

RESOLUTION NUMBER R- 299290

ADOPTED ON JUN 07 2004

WHEREAS, the City of San Diego [City] and the Metropolitan Transit System [MTS] (formerly Metropolitan Development Transit Board) entered into an agreement [Agreement], wherein the City agreed to allow one billboard sign to be placed within the MTS right-of-way adjacent to Interstate 15, conditioned upon the lease revenue from the sign going into the City of San Diego Billboard Reserve Fund [Reserve Fund] for improvements within the right-of-way mutually agreed upon by the parties to the agreement.

WHEREAS, pursuant to the Agreement, the City has requested access to the lease revenue generated by the sign from the Reserve Fund in the amount of \$20,000 for the purpose of drafting preliminary landscape concept drawings for landscape improvements to the MTS right-of-way within the City [Project].

WHEREAS, the MTS Board has approved the allocation of \$20,000 from the Reserve Fund for the Project, NOW THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, that the Fiscal Year 2004 Capital Improvement Program Budget is amended by adding CIP No. 52-737.0, MTS Station Improvement Project.

BE IT FURTHER RESOLVED, that the City Auditor and Comptroller is authorized to increase the Fiscal Year 2004 Capital Improvements Program Budget to reflect an increase of an amount not to exceed \$40,000 of MTS funds in CIP 52-737.0, MTS Station Improvement Project, contingent upon the authorization of the Metropolitan Transit System.

BE IT FURTHER RESOLVED, that the City Auditor and Comptroller is authorized to accept billboard revenue funds from the Metropolitan Transit System, in an amount not to exceed \$40,000, contingent upon the authorization of the Metropolitan Transit System.

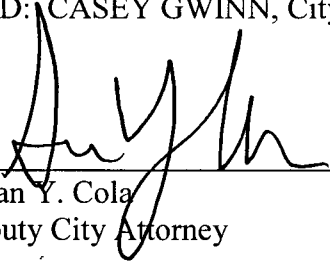
BE IT FURTHER RESOLVED, that the City Auditor and Comptroller is authorized to establish a special fund, Fund 38984, for the MTS funds.

BE IT FURTHER RESOLVED, that the appropriation and expenditure of an amount not to exceed \$40,000 from Fund 38984, CIP 52-737.0, MTS Station Improvement Project, is authorized solely and exclusively for the purpose of providing funds for preparing preliminary landscape concept plans, provided that the City Auditor and Comptroller first furnishes one or more certificates certifying that the funds necessary for expenditures are, or will be, on deposit with the City Treasurer.

BE IT FURTHER RESOLVED, that the City Auditor and Comptroller, upon advice from the administering department, is authorized to transfer excess budgeted funds, if any, to the appropriate reserves.

APPROVED: CASEY GWINN, City Attorney

By



Susan Y. Cola
Deputy City Attorney

SYC:sc
05/12/04
Aud.Cert.: N/A
Or.Dept: E&CP
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