

RESOLUTION NUMBER R- 310714

DATE OF FINAL PASSAGE NOV 01 2016

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO AUTHORIZING THE TRANSFER OF APPROPRIATED FUNDS IN THE 2017 CAPITAL IMPROVEMENT PROGRAM BUDGET FROM VARIOUS CAPITAL IMPROVEMENT PROJECTS TO THE AVENIDA DE LA PLAYA INFRASTRUCTURE REPLACEMENT FUND AND RELATED MATTERS.

WHEREAS, on June 14, 2016, the Mayor approved Resolution No. R-310506, approving the City of San Diego (City) Fiscal Year 2017 Budget (2017 Budget); and

WHEREAS, on July 11, 2016, the City Council adopted Ordinance No. O-20669, entitled “An Ordinance Adopting the Annual Budget for the Fiscal Year 2017 and Appropriating the Necessary Money to Operate the City of San Diego for said Fiscal Year” (Appropriation Ordinance); and

WHEREAS, the 2017 Budget includes the annual budget for the Capital Improvement Program (CIP Budget); and

WHEREAS, the Avenida De La Playa Infrastructure Replacement Project (Project) is a priority project to address damage to the storm drain system caused by rain events in January 2016; and

WHEREAS, staff has identified projects in the CIP Budget that have excess funding in Fiscal Year 2017 due to project schedules and which have appropriations that could be transferred to the Project, including TransNet funds, requiring amendments to the 2016 Regional Transportation Improvement Program (2016 RTIP); and

WHEREAS, Section 15 of the Appropriation Ordinance authorizes the Chief Financial Officer to modify appropriations upon adopted City Council resolution, provided funding is available for such action and in accordance with finding source guidelines and applicable grant agreements; and

WHEREAS, Section 73 of the Charter allows the Council, upon the recommendation of the Mayor, to transfer all or part of an unencumbered balance of an appropriation to a purpose or object for which the appropriation for the current year has proved insufficient; and

WHEREAS, the City Council desires to approve the proposed appropriation changes and to take related actions as described below; NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego that the Chief Financial Officer is authorized to transfer appropriations in the Fiscal Year 2017 CIP Budget and the Mayor and Chief Financial Officers are authorized to take other actions as follows:

1. The Chief Financial Officer is authorized to transfer appropriations of \$1,000,000 from CIP S15023, Torrey Pines Road Improvements Phase 2, Fund 400169, Transnet Extension 70% CAP to CIP S13018, Avenida De La Playa Infrastructure Replacement Project; and is authorized to expend an amount not to exceed \$1,000,000 from CIP S13018, Avenida De La Playa Infrastructure Replacement Project, Fund 400169, Transnet Extension 70% CAP; and
2. The Chief Financial Officer is authorized to transfer appropriations of \$2,000,000 from CIP S00915, University Avenue Mobility Project, Fund 400169, Transnet Extension 70% CAP to CIP S13018, Avenida De La Playa Infrastructure Replacement Project; and is authorized to expend an amount not to exceed

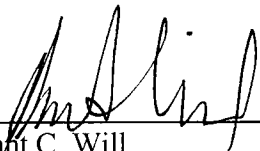
- \$2,000,000 from CIP S13018, Avenida De La Playa Infrastructure Replacement Project, Fund 400169, Transnet Extension 70% CAP; and
3. The Chief Financial Officer is authorized to transfer appropriations of \$2,000,000 from CIP S14009, SR94/Euclid Avenue Interchange Improvements, Fund 400169, Transnet Extension 70% CAP to CIP S13018, Avenida De La Playa Infrastructure Replacement Project; and is authorized to expend an amount not to exceed \$2,000,000 from CIP S13018, Avenida De La Playa Infrastructure Replacement Project, Fund 400169, Transnet Extension 70% CAP; and
  4. The Chief Financial Officer is authorized to submit to SANDAG revisions to the 2016 Regional Transportation Improvement Program (RTIP) and approve adjustments to TransNet funded projects as required by SANDAG and outlined in the resolutions above;
  5. 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 its annual revenues shall be spent on maintenance related projects;
  6. 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 Ordinance and proposed, shall be clearly noticed as part of the City of San Diego's public hearing process;
  7. 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;

8. That pursuant to Section 9A of the TransNet Extension Ordinance, the City of San Diego certifies that it will exact \$2,357, plus all applicable annual increases, from the private sector for each newly constructed residential housing unit in that jurisdiction and shall contribute such exactions to the Regional Transportation Congestion Improvement Program (RTCIP);
9. 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;
10. 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;
11. That the City of San Diego certifies that all other applicable provisions of the TransNet Extension Ordinance have been met; and
12. That the City of San Diego 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 to local TransNet funded project.

13. The Mayor, or his designee, is hereby authorized to negotiate and execute change orders to the Project construction contract that are greater than \$500,000 individually, up to the \$5,000,000 CIP budget increase authorized herein, contingent upon the Chief Financial Officer providing one or more certificates that the funds necessary for expenditures are, or will be, on deposit with the City Treasury.

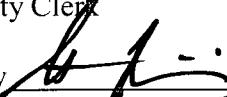
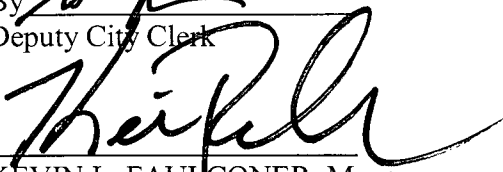
APPROVED: JAN I. GOLDSMITH, City Attorney

By   
\_\_\_\_\_  
Brant C. Will  
Deputy City Attorney

BCW:jdf  
09/13/16  
Or.Dept: Engineering/PW  
Doc. No. 1360692\_2

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of ~~\_\_\_\_\_~~ **OCT 18 2016**

ELIZABETH S. MALAND  
City Clerk

By   
\_\_\_\_\_  
Deputy City Clerk  
  
\_\_\_\_\_  
KEVIN L. FAULCONER, Mayor

Approved: 10/31/16  
(date)

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

\_\_\_\_\_  
KEVIN L. FAULCONER, Mayor

Passed by the Council of The City of San Diego on OCT 18 2016, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Sherri Lightner	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lorie Zapf	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Todd Gloria	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Myrtle Cole	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mark Kersey	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Chris Cate	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Scott Sherman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
David Alvarez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marti Emerald	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage NOV 01 2016.


(Please note: When a resolution is approved by the Mayor, the date of final passage is the date the approved resolution was returned to the Office of the City Clerk.)

AUTHENTICATED BY:

KEVIN L. FAULCONER  
Mayor of The City of San Diego, California.

(Seal)

ELIZABETH S. MALAND  
City Clerk of The City of San Diego, California.

By , Deputy

Office of the City Clerk, San Diego, California

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