

RESOLUTION NO. 2017_____

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA
ADOPTING AN AMENDMENT TO THE TRANSNET LOCAL STREET
IMPROVEMENT PROGRAM OF PROJECTS FOR FISCAL YEARS
2016/2017 THROUGH 2020/2021, REDUCING THE TF327 CIP BUDGET
BY \$10,000 IN TRANSNET AND APPROPRIATING THE EQUIVALENT
AMOUNT TO TF354, AND PROVIDING THE CERTIFICATION AND
INDEMNITY STATEMENTS NECESSARY TO OBTAIN TRANSNET
FUNDS (4/5 VOTE REQUIRED)

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, due to the need to add funding in Fiscal Year 2016-17 to TF354: Traffic Congestion Relief Program, staff recommends reducing the funding of TF327 by \$10,000 and appropriating the equivalent amount to TF354; 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 make the following changes to its 2016 POP (the "Amendment"), as shown on Exhibit A: and

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 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 and reduces the TF327 CIP budget by \$10,000 in *TransNet* and appropriates the equivalent amount to TF354.

Presented by:

Richard A. Hopkins
Director of Public Works

Glen R. Googins
City Attorney

Exhibit A