

Item 4A
Revised Reso

RESOLUTION NO. _____

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING A JOINT USE AND MAINTENANCE AGREEMENT BY AND BETWEEN THE CITY OF CHULA VISTA, THE METROPOLITAN TRANSIT SYSTEM, AND THE SAN DIEGO ASSOCIATION OF GOVERNMENTS ASSIGNING RESPONSIBILITY FOR THE MAINTENANCE OF IMPROVEMENTS ASSOCIATED WITH THE SOUTH BAY BUS RAPID TRANSIT LINE

WHEREAS, the San Diego Association of Governments (SANDAG) is constructing the South Bay Bus Rapid Transit ("SBBRT") from downtown San Diego to I-805 then along East Palomar Street, over SR-125, around Otay Ranch Town Center Mall to Millenia, eventually continuing onto Hunte Parkway, and onto SR-125 to the Otay Mesa Intermodal Transportation Center in the southwest quadrant of the SR-905/Siempre Viva Road Interchange; and

WHEREAS, the SBBRT is funded by the regional TransNet sales tax; and

WHEREAS, the SBBRT is expected to provide Bus Rapid Transit ("BRT") service for those commuting between downtown San Diego and the Otay Mesa Border Crossing is of regional importance to the Metropolitan Transit System (MTS), the City of Chula Vista (City), SANDAG, and the public; and

WHEREAS, MTS intends to operate BRT services on the SBBRT; and

WHEREAS, the City of Chula Vista owns, controls, and maintains certain lands and property for public transportation purposes along East Palomar Street, Raven Avenue, Eastlake Parkway, Birch Road and future local street network and BRT Guideway east of Magdalena Avenue and within the Otay Ranch Mall and Millenia project limits; and

WHEREAS, the City, SANDAG, and MTS have engaged in negotiations for terms for a Joint Use and Maintenance Agreement, which is intended to clarify and establish the division of maintenance and respective responsibilities as to the area identified in Exhibit A of the subject Joint Use and Maintenance Agreement.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Chula Vista that it approves the Joint Use and Maintenance Agreement by and between the City of Chula Vista, the Metropolitan Transit System, and the San Diego Association of Governments for the maintenance of improvements associated with the South Bay Bus Rapid Transit line, in the form presented, with such modifications as may be required or approved by the City Attorney.

BE IT FURTHER RESOLVED by the City Council of the City of Chula Vista that, subject to the prior approval of the Joint Use and Maintenance Agreement by both the Metropolitan Transit System and the San Diego Association of Governments, it authorizes and directs the Mayor or designee to execute the same.

BE IT FURTHER RESOLVED by the City Council of the City of Chula Vista that it authorizes the City Manager, or his/her designee, to approve amendments to the exhibits of the Agreement, upon mutual approval of Metropolitan Transit System and the San Diego Association, to update the scope of work required under the Agreement in a form approved by the City Attorney.

BE IT FURTHER RESOLVED by the City Council of the City of Chula Vista that a copy of the fully executed Joint Use and Maintenance Agreement shall be kept on file in the Office of the City Clerk.

Presented by

Approved as to form by

William S. Valle
Director of Engineering &
Capital Projects

Glen R. Googins
City Attorney