

RESOLUTION NO. 2014-222

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING THE AMENDMENT OF THE TRANSNET LOCAL STREET IMPROVEMENT PROGRAM OF PROJECTS FOR FISCAL YEARS 2014/2015 THROUGH 2018/2019 FOR INCLUSION IN THE REGIONAL TRANSPORTATION IMPROVEMENT PROGRAM, AUTHORIZING THE TRANSFER OF FUNDS AND PROVIDING THE CERTIFICATION AND INDEMNITY STATEMENTS NECESSARY TO OBTAIN TRANSNET FUNDS, AND AMENDING THE FISCAL YEAR 2014/15 BUDGET ACCORDINGLY

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 a multi-year program of projects submitted by local jurisdictions identifying those transportation projects eligible to use transportation sales tax (*TransNet*) funds; and

WHEREAS, in February 2014, the City of Chula Vista was provided with an estimate of annual *TransNet* local street improvement revenues for Fiscal Years 2015 through 2019; and

WHEREAS, staff adopted the TransNet Local Street Improvement Program of Projects for Fiscal Years 2014/2015 through 2018/2019 for inclusion in the Regional Transportation Improvement Program (RTIP) on May 6, 2014 through passage of Resolution 2014-066; and

WHEREAS, San Marcos Place is located adjacent to Jamul Avenue, which is part of a pavement overlay project (STM379) being funded by CHV48. San Marcos Place is currently not included on the list for either STM379 or the RTIP under project CHV48. Staff recommends that San Marcos Place be added to the STM379 list and CHV48; and

WHEREAS, staff recommends various fund transfers between projects funded by TransNet in order to cover costs to be incurred during Fiscal Year 2014/2015. These proposed transfers are shown on Exhibit A; and

WHEREAS, the City of Chula Vista has held a noticed public meeting on November 18, 2014, with an agenda item that clearly identified the proposed list of projects 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 pursuant to Section 2(C)(1) of the *TransNet* Extension Ordinance, the City of Chula Vista certifies that no more than 30 percent of its annual revenues shall be spent on maintenance-related projects.

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 projects, or major reconstruction projects, funded by *TransNet* revenues shall accommodate travel by pedestrians and bicyclists, and that any exception to this requirement permitted under the Ordinance and proposed shall be clearly noticed as part of the City of Chula Vista's public hearing process.

BE IT FURTHER RESOLVED that pursuant to Section 8 of the *TransNet* Extension Ordinance, the City of Chula Vista certifies that the required minimum annual level of local discretionary funds to be expended for street and road purposes will be met throughout the 5-year period consistent with the most recent Maintenance of Effort Requirements adopted by SANDAG.

BE IT FURTHER RESOLVED that pursuant to Section 9A of the *TransNet* Extension Ordinance, the City of Chula Vista certifies that it will collect \$2,209, plus all applicable annual increases, from the private sector for each newly constructed residential housing unit in that jurisdiction to comply with the provisions of the Regional Transportation Congestion Improvement Program (RTCIP).

BE IT FURTHER RESOLVED that pursuant to Section 13 of the *TransNet* Extension Ordinance, the City of Chula Vista certifies that it has established a separate Transportation Improvement Account for *TransNet* revenues with interest earned expended only for those purposes for which the funds were allocated.

BE IT FURTHER RESOLVED that pursuant to Section 18 of the *TransNet* Extension Ordinance, the City of Chula Vista certifies that each project of \$250,000 or more will be clearly designated during construction with *TransNet* project funding identification signs.

BE IT FURTHER RESOLVED that the City of Chula Vista does hereby certify that all other 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 agrees 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 adopt the amendment to the *TransNet* Local Street Improvement Program of Projects for Fiscal Years 2014/2015 through 2018/2019 for inclusion in the RTIP and authorize the transfer of funds as shown on Exhibit A.

BE IT FURTHER RESOLVED that the City Council of the City of Chula Vista approve the following budget appropriations and/or transfers in the CIP Projects expense category in the Fiscal Year 2015 budget to reflect the proposed changes to the RTIP:

Fund	Project	Amount
Transportation Sales Tax	STM-383	\$ (1,143,780)
Transportation Sales Tax	TF-344	\$ 100,000
Transportation Sales Tax	STM-379	\$ 838,505
Transportation Sales Tax	STL-406	\$ 205,275
Transportation Sales Tax	STM-373	\$ (180,000)
Transportation Sales Tax	SW-266	\$ 180,000
Transportation Sales Tax	STM-381	\$ (94,725)
Transportation Sales Tax	STL-406	\$ 94,725
Subtotal Fund 227		\$ -
Western TDIF	STM-381	\$ 94,725
Subtotal Fund 593		\$ 94,725
Total Appropriations		\$ 94,725

Presented by

Approved as to form by



Richard A. Hopkins
Director of Public Works


Glen R. Googins
City Attorney

PASSED, APPROVED, and ADOPTED by the City Council of the City of Chula Vista, California, this 18th day of November 2014 by the following vote:

AYES: Councilmembers: Aguilar, Bensoussan, Ramirez, Salas and Cox


NAYS: Councilmembers: None

ABSENT: Councilmembers: None



Cheryl Cox, Mayor

ATTEST:



Donna R. Norris, CMC, City Clerk

STATE OF CALIFORNIA)
COUNTY OF SAN DIEGO)
CITY OF CHULA VISTA)

I, Donna R. Norris, City Clerk of Chula Vista, California, do hereby certify that the foregoing Resolution No. 2014-222 was duly passed, approved, and adopted by the City Council at a regular meeting of the Chula Vista City Council held on the 18th day of November 2014.

Executed this 18th day of November 2014.



Donna R. Norris, CMC, City Clerk

