

RESOLUTION NUMBER R- 311429

DATE OF FINAL PASSAGE DEC 04 2017

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO ADOPTING A TEN-YEAR FINANCIAL PLAN FOR THE MISSION BAY PARK IMPROVEMENT FUND, ALLOCATING \$21.45 MILLION FROM ANNUAL ALLOCATION AGF00004, MISSION BAY PARK IMPROVEMENTS, AND MAKING RELATED FINDINGS.

WHEREAS, San Diego Charter (Charter) section 55.2 restricts the allocation and use of lease revenue generated in Mission Bay Park, a portion of which is allocated to the Mission Bay Park Improvement Fund (Improvement Fund); and

WHEREAS, funds in the Improvement Fund may only be spent in the Mission Bay Park Improvement Zone, defined in Charter section 55.2(a)(4) (Improvement Zone), to restore environmental assets within the Improvement Zone, to preserve beneficial uses of the Improvement Zone, and to improve the conditions of the Improvement Zone for the benefit and enjoyment of residents and visitors, consistent with the Mission Bay Park Master Plan; and

WHEREAS, to achieve these goals, Charter section 55.2(c)(1) identifies five priorities of projects to be authorized, have a funding plan adopted by the City Council of the City of San Diego, and proceed to completion in the order provided, which are:

- (i) Restoration of navigable waters within Mission Bay Park and elimination of navigational hazards;
- (ii) Wetland expansion and water quality improvements and the protection and expansion of eelgrass beds;
- (iii) Restoration of shoreline treatments within the Improvement Zone, including restoration of beach sand and stabilization of erosion control features;

(iv) Expansion of endangered or threatened species preserves and upland habitats on North Fiesta Island and along the levee of the San Diego River floodway; and

(v) Deferred maintenance projects that will increase the useful life of a physical or natural asset by one year or more or which constitutes an environmental improvement of a natural asset within the Improvement Zone, as recommended by the Mission Bay Park Improvement Fund Oversight Committee (Oversight Committee) and approved by the City Council; and

WHEREAS, once a priority project has been authorized and has an adopted funding plan, the Charter allows the City to commit and expend funds from the Improvement Fund on projects of a lesser priority and to proceed with construction concurrently with a greater priority project provided that construction of the lesser priority project does not preclude completion of a greater priority project; and

WHEREAS, in order to commit and expend funds to lesser priority projects, the Charter requires the City Council make findings that completion of a greater priority project will not be precluded by expending funds on a lesser priority project before approving that expenditure; and

WHEREAS, the Staff Report dated September 18, 2017, and its exhibits (Staff Report) contain a Ten-Year Financial Plan for the allocation and expenditure of Improvement Funds on multiple priority projects; and

WHEREAS, the City Council has considered information provided in the Staff Report, including the following:

(i) The current balance of the Improvement Fund is approximately \$22.8 million; and

(ii) The first priority project identified in Charter section 55.2(c)(1)(A) – restoration of navigable waters within Mission Bay Park and elimination of navigational hazards – will be fully funded with the Fiscal Year 2018 allocation of \$5.1 million from the Improvement Fund; and

(iii) The higher priority projects identified in Charter section 55.2(c)(1)(B)-(D) – wetland expansion and water quality improvements, restoration of shoreline treatments, and expansion of endangered or threatened species preserves and certain upland habitats – will take significant time to complete environmental review and permitting processes; and

(iv) The City intends to analyze the potential environmental impact of each priority project together as a program through the preparation of a Programmatic Environmental Impact Report and pursue programmatic permits; and

(v) The Improvement Fund will continue to receive annual allocations of lease revenue generated in Mission Bay Park annually; and

WHEREAS, on September 5, 2017, the Oversight Committee heard and recommended the City Council make findings necessary to allow the priority projects identified in the Staff Report to proceed concurrently and recommended adoption of the Ten-Year Financial Plan for the Improvement Fund; and

WHEREAS, the City Council has considered any written evidence and testimony received in support or opposition to the Staff Report, as well as the entire record prepared by City staff; NOW, THEREFORE,

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

1. The City Council finds and determines that all recitals set forth in this Resolution are true and correct and fully incorporated herein by this reference.

2. The City Council finds completion of greater priority projects identified in San Diego Charter section 55.2(c)(1) will not be precluded by expending funds on lesser priority projects identified in the Staff Report or proceeding with the concurrent construction of lesser priority projects identified in the Staff Report.

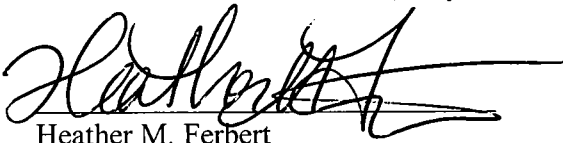
3. The Council adopts the Ten-Year Financial Plan for the Improvement Fund in the Staff Report.

4. The City Council approves the Fiscal Year 2018 allocation of \$21.45 million from Annual Allocation AGF00004, Mission Bay Park Improvements, within Fund 200386, Mission Bay Park Improvement Fund, to various sublet projects identified below and further described in the Staff Report:

<b>Project Title</b>	<b>FY 2018 Amount</b>
0. Programmatic Environmental Impact Report (Consultant) for All Mission Bay Park Improvement Fund Projects	
0.1 Engineering/Consultant/30% Design	\$2,000,000
0.2 Programmatic EIR	\$500,000
1. Restoration of navigable waters within Mission Bay Park (MBP) and elimination of navigational hazards	\$5,100,000
2. Wetland expansion, water quality improvements, and protection and expansion of eelgrass beds; three locations for Fiscal Year 2018 are:	
2.2 North Fiesta Island (15 acres +/-)	\$750,000
2.3 & 2.4 Tecolote Creek (14 acres +/-)	\$750,000
2.5 Cudahay Creek (5 acres +/-)	\$500,000
3. Restoration of shoreline treatments within Mission Bay Park Improvement Zone	\$750,000
4. Expansion of endangered or threatened species preserves and upland habitats on North Fiesta Island and along the levee of the San Diego River floodway	\$500,000
5. Deferred maintenance projects that increase the useful life of the asset by one year or an environmental improvement of a natural asset within the Mission Bay Park Improvement Zone. Recommended projects include the following (described below):	
5.1(b) San Diego River Trail Improvements (Estuary Trail Enhancement Plan)	\$500,000

Project Title	FY 2018 Amount
5.2 Sustainable Lighting	\$300,000
5.3 Monument Signage and Landscaping	\$300,000
5.4 Parking Lot Repair/Resurfacing	\$2,500,000
5.5 Playgrounds	\$2,500,000
5.6 Comfort Station Restrooms	\$2,500,000
5.7 Oceanfront Walk Seawall and Bulkhead (10,500 linear feet)	\$1,500,000
5.8(a) Adult Fitness Course - East Shore	\$500,000

APPROVED: MARA W. ELLIOTT, City Attorney

By   
 Heather M. Ferbert  
 Deputy City Attorney

HMF:nja  
 11/15/17  
 Or.Dept: Park and Recreation  
 Doc. No.: 1626450

I certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of DEC 04 2017.

ELIZABETH S. MALAND  
 City Clerk

By   
 Deputy City Clerk

Approved: 12/4/17  
 (date)

  
 KEVIN L. FAULCONER, Mayor

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

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

Passed by the Council of The City of San Diego on DEC 04 2017, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Barbara Bry	<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"/>
Chris Ward	<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"/>
Georgette Gomez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

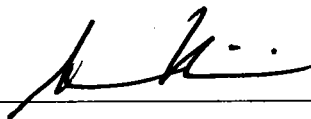
Date of final passage DEC 04 2017

(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.

By , Deputy

Office of the City Clerk, San Diego, California

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