

104
9/26/06

RESOLUTION NUMBER R- 301930

ADOPTED ON SEP 29 2006

RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO AGREEING TO HOLD HARMLESS AND DEFEND THE SAN DIEGO ASSOCIATION OF GOVERNMENTS, ACTING AS THE SAN DIEGO REGIONAL TRANSPORTATION COMMISSION, AGAINST CHALLENGES RELATED TO THE CITY OF SAN DIEGO'S TRANSNET FUNDED PROJECTS.

WHEREAS, on November 3, 1987, the voters of San Diego County approved the San Diego Transportation Improvement Program Ordinance and Expenditure Plan (87-01); and

WHEREAS, on November 4, 2004, the voters of San Diego County approved the San Diego Transportation Improvement Program Extension Ordinance and Expenditure Plan (04-01); and

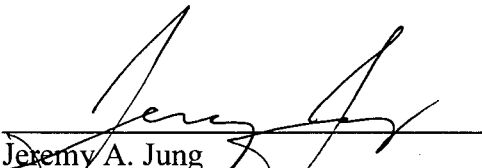
WHEREAS, both Ordinances provide that the San Diego Association of Governments (SANDAG), acting as the San Diego Regional Transportation Commission, shall approve a multi-year program of projects submitted by local jurisdictions identifying those transportation project eligible to use transportation sales tax (TransNet) funds; and

WHEREAS, Policy 031 of the SANDAG Board of Directors provides that each local jurisdiction shall agree by resolution to hold harmless and defend SANDAG, acting as the San Diego Transportation Commission, against any challenges related to that local jurisdiction's TransNet projects; and

WHEREAS, on August 4, 2006, the SANDAG Board of Directors approved the City of San Diego's (City) two-year program of TransNet projects for inclusion in the 2006 Regional Transportation Improvement Plan (RTIP), conditioned on the City's compliance with SANDAG Board Policy 031 within sixty (60) days; NOW THEREFORE,

BE IT RESOLVED, by the City Council of the City of San Diego, that the City agrees to hold harmless and defend SANDAG, acting as the San Diego Regional Transportation Commission, against challenges related to the City's TransNet funded Capital Improvement Program projects.

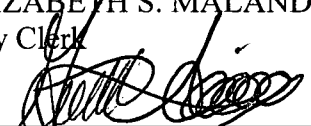
APPROVED: MICHAEL J. AGUIRRE, City Attorney

By 
Jeremy A. Jung
Deputy City Attorney

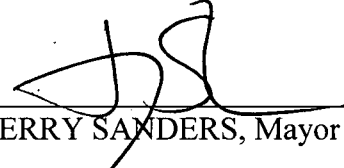
JAJ:cla
9/13/06
Or.Dept: E&CP
Aud.Cert:N/A
R-2007-224

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of ~~SEP 26 2006~~

ELIZABETH S. MALAND
City Clerk

By 
Deputy City Clerk

Approved: SEP 29, 06
(date)


JERRY SANDERS, Mayor

Vetoed: _____
(date)

JERRY SANDERS, Mayor

Passed by the Council of The City of San Diego on SEP 26 2006, by the following vote:

Council Members	Yeas	Nays	Not Present	Ineligible
Scott Peters	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Kevin Faulconer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Toni Atkins	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Anthony Young	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Brian Maienschein	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Donna Frye	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jim Madaffer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ben Hueso	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage SEP 29 2006.

AUTHENTICATED BY:

(Seal)

JERRY SANDERS

Mayor of The City of San Diego, California.

ELIZABETH S. MALAND

City Clerk of The City of San Diego, California.

By , Deputy

Office of the City Clerk, San Diego, California

Resolution Number R- 301930