

RESOLUTION NO. 2023 -

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY, CALIFORNIA, ACCEPTING AND AUTHORIZING THE CITY MANAGER TO SIGN A GRANT OF EASEMENT AND RIGHT-OF-WAY FROM NATIONAL PLAZA LLC AND PLAZA BLVD LLC FOR THE PRIVATE STREET COMMONLY KNOWN AS A PORTION OF N AVENUE FOR THE INSTALLATION OF BICYCLE LANES AND OTHER IMPROVEMENTS ASSOCIATED WITH THE CENTRAL COMMUNITY MOBILITY ENHANCEMENTS PROJECT, CIP NO. 19-23.

WHEREAS, in July 2018, staff submitted a Cycle 4 Active Transportation Program (ATP) grant application to the California Department of Transportation (Caltrans) for the Central Community Mobility Enhancements Project (“Project”); and

WHEREAS, the Project will provide approximately 1.7 miles of bicycle facilities providing north-south connections through the Central, Olivewood and Las Palmas neighborhoods in National City; and

WHEREAS, on January 30, 2019, the California Department of Transportation (Caltrans) awarded a \$1,286,000 State Active Transportation Program (ATP) grant for the Central Community Mobility Enhancements Project; and

WHEREAS, on March 26, 2020, Caltrans provided the agreement to the City for execution; and

WHEREAS, on June 2, 2020, the City Council authorized the Mayor to execute Program Supplement Agreement (PSA) No. U52 with the State of California Department of Transportation (Caltrans) for the Central Community Mobility Enhancements Project to allow for reimbursement of up to \$43,000 in eligible project expenditures through the State Active Transportation Program (ATP) and authorized the establishment of an Engineering Grant Funds appropriation of \$43,000 and corresponding revenue budget; and

WHEREAS, on October 6, 2022, Caltrans issued an Authorization Letter allocating \$148,000 (\$104,000 for the Plans, Specifications, and Estimate (PS&E) phase, and \$44,000 for the Right-of-Way (R/W)) with a local match of \$22,000 (\$16,000 PS&E phase, and \$6,000 R/W phase); and

WHEREAS, on November 15, 2022, the City Council accepted of Federal Active Transportation Grant funds for the Plans, Specifications, and Estimate (PS&E) and Right-of-Way (R/W) phases, for the Central Community Mobility Enhancements Project; and established a revenue and expenditure account in the amount of \$148,000; and appropriated funds in the amount of \$22,000; and

WHEREAS, once the PA&ED and PS&E phases are complete, staff will return to the City Council for the appropriation of the Construction funds; and

WHEREAS, the Project corridor is located on L Avenue (30th Street to 16th Street), N Avenue (16th Street to Plaza Boulevard), and M Avenue (Plaza Boulevard to 4th Street); and

WHEREAS, a portion of N Avenue within the Project limits exists as a private street under the ownership of two private entities, Plaza Blvd LLC and National Plaza LLC; and

WHEREAS, the City has negotiated with the private owners to obtain an easement for the private street commonly known as a portion of N Avenue, which is described in the Grant of Easement and Right-of-Way; and

WHEREAS, the Easement will be granted in perpetuity and at no cost, and the City agrees to undertake all repair and maintenance of the street, operating as a public right-of-way.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF NATIONAL CITY, CALIFORNIA, DOES RESOLVE, DECLARE, DETERMINE, AND ORDER AS FOLLOWS:

Section 1: That the City Council hereby adopt the Resolution accepting and authorizing the City Manager to sign a Grant of Easement and Right-of-Way from National Plaza LLC and Plaza Blvd LLC, attached to the Agenda Report as Exhibit 2, for the private street commonly known as a portion of N Avenue, for the installation of bicycle lanes and other improvements associated with the Central Community Mobility Enhancements Project, CIP No. 19-23.

Section 2: That the City Clerk shall certify to the passage and adoption of this Resolution and enter it into the book of original Resolutions.

PASSED and ADOPTED this 7th day of February, 2023.

Ron Morrison, Mayor

ATTEST:

Shelley Chapel, Interim City Clerk

APPROVED AS TO FORM:

Barry J. Schultz, City Attorney