

SAN DIEGO UNIFIED PORT DISTRICT

ORDINANCE 2724

ORDINANCE GRANTING A 66 YEAR UTILITY EASEMENT TO SAN DIEGO GAS & ELECTRIC FOR A SUBSURFACE ELECTRICAL EASEMENT LOCATED WITHIN THE TENTH AVENUE MARINE TERMINAL AT WATER STREET AND EAST OF THE CROSBY STREET PIER

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, in 2012, the Board of Port Commissioners (BPC) approved a Capital Improvement Program budget for the Crosby Street Pier Modernization Project to install electrical, water, sewer, and telecommunication connections from the Crosby Street Pier to Water Street at the Tenth Avenue Marine Terminal; and

WHEREAS, a long-term easement with San Diego Gas & Electric (SDG&E) is required to support utility connections from the pier to Water Street; and

WHEREAS, the utility connections to the pier supports the modernization of the District's infrastructure, improves pier capacity, reduces emissions while vessels are berthed at the pier, and enhances business opportunities with future pier tenants;

WHEREAS, the easement covers an area of approximately 1,133 square feet of subsurface land located on Water Street and east of the Crosby Street Pier; and

WHEREAS, the term of the easement is for 66 years commencing April 1, 2013 and terminating on March 31, 2079; and

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

Section 1. The utility easement between the San Diego Unified Port District and San Diego Gas & Electric for a sixty-six (66) year term to install,

repair, relocated, and replace subsurface electrical service in support of the Pier Modernization Capital Improvement Project within the Tenth Avenue Marine Terminal at Water Street and East of the Crosby Street Pier on file in the Office of the District Clerk as Document No. 60471, 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 on behalf of the San Diego Unified Port District.

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

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.

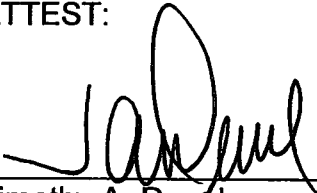
ABSENT: None.

ABSTAIN: None.



Ann Y. Moore, Chair
Board of Port Commissioners

ATTEST:



Timothy A. Deuel
District Clerk

(Seal)