

RESOLUTION NUMBER R- 309358

DATE OF FINAL PASSAGE DEC 12 2014

ITEM # 110
SUB-A
12/9/14

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO AUTHORIZING THE TRANSFER AND EXPENDITURE OF FUNDS FROM THE HABITAT ACQUISITION FUND (HAF) FOR EAST ELLIOTT LAND ACQUISITION FROM WILLING SELLERS.

WHEREAS, the City of San Diego is the lead agency in the development of the Multiple Species Conservation Program (MSCP), having adopted the City's MSCP Subarea Plan in March 1997; and

WHEREAS, the MSCP is a comprehensive habitat conservation planning program which addresses multiple species habitat needs and the preservation of natural communities for an approximate 900 square mile area in southwestern San Diego County; and

WHEREAS, an objective of the MSCP is to conserve a connected system of biologically viable habitat lands in a manner that maximizes the protection of species and precludes the need for future listing of species as threatened or endangered; and

WHEREAS, a goal of the MSCP is to conserve biodiversity in the Multi-Habitat Planning Area (MHPA) and to achieve certainty in the land development process for both private sector and public section land development projects; and

WHEREAS, to date, 94% of required acreage has either been conserved or obligated for future conservation. Property acquired with this action would be managed by Park and Recreation Open Space Division for the long term biological integrity of the land; and

WHEREAS, the proposed action would utilize \$1,124,771.00 from HAF to continue acquisitions of MHPA/open space property in the East Elliott area. The HAF was adopted on

February 12, 1990 (R-275129) “for acquisition, maintenance, and administrative costs associated with the establishment of biological habitat preserves”; and

WHEREAS, monies are deposited in the HAF from development projects, where the area of impact is small, and mitigation on an individual project level would be onerous and not result in significant habitat acquisitions. Monies are accrued until sufficient funds are available to acquire parcels with core biological resources and/or wildlife linkages. Use of the HAF for mitigation is allowed pursuant to the Land Development Code Section 143.0141(i)(3), and the process to use the fund is further described in the Land Development Manual Biology Guidelines; and

WHEREAS, this action will also transfer \$164,695.10 from S-00998, Del Mar Mesa Acquisition Fund to S01076, Multiple Species Conservation within Fund 400265, GFCIP Contributions. The \$164,659.10 is the remaining balance of \$2,124,000 that was appropriated (Resolutions R-290916, 295505 & 296190) for the acquisition and preservation of sensitive habitat in Del Mar Mesa; and

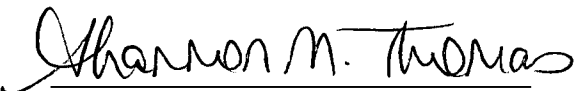
WHEREAS, the targeted acquisitions were completed and the remaining MHPA lands within the Del Mar Mesa area have been acquired. The remaining balance would be used towards the on-going acquisitions of MHPA lands within the East Elliott/Mission Trails Regional Park area; and

WHEREAS, this is a core MSCP biological area that provides a vital regional linkage to habitat lands to the north and south and contains coastal sage scrub, riparian woodlands, and oak forests. Additionally, WBS #S01076, Fund 200401 includes the remaining funds of \$12,670.22 from prior East Elliott acquisitions. These funds will also be used towards the current proposed acquisitions; NOW, THEREFORE,

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

1. That the Chief Financial Officer or designee is authorized to appropriate and expend an amount not to exceed \$1,124,771.00 from Fund 200401 (Habitat Acquisition Fund) for the acquisition of property within the MHPA in the East Elliott area for conservation.
2. That the Chief Financial Officer or designee is authorized to transfer appropriations in an amount not to exceed \$164,695.10 from S00998, Del Mar Mesa Acquisition to S01076 - Multiple Species Conservation within Fund 400265 GFCIP Contributions, for the acquisition of property within the MHPA in the East Elliott area for conservation.
3. That the Chief Financial Officer or designee is authorized to appropriate and expend an amount not to exceed \$164,695.10 from S01076 – Multiple Species Conservation within Fund 400265, CIP Contributions from General Fund for the acquisition of property within the MHPA in the East Elliott area for conservation.

APPROVED: JAN I. GOLDSMITH, City Attorney

By 
Shannon M. Thomas
Deputy City Attorney

SMT:als
11/13/14
Or.Dept: Planning
Doc. No.: 891220

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of 12/9/14.

ELIZABETH S. MALAND
City Clerk

By Steph Reed
Deputy City Clerk

Kevin L. Faulconer
KEVIN L. FAULCONER, Mayor

Approved: 12/11/14
(date)

Vetoed: _____
(date)

KEVIN L. FAULCONER, Mayor

Passed by the Council of The City of San Diego on DEC 09 2014, 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"/>
Ed Harris	<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"/>
Lorie Zapf	<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 DEC 18 2014

(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.

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

(Seal)

By *Atty. General*, Deputy

Office of the City Clerk, San Diego, California

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