

**SAN DIEGO UNIFIED PORT DISTRICT**

**ORDINANCE 2754**

**ORDINANCE GRANTING 66-YEAR EASEMENT TO  
SAN DIEGO GAS AND ELECTRIC COMPANY  
COMMENCING FEBRUARY 1, 2014 AND ENDING  
JANUARY 31, 2080 FOR THE TENTH AVENUE  
MARINE TERMINAL SHORE POWER SYSTEM TO  
REDUCE GREENHOUSE GAS EMISSIONS**

**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 August 2012, the Board of Port Commissioners approved a 24.5 year lease to Dole Fresh Fruit Company (Dole), which requires the District install shore power at Tenth Avenue Marine Terminal (TAMT) and obligates Dole to be in full compliance with the California Air Resources Board (CARB) shore power regulations; and

**WHEREAS**, the proposed easement to San Diego Gas & Electric Company is required for the operation, maintenance, and repair of shore power at TAMT thereby supporting the District's compliance with CARB regulations for the reduction of emissions from goods-movement activity; and

**WHEREAS**, the term of the proposed easement is 66 years commencing February 1, 2014 and ending January 31, 2080 and covers approximately 36,646 square feet of land.

**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, for a sixty-six (66) year term for the Tenth Avenue Marine Terminal shore power system to reduce greenhouse gas emissions, 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 January 31, 2080.

Section 3. This Ordinance shall take effect on the 31<sup>st</sup> day from its passage by the Board of Port Commissioners.

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 11<sup>th</sup> day of February, 2014, by the following vote:

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

NAYS: None.

EXCUSED: None.

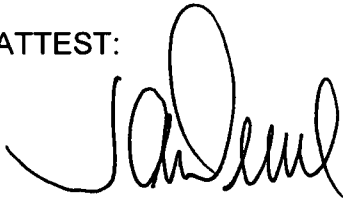
ABSENT: None.

ABSTAIN: None.



Robert E. Nelson, Chairman  
Board of Port Commissioners

ATTEST:



Timothy A. Deuel  
District Clerk

(Seal)