

PERALTA COMMUNITY COLLEGE DISTRICT
Resolution No. 13/14-30

AUTHORIZING EXECUTION AND DELIVERY OF EASEMENT DEED

WHEREAS, the Bay Area Air Quality Management District (“BAAQMD”), in order to comply with new monitoring requirements imposed by the Environmental Protection Agency and to assess health risks associated with exposure to roadway pollution, desires to install an air quality monitoring station (trailer) near Interstate 880 in the Laney College parking lot;

WHEREAS, BAAQMD has agreed to pay the District an annual fee of \$4,800 for use of the property where the trailer will be located, and BAAQMD has further agreed to pay for the installation of all items necessary to extend electrical service to the as site required to operate BAAQMD’s monitoring station, including the installation of a new electrical conduit to the site;

WHEREAS, the Pacific Gas and Electric Company (“PG&E”) must install certain equipment on a small strip of District-owned property between East 8th Street and the Laney College parking lot in order to connect the new electrical conduit to existing underground utilities running along East 8th Street;

WHEREAS, PG&E requires that the District grant easement to PG&E, comprising an area of approximately 80 square feet as shown PG&E’s drawing No. 30987316 attached hereto and by this reference incorporated herein, in order to permit PG&E to install, operate and maintain this equipment;

WHEREAS, pursuant to Education Code Sections 81310 *et seq.*, the District is authorized to grant the requested easement to PG&E, as a private company engaged in the public utility business, and

WHEREAS, pursuant to Education Code Sections 81310 *et seq.*, the Board of Trustees adopted a Resolution of Intent to Convey an Easement at its meeting on October 22, 2013, and thereby fixed November 12, 2013, at 7:00 pm at the Board Room, District Administration Center, 333 East Eighth Street, Oakland California, as the time, date and place of the public meeting of the Board of Trustees to consider, and to vote on, the adoption of a resolution to authorize and direct the Chancellor or his designee to take such further action, including without limitation the execution, delivery, filing and recording of agreements and other written instruments, as shall be necessary or desirable, in their discretion, to effectuate the grant of this easement,

NOW, THEREFORE, BE IT RESOLVED that the Board of Trustees hereby adopts this Resolution Authorizing Execution and Delivery of Easement Deed, and thereby authorizes the Chancellor of the District, or his delegate, to execute the attached Easement Deed and

deliver the same to PG&E for recordation in the Official Records of the County of Alameda.

PASSED AND ADOPTED at a regular meeting of the Board of Trustees of the Peralta Community College District held on this 12th day of November, 2013, by the following called vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Secretary, Board of Trustees
Peralta Community College District

[Remove this page and replace with Easement Deed]