

DRAFT

SAN DIEGO UNIFIED PORT DISTRICT

ORDINANCE xxxx

**ORDINANCE GRANTING A THIRTY (30) YEAR
EASEMENT TO SAN DIEGO GAS & ELECTRIC
COMPANY FOR A SUBSURFACE GAS LINE ON
19TH STREET AND TIDELANDS AVENUE IN
NATIONAL CITY, CALIFORNIA**

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, in December 1995, the District granted an easement to San Diego Gas & Electric Company (SDG&E) for a subsurface gas line (Existing Easement) located on 19th Street and Tidelands Avenue in National City, California; and

WHEREAS, the existing subsurface gas line provides service to the south end of the Naval Base; and

WHEREAS, due to projected growth of the Naval Fleet, the existing subsurface gas line will not have the required capacity to adequately service the growing needs of the Naval Fleet; and

WHEREAS, therefore, the need to upgrade the existing subsurface gas line is required to keep the Naval Base fully operational and accommodate the growing Naval Fleet arriving in San Diego; and

WHEREAS, staff has negotiated a new 30-year easement starting March 15, 2019 and terminating March 14, 2049, with SDG&E that includes a one-time rent payment to the District of \$51,383.

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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 thirty (30) year easement to San Diego Gas & Electric Company for a subsurface gas line on 19th Street and Tidelands Avenue in National City, California, starting March 15, 2019 and terminating March 14, 2049, is hereby granted.
2. The Executive Director or her designated representative is hereby directed to execute said easement attached as Attachment C 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: