

#100a  
10/22/19

(R-2020-152)

RESOLUTION NUMBER R- 312712  
DATE OF FINAL PASSAGE OCT 24 2019

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO AUTHORIZING THE EXECUTION OF TWO FIVE-YEAR LEASE AGREEMENTS WITH THE STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION FOR THE OPERATION AND MAINTENANCE OF THE EL CAJON BOULEVARD AND UNIVERSITY AVENUE BRIDGE DECKS AS PUBLIC PLAZAS WITH VENDORS, AND AUTHORIZING THE EXPENDITURE OF UP TO \$5,600 FOR RENT.

WHEREAS, the City of San Diego is obligated to operate and maintain the improvements located on the El Cajon Boulevard Bridge Deck and the University Avenue Bridge Deck that cross Interstate 15 under the Operation and Maintenance Agreement entered into on April 27, 2012 between the State of California Department of Transportation (State) and the City of San Diego; and

WHEREAS, under the Operation and Maintenance Agreement, the City can enter into a separate agreement for commercial uses on the bridge decks; and

WHEREAS, the City desires to allow vendors to occupy kiosks on the El Cajon Boulevard Bridge Deck and the University Avenue Bridge Deck to activate the bridge deck plaza areas for use by the public; and

WHEREAS, the City has negotiated a five-year lease, with one five-year extension option, with the State for the operation and maintenance of the El Cajon Boulevard Bridge Deck, under the terms and conditions set forth in that lease on file with the Office of the City Clerk as Document No. RR- 312712, and

WHEREAS, the City has negotiated a five-year lease, with one five-year extension option, with the State for the operation and maintenance of the University Avenue Bridge Deck,

under the terms and conditions set forth in that lease on file with the Office of the City Clerk as Document No. RR- 312712-2; NOW, THEREFORE,

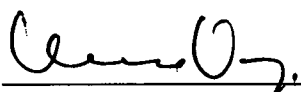
BE IT RESOLVED, by the Council of the City of San Diego, as follows:

1. The Mayor, or his designee, is authorized to execute and deliver the lease, on file with the Office of the City Clerk as Document No. RR- 312712-1, between the City of San Diego, as lessee, and the State of California, as lessor, for the property located at 4023 and 4024 El Cajon Boulevard, commonly known as the El Cajon Boulevard Bridge Deck.

2. The Mayor, or his designee, is authorized to execute and deliver the lease, on file with the Office of the City Clerk as Document No. RR- 312712-2, between the City of San Diego, as lessee, and the State of California, as lessor, for the property located at 4023 and 4024 University Avenue, commonly known as the University Avenue Bridge Deck.

3. The Chief Financial Officer is authorized to appropriate and expend up to \$5,600.00 in fiscal year 2020 for the purpose of paying rent for the El Cajon Boulevard Bridge Deck and for the University Avenue Bridge Deck upon the Chief Financial Officer furnishing a certificate certifying that the funds necessary for the expenditure are, or will be, on deposit with the City Treasurer.

APPROVED: MARA W. ELLIOTT, City Attorney

By   
\_\_\_\_\_  
Marco A. Verdugo  
Deputy City Attorney

MAV:sc  
10/8/2019  
Or.Dept: READ  
CC No.: 300012625  
Doc. No.: 2192918

I certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of OCT 22 2019.

ELIZABETH S. MALAND  
City Clerk

By Linda Irwin  
Deputy City Clerk

Approved: 10/24/19  
(date)

Kevin L. Faulconer  
KEVIN L. FAULCONER, Mayor

Vetoed: \_\_\_\_\_  
(date)

\_\_\_\_\_  
KEVIN L. FAULCONER, Mayor

**The City of San Diego  
COMPTROLLER'S CERTIFICATE**

**CERTIFICATE OF UNALLOTTED BALANCE**

ORIGINATING DEPT. NO. 3000012625  
9912

I HEREBY CERTIFY that the money required for the allotment of funds for the purpose set forth in the foregoing resolution is available in the Treasury, or is anticipated to come into the Treasury, and is otherwise unallotted.

Amount: \_\_\_\_\_ Fund: \_\_\_\_\_

Purpose: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Date: \_\_\_\_\_ By: \_\_\_\_\_

COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA									
Doc. Item	Fund	Funded Program	Internal Order	Functional Area	G/L Account	Business Area	Cost Center	WBS	Original Amount
TOTAL AMOUNT									

FUND OVERRIDE

**CERTIFICATION OF UNENCUMBERED BALANCE**

I HEREBY CERTIFY that the indebtedness and obligation to be incurred by the contract or agreement authorized by the hereto attached resolution, can be incurred without the violation of any of the provisions of the Charter of the City of San Diego; and I do hereby further certify, in conformity with the requirements of the Charter of the City of San Diego, that sufficient moneys have been appropriated for the purpose of said contract, that sufficient moneys to meet the obligations of said contract are actually in the Treasury, or are anticipated to come into the Treasury, to the credit of the appropriation from which the same are to be drawn, and that the said money now actually in the Treasury, together with the moneys anticipated to come into the Treasury, to the credit of said appropriation, are otherwise unencumbered.

Not to Exceed: \_\_\_\_\_ \$5,600.00

Vendor: Marler-Johnson Park Agreements

Purpose: Approve two (2) five (5) year Marler - Johnson Park Agreements with State of California Department of Transportation for the El Cajon Boulevard and University Avenue Bridge Decks.

Date: October 3, 2019

By: Marybrook Cox   
COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA									
Doc. Item	Fund	Funded Program	Internal Order	Functional Area	G/L Account	Business Area	Cost Center	WBS	Original Amount
1	100000	NON-PROGRAM		OTHR-00000000-GG	512217	9912	9912001112		\$5,600.00
TOTAL AMOUNT									\$5,600.00

CC-361 (REV 7-09)

FUND OVERRIDE

Passed by the Council of The City of San Diego on OCT 22 2019, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Barbara Bry	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jennifer Campbell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Chris Ward	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Monica Montgomery	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mark Kersey	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Chris Cate	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Scott Sherman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Vivian Moreno	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Georgette Gómez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage OCT 24 2019

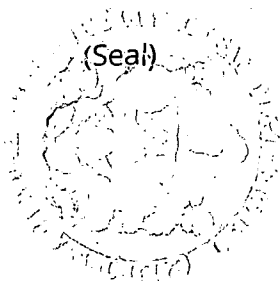
(Please note: When a resolution is approved by the Mayor, the date of final passage is the date the approved resolution was returned to the Office of the City Clerk.)

AUTHENTICATED BY:

KEVIN L. FAULCONER  
Mayor of The City of San Diego, California.

ELIZABETH S. MALAND  
City Clerk of The City of San Diego, California.

By Ginda Irwin, Deputy



Office of the City Clerk, San Diego, California

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