



REDEVELOPMENT AGENCY OF

THE CITY OF SAN DIEGO

RESOLUTION NUMBER R- 04586

DATE OF FINAL PASSAGE DEC 07 2010

A RESOLUTION OF THE REDEVELOPMENT AGENCY OF THE CITY OF SAN DIEGO (i) APPROVING THE FINANCIAL ASSISTANCE AGREEMENT BY AND BETWEEN THE AGENCY AND ENDANGERED HABITATS CONSERVANCY AND OCEAN DISCOVERY INSTITUTE FOR THE SWAN CANYON RESTORATION PROJECT LOCATED IN THE CITY HEIGHTS REDEVELOPMENT PROJECT AREA; (ii) AUTHORIZING THE AGENCY EXECUTIVE DIRECTOR OR DESIGNEE TO EXECUTE THE AGREEMENT; AND (iii) MAKING CERTAIN FINDINGS AND DETERMINATIONS RELATED TO THE EXPENDITURE OF AGENCY FUNDS FOR THE IMPROVEMENTS IN SWAN CANYON LOCATED ON CITY-OWNED PROPERTY, IN ACCORDANCE WITH CALIFORNIA HEALTH AND SAFETY CODE SECTION 33445.

WHEREAS, the Redevelopment Agency of the City of San Diego (Agency) is engaged in activities necessary to carry out and implement the Redevelopment Plan for the City Heights Redevelopment Project Area (Project Area); and

WHEREAS, one of the stated goals and objectives of the Redevelopment Plan for the Project Area is to upgrade the quality of life in the Project Area and provide community based institutional and cultural facilities such as parks, plazas, commercial recreational uses, open spaces, recreational centers and other community facilities; and

WHEREAS, Section 621 of the Redevelopment Plan for the Project Area authorizes the Agency to acquire, install and construct, or cause to be installed and constructed, public improvements and public utilities as necessary to carry out the Redevelopment Plan, such as parks, playgrounds, landscaped areas, and any other public building, facility, structure or

improvement deemed necessary or appropriate by the Agency to implement the Redevelopment Plan; and

WHEREAS, to implement the Redevelopment Plan for the Project Area, the Agency, pursuant to Resolution No. R-04405 with date of a final passage June 19, 2009, adopted the Fourth Implementation Plan for the period of July 2009 through June 2014 for the Project Area (Implementation Plan), in accordance with section 33490 of the California Health and Safety Code; a copy of the Implementation Plan is on file at the office of the Agency Secretary as Document No. D-04405b; and

WHEREAS, the Implementation Plan identifies the need to contribute to blight removal by supporting the development of needed schools, parks and recreation amenities in the community; supporting collaborative efforts in the planning and implementation of redevelopment projects and programs with local community representative organizations, elected officials, local business improvements associations, developers, neighborhood groups, and residential organizations; supporting projects that incorporate native and/or adapted species to conserve water; supporting the installation and enhancement of urban trails; supporting canyon restoration, entryways, trails, signage, and erosion control; and restoring habitat, hillsides, and creek beds within the Project Area; and

WHEREAS, Swan Canyon is currently encumbered by run-off, poor water quality, substantial colonization by invasive species, occupancy by transient populations, and criminal activity; and

WHEREAS, consistent with the Implementation Plan and the Redevelopment Plan for the Project Area, the Agency desires to approve and enter into a Financial Assistance Agreement with Endangered Habitats Conservancy and Ocean Discovery Institute to restore the native

habitat of a portion of Swan Canyon comprised of City-owned property by removing invasive plants and re-planting with native species (Improvements); and

WHEREAS, the Agency's proposed financial assistance consists of Project Area's funds in an amount not to exceed \$135,000 to complete the Improvements; and

WHEREAS, Agency funds in the amount of \$135,000 are available from Project Area funds to pay for the cost of Improvements; and

WHEREAS, after having duly considered the actions described above and the Agency's proposed financial contribution for the Improvements, the Agency finds that the actions and the payment by the Agency of the costs of the Improvements are of primary benefit to the Project Area and are in the best interests of the Project Area, the City and the safety, morals, and welfare of its residents, and in accord with the public purposes and provisions of applicable state and local law; NOW, THEREFORE,

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

1. That the Agency approves the Financial Assistance Agreement By and Between the Agency and Endangered Habitats Conservancy and Ocean Discovery Institute (collectively "Contractor") for the Swan Canyon Restoration Project (Improvements), for a total compensation to be paid to Contractor in an amount not to exceed \$135,000 of Agency funds from the City Heights Redevelopment project Area (Project Area);

2. That the Agency authorizes the Executive Director of the Agency, or designee, to execute, for and on behalf of the Agency, the Agreement with Contractor for the Improvements, a copy of which shall be placed on file in the office of the secretary of the Agency as Document

No. D - 04586

3. That the Agency authorizes the City Chief Financial Officer, as delegated, to appropriate, encumber and expend Project Area funds of up to \$135,000, contingent on first furnishing a certificate that funds are, or will be, on deposit in the City Treasury; and

4. That the Agency authorizes the Agency Executive Director or designee to execute all other documents on behalf of the Agency that are necessary and appropriate to carry out and implement the purposes set forth in this Resolution according to its terms, and to administer the Agency's obligations, responsibilities and duties to be performed hereunder.

5. That the Agency finds and determines each of the following as to the City Heights Project Area, in accordance with California Health and Safety Code section 33445:

(a) That the Improvements within the City Heights Project Area, for which the Agency proposes to pay using Agency funds from the City Heights Project Area, are of benefit to the City Heights Project Area by helping to eliminate blighting conditions within the City Heights Project Area, in that:

(1) The Improvements will reduce crime rates by clearing invasive vegetation currently harboring hidden areas for illegal activity.

(2) The Improvements will allow greater utilization of the canyon open space in the most park deficient area in the City of San Diego.

(b) That no other reasonable means of financing the Improvements are available to the City of San Diego for which the Agency proposes to pay, in that:

(1) The City's General Fund Budget is funded from various sources, but the four largest revenue sources are property tax, sales tax, transient occupancy tax (TOT), and franchise fees, and account for approximately \$710.8 million or 64.8 percent of total General Fund revenues. The decline in these four major revenues in the Fiscal Year 2011 Adopted Budget accounts for approximately \$31.6 million or 94.3 percent of the total General Fund

decline of \$33.5 million compared to the Fiscal Year 2010 Adopted Budget.

(2) In Fiscal Year 2011 sales tax is budgeted at \$187.5 million, which represents a decrease of \$22.7 million or 10.8 percent from the Fiscal Year 2010 Adopted Budget due to the decline in per capita income and consumer spending, and the high unemployment rate in the City. TOT is budgeted at \$66.1 million, a decrease of \$9.8 million or 12.9 percent from the Fiscal Year 2010 Adopted Budget due to the decline in local tourism. Franchise fees are budgeted at \$67.2 million, a decrease of \$6.5 million or 8.9 percent from the Fiscal Year 2010 Adopted Budget due to a decline in refuse haulers tonnage.

(3) The City's Fiscal Year 2011 Adopted Budget reflects General Fund revenues and expenditures of \$1.10 billion, representing a decline of \$33.5 million or 3.0% over the Fiscal Year 2010 Adopted Budget. The Fiscal Year 2011 Adopted Budget includes 7,067.98 budgeted full time equivalent (FTE) positions, a decrease of 328.94 FTE positions over the Fiscal Year 2010 Budget. The net decrease in General Fund positions is primarily due to the reduction of 485.16 FTE positions as part of the revised Fiscal Year 2010 Budget approved by the City Council that has been incorporated in the Fiscal Year 2011 Adopted Budget. These reductions were to City's critical services including brownouts in the Fire Department, reductions in lifeguard positions, and reductions in library hours. If the City's revenues improve, then the City's first priority would be to restore those critical services funded by General Fund that have been reduced this year due to the loss of revenue in fiscal year 2011.

(4) The City's Fiscal Year 2011 Adopted Budget, approved by City Council in June 2010, includes reduced revenue projections adjusted for a continuation of slow economic growth and a continued constriction of economic activity. Growth in revenues is anticipated to be negative in most major revenue categories such as property tax, sales tax, TOT, and franchisee fees.

(5) The City's Capital Improvements Program (CIP) budget allocates existing funds and anticipated revenues to rehabilitate, restore, improve, enhance, and increase the City's capital facilities. This budget supports the design and construction of a wide range of infrastructure improvement projects and other significant capital infrastructure investments. The Fiscal Year 2011 CIP Adopted Budget totals \$299.6 million. This is a reduction of \$153.6 million or 33.9 percent from the Fiscal Year 2010 CIP Adopted Budget of \$453.2 million.

(6) Deferred capital projects remain one of the eight significant areas identified in the Five-Year Financial Outlook. Since Fiscal Year 2008, approximately \$142 million has been appropriated for facilities, streets, storm drain and other deferred capital projects, funded by proceeds from land sales, bond financing, and Proposition 1B funding. Another proposal for bond financing is anticipated to come before City Council in Fiscal Year 2012. Fiscal Year 2012 to continue efforts to address the City's approximately \$900 million backlog of deferred projects.

(7) The cost of the Improvements is approximately \$135,000. There are currently no funds allocated in the Fiscal Year 2011 Adopted CIP Budget to fund the Improvements.

(c) That payment of Agency funds for the Improvements is consistent with the Fourth Implementation Plan for the Project Area adopted on June 19, 2009 pursuant to Section 33490 of the California Health and Safety Code, in that:

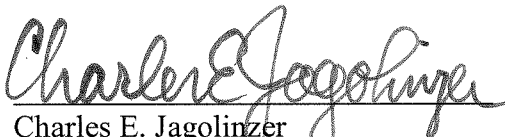
(1) The Improvements address the specific goals and objectives of the Implementation Plan, as identified on Pages 8-9 of the Project Area Goals and Objectives which states in pertinent part as follows: "Support the development of needed schools, parks and recreation amenities in the community" and "Support collaborative efforts in the planning and implementation of redevelopment projects and programs with local community representative

organizations, elected officials, local business improvements associations, developers, neighborhood groups, and residential organizations” and as identified on Pages 13, 14, and 17 of the Cross Cutting Themes, Proposed Projects, and Contribution to Blight Alleviation for the Five-Year Period, which states in pertinent part as follows: “Support projects that incorporate native and/or adapted species to conserve water”, “Support the installation and enhancement of urban trails”, “Support canyon restoration, entryways, trails, signage, and erosion control” and “Restore habitat, hillsides, and creek beds”.

(2) By furthering the specific goals and objectives of the Fourth Implementation Plan for the Project Area, the Improvements and the Agency’s payment therefor are a means to eliminate blight within the City Heights Project Area and will facilitate the project objectives of the Redevelopment Plan for the City Heights Project Area.

APPROVED: JAN I. GOLDSMITH, General Counsel

By


Charles E. Jagolinzer
Deputy General Counsel

CEJ:nja

11/08/10

Cert.No: 3000003730

Or.Dept:Redev.Agency

RA-2011-43

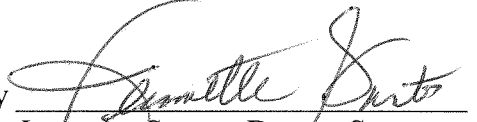
PL#2010-00769

Comp. R-2011-490

I hereby certify that the foregoing Resolution was passed by the Redevelopment Agency of the City of San Diego, at this meeting of NOV 30 2010.

REDEVELOPMENT AGENCY


By


Jeannette Santos, Deputy Secretary

Approved: _____

(date)

12-7-10


JERRY SANDERS, Executive Director

Vetoed: _____

(date)

JERRY SANDERS, Executive Director

**The City of San Diego
COMPTROLLER'S CERTIFICATE**

CERTIFICATE OF UNALLOTTED BALANCE

ORIGINATING

CC 3000003730
DEPT. _____
NO. _____

I HEREBY CERTIFY that the money required for the allotment of funds for the purpose set forth in the foregoing resolution is available in the Treasury, or is anticipated to come into the Treasury, and is otherwise unallotted.

Amount: _____ Fund: _____

Purpose: _____

Date: _____ By: _____
COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA

Doc. Item	Fund	Funded Program	Internal Order	Functional Area	G/L Account	Business Area	Cost Center	WBS	Original Amount
TOTAL AMOUNT									

FUND OVERRIDE ☐

CERTIFICATION OF UNENCUMBERED BALANCE

I HEREBY CERTIFY that the indebtedness and obligation to be incurred by the contract or agreement authorized by the hereto attached resolution, can be incurred without the violation of any of the provisions of the Charter of the City of San Diego; and I do hereby further certify, in conformity with the requirements of the Charter of the City of San Diego, that sufficient moneys have been appropriated for the purpose of said contract, that sufficient moneys to meet the obligations of said contract are actually in the Treasury, or are anticipated to come into the Treasury, to the credit of the appropriation from which the same are to be drawn, and that the said money now actually in the Treasury, together with the moneys anticipated to come into the Treasury, to the credit of said appropriation, are otherwise unencumbered.

Not to Exceed: _____ \$135,000.00

Vendor: Endangered Habitats Conservancy & Ocean Discovery Institute

Purpose: e1472 - Financial Assistance Agreement for the Swan Canyon Restoration Project for City Heights RDA with two not-for-profit organizations.

Date: _____ November 9, 2010

By: Francisco J Lopez
COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA

Doc. Item	Fund	Funded Program	Internal Order	Functional Area	G/L Account	Business Area	Cost Center	WBS	Original Amount
001	400694	925500109000	925500109101	OTHR-10-NS	512059	2225	2225500011		\$135,000.00
TOTAL AMOUNT									\$135,000.00

FUND OVERRIDE ☐

CC 3000003730

Passed by the Redevelopment Agency of The City of San Diego on NOV 30 2010, by the following vote:

Agency Members	Yeas	Nays	Not Present	Recused
Sherri Lightner	<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"/>
Todd Gloria	<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"/>
Carl DeMaio	<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"/>
Marti Emerald	<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 DEC 07 2010

AUTHENTICATED BY:

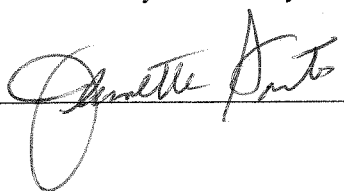
JERRY SANDERS

Executive Director of The City of San Diego, California.

(Seal)

ELIZABETH S. MALAND

Secretary of The City of San Diego, California.

By , Deputy

Office of the Redevelopment Agency, San Diego, California

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