

RESOLUTION NUMBER R- 300154

ADOPTED ON FEB 28 2005

A RESOLUTION AUTHORIZING A REVISED  
COOPERATIVE AGREEMENT WITH THE CALIFORNIA  
DEPARTMENT OF TRANSPORTATION FOR  
RELINQUISHMENT OF 36<sup>TH</sup> STREET

BE IT RESOLVED, by the Council of the City of San Diego, that the City Manager be and he is hereby authorized and empowered to execute, for and on behalf of said City, a Cooperative Agreement with the California Department of Transportation, for the relinquishment to the City of 36<sup>th</sup> Street between Imperial Avenue and Market Street from, under the terms and conditions set forth in the Agreement on file in the office of the City Clerk as Document No. RR 300154 together with any reasonably necessary modifications or amendments thereto which do not increase project scope or cost and which the City Manager shall deem necessary from time to time in order to carry out the purposes and intent of this project and agreement.

BE IT FURTHER RESOLVED, that the addition to the FY 2005 Capital Improvements Program of CIP No. 52-738.0, Landscape Maintenance for 36<sup>th</sup> Street between Imperial Avenue and Market Street, is hereby authorized.

BE IT FURTHER RESOLVED, that the City Auditor and Comptroller is hereby authorized to establish a new special fund for the purpose of depositing any California Department of Transportation funds received hereunder, contingent upon the execution of said Cooperative Agreement.

BE IT FURTHER RESOLVED, that an increase in the amount of \$50,000 in the Fiscal Year 2005 Capital Improvements Program budget in CIP No. 52-738.0, Landscape Maintenance for 36<sup>th</sup> Street between Imperial Avenue and Market Street is hereby authorized.

BE IT FURTHER RESOLVED, that accepting \$50,000 from the California Department of Transportation and depositing said funds in CIP No. 52-738.0, Landscape Maintenance for 36<sup>th</sup> Street between Imperial Avenue and Market Street is hereby authorized.

BE IT FURTHER RESOLVED, that the City Auditor and Comptroller is authorized to appropriate and expend \$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 plant establishment as defined in the Standard Specifications for the Construction of Local Streets and Roads, contingent upon the Auditor and Comptroller first certifying that the funds are available.

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

APPROVED: MICHAEL J. AGUIRRE, City Attorney

By



John F. Kirk  
Deputy City Attorney

JFK:sc  
02/16/05  
Aud.Cert.: N/A  
Or.Dept:E&CP  
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