

RESOLUTION NO. 7915

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF REDLANDS APPROVING A FREEWAY AGREEMENT WITH THE CALIFORNIA DEPARTMENT OF TRANSPORTATION FOR STATE ROUTE 10 AND RESCINDING RESOLUTION NO.7788

WHEREAS, State Highway Route 10 has been declared to be a freeway by resolution of the California Highway Commission; and

WHEREAS, Caltrans and the City have previously entered into various agreements regarding the portion of State Highway Route 10 running through the City; and

WHEREAS, it is the mutual desire of Caltrans and the City to enter into an updated Freeway Agreement in accordance with the revised plan of said freeway; and

WHEREAS, the provisions of Section 100.22 of the Streets and Highway Code have been complied with; and

WHEREAS, the adoption of this resolution is exempt from review under the California Environmental Quality Act (CEQA) because it can be seen with certainty that there is no possibility that approval of the actions may have a significant impact on the environment, and therefore, not subject to CEQA pursuant to section 15061(b)(3);

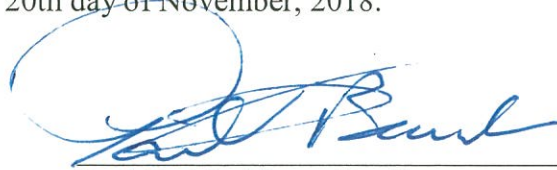
NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF REDLANDS as follows:

Section 1. The City Council hereby determines that approval of this Resolution is exempt from review under the California Environmental Quality Act ("CEQA") pursuant to CEQA guidelines section 15061(b)(3) because it is seen with certainty that there is no possibility that approval of this Resolution may have a significant effect on the environment.

Section 2. The City Council hereby approves a Freeway Agreement between Caltrans and the City for State Highway Route 10 between Mountain View Avenue and Wabash Avenue in the form attached hereto as Exhibit "A."

Section 3. That Resolution No. 7788 of the City Council of the City of Redlands is hereby rescinded.

ADOPTED, SIGNED AND APPROVED this 20th day of November, 2018.



Paul Barich, Mayor Pro Tempore

ATTEST:



Jeanne Donaldson, City Clerk

I, Jeanne Donaldson, City Clerk of the City of Redlands, hereby certify that the foregoing Resolution was duly adopted by the City Council at a regular meeting thereof, held on the 20th day of November 2018, by the following vote:

AYES: Councilmembers Barich, Tejeda, Momberger, James
NOES: None
ABSTAIN: None
ABSENT: Mayor Foster



Jeanne Donaldson, City Clerk

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

CIVIL CODE § 1189

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California)

County of San Bernardino)

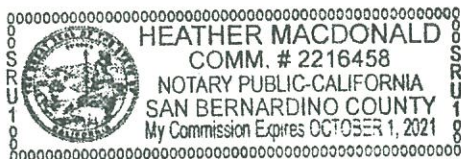
On November 21, 2018 before me, Heather MacDonald, Notary Public,
Date Here Insert Name and Title of the Officer

personally appeared Paul Barich and Jeanne Donaldson
Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Signature Heather MacDonald
Signature of Notary Public

Place Notary Seal Above

OPTIONAL

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: Resolution No. 7915

Document Date: _____ Number of Pages: _____

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____

☐ Corporate Officer — Title(s): _____

☐ Partner — ☐ Limited ☐ General

☐ Individual ☐ Attorney in Fact

☐ Trustee ☐ Guardian or Conservator

☐ Other: _____

Signer Is Representing: _____

Signer's Name: _____

☐ Corporate Officer — Title(s): _____

☐ Partner — ☐ Limited ☐ General

☐ Individual ☐ Attorney in Fact

☐ Trustee ☐ Guardian or Conservator

☐ Other: _____

Signer Is Representing: _____

ATTACHMENT B

08-SBd-10-PM 27.6/35.1
In the City of Redlands
On Route 10
From 0.3 Mile East of Mountain View Avenue
To 0.8 Mile East of Wabash Avenue

FREEWAY AGREEMENT

THIS AGREEMENT, made and entered into on this _____ day of _____, 20_____, by and between the STATE OF CALIFORNIA acting by and through the Department of Transportation (herein referred to as "STATE"), and the City of Redlands (herein referred to as "CITY"),

WITNESSETH:

WHEREAS, the highway described above has been declared to be a freeway by Resolution of the California Highway Commission on July 24, 1957; and

WHEREAS, STATE and CITY have entered into a Freeway Agreement dated August 6, 1957, a Supplemental Freeway Agreement dated September 1, 1959, a Second Supplemental Freeway Agreement on May 17, 1960, and a third Supplemental Freeway Agreement dated May 2, 1961, relating to that portion of State Highway Route 10 from Kansas Street to Wabash Street; and

WHEREAS, STATE and CITY have entered into a Freeway Agreement dated April 20, 1971, relating to that portion of State Highway Route 10 from east of Nevada Street to Orange Street; and

WHEREAS, a revised plan map for such freeway has been prepared showing the proposed plan of the STATE as it affects streets of the CITY; and

WHEREAS, it is the mutual desire of the parties hereto to enter into a new Freeway Agreement in accordance with the revised plan of said freeway;

NOW, THEREFORE, IT IS AGREED:

1. This Agreement supersedes in its entirety said Freeway Agreements dated May 2, 1961, and April 20, 1971, from 0.3 mile east of Mountain View Avenue to 0.8 mile east of Wabash Avenue.

2. CITY agrees and consents to the closing of CITY streets, relocation of CITY streets, construction of frontage roads and other local streets, and other construction affecting CITY streets, all as shown on the plan map attached hereto, marked Exhibit A, and made a part hereof by reference.

3. The obligations of STATE and CITY with respect to the funding and construction of the freeway project will always be dealt with in separate Cooperative Agreement(s) between the parties, and any amendments thereto, or Encroachment Permits issued to CITY. The parties responsible for the construction of the freeway shall make any changes

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In the City of Redlands
On Route 10
From 0.3 Mile East of Mountain View Avenue
To 0.8 Mile East of Wabash Avenue

affecting CITY streets only in accordance with the plan map attached hereto, marked Exhibit A.

4. The obligations of STATE and CITY with respect to the acquisition of the rights of way required for the construction, reconstruction, or alteration of the freeway and CITY streets, frontage roads, and other local streets will always be dealt with in separate Cooperative Agreement(s) between the parties, and any amendments thereto or Encroachment Permits issued to CITY.

5. It is understood between the parties that the rights of way may be acquired in sections or units, and that both as to the acquisition of right of way and the construction of the freeway project, the obligations of STATE and CITY hereunder shall be carried out at such time and for such unit or units of the project as funds are budgeted and made lawfully available for such expenditures.

6. CITY will accept control and maintenance over each of the relocated or reconstructed CITY streets, any frontage roads, and other local streets constructed as part of the project, on receipt of written confirmation that the work thereon has been completed, except for any portion which is adopted by STATE as a part of the freeway proper. If acquired by STATE, CITY will accept title to the portions of such streets lying outside the freeway limits upon relinquishment by STATE.

7. This Agreement may be modified at any time by the mutual consent of the parties hereto, as needed to best accomplish, through STATE and CITY cooperation, the completion of the whole freeway project for the benefit of the people of the STATE and of the CITY.

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In the City of Redlands
On Route 10
From 0.3 Mile East of Mountain View Avenue
To 0.8 Mile East of Wabash Avenue

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed by their respective duly authorized officers.

STATE OF CALIFORNIA
Department of Transportation

LAUIRE BERMAN
Director of Transportation

THE CITY OF REDLANDS

By _____
JANICE BENTON
Interim District 8 Director

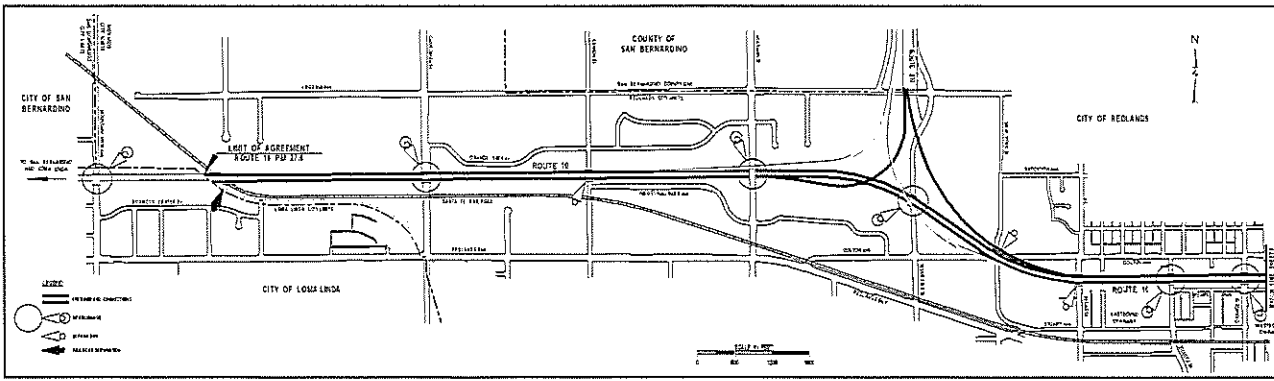
By _____
PAUL BARICH
Mayor Pro Tempore

APPROVED AS TO FORM:

APPROVED AS TO FORM:

By _____
Attorney (State)

By _____
DANIEL J. MCHUGH
City Attorney



STATE OF CALIFORNIA
DEPARTMENT OF TRANSPORTATION
MAP SHOWING
PROPOSED
FREEWAY
IN THE CITY OF REDLANDS
ON ROUTE 10
FROM 4.3 MILE EAST OF MOUNTAIN VIEW AVENUE
TO 4.4 MILE EAST OF MOUNTAIN VIEW AVENUE

