

*Form - 104*

*7/14/2015*

(R-2015-746)

RESOLUTION NUMBER R- 309844

DATE OF FINAL PASSAGE JUL 15 2015

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE THE PIPELINE INSTALLATION AND MAINTENANCE AGREEMENT WITH THE UNITED STATES OF AMERICA, FOR USE OF PUBLIC RIGHT OF WAY FOR A FUEL PIPELINE IN THE ROSECRANS, MIDWAY, AND MORENA AREAS OF SAN DIEGO, CALIFORNIA.

WHEREAS, the City of San Diego (City) owns certain public right of way easements on, in, and over real property (Property) in the Rosecrans, Midway and Morena areas of San Diego, California. The City owns the Property for street and utility purposes; and

WHEREAS, the United States of America, through the Department of the Navy (Navy), is contemplating a certain pipeline project to serve federal facilities. The project would replace portions of an existing petroleum fuel pipeline located between Naval Base Point Loma and Marine Corps Air Station Miramar; and

WHEREAS, the Navy has requested allowance to relocate approximately five (5) miles of the existing pipeline into the Property. The Navy has indicated that relocation will allow better monitoring and maintenance access, and remediate encroachment issues on certain portions of the existing pipeline. The relocation plan includes removal of an above-ground portion of pipeline that runs along the La Playa Waterfront area and Bayside Trail, and would restore those waterfront areas; and

WHEREAS, City staff has negotiated a "Pipeline Installation and Maintenance Agreement" (Agreement) with the Navy, to allow relocation of the approximately five (5) miles of existing pipeline into the Property. Among other things, the Agreement grants the Navy rights to install and maintain fuel pipeline in the Property for fifty (50) years, and subjects the Navy's

use of and access to the Property to standard City conditions, requirements, and processes for utility installation in the public right of way; and

WHEREAS, the market value of the subject real estate is \$310,000; NOW,

THEREFORE,


BE IT RESOLVED, by the City Council of the City of San Diego, that the Mayor, or his designee, is authorized and directed to execute the "Pipeline Installation and Maintenance Agreement" on file in the Office of the City Clerk as Document No. RR-309844, with the United States of America, for the installation and maintenance of fuel pipeline in City rights of way in the Rosecrans, Midway, and Morena areas of San Diego, California.

BE IT FURTHER RESOLVED, that the Mayor, or his or her designee, is authorized to execute and deliver all such agreements and all other instruments to effect and complete the transaction contemplated by this Resolution.

BE IT FURTHER RESOLVED, that the Chief Financial Officer is authorized to accept and deposit the proceeds from the "Pipeline Installation and Maintenance Agreement" into the General Fund 100000.

APPROVED: JAN I. GOLDSMITH, City Attorney

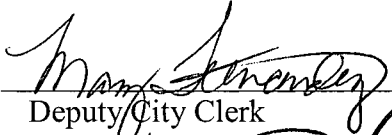
By

  
\_\_\_\_\_  
Jeremy M. Fonseca  
Deputy City Attorney

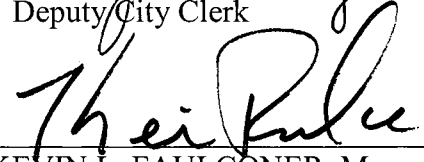
JMF: meb  
June 11, 2015  
Or.Dept: Real Estate Assets  
Doc. No.: 1042018

I certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of JUL 14 2015.

ELIZABETH S. MALAND  
City Clerk

By   
Deputy City Clerk

Approved: 7/14/15  
(date)

  
KEVIN L. FAULCONER, Mayor

Vetoed: \_\_\_\_\_  
(date)

\_\_\_\_\_  
KEVIN L. FAULCONER, Mayor

Passed by the Council of The City of San Diego on JUL 14 2015, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Sherri Lightner	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lorie Zapf	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Todd Gloria	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Myrtle Cole	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mark Kersey	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Chris Cate	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Scott Sherman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
David Alvarez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marti Emerald	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage JUL 15 2015.

(Please note: When a resolution is approved by the Mayor, the date of final passage is the date the approved resolution was returned to the Office of the City Clerk.)

AUTHENTICATED BY:

KEVIN L. FAULCONER  
Mayor of The City of San Diego, California.

ELIZABETH S. MALAND  
City Clerk of The City of San Diego, California.

(Seal)

By  For Mary F., Deputy

Office of the City Clerk, San Diego, California  
Resolution Number R- 309844