

(R-2009-1195)

MEET

102  
6/02/09

RESOLUTION NUMBER R- 304941

DATE OF FINAL PASSAGE JUN 02 2009

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO AUTHORIZING A SUBMISSION TO REVISE THE 2008 REGIONAL TRANSPORTATION IMPROVEMENT PROGRAM.

WHEREAS, on November 3, 1987, the voters of San Diego County approved the original San Diego Transportation Improvement Program Ordinance and Expenditure Plan [TransNet Ordinance]; and

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 Ordinance and Extension Ordinance [Ordinances] provide that SANDAG, acting as the 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, the City of San Diego was provided with an estimate of annual TransNet local street improvement revenues for fiscal years 2009 through 2013; and

WHEREAS, lower than expected revenue caused SANDAG to advise the City of San Diego to reduce its Fiscal Year 2009 TransNet Extension budget by 4%; and

WHEREAS, this reduction may be offset by carryover from the completion of the first TransNet program, resulting in no impact to the Fiscal Year 2009 CIP budget; and

WHEREAS, the City of San Diego has held a public hearing in accordance with Section 5(A) of the TransNet Ordinance; NOW THEREFORE,

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

1. That the Mayor or his designee is authorized to make a submission to revise the 2008 Regional Transportation Improvement Program [RTIP] and confirming that the City of San Diego is in compliance with the TransNet Ordinances as required by SANDAG and outlined herein.
2. That pursuant to Section 2(C)(1) of the TransNet Extension Ordinance, the City of San Diego certifies that no more than 30 percent of the TransNet revenues will be used for local street and road maintenance purposes; and
3. That pursuant to Section 4(E)(3) of the TransNet Extension Ordinance, the City of San Diego 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 TransNet Extension Ordinance and proposed, shall be clearly noticed as part of the City of San Diego's public hearing process.
4. That pursuant to Section 8 of the TransNet Extension Ordinance, the City of San Diego certifies that it has included an amount of local discretionary funding for street and road purposes in its budget for this fiscal year that is at least equal to the most recently established minimum maintenance of effort requirement adopted by SANDAG and that it intends to continue to do so in each year of the five-year period covered by the RTIP.
5. That pursuant to Section 9A of the TransNet Extension Ordinance, the City of San Diego certifies that it will extract an amount of \$2,000 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].

6. That pursuant to Section 13 of the TransNet Extension Ordinance, the City of San Diego 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.

7. That pursuant to Section 18 of the TransNet Extension Ordinance, the City of San Diego certifies that each project of \$250,000 or more will be clearly designated during construction with TransNet project funding identification signs.

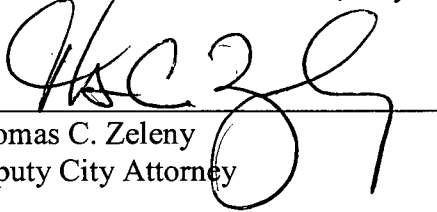
8. That the City of San Diego certifies that all other applicable provisions of TransNet Extension Ordinance have been met.

9. That the City of San Diego agrees to indemnify, hold harmless, and defend the SANDAG, the San Diego County Regional Transportation Commission, and all officers and employees thereof against all causes of action or claims to local TransNet funded projects.

10. That the City Comptroller is authorized to replace TransNet Extension Congestion Relief (TN2), Fund 30310 appropriations with TransNet (TN1), Fund 30300 appropriations within existing project and department budgets in amount not to exceed \$1,788,000 in accordance with the TRIP and with no net increase in total appropriations.

APPROVED: JAN.I. GOLDSMITH, City Attorney

By

  
Thomas C. Zeleny  
Deputy City Attorney

TCZ:mb  
05/22/09  
Or.Dept:E&CP  
R-2009-1195

I hereby certify that the foregoing Resolution was passed by the Council of the City of Diego,  
at its meeting of 6-2-09.

ELIZABETH S. MALAND, City Clerk

By   
Deputy City Clerk

Approved: 6-2-09  
(date)

  
JERRY SANDERS, Mayor

Vetoed: \_\_\_\_\_  
(date)

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JERRY SANDERS, Mayor