

RESOLUTION NO. 2017-042

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ADOPTING A FURTHER AMENDMENT TO THE TRANSNET LOCAL STREET IMPROVEMENT PROGRAM OF PROJECTS FOR FISCAL YEARS 2016/2017 THROUGH 2020/2021 ADDING TF 404, AND PROVIDING THE CERTIFICATION AND INDEMNITY STATEMENTS NECESSARY TO OBTAIN TRANSNET FUNDS

WHEREAS, on November 4, 2004, the voters of San Diego County approved the San Diego Transportation Improvement Program Ordinance and Expenditure Plan (*TransNet* Extension Ordinance); and

WHEREAS, the *TransNet* Extension Ordinance provides that SANDAG, acting as the Regional Transportation Commission, shall approve on a biennial basis a multi-year program of projects submitted by local jurisdictions identifying those transportation projects eligible to use transportation sales tax (*TransNet*) funds; and

WHEREAS, on February 2, 2017, the City of Chula Vista was provided with an estimate of annual *TransNet* local street improvement revenues for Fiscal Years 2017 through 2021; and

WHEREAS, the City of Chula Vista approved its 2016 *TransNet* Local Street Improvement Program of Projects (POP) on March 8, 2016, and the City of Chula Vista desires to make adjustments to its Program of Projects; and

WHEREAS, the City Council approved an adjustment to the City of Chula Vista's 2016 *TransNet* Local Street Improvement Program of Projects (POP), which excluded the addition of a project commonly known as TF404: Retiming of Traffic Signals and Installation of Fiber (Ethernet Communication System); and

WHEREAS, the City of Chula Vista has held a noticed public meeting with an agenda item that clearly identified the proposed amendment prior to approval of the projects by its authorized legislative body in accordance with Section 5(A) of the *TransNet* Extension Ordinance and Rule 7 of SANDAG Board Policy No. 31.

NOW, THEREFORE, BE IT RESOLVED that the City of Chula Vista requests that SANDAG add the project commonly known as TF404: Retiming of Traffic Signals and Installation of Fiber (Ethernet Communication System) to its Amendment to the 2016 POP as previously approved by the City Council and allocate an additional \$623,384 in Fiscal Year 2017/2018 for that project.

BE IT FURTHER RESOLVED that pursuant to Section 2(C)(1) of the *TransNet* Extension Ordinance, the City of Chula Vista certifies that no more than 30 percent (30%) of its annual revenues shall be spent on local street and road maintenance-related projects as a result of the Amendment.

BE IT FURTHER RESOLVED that pursuant to Section 4(E)(3) of the *TransNet* Extension Ordinance, the City of Chula Vista certifies that all new or changed projects, or major reconstruction projects included in the Amendment and funded by *TransNet* revenues shall accommodate travel by pedestrians and bicyclists, and that any exception to this requirement permitted under the Ordinance and proposed was clearly noticed as part of the City of Chula Vista's public meeting process for the Amendment.


BE IT FURTHER RESOLVED that the City of Chula Vista does hereby certify that all applicable provisions of the *TransNet* Extension Ordinance and SANDAG Board Policy No. 31 have been met.

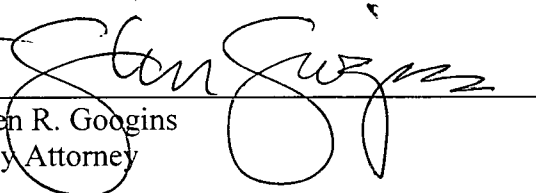
BE IT FURTHER RESOLVED that the City of Chula Vista continues to agree to indemnify, hold harmless, and defend SANDAG, the San Diego County Regional Transportation Commission, and all officers and employees thereof against all causes of action or claims related to City of Chula Vista's *TransNet* funded projects.

BE IT FURTHER RESOLVED that the City Council of the City of Chula Vista adopts the amendment to the *TransNet* Local Street Improvement Program of Projects for Fiscal Years 2016/2017 through 2020/2021.

Presented by

Approved as to form by


Richard A. Hopkins
Director of Public Works


Glen R. Googins
City Attorney

