

RESOLUTION 2014-165

**RESOLUTION EXEMPTING AMENDMENT TO
SAN DIEGO UNIFIED PORT DISTRICT CODE,
ARTICLE 8, SECTION 8.15, INCREASING FINES
FOR PARKING VIOLATIONS OF SAN DIEGO
UNIFIED PORT DISTRICT CODE SECTIONS 8.11,
8.12, 8.13, 8.16(A), AND 8.16(B) BY \$5.00 AND
LATE PAYMENT AMOUNTS BY \$10.00 PURSUANT
TO CALIFORNIA ENVIRONMENTAL QUALITY ACT
(CEQA) SECTIONS 15273 AND 15301 OF THE
CEQA GUIDELINES**

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 1, (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, District currently enforces parking regulation and issues fines for violations as set forth in San Diego Unified Port District Code ("UPD Code") Article 8, Section 8.15; and

WHEREAS, the District proposes to amend UPC Code Section 8.15 to increase fines for parking violations of UPD Code Sections 8.11, 8.12, 8.13, 8.16(a), and 8.16(b) by \$5.00 and late payment amounts by \$10.00; and

WHEREAS, the proposed fee increase and amendment of Section 8.15 are statutorily exempt pursuant to CEQA Section 15273 (Rates, Tolls, Fares, and Charges) and/or Categorically Exempt pursuant to CEQA Guidelines Section 15301 (Class 1 - Existing Facilities) and Sections 2.h and/or 3.a of the District's Guidelines for compliance with CEQA; and

WHEREAS, having reviewed and considered all testimony and materials made available to the BPC, including, but not limited to, the staff reports and all of the testimony and evidence in the record of the proceedings with respect to the item, the BPC took the actions hereinafter set forth.

NOW, THEREFORE, BE IT RESOLVED by the Board of Port Commissioners of the San Diego Unified Port District, as follows:

Pursuant to Section CEQA Guidelines Section 15273 (Rates, Tolls, Fares and Charges), Section 15301 (Class 1 - Existing Facilities,) and Sections 2.h and/or 3.a of the District's Guidelines for compliance with CEQA, the Board of Port Commissioners finds as follows:

1. The facts recited above are true and further finds that this Board of Port Commissioners has jurisdiction to consider, approve and adopt the subject of this Resolution.
2. The applicable provisions of CEQA, the State CEQA Guidelines, and the District Guidelines have been duly observed in conjunction with said hearing and the considerations of this matter and all of the previous proceedings related thereto.
3. The amendment to Article 8, Section 8.15 of the San Diego Unified Port District Code - Parking Regulation Enforcement - to increase fines for parking violations will bring parking fines more in line with the District's member cities and make them consistent with the City of San Diego, which is contiguous to most of the District's metered parking and is to meet operational expenses of the District.
4. The amendment to Article 8, Section 8.15 of the San Diego Unified Port District Code - Parking Regulation Enforcement - to increase fines for parking violations may increase parking citation revenue by approximately \$100,000 per year and is to meet financial reserve needs and requirements of the District.
5. The amendment to Article 8, Section 8.15 of the San Diego Unified Port District Code - Parking Regulation Enforcement - to increase fines for parking violations will be based on other member cities' current parking violation fines and are not to obtain funds for capital projects for expansion of systems.

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 12th day of August 2014, by the following vote:

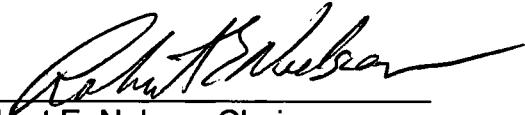
AYES: Bonelli, Castellanos, Moore, Nelson, and Valderrama.

NAYS: None.

EXCUSED: Malcolm, Merrifield.

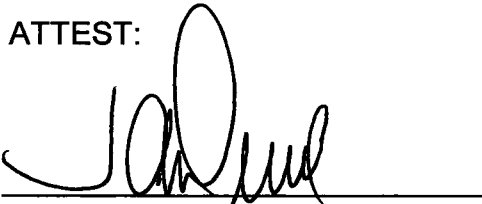
ABSENT: None.

ABSTAIN: None.



Robert E. Nelson, Chairman
Board of Port Commissioners

ATTEST:



Timothy A. Deuel
District Clerk

(Seal)