

DRAFT

SAN DIEGO UNIFIED PORT DISTRICT

ORDINANCE xxxx

**ORDINANCE GRANTING AN APPROXIMATE
TWENTY-TWO (22) YEAR UTILITY EASEMENT TO
SAN DIEGO GAS & ELECTRIC COMPANY FOR
SUBSURFACE UTILITY EQUIPMENT TO PROVIDE
ELECTRICAL AND GAS SERVICE TO NATIONAL
CITY AQUATIC CENTER AND DISTRICT
INFRASTRUCTURE**

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 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, Section 21 of the Port Act requires that all grants, franchises, leases, permits or privileges for more than five (5) years shall be made by ordinance; and

WHEREAS, the National City Aquatic Center (Center) is located adjacent to Pepper Park in National City, California; and

WHEREAS, the Center opened in 2016 and provides recreational and facility services to the community; and

WHEREAS, the Center requires upgraded utility services for its operations; and

WHEREAS, staff has negotiated a long-term easement with San Diego Gas & Electric Company to provide utility services to the Center and the District's vessel pump-out equipment and security cameras located in Pepper Park; and

WHEREAS, the easement covers approximately 15,174 square feet of tideland area located adjacent to Pepper Park in National City; and

WHEREAS, the term of the easement is for approximately twenty-two (22) years commencing March 15, 2019 and terminating December 31, 2040.

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

1. That the approximate twenty-two (22) year easement to San Diego Gas & Electric Company for subsurface utility equipment to provide electrical and gas service to National City Aquatic Center and District infrastructure, starting March 15, 2019 and terminating December 31, 2040, is hereby granted.
2. The Executive Director or her designated representative is hereby directed to execute said easement attached as Attachment B in the corresponding agenda sheet.
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 12th day of February 2019, by the following vote: