

(R-2003-637)

RESOLUTION NUMBER R- 297476

ADOPTED ON DEC 09 2002

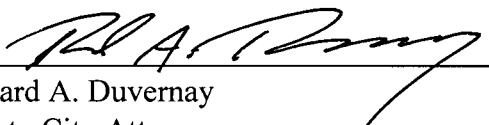
BE IT RESOLVED, by the Council of the City of San Diego, that the City Manager be and he is hereby authorized and empowered to accept, for and on behalf of said City, a generous, charitable donation from the Estate of Walter Carlisle Figg, Jr., in the total amount of \$313,223.73 for the purposes prescribed by the Last Will and Testament of Walter Carlisle Figg, Jr., viz., the planting and maintenance of jacaranda trees in the public right of ways throughout the City of San Diego.

BE IT FURTHER RESOLVED, the City intends to implement a planting and maintenance program for jacaranda trees pursuant to the recommendations of the City Manager as developed in collaboration with the City's Community Forest Advisory Board (formerly Tree Advisory Board) as attached hereto.

BE IT FURTHER RESOLVED, that the Auditor and Comptroller is authorized to establish an interest bearing endowment fund, Fund No. 10538, titled "The Figg Urban Forestry Endowment Fund."

BE IT FURTHER RESOLVED, that the Auditor and Comptroller is authorized to expend 90 percent of the annual realized earnings in Fund No. 10538 for the purposes stipulated by the Figg estate and endow the remaining 10 percent of realized earnings each year to the fund balance.

APPROVED: CASEY GWINN, City Attorney

By 
Richard A. Duvernay
Deputy City Attorney

RAD:jab
11/15/02
Or.Dept:SpecialProjects
R-2003-637
Form=r-t.frm

**RECOMMENDATIONS OF CITY MANAGER'S OFFICE
IN COLLABORATION WITH
THE CITY'S COMMUNITY FOREST ADVISORY BOARD**

The recommendations which follow are made on the basis of several researched understandings:

- A. It is cost effective for the City of San Diego to grow trees from smaller, less expensive tree stock into the preferred, indicated sizes contained in the recommendations.
- B. It is cost-effective for the City of San Diego to hire a nonprofit contractor to plant trees and implement a community education program directed at the residents/businesses/community groups proximate to the tree planted locations.
- C. The recommendations for inaugurating and annually operating the Figg Urban Forestry Fund ("Figg Fund") program are the most effective and beneficial use of the Figg Fund resources consistent with the terms and conditions of the Figg Estate donation.

RECOMMENDATIONS:

- 1. The Figg Fund's realized earnings, less ten percent (10%) reserved for re-capitalization, available for spending will be calculated annually as of December 31st of each year.
- 2. **In the first year only** of the Figg Fund program for purchasing, growing and maintaining trees:
 - a. **Fifty percent (50%)** of available funds will be used to purchase 24 inch box trees and to hire a nonprofit contractor to plant these trees at one location selected by the Mayor of San Diego from recommendations provided by the Tree Advisory Board to: (i) Inaugurate the program; (ii) Provide public awareness of the Figg Fund; (iii) Encourage broad support throughout the City of San Diego for forestation of the City through contributions to the Figg Fund and new, similar funds which could be established; and (iv) Help accelerate the creation of a managed, urban forest canopy.
 - i. In order to facilitate the achievement of these objectives, the inaugural planting will be in a high visibility and high density area that is either a commercial district, redevelopment area, tourist area, public recreation area or civic area.
 - b. All remaining available funds will be used to purchase a mixture of 5 gallon trees and 15 gallon trees which will be reserved and grown for planting in the following year of the program: 5 gallon trees grown to 15 gallon, and 15 gallon trees grown to 24" box trees.
- 3. Following December 31st of each year, the City's Urban Forester will:
 - a. Be notified of the Fund's total realized earnings.

RECOMMENDATIONS: CITY MANAGER'S OFFICE AND COMMUNITY FOREST
ADVISORY BOARD

Page 2.

- b. Purchase as many 5 gallon trees and 15 gallon trees for growing as these earnings can support with the intention that generally the 15 gallon trees will be grown into 24" box trees and the 5 gallon trees grown into 15 gallon trees;
 - c. Arrange for the City to hire an urban forestry partner and supervise its planting of trees grown into 24" box trees during the prior year in high visibility and high density areas that are either high street volume residential, a commercial district, redevelopment area, tourist area, public recreation area or civic area;
 - d. Distribute the trees grown into 15 gallon trees during the prior year on an equal share basis to each Council District and the Mayor for planting at locations selected by them.
4. Councilmembers and the Mayor are urged to fully utilize their annual tree allocations during the first three **calendar** quarters of each year. In years when circumstances arise that prohibit the planting of a Council District's or Mayor's entire allocation of trees, a "credit" will be provided to the Council District(s) or Mayor, or, alternatively, a Council District(s) or the Mayor may refer the unused number of trees to another Council District(s), or alternatively refer the unused number of trees to the Tree Advisory Board for its determination as to the optimal use and planting of the trees.
5. Costs for the work of the nonprofit contractor, including delivery of trees to planting sites and for the planting of trees, are an expense of the Figg Fund.

ATTACHMENT

R - 297476