximately 1,200 meter and pay station parking spaces along tidelands within the City of San Diego which are operated Monday through Sunday excepting certain holidays; and

**WHEREAS**, San Diego Unified Port District Code Section (SDUPD Code) Section 8.14, Parking Meters - Time of Operation, provides that the District currently observes nine parking meter holidays - New Year’s Day, Martin Luther King, Jr. Day, Memorial Day, Independence Day (July 4<sup>th</sup>), Labor Day, Columbus Day, Veteran’s Day (November 11<sup>th</sup>), Thanksgiving Day and Christmas Day (December 25<sup>th</sup>) and during these holidays the parking meters and pay stations are free all day; and

**WHEREAS**, the City of San Diego observes ten parking meter holidays, which are slightly different than the parking meter holidays observed by the District; and

**WHEREAS**, the District has received complaints from the public concerning the difference of parking meter holidays between the District and the City of San Diego; and

**WHEREAS**, in some areas, such as along the North Embarcadero and Shelter Island Drive, the District's parking meters and the City of San Diego's parking meters are next to one another or on the opposite sides of the street; and

**WHEREAS**, staff conducted research on parking meter holidays and gathered information from 29 coastal cities within California, as well as conducted public outreach to present recommended revisions to the District's parking meter holidays, enforcement of time limits on holidays, and to receive feedback related to recommended revisions; and

**WHEREAS**, based on the research, public feedback and options considered, staff's recommendation is to manage tidelands parking by aligning with the City of San Diego's parking meter holidays to reduce public confusion but still enforce time limits to manage turnover and accessibility at meters and pay stations on holidays; and

**WHEREAS**, alignment with the City of San Diego's holidays would require amending SDUPD Code Article 8, Section 8.14, Parking Meters – Time of Operation, by adding President's Day and Cesar Chavez Day, and removing Columbus Day; and

**WHEREAS**, staff recommends that the BPC conduct a public hearing and adopt an Ordinance amending SDUPD Code Article 8, Section 8.14, Parking Meters – Time of Operation, to align with the City of San Diego's parking meter holidays.

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

Section 1. That Section 8.14 of Article 8 of the San Diego Unified Port District Code is hereby amended to read as follows:

**SDUPD Section 8.14 – PARKING METERS – TIME OF OPERATION**

Parking meters and pay stations at all tidelands locations including the North Embarcadero, Tuna Harbor, Ruocco Park, Embarcadero Marina Park North, Embarcadero Marina Park South areas, the Crescent, Spanish Landing and Shelter Island shall be operated Monday through Sunday, except New Year's Day, Martin Luther King, Jr.'s Birthday, President's Day, Cesar Chavez Day, Memorial Day, July 4th, Labor Day, Veteran's Day, Thanksgiving Day and Christmas Day.

The meters and pay stations shall be operated between the following hours at the various lots on tidelands, which shall be posted on signs in the area:

8:00 AM to 6:00 PM – Shelter Island  
6:00 AM to 10:30 PM – Spanish Landing

10:00 AM to 8:00 PM – North Embarcadero, Tuna Harbor, Ruocco Park, Embarcadero Marina Park North, Embarcadero Marina Park South and the Crescent

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 9<sup>th</sup> day of April 2019, by the following vote:

AYES: Bonelli, Castellanos, Merrifield, and Valderrama

NAYS: None.

EXCUSED: Malcolm, Moore, and Zucchet

ABSENT: None.

ABSTAIN: None.



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Garry J. Bonelli, Chairman  
Board of Port Commissioners

ATTEST:



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Donna Morales  
District Clerk

(Seal)