

RESOLUTION 2016-163

RESOLUTION ESTABLISHING SAN DIEGO GAS & ELECTRIC COMPANY'S RENT FOR AN UNDERGROUND UTILITY EASEMENT LOCATED AT GLORIETTA BOULEVARD BETWEEN SECOND AND THIRD STREETS IN THE CITY OF CORONADO FOR THE PERIOD OF OCTOBER 1, 2016 THROUGH SEPTEMBER 30, 2021

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, grant franchises or privileges for 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, the District has an underground utility easement with San Diego Gas & Electric Company (SDG&E) located in the City of Coronado at Glorietta Boulevard between Second and Third Streets (Glorietta Boulevard Easement) which commenced on April 1, 1991 and will end on September 30, 2036; and

WHEREAS, the Glorietta Boulevard Easement covers 2,500 square feet of subsurface land to construct, modify, improve, relocate, repair, and maintain underground facilities for the transmission and distribution of electricity and gas in the City of Coronado; and

WHEREAS, pursuant to the Glorietta Boulevard Easement, a rent review is required for the five-year period commencing October 1, 2016 and ending September 30, 2021; and

WHEREAS, an independent appraisal was conducted to determine fair market rent for the easement; and

WHEREAS, consistent with the recommendations of the appraisal for the Glorietta Boulevard Easement, SDG&E has agreed to increase the annual rent for the easement from \$3,120 to \$3,800 per year, effective retroactively to October 1, 2016.

NOW, THEREFORE, BE IT RESOLVED by the Board of Port Commissioners of the San Diego Unified Port District, as follows:

That the Executive Director or her designated representative is hereby authorized on behalf of the San Diego Unified Port District to establish rent for an underground utility easement located at Glorietta Boulevard between Second and Third Streets in the City of Coronado for the period of October 1, 2016 through September 30, 2021.

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 8th day of November, 2016, by the following vote:

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

NAYS: None.

EXCUSED: Moore.

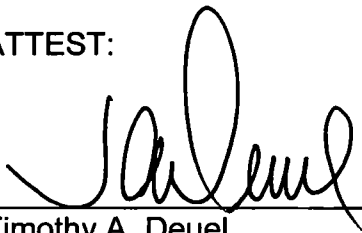
ABSENT: None.

ABSTAIN: None.



Marshall Merrifield, Chairman
Board of Port Commissioners

ATTEST:



Timothy A. Deuel
District Clerk

(Seal)