

RESOLUTION NO. 207350 FEB 8 1973

RESOLUTION AMENDING COUNCIL POLICY NO. 200-2
REGARDING GAS TAX FUNDS - USE OF

BE IT RESOLVED, by the Council of The City of San Diego,
as follows:

1. That Council Policy No. 200-2 regarding GAS TAX FUNDS -
USE OF, be and is hereby amended as set forth in the form of
Council Policy filed in the office of the City Clerk as Document
No. 742669.
2. That the City Clerk is hereby instructed to add the
aforesaid to the Council Policy Manual.
3. That Resolution No. 205454, adopted April 27, 1972, is
hereby rescinded.

APPROVED: JOHN W. WITT, City Attorney

By 
Donald W. Detisch, Deputy

DWD:K

2-1-73

CITY OF SAN DIEGO, CALIFORNIA

COUNCIL POLICY

SUBJECT: GAS TAX FUNDS - USE OF

POLICY NUMBER 200-2

BACKGROUND

The 1970 session of the State Legislature amended legislation pertaining to taxation and the allocation of gasoline taxes and commercial vehicle registration fees to remove restrictions on the amount of gas tax funds which cities may spend for maintenance of streets. The Streets and Highways Code now provides that money apportioned under Section 2106 shall be expended for right of way acquisition, construction or maintenance on the Select Street System and that money apportioned under Section 2107 may be expended for similar purposes but on any City street. Prior to this change, Section 2106 funds could not be spent for maintenance and only 60% of Section 2107 funds could be utilized for maintenance. No change was made in the use of funds apportioned under Section 2107.5.

Other governmental agencies which are not eligible for allocation of gas tax funds occasionally encounter responsibilities for street improvement costs in accordance with Council Policy No. 200-1 because of their status as property owners. At the same time, some such agencies are unable to finance these improvements because of limitations on their taxing powers and/or failures of the voters to pass tax override and bond proposals. This situation presents a particular problem with respect to school property where the very nature of the activity demands that street improvements be installed in advance of the use of any parcel of property for educational purposes.

POLICY

It is the policy of the City Council that:

1. Monies apportioned under Section 2106 of the California Streets and Highways Code (1.04¢ funds) be used for acquisition of right of way and construction on the Select Street System.
2. Of the monies apportioned under Section 2107 (.725¢ funds):
 - a. 10% be used for acquisition of right of way and construction on any City streets;
 - b. The remaining 90% be used for maintenance on the City street system.
3. Monies received under Section 2107.5 (the \$20,000 annual allocation for engineering and administration expenses) be used for studies in connection with City streets.

4. City Gas Tax Funds may be used to pay the share of street improvement costs apportioned under Council Policy No. 200-1 to another governmental agency not eligible to receive gas tax allocations provided that:
 - a. The City Engineer finds that there is an immediate need for the installation of such improvements and so recommends.
 - b. The other governmental agency demonstrates to the satisfaction of the City Council that they do not have funds available to pay for such improvements and cannot anticipate the receipt of funds for this purpose within a reasonable period of time.

FEB 8 1973

Passed and adopted by the Council of The City of San Diego on _____,
by the following vote:

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SAN DIEGO, CALIF.

Councilmen	Yeas	Nays	Excused	Absent
Gil Johnson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Maureen F. O'Connor	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Henry L. Landt	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Leon L. Williams	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Floyd L. Morrow	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bob Martinet	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Allen Hitch	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jim Bates	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Pete Wilson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

PETE WILSON

Mayor of The City of San Diego, California.

(Seal)

EDWARD NIELSEN

City Clerk of The City of San Diego, California.

By Mary Anne Mease, Deputy.

Office of the City Clerk, San Diego, California

Resolution Number 207350 Adopted FEB 8 1973