

RESOLUTION 2013-111

RESOLUTION ADOPTING NON-BINDING SENSE OF THE BOARD RELATED TO AMENDMENT OF FISCAL YEAR 2012/2013 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 June 11, 2013, the Board of Port Commissioners (Board) approved an ordinance Amending Fiscal Year 2012/2013 Budget (Amendment); and

WHEREAS, on June 11, 2013, the Board voted to express the non-binding sense of the Board related to the amendment of the Fiscal Year 2012/2013 Budget.

NOW THEREFORE, BE IT RESOLVED by the Board of Port Commissioners of the San Diego Unified Port District that it is the non-binding sense of the Board that:

- (1) the adoption of the Fiscal Year 2012/2013 Final Budget constituted, and the Fiscal Year 2013/2014 Preliminary Budget proposes, a waiver of BPC Policy 730 (Port Environmental Advisory Committee Policy) and that in future years as and if the District generates revenues exceeding expenses enabling the Board to fully fund and maintain the Operating Reserve pursuant to BPC Policy 117, the District shall reclassify \$2.5 million from the revenues exceeding expenses into the Environmental Fund; and
- (2) the adoption of the Fiscal Year 2012/2013 Final Budget constituted a waiver of BPC Policy 609 (Public Art) and that in future years as and if the District generates revenues exceeding expenses enabling the Board to fully fund and maintain the Operating Reserve pursuant to BPC Policy 117, the District shall reclassify \$1.0 million from the revenues exceeding expenses into the Public Art Fund; and
- (3) that insurance payments, reimbursement of attorney fees, legal settlements/verdicts, or disputed invoices by the District for services rendered shall not be a basis for revenue assumptions for future fiscal years, and the District shall base future year budgets on undisputed revenues from services.

PASSED AND ADOPTED by the Board of Port Commissioners of the San Diego Unified Port District, this 11th day of June, 2013, by the following vote:

AYES: Castellanos, Malcolm, Merrifield, Moore, Nelson, Smith, Valderrama

NAYS: None.

EXCUSED: None.

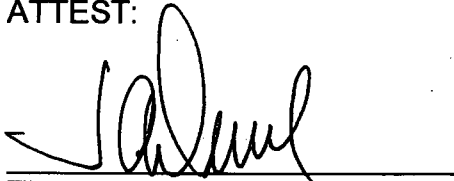
ABSENT: None.

ABSTAIN: None.



Ann Y. Moore, Chair
Board of Port Commissioners

ATTEST:



Timothy A. Deuel
District Clerk

(Seal)