

**DRAFT**

**RESOLUTION 20xx-xxx**

**RESOLUTION SELECTING THE NATIONAL CITY BAYSHORE BIKEWAY PROJECT FOR \$900,000 FROM THE MARITIME INDUSTRIAL IMPACT FUND IN ACCORDANCE WITH BOARD OF PORT COMMISSIONERS POLICY NO. 773, TO FUND A PORTION OF THE PROJECT, CONTINGENT ON: NATIONAL CITY BEING AWARDED A CALIFORNIA DEPARTMENT OF TRANSPORTATION ACTIVE TRANSPORTATION GRANT; NATIONAL CITY ENTERING INTO AN AGREEMENT WITH THE DISTRICT TO RECEIVE MATCH FUNDS; AND EXPIRATION OF 60 DAY NOTICE PERIOD TO THE CALIFORNIA STATE LANDS COMMISSION UNDER PORT ACT SECTION 30.5, INTENT TO SPEND MONEY OFF TIDELANDS, WITHOUT OBJECTION**

**WHEREAS**, the San Diego Unified Port District (District) is a public corporation created by the Legislature in 1962 pursuant to Harbors and Navigation Code Appendix I (Port Act); and

**WHEREAS**, Section 30.5 of the Port Act sets forth the criteria for the District's powers to undertake activities off tidelands; and

**WHEREAS**, the Board of Port Commissioners (BPC) adopted BPC Policy No. 773 to establish a Maritime Industrial Impact Fund (MIIF) and a selection process for projects to offset the adverse impacts of the presence of maritime industry terminals; and

**WHEREAS**, National City has submitted a request to use MIIF funds to fund a portion of the San Diego Association of Government's Bayshore Bikeway Project located in the City of National City; and

**WHEREAS**, National City has requested \$900,000 in MIIF funds to be used as a portion of the match funding for a California Department of Transportation (CALTRANS) Active Transportation Grant application, to be submitted by National City by July 31, 2018; and

**WHEREAS**, demonstration of match fund availability will significantly increase the competitiveness of the application; and

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**WHEREAS**, the proposed CALTRANS Active Transportation Grant seeks to mitigate those impacts by providing bicycle and walking transportation options to nearby communities; and

**WHEREAS**, the District is a longstanding supporter of active transportation projects, including the Bayshore Bikeway Project; and

**WHEREAS**, when completed, the Bayshore Bikeway Project will serve as a connector that links the District's five member cities; and

**WHEREAS**, a major part of the District's mission is to provide access to the waterfront; and

**WHEREAS**, the Bayshore Bikeway Project will promote bicycling and public transportation as a safe and viable travel choice that reduces greenhouse gas emissions and promotes a healthy and active lifestyle; and

**WHEREAS**, District staff has reviewed the proposed grant match requested by National City and the proposed project satisfies the evaluation criteria set forth for use of the MIIF in accordance with BPC Policy No. 773; and

**WHEREAS**, the Bayshore Bikeway Project is qualified to receive funding and also contingent upon successful grant award of a CALTRANS Active Transportation Grant; and

**WHEREAS**, District funds will be committed contingent on: National City's successful grant award; execution of an agreement between National City and the District to receive match funds; CEQA review being conducted for the project; and expiration of the 60 day notice period to the State Lands Commission under Port Act Section 30.5, Intent to Spend Money Off Tidelands, without objection.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Port Commissioners of the San Diego Unified Port District (District), as follows:

Adopt a Resolution selecting National City's Bayshore Bikeway Project for \$900,000 in Maritime Industrial Impact Funding in accordance with the San Diego Unified Port District's Board of Port Commissioners Policy No. 773, and contingent on: National City being awarded a California Department of Transportation Active Transportation Grant; National City's execution of an agreement with the District to receive match funds; and expiration of a 60 day notice period to the California State Lands Commission pursuant to Port Act Section 30.5, Intent to Spend Money Off Tidelands, without objection.

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APPROVED AS TO FORM AND LEGALITY:  
GENERAL COUNSEL

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By: Assistant/Deputy

PASSED AND ADOPTED by the Board of Port Commissioners of the  
San Diego Unified Port District, this 17<sup>th</sup> day of July 2018, by the following vote: