

RESOLUTION NO. 2023 -

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY, CALIFORNIA, AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT WITH SAN DIEGO METROPOLITAN TRANSIT SYSTEM FOR THE PURPOSE OF CONSTRUCTION, PLANTING MITIGATION, MONITORING, OPERATION, INSPECTION, MAINTENANCE, REPAIR AND REPLACEMENT OF THE BIKE PATH FOR SEGMENT 5 OF THE BAYSHORE BIKEWAY IN THE CITY OF NATIONAL CITY

WHEREAS, the Bayshore Bikeway is a Regional bike facility that supports recreation in the City of National City, with a large portion of the bikeway located on-street; and

WHEREAS, a plan has been in place to relocate portions of the Bikeway to a Class I bike path with other improvements, which is referred to as the Segment 5 Bike Path Project in the City of National City; and

WHEREAS, the City of National City has acquired funding from Federal Active Transportation Program Funds, Affordable Housing and Sustainable Communities Funds, and SDUPD "Port" funds for the Segment 5 Bike Path Project; and

WHEREAS, the Balanced Plan EIR has been adopted, which included the Segment 5 Bike Path; and

WHEREAS, the California Coastal Commission has recently approved a Coastal Development Permit for the Segment 5 Bike Path Project; and

WHEREAS, the Segment 5 Bike Path Project is designed to be on property owned or controlled by San Diego Gas & Electric Company, BNSF Railway Company, San Diego Metropolitan Transit System, and the San Diego Unified Port District; and

WHEREAS, staff has acquired permission to use these entities' property and have drafted individual agreements with each of these entities.

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 authorizes the Mayor to execute the Construction and Maintenance Agreement for the Bayshore Bikeway Project and the Railroad Right-of-Way License, attached to the Agenda Report, between San Diego Metropolitan Transit System and the City of National City.

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 20th day of June, 2023.

Ron Morrison, Mayor

ATTEST:

Shelley Chapel, MMC, City Clerk

APPROVED AS TO FORM:

Barry J. Schultz, City Attorney