

RESOLUTION NO. 2016-XXXX

**A RESOLUTION OF THE CITY OF SAN MARCOS  
ADOPTING THE *TRANSNET*  
LOCAL STREET IMPROVEMENT PROGRAM OF PROJECTS  
FOR FISCAL YEARS 2017 THROUGH 2021**

**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**, the City of San Marcos was provided with an estimate of annual *TransNet* local street improvement revenues for fiscal years 2017 through 2021; and

**WHEREAS**, the City of San Marcos has held a noticed public meeting with an agenda item that clearly identified the proposed list of projects 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 pursuant to Section 2(C)(1) of the *TransNet* Extension Ordinance, the City of San Marcos certifies that no more than 30 percent of its annual revenues shall be spent on local street and road maintenance-related projects.

**BE IT FURTHER RESOLVED** that pursuant to Section 4(E)(3) of the *TransNet* Extension Ordinance, the City of San Marcos 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 Marcos's public hearing process.

**BE IT FURTHER RESOLVED** that pursuant to Section 8 of the *TransNet* Extension Ordinance, the City of San Marcos certifies that the required minimum annual level of local discretionary funds to be expended for street and road purposes will be met throughout the 5-year period consistent with the most recent Maintenance of Effort Requirements adopted by SANDAG.

**BE IT FURTHER RESOLVED** that pursuant to Section 9A of the *TransNet* Extension Ordinance, the City of San Marcos 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).

**BE IT FURTHER RESOLVED** that pursuant to Section 13 of the *TransNet* Extension Ordinance, the City of San Marcos 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.

**BE IT FURTHER RESOLVED** that pursuant to Section 18 of the *TransNet* Extension Ordinance, the City of San Marcos certifies that each project of \$250,000 or more will be clearly designated during construction with *TransNet* project funding identification signs.

**BE IT FURTHER RESOLVED** that the City of San Marcos does hereby certify that all other applicable provisions of the *TransNet* Extension Ordinance and SANDAG Board Policy No. 31 have been met.

**BE IT FURTHER RESOLVED** that the City of San Marcos 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 related to City of San Marcos' *TransNet* funded projects.

**PASSED AND ADOPTED** by the City of San Marcos on the 14th day of June, 2016.

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

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James M. Desmond, Mayor  
City of San Marcos

ATTEST:

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PHILLIP SCOLLICK, CITY CLERK  
City of San Marcos