

RESOLUTION NUMBER R- 299258

ADOPTED ON MAY 24 2004

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO AUTHORIZING THE CITY MANAGER TO ENTER INTO A COOPERATIVE AGREEMENT WITH THE CALTRANS FOR THE RELINQUISHMENT OF 36<sup>TH</sup> STREET, BETWEEN IMPERIAL AVENUE AND MARKET STREET, TO THE CITY OF SAN DIEGO.

WHEREAS, in 2001, Caltrans made improvements to State Route 15 between State Route 94 (Martin Luther King, Jr. Freeway) and Ocean View Boulevard, which improvements, together with new Federal Highway standards, required the removal of the SR-15/Imperial Avenue interchange; and

WHEREAS, as mitigation for the removal of the aforementioned interchange, 36<sup>th</sup> Street was extended from K Street to Imperial Avenue, and improvements were made to 36<sup>th</sup> Street between K Street and Market Street, Caltrans providing and maintaining landscape improvements in the corridor since project completion; and

WHEREAS, the State of California wishes to relinquish the segment of 36<sup>th</sup> Street, between Market Street and Imperial Avenue, to the City of San Diego, and contribute \$50,000 to the City for maintenance of existing landscaping in the 36<sup>th</sup> Street corridor; NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, as follows:

1. That the City Manager is authorized and empowered to execute, for and on behalf of said City, a Cooperative Agreement with Caltrans, for the relinquishment of 36<sup>th</sup> Street, between

Imperial Avenue and Market Street, to the City of San Diego, under the terms and conditions set forth in the Agreement on file in the office of the City Clerk as Document No. RR 299258.

2. That the City Auditor and Comptroller is authorized to add CIP No. 52-738.0, Landscape Maintenance of 36<sup>th</sup> Street between Imperial Avenue and Market Street, to the FY2004 Capital Improvements Program.

3. That the City Auditor and Comptroller is authorized to establish a new special fund for the purpose of depositing the Caltrans funds, contingent upon the Cooperative Agreement being executed.

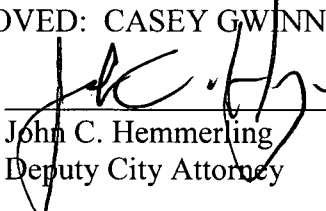
4. That the City Manager accept \$50,000 from the California Department of Transportation and deposit the funds in CIP No. 52-738.0, Landscape Maintenance for 36<sup>th</sup> Street between Imperial Avenue and Market Street.

5. That the City Auditor and Comptroller is authorized to increase the FY2004 Capital Improvements Program budget by \$50,000 in CIP No. 52-738.0, Landscape Maintenance for 36<sup>th</sup> Street between Imperial Avenue and Market Street.

6. That the City Auditor and Comptroller is authorized to appropriate and expend an amount not to exceed \$50,000 from CIP No. 52-738.0, Landscape Maintenance for 36<sup>th</sup> Street between Imperial Avenue and Market Street, for the purpose of landscape maintenance, contingent upon the City Auditor and Comptroller first certifying that the funds are available.

APPROVED: CASEY GWINN, City Attorney

By

  
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John C. Hemmerling  
Deputy City Attorney

JCH:cdk

05/10/04

Or.Dept: Eng.&Cap. Projects

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