

## **RESOLUTION 2014-129**

### **RESOLUTION WAIVING BOARD POLICY NO. 609 TO AUTHORIZE A DEDUCTION IN THE FISCAL YEAR (FY) 2014/2015 ANNUAL DEPOSIT FOR PUBLIC ART FROM \$1.2M TO \$350,000**

**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 46 of the Port Act requires that on or before the 15<sup>th</sup> day of June each year the District shall estimate and determine the amount of money required by the District and shall adopt a preliminary budget; and

**WHEREAS**, Section 47 of the Port Act, requires the Board of Port Commissioners (Board) to meet for the purposes of fixing the final budget; and

**WHEREAS**, Section 47 of the Port Act requires that on or before the 15<sup>th</sup> day of June of each year, the Board shall publish a notice stating:

- (1) That the preliminary budget has been adopted and is available at a time and at a place within the District specified in the notice for inspection by interested taxpayers; and
- (2) That on a specified date not less than one month after the publication of the notice and at specified time and place, the District's Board will meet for the purpose of fixing the final budget, and that any taxpayer may appear and be heard regarding the increase, decrease or omission of any item in the budget, or for the inclusion of additional items; and

**WHEREAS**, in compliance with the provisions of the Port Act, the Board adopted Resolution 2014-107 approving the FY 14/15 preliminary budget on May 6, 2014; and

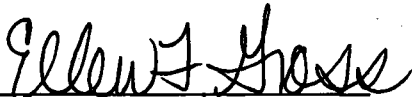
**WHEREAS**, District staff recommends the Board waive BPC Policy No. 609 to authorize a reduction in the FY 14/15 annual deposit for Public Art from \$1.2M to \$350,000 and authorize the use of \$850,000 from the Public Art Fund to partially fund the FY 14/15 budget; and

**WHEREAS**, in compliance with the provisions of the Port Act a public hearing was conducted on June 10, 2014 to adopt the FY 14/15 final budget.

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

Board of Port Commissioners Policy No. 609 is hereby waived to and a reduction in the FY 14/15 annual deposit for Public Art from \$1.2M to \$350,000 and use of \$850,000 from the Public Art Fund to partially fund the FY 14/15 budget is hereby authorized.

APPROVED AS TO FORM AND LEGALITY:  
PORT ATTORNEY



By: Assistant/Deputy

PASSED AND ADOPTED by the Board of Port Commissioners of the San Diego Unified Port District, this 10<sup>TH</sup> day of June 2014, by the following vote:

AYES: Bonelli, Castellanos, Malcolm, Merrifield, and Nelson,

NAYS: None.

EXCUSED: Moore and Valderrama.

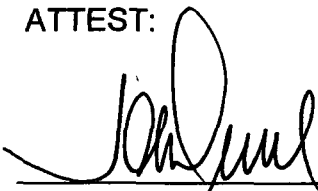
ABSENT: None.

ABSTAIN: None.



Robert E. Nelson, Chairman  
Board of Port Commissioners

ATTEST:



Timothy A. Deuel  
District Clerk

(Seal)