

RESOLUTION NUMBER R- 313775

DATE OF FINAL PASSAGE NOV 23 2021

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO APPROVING A GAS PIPELINE EASEMENT AGREEMENT FOR THE CITY'S GRANT TO SAN DIEGO GAS & ELECTRIC COMPANY OF AN EASEMENT ON A PORTION OF CITY-OWNED PROPERTY ALONG McCAIN ROAD, DESIGNATED AS ASSESSOR'S PARCEL NUMBER 450-790-29, TO ACCOMMODATE THE CONSTRUCTION OF A NEW ADMINISTRATION BUILDING FOR THE SAN DIEGO REGIONAL AIRPORT AUTHORITY, AND AUTHORIZING THE CITY'S ACCEPTANCE AND DEPOSIT OF A RELATED EASEMENT PAYMENT.

WHEREAS, the San Diego Regional Airport Authority (Airport Authority) intends to commence construction in early 2022 of its new administration building near the western boundary of the San Diego International Airport property; and

WHEREAS, San Diego Gas & Electric Company (SDG&E) will need to relocate an existing 10-inch steel gas main to avoid a conflict with the development footprint of the Airport Authority's new administration building; and

WHEREAS, to accommodate the relocation of the gas main for the Airport Authority's development project, SDG&E has requested that the City of San Diego (City) grant a 10-foot-wide easement for a lineal length of 586 feet (Easement) on the easterly portion of City-owned property along McCain Road, designated as Assessor's Parcel Number 450-790-29 (City Property); and

WHEREAS, the City and SDG&E have negotiated the terms and conditions of a Gas Pipeline Easement Agreement (Easement Agreement), a copy of which is included in the docket materials accompanying this Resolution; and

WHEREAS, in accordance with the Easement Agreement, the City will grant the Easement to SDG&E for the purpose of constructing and maintaining a natural gas pipeline on a portion of the City Property; and

WHEREAS, the Easement Agreement describes the respective rights and obligations of the parties with respect to the Easement and includes an appropriate indemnification provision in the City's favor; and

WHEREAS, the appraised fair market value of the Easement to be granted by the City to SDG&E is \$14,625; and

WHEREAS, given that the City's conveyance of the Easement is necessary to accommodate the Airport Authority's development project, the Airport Authority will make an Easement payment to the City in the amount of \$14,625; and

WHEREAS, San Diego Charter section 77 requires the City to use all proceeds from the sale of City-owned real property, including the conveyance of easement interests, exclusively for the acquisition, construction, replacement, and financing of permanent public improvements;

NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, as follows:

1. The Council approves the Easement Agreement and authorizes the City's conveyance of the Easement to SDG&E in accordance with the Easement Agreement.
2. The Mayor or designee is authorized, on the City's behalf, to sign and deliver the Easement Agreement and all other documents necessary to grant the Easement in accordance with the Easement Agreement, and take all other actions that are necessary or appropriate to grant the Easement, contingent upon the City's receipt of the Airport Authority's payment of

\$14,625 for the Easement. A copy of the Easement Agreement, when signed by both parties, shall be placed on file in the Office of the City Clerk as Document No. RR- 313775.

3. The Chief Financial Officer is authorized to accept and deposit the Airport Authority's payment of \$14,625 for the Easement into Capital Outlay Miscellaneous Revenue Fund 400002.

APPROVED: MARA W. ELLIOTT, City Attorney

By /s/ Kevin Reisch  
Kevin Reisch  
Senior Chief Deputy City Attorney

KJR:jdf  
10/14/21  
Or.Dept: Real Estate Assets  
Doc. No. 2769757  
Companion to: R-2022-116

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of NOV 09 2021.

ELIZABETH S. MALAND  
City Clerk

By [Signature]  
Deputy City Clerk

Approved: 11/29/21  
(date)

[Signature]  
TODD GLORIA, Mayor

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

\_\_\_\_\_  
TODD GLORIA, Mayor

Passed by the Council of The City of San Diego on NOV 09 2021, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Joe LaCava	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jennifer Campbell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Stephen Whitburn	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Monica Montgomery Steppe	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marni von Wilpert	<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"/>
Raul A. Campillo	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Vivian Moreno	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sean Elo-Rivera	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage NOV 23 2021.

**(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:

TODD GLORIA  
Mayor of The City of San Diego, California.

(Seal)

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

By , Deputy

Office of the City Clerk, San Diego, California

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