

RESOLUTION 2016-165

RESOLUTION ESTABLISHING SAN DIEGO GAS & ELECTRIC COMPANY'S RENT FOR AN UNDERGROUND UTILITY EASEMENT LOCATED AT FIRST STREET AND B AVENUE IN THE CITY OF CORONADO FOR THE PERIOD OF OCTOBER 1, 2016 THROUGH JUNE 30, 2020

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 First Street and B Avenue (B Avenue Easement) which commenced on October 1, 1976 and will end on June 30, 2020; and

WHEREAS, the B Avenue Easement covers 11,636 square feet of subsurface land and 7,057 square feet of subaqueous 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, the B Avenue Easement is within a utility corridor which includes the City of Coronado transbay sewer pump station; and

WHEREAS, pursuant to the B Avenue Easement, a rent review is required for the last rental period of the easement commencing October 1, 2016 and ending June 30, 2020; 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 B Avenue Easement, SDG&E has agreed to increase the annual rent for the easement from \$16,728 to \$20,368 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 First Street and B Avenue in the City of Coronado for the period of October 1, 2016 through June 30, 2020.

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.

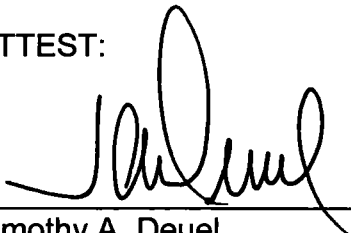
ABSENT: None.

ABSTAIN: None.



Marshall Merrifield, Chairman
Board of Port Commissioners

ATTEST:



Timothy A. Deuel
District Clerk

(Seal)