

RESOLUTION NO. 2014\_\_\_\_\_

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 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 (“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 (“City”) was provided with an estimate of annual *TransNet* local street improvement revenues for fiscal years 2015 through 2019; and

WHEREAS, staff recommends adopting 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) as shown on the attached table (Exhibit A); and

WHEREAS, Section 5(A) of the *TransNet* Ordinance (“Section 5A”) requires each local agency to hold a public hearing on the proposed list of projects prior to submitting the project list to the Commission for approval; and

WHEREAS, the City published notice that it would hold a public hearing to consider the approval of the amendment to the TransNet Local Street Improvement Program of Projects for Fiscal Years 2014/2015 through 2018/2019 for inclusion in the Regional Transportation Program (“Notice”); and

WHEREAS, on the time, date, and at the location identified in the notice, namely May 6<sup>th</sup>, 2014 at 2:00 pm in the City Council Chambers, and in accordance with Section 5(A) and Rule 7 of SANDAG Board Policy No. 31, the City Of Chula Vista held a public hearing. An agenda item on the City Council Agenda clearly identified the purpose of the hearing and the proposed list of projects; and

WHEREAS, prior to approval of the Amendment, City Council considered all of the evidence presented in written and oral form.

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 adopts the TransNet Local Street Improvement Program of Projects for Fiscal Years 2014/2015 through 2018/2019 as shown on Exhibit A for inclusion in the RTIP.

Presented by

Approved as to form by

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Richard A. Hopkins  
Director of Public Works

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Glen R. Googins  
City Attorney

Exhibit A