

SAN DIEGO UNIFIED PORT DISTRICT

ORDINANCE 2860

ORDINANCE GRANTING AMENDMENT NO. 2 TO THE GLORIETTA BAY MARINA LEASE WITH THE CITY OF CORONADO UPDATING THE DESCRIPTION OF PREMISES, PREVAILING WAGE PROVISION, AND USE CLAUSE TO ALLOW FOR THE RECONSTRUCTION OF DOCK C AND TO INCLUDE A BOAT LAUNCH RAMP AND DOCK

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 87(b) of the Port Act grants authority to the District to lease the tidelands or submerged lands, or parts thereof, for limited periods, not exceeding 66 years, for purposes consistent with the trusts upon which those lands are held, by the State of California; and

WHEREAS, in August 2012, the Board of Port Commissioners (BPC) granted a 40-year lease (Original Lease) with City of Coronado (City) for a public boat rental dock and approximately 100-slip marina, commonly known as the Glorietta Bay Marina; and

WHEREAS, in November 2015, the BPC granted an Agreement for Amendment of Lease Amendment No. 1 (Amendment No. 1, together with Original Lease, the Lease) to amend rent terms, revise the leasehold description, and update certain lease provisions; and

WHEREAS, the City proposes the demolition of existing improvements and construction of new facilities at Dock C, located at 1715 Strand Way, and at the Glorietta Bay Boat Launch Facility, located at 1917 Strand Way, both in the City (collectively, Project); and,

WHEREAS, the Project improvements are needed in order to comply with federal, state and local laws and regulations and to provide enhanced recreational amenities in the area; and

WHEREAS, Dock C improvements include the redevelopment, reconfiguration, and extension of the existing dock system, and the boat launch facility improvements include replacing the concrete apron of the boat launch ramp, and replacing and expanding the uses of the adjoining board dock with a free public dock; and

WHEREAS, the water area of the leased premises needs to be increased by approximately 6,014 square feet to accommodate the new Dock C design and an additional approximately 12,186 square feet to include the waterside portion of the boat launch facility which includes the boat launch ramp and dock; and

WHEREAS, the number of boat slips in the reconstructed Dock C will remain the same; and

WHEREAS, the additional leased premises will allow the City to reconstruct Dock C and the boat launch facility; and

WHEREAS, the use clause of the Lease needs to be updated to include the boat launch facility as an allowable use; and

WHEREAS, the prevailing wage provision needs to be updated to the District's new standard language; and

WHEREAS, staff is recommending the description of the premises in the Lease be increased to allow the City to reconstruct Dock C and the boat launch facility; and

WHEREAS, staff is recommending the use clause in the Lease be updated to include the boat launch facility as an allowable use; and


WHEREAS, staff is recommending the Lease be updated to reflect District's current practices, which include revisions to the provision for prevailing wage laws.

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

1. Agreement for Amendment of Lease Amendment No. 2 to the Glorietta Bay Marina Lease with the City of Coronado updating the description of the premises, prevailing wage provision, and use clause to allow for the reconstruction of Dock C and to include a Boat Launch Ramp and Dock is hereby granted.
2. The Executive Director or her designated representative is hereby directed to execute said Agreement for Amendment of Lease Amendment No. 2 to the Lease.
3. 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

PASSED AND ADOPTED by the Board of Port Commissioners of the San Diego Unified Port District, this 10th day of May, 2016, by the following vote:

AYES: Bonelli, Castellanos, Malcolm, Merrifield, and Nelson.

NAYS: None.

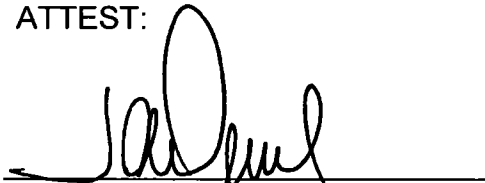
EXCUSED: Moore and Valderrama.

ABSENT: None.

ABSTAIN: None.


Marshall Merrifield, Chairman
Board of Port Commissioners

ATTEST:


Timothy A. Deuel
District Clerk

(Seal)