

DRAFT

SAN DIEGO UNIFIED PORT DISTRICT

ORDINANCE xxxx

**ORDINANCE AMENDING THE DISTRICT'S FY 2026
BUDGET TO APPROPRIATE UNSPENT PLANNED
AND BUDGETED FUNDS FROM FY 2025**

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, each fiscal year, the Board appropriates funds to be spent on approved District projects in a variety of different appropriated items such as Major Maintenance Capital, Major Maintenance Expense, and Other Capital Projects; and

WHEREAS, a project may not utilize all of the funds appropriated in that fiscal year; and

WHEREAS, during budget preparations, Staff make projections for each project's spending to recommend the next budget appropriation, however, often, the amount of money unspent at the conclusion of the fiscal year varies from the projections used in the final budget approved by the Board; and

WHEREAS, adding previously appropriated but unused funds from prior year's funds is critical for maintaining project delivery expectations into FY 2026, as these funds are essential for covering costs related to technical engineering design, construction support, and other project activities; and

WHEREAS, on June 6, 2025, the Board approved projects within the Major Maintenance Program through Ordinance No. 3165 and this approval confirms that the total project budgets for these programs are established and remain intact; and

WHEREAS, Staff recommends amending the final budget for FY2026 to appropriate unspent funds from the prior year, including , increasing the Capital Major Maintenance Capital Appropriation by \$233,669, the Major Maintenance Expense Appropriation by \$213,809, and Other Capital Projects Appropriation by \$36,286,434 (which includes \$35,564,958 from the unallocated portion of an EPA Award and Economic Recovery Program match, which was part of the overall \$58,600,279 Environmental Protection Agency (EPA) grant accepted by the Board of Port Commissioners on January 14, 2025 (Ordinance 3151).

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

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Section 1. The final budget for FY 2026 is hereby amended to appropriate unspent planned and budgeted funds from FY 2025, increasing the Capital Major Maintenance Capital Appropriation by \$233,669, the Major Maintenance Expense Appropriation by \$213,809, and Other Capital Projects Appropriation by \$36,286,434.

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 General Counsel

PASSED AND ADOPTED by the Board of Port Commissioners of the San Diego Unified Port District, this 9th day of December 2025, by the following vote: