

SAN DIEGO UNIFIED PORT DISTRICT

ORDINANCE 2708

**ORDINANCE GRANTING A SIXTY-SIX YEAR
UTILITY EASEMENT TO SAN DIEGO GAS &
ELECTRIC COMPANY FOR SUBSURFACE
ELECTRICAL EQUIPMENT LOCATED ON THE
OLD POLICE HEADQUARTERS LEASEHOLD
SERVING CORONADO AND NORTH ISLAND
NAVAL AIR STATION**

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 5(b)(4) of the Port Act grants authority to the District to exercise its land management authority and powers over any other lands or interests in lands acquired by the District in furtherance of the District's powers and purposes as provided in Section 87; and

WHEREAS, San Diego Gas & Electric (SDG&E) has an existing 69Kv line serving Coronado and North Island Naval Air Station that runs beneath the Old Police Headquarters (OPH) parking lot from the Pacific Highway and Harbor Drive intersection to the Kettner Blvd and Harbor Drive intersection; and

WHEREAS, Seaport Village Operating Co., LLC currently holds a lease with the District for the redevelopment of OPH and has commenced construction requiring that an easement be granted for the 69Kv line; and

WHEREAS, the easement covers an area of approximately 7,684 square feet of land located on the OPH leasehold and will allow SDG&E to operate, maintain, repair, upgrade, relocate and replace subsurface electrical equipment and allows the District, at its sole cost, to relocate the facilities should future plans necessitate such relocation, and due to the specialized nature of the OPH site improvements, future improvements above ground will be replaced in kind if removed by SDG&E; and

WHEREAS, the utility easement serves Coronado and North Island Naval Air Station, and market rent shall be charged; and

WHEREAS, rent is based on a standard method of applying a discount to the unencumbered market rent which has been determined to be approximately \$945 per month which will be paid in a lump sum rent payment of \$260,000; and

WHEREAS, the term of the easement shall commence May 1, 2013, and end April 30, 2079.

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

Section 1. The easement between the San Diego Unified Port District and San Diego Gas & Electric Company, a California corporation, for a sixty-six (66) year term for subsurface electrical equipment serving the City of Coronado and North Island Naval Air Station on file in the Office of the District Clerk as Document No.60280 is hereby granted and approved.

Section 2. The Executive Director or his designated representative is hereby directed to execute said easement with San Diego Gas & Electric Company, on behalf of the San Diego Unified Port District, for a term of sixty-six (66) years expiring on April 30, 2079.

Section 3. This ordinance shall take effect on the 31st day from its passage by the Board of Port Commissioners.

2708

PASSED AND ADOPTED by the Board of Port Commissioners of the San Diego Unified Port District, this 9th day of April, 2013, by the following vote:

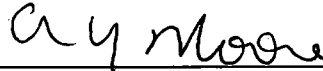
AYES: Malcolm, Moore, Nelson, Smith, Valderrama

NAYS: None.

EXCUSED: None.

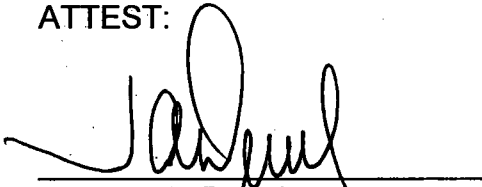
ABSENT: None.

ABSTAIN: None.



Ann Y. Moore, Chair
Board of Port Commissioners

ATTEST:



Timothy A. Deuel
District Clerk

(Seal)