

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN JOSE
REGARDING THE RELINQUISHMENT OF A PORTION OF STATE ROUTES 82 AND 130**

WHEREAS, the California Department of Transportation (STATE) and the City of San Jose (CITY), pursuant to California Streets and Highways Code Section 73, have entered into a Cooperative Agreement providing for the relinquishment to the CITY a portion of State Highway 82 (SR 82) and State Highway 130 (SR 130) within the City of San Jose; and

WHEREAS, the STATE desires to relinquish to the CITY those portions of SR-82, Post Mile (PM) 0.00 to PM 9.92 and SR-130 PM 0.00 to PM 2.26, and the CITY is interested in accepting said relinquishment; and

WHEREAS, the STATE has completed a Historical Resources Compliance Report (HRCR), in compliance with the provisions of the California Environmental Quality Act (CEQA) and the California Public Resources Code (PRC), Section 5024; and

WHEREAS, the HRCR identified two historical resources in the City of San Jose as listed in the National Register of Historic Places (NRHP) and the California Register of Historical Resources (CRHR), and are a historical resources for purposes of CEQA, CA-SCL-128/H and the San Jose Underpass (Bridge Number 37-0045), CA-SCL-128/H being determined eligible for and the San Jose Underpass being listed as a contributor to the San Jose Southern Pacific Depot in the NRHP and the CRHR and are both historical resources for the purposes of CEQA; and

WHEREAS, the San Jose Municipal Code provides for the designation of local historical resources that meet the CITY criteria for Historical, Architectural, Cultural, Aesthetic or Engineering Interest or Value of an Historical Nature; and

WHEREAS, STATE has requested said resources be identified in the San Jose Municipal Code under Title 13 Streets, Sidewalks and Public Places, Chapter 13.48 Historic Preservation, Part 2 Designation, Section 13.48.110 Landmarks and 13.48.120 Historic Districts, as a locally designated historic district as part of relinquishment; and

WHEREAS, the CITY will maintain said historical resources in accordance with Title 13 Streets, Sidewalks and Public Places, Chapter 13.48 Historic Preservation and Title 17 Chapter 17.70 Application of State Historical Building Code to Historic Landmarks of the San Jose Municipal Code upon relinquishment of the historical resources by the STATE; and

WHEREAS, the CITY will manage said historical resources in a manner consistent with Title 13 Streets, Sidewalks and Public Places, Chapter 13.48 Historic

