

**RESOLUTION 2017-070**

**RESOLUTION AUTHORIZING THE SUBMITTAL OF  
A GRANT APPLICATION TO THE CALIFORNIA  
CLIMATE INVESTMENTS URBAN GREENING  
PROGRAM TO FUND DEVELOPMENT OF THE  
SWEETWATER BICYCLE PATH AND  
PROMENADE IN THE CHULA VISTA BAYFRONT**

**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 1, (Port Act); and

**WHEREAS**, the Board of Port Commissioners (BPC) adopted BPC Policy No. 110 to establish a policy governing the processing and administration of public projects, consulting and service agreements, the purchasing of supplies, materials, and equipment, and grants; and

**WHEREAS**, the California Legislature and Governor of the State of California have provided funds for the California Climate Investments Urban Greening Program (Program); and

**WHEREAS**, the California Natural Resources Agency (Agency) has been delegated the responsibility for the administration of the Program, establishing necessary procedures; and

**WHEREAS**, the Agency has announced a solicitation for the Program; and

**WHEREAS**, the Program does not have a match requirement; and

**WHEREAS**, the procedures established by the Agency require a resolution certifying approval of the application by the applicant's governing board before submission; and

**WHEREAS**, the District, if selected, is required to enter into an agreement with the State of California to carry out the approved proposed project; and

**WHEREAS**, the Program is intended to fund projects that reduce greenhouse gases by sequestering carbon, decreasing energy consumption, and reducing vehicle miles traveled, while transforming the built environment into places that are more sustainable, enjoyable, and effective in fostering healthy, active communities; and

**WHEREAS**, in order to be responsive to the grant requirements, proposed projects must meet more than one of the following criteria:

- Completed entitlement process.
- Located in an urban area and provide benefits such as increased walkability to that area.
- Will track and report performance metric data about greenhouse gas (GHG) reductions and other benefits.
- Will engage with the local community.
- Will utilize low water or drought-resistant plantings.

**WHEREAS**, District staff evaluated multiple potential projects for submission and felt that the project that best fit the grant criteria is the Sweetwater Bicycle Path and Promenade project (Project), located in the Chula Vista Bayfront; and

**WHEREAS**, the Project will construct a Class I bike path and pedestrian foot promenade within the Sweetwater Park and open space buffer area adjacent to San Diego Bay and the San Diego National Wildlife Refuge; and

**WHEREAS**, the Project will be constructed with naturally landscaped corridors that connect disadvantaged urban areas to the existing 24-mile Class I "Bayshore Bikeway," and existing activity centers and parks, planned visitor serving amenities, hotels, a marina, retail locations and a conference center; and

**WHEREAS**, plantings will include native, low water landscaping and site-appropriate trees; and

**WHEREAS**, trees will be sited to avoid raptor perching adjacent to nearby wetlands and the adjacent National Wildlife Refuge; and

**WHEREAS**, the Project will be located close to an MTS trolley station and employment centers, and as a result, the bike path can potentially be utilized to access waterfront jobs, in addition to recreational purposes; and

**WHEREAS**, GHG reductions will be realized from a reduction in vehicle miles traveled, in addition to an increase in trees and other local plantings; and

**WHEREAS**, in addition to the key elements of the Project, the Program requires that the Project acquire, create, enhance or expand community parks and green spaces, or use natural systems or systems that mimic natural systems to achieve multiple benefits, or both; and

**WHEREAS**, the Project provides park and recreational benefits to a critically underserved community or disadvantaged community, and uses existing public lands and facilities, and public resources or investments; and

**WHEREAS**, as part of the Program requirements, the BPC is required to adopt a resolution approving of, and supporting, the application, in order to finalize the District's Urban Greening Grant application for the Project; and

**WHEREAS**, the BPC must: (1) approve the filing of the application for the Project, (2) certify that the District understands the assurances and certification in the application, (3) certify that the District will have sufficient funds to operate and maintain the Project, or will secure the resources to do so, (4) certify that it will comply with the provisions of Section 1771.5 of the State Labor Code regarding the payment of prevailing wages, (5) certify that the Project will comply with applicable laws and regulations including, but not limited to, legal requirements for building codes, health and safety codes, disabled access laws, environmental laws and, that prior to commencement of construction, all applicable permits will have been obtained, (6) certify that, with regards to the Project, the District will work towards the Governor's State Planning Priorities intended to promote equity, strengthen the economy, protect the environment, and promote public health and safety as included in Government Code Section 65041.1, and (7) designate a person to conduct all negotiations, execute and submit all documents including, but not limited to applications, agreements, payment requests and so on, which may be necessary for the completion of the Project.

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


That the Executive Director or her designated representative is hereby authorized and directed on behalf of the San Diego Unified Port District to submit a grant application to the California Climate Investments Urban Greening Program to fund development of the Sweetwater bicycle path and promenade in the Chula Vista Bayfront; and

- (1) Approves the filing of the application for the Project; and
- (2) Certifies that the District understands the assurances and certification in the application; and
- (3) Certifies that the District will have sufficient funds to operate and maintain the Project, or will secure the resources to do so; and
- (4) Certifies that it will comply with the provisions of Section 1771.5 of the State Labor Code regarding the payment of prevailing wages; and
- (5) Certifies that the Project will comply with applicable laws and regulations, including legal requirements for building codes, health and safety codes, access laws, environmental laws and, that prior to commencement of construction, all applicable permits will have been obtained; and

(6) Certifies that, with regards to the Project, the District will work towards the Governor's State Planning Priorities intended to promote equity, strengthen the economy, protect the environment, and promote public health and safety as included in Government Code Section 65041.1; and

(7) Designates the District's Executive Director/President and CEO, or her designee, to conduct all negotiations, execute and submit all documents including, but not limited to applications, agreements, payment requests, which may be necessary for the completion of the aforementioned Project.

APPROVED AS TO FORM AND LEGALITY:  
GENERAL COUNSEL

  
By: Assistant/Deputy

PASSED AND ADOPTED by the Board of Port Commissioners of the San Diego Unified Port District, this 16<sup>th</sup> day of May, 2017, by the following vote:

AYES: Bonelli, Castellanos, Malcolm, Merrifield, Moore, and Nelson

NAYS: None.

EXCUSED: Valderrama

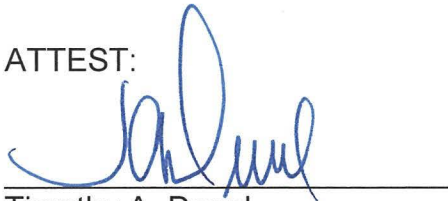
ABSENT: None.

ABSTAIN: None.



Robert Valderrama, Chair  
Board of Port Commissioners

ATTEST:



Timothy A. Deuel  
District Clerk

(Seal)