

RESOLUTION NO. 634

RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF **REDLANDS** ADOPTING BUDGET AND APPROVING
FIRST SUPPLEMENTAL
MEMORANDUM OF AGREEMENT FOR EXPENDITURE OF
GAS TAX ALLOCATION FOR MAJOR CITY STREETS.

first supplemental
WHEREAS, a ~~memorandum~~ memorandum of agreement has been presented
to be entered into with the State of California in accord-
ance with a project statement submitted by the City of
Redlands for expenditure of the gas tax al-
location to cities for the fiscal year 1949, and

WHEREAS, the city council has heard read said agree-
ment in full and is familiar with the contents thereof;

THEREFORE, be it resolved by the city council of the
City of **Redlands** that said project statement
be and it is hereby adopted as the budget of proposed ex-
penditures of the gas tax allocation to cities, and said
agreement be and the same is hereby approved and the mayor
and the city clerk are directed to sign the same on behalf
of said City, said agreement to be binding upon the City
upon its execution by the authorized officials of the State.

ADOPTED this 20th day of January, 1949.

Maurice Lepp
Mayor of the City of **Redlands**

Attest:

H.R. Whaley
City Clerk of the City of **Redlands**

I hereby certify that the foregoing resolution was
duly and regularly passed by the city council of the City
of **Redlands** at a regular meeting thereof held
January 20th, 1949.

H.R. Whaley
Clerk of the City of **Redlands**

PROJECT AGREEMENT - 1949 FISCAL YEAR

FIRST SUPPLEMENTAL MEMORANDUM OF AGREEMENT entered into by and between the City of Redlands, hereinafter referred to as the city, and the Department of Public Works of the State of California, hereinafter referred to as the department,

WITNESSETH, THAT, WHEREAS, a memorandum of agreement for expenditure of funds accruing during the fiscal year ending June 30, 1949, and allocated under the provisions of Section 194 and Section 2107 of the Streets and Highways Code upon major city streets, was executed by the city September 2, 1948, and by the department September 15, 1948, providing for the work described herein as projects 23 to 27, inclusive; and

WHEREAS, the city now desires that said agreement be amended and has submitted to the department a supplemental budget to extend the limits of project 27;

NOW, THEREFORE, it is mutually agreed by and between the city and the department that said agreement be amended as follows:

ARTICLE I. PROJECTS

The projects and the estimated expenditures therefor as listed hereinafter constitute the budget heretofore submitted by the city which has been, and is hereby, approved by the department:

<u>Project</u>	<u>Location</u>	<u>Miles</u>	<u>Description</u>	<u>Major City Street Funds</u>	<u>1/4¢ State Hwy. Funds</u>
23	Major city streets and secondary city streets		Maintenance, July 1, 1948 to June 30, 1949	\$11,000.00	
24	Central Avenue, State highway route 26, at intersection with Orange Street		Install traffic sig- nals and lighting	800.00	\$2,400.00
25	State Street, at inter- section with Orange Street		Install traffic sig- nals and lighting	3,200.00	
26	Palm Avenue, from Center Street to Cajon Street	0.50	Grade and pave, curbs and gutters	23,600.00	
27	Stuart Avenue, from alley between Orange Street and Fifth Street to Ninth Street	0.28	Grade and pave, curbs and gutters	14,300.00	
			Totals	\$52,900.00	\$2,400.00

ARTICLE II. MAINTENANCE

The streets will be maintained by or under the direct supervision of the city. Maintenance shall be as defined in Section 27 of the Streets and Highways Code which is not in conflict with Section 195 of the Code. Maintenance work shall be adequate to preserve and keep the roadway, structures and facilities in the safe and usable condition to which they have been improved or constructed, and provision shall be made for constantly making needed repairs to preserve a smooth surface.

Any city-owned equipment used for the maintenance work may be charged for upon a rental basis to cover depreciation and repairs in case rental rates already have been established by the city; otherwise, allowance for depreciation and repairs may be charged for as approved by the department.

ARTICLE III. SURVEYS AND PLANS

The city will make the necessary surveys and plans for the work designated in projects 24, 25, 26 and 27 and will defray the cost from city funds.

ARTICLE IV. CONSTRUCTION

The city will construct or cause to be constructed by or under its direct supervision the improvements described in projects 24, 25, 26 and 27 in accordance with the approved plans, specifications and estimates therefor.

Plans, specifications and a detailed estimate of cost shall be submitted to the department for approval before the work is advertised for bids or in case of work approved to be done by day labor before work is started; and no changes may be made in the approved plans or specifications without the prior approval of the department.

The work described in projects 24, 25, 26 and 27 shall be performed by contract unless the performance thereof by day labor shall be approved by the department.

The work shall be done to the satisfaction of the department and shall be subject at all times to inspection and approval by the authorized representatives of the department.

Any city-owned equipment used for the work described in projects 24, 25, 26 and 27 may be charged for upon a rental basis to cover depreciation and repairs in case rental rates already have been established by the city; otherwise, allowance for depreciation and repairs may be charged for as approved by the department.

ARTICLE IV. FUNDS

Funds to defray the cost of the work described in Article I and payable from revenue accruing under the provisions of Section 2107 of the Streets and Highways Code are available as follows:

Unexpended under project 18	\$ 3,136.04
Accrued and unbudgeted to June 30, 1948	15,919.83
Estimated to accrue during the fiscal year ending June 30, 1949	<u>45,810.00</u>
Total	\$64,865.87

The amount of \$52,900.00 is budgeted to defray the cost of the work described in Article I, and in addition the amount of \$2,400.00 is to be contributed from the 1/4 cent for State highways.

The annual revenue and the amounts provided for the projects listed in Article I are estimated amounts. In the event that the actual revenue or the actual cost of the projects differs from estimated amounts, the approved budget may be amended only by supplemental agreement.

Should the cost of signals under project 24 be less than the amounts set forth herein, then the actual cost shall be prorated on the basis of 25% from the gas tax allocation for major city streets and 75% from the 1/4 cent for State highways.

The department hereby delegates to the city the expenditure of the funds provided herein to defray the cost of the work described in Article I.

Quarterly, in the months of August, November, February and May, the department will pay to the city its pro rata share of the money allocated under the provisions of Section 2107 of the Streets and Highways Code until \$49,763.96 budgeted herein and delegated to the city for expenditure has been paid, in addition to the amount of \$3,136.04 previously paid to the city and remaining unexpended in the city's special gas tax street improvement fund.

The amounts provided for the projects listed in Article I must not be exceeded, and no moneys may be expended by the city from the special gas tax street improvement fund except for the projects listed in Article I without amending the budget by supplemental agreement. Such supplemental agreement shall be valid only when executed by the city and the department.

All funds allocated under the provisions of Section 2107 of the Streets and Highways Code in excess of such funds budgeted herein for expenditure, will accumulate for future budgeting and expenditure.

ARTICLE V. FINAL REPORTS

The city will submit such reports as required by law in such detail as required by the department. The reports

shall show in full all expenditures from all other funds as well as expenditures from the special gas tax street improvement fund.

Within sixty days after the close of the fiscal year ending June 30, 1949, the city shall submit to the department a statement of expenditures made from the special gas tax street improvement fund during the preceding year for the maintenance of the streets described in project 23.

Maintenance expenditures shall be analyzed by functions and objects as follows:

Functions

- (1) Travelled way, including roadside and improved shoulders.
- (2) Structures.
- (3) Safety devices, including stop signs, automatic signals, traffic stripes and parking stripes.
- (4) Street cleaning, including the removal of snow or sand drift.

Objects

- (1) Salaries and wages.
- (2) Materials and supplies.
- (3) Service and expense.
- (4) Equipment rental.

Within sixty days after completion of each item of the budget described in projects 24, 25, 26 and 27, the city will submit to the department a final report of expenditures made for such work.

The report for construction, improvement or other specific projects shall show payments to the contractor detailed by contract items showing quantity, unit, item, unit price and amount; and the amount paid for any materials, supplies, labor or equipment furnished by the city for use on the contract. Expenditures for work performed by day labor shall be detailed to show the quantity for each item of work, the unit cost and amount.

ARTICLE VI. MISCELLANEOUS PROVISIONS

No State officer or employee shall be liable for anything done or omitted to be done by the city in the performance of any work delegated to the city under this agreement. The city shall, in the event any claim is made against any State officer or employee by reason of such work, indemnify and hold harmless such officer or employee from any damage or liability by reason of any such claim.

IN WITNESS WHEREOF, the parties hereunto have affixed their signatures and official seals, the city on the 21st day of January, 1942, and the department on the _____ day of _____, 1942.

Approval recommended:

District Engineer

Engineer of City and
Cooperative Projects

Approved as to form
and procedure:

Chief Attorney

CITY OF REDLANDS

By _____

H.R. Whaley
City Clerk

STATE OF CALIFORNIA
DEPARTMENT OF PUBLIC WORKS
DIVISION OF HIGHWAYS

By _____

Assistant State Highway
Engineer

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