

**RESOLUTION NO. 2024 -**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY, CALIFORNIA, ACCEPTING AND AUTHORIZING THE MAYOR TO SIGN A GRANT OF EASEMENT FROM SANTOS FAMILY TRUST 08-11-03 FOR AN AREA ALONG THE NORTH SIDE OF PARADISE CREEK, LOCATED NORTH OF PARADISE VALLEY ROAD AND EAST OF PLAZA BLVD, FOR CHANNEL CONSTRUCTION AND MAINTENANCE.**

**WHEREAS**, the Paradise Creek Water Quality and Community Enhancement Project Phase II, CIP No. 19-11, is a grant-funded project currently under construction (the "Project"); and

**WHEREAS**, the Project's primary purpose is to improve the creek's drainage by upsizing the culvert and widening the creek to better manage a 100-year storm event; and

**WHEREAS**, additionally, the Project includes installation of concrete driveways, an access road for channel maintenance, and the replacement of pedestrian curb ramps for ADA compliance; and

**WHEREAS**, the existing easement that runs along the bottom of the creek does not include the northern bank, which restricts the City from constructing the proposed Project improvements given the right-of-way constraints; and

**WHEREAS**, to avoid impacting private property, staff evaluated alternative options such as Enviro Blocks, retaining walls, articulated concrete blocks, and shotcrete; and

**WHEREAS**, staff determined that these options were either cost-prohibitive or less effective at managing storm flows than the proposed Project improvements; and

**WHEREAS**, the City coordinated with the adjacent property owner, the Santos family, to obtain an easement to widen the creek, grade the channel walls to an optimal slope, and create an access road for Public Works crews to maintain the channel; and

**WHEREAS**, the Santos family has agreed to grant an easement to the City, which takes into account the improvements the City will make as part of the Project (the "Easement"); and

**WHEREAS**, the Easement will be granted in perpetuity and at no cost to the City; and

**WHEREAS**, the City agrees to undertake all repairs and maintenance of the area contained within the Easement for public drainage purposes.

**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 accepts and authorizes the Mayor to sign a grant of easement from Santos Family Trust 08-11-03 for an area along the north side of Paradise Creek, located north of Paradise Valley Road and east of Plaza Blvd, for channel construction and maintenance.

**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 19th day of November, 2024.**

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Ron Morrison, Mayor

**ATTEST:**

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Shelley Chapel, MMC, City Clerk

**APPROVED AS TO FORM:**

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Barry J. Schultz, City Attorney