#103B 2/23/21

RESOLUTION NUMBER R- 313445

DATE OF FINAL PASSAGE FEB 2 5 2021

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO AUTHORIZING THE TRANSFER AND EXPENDITURE OF \$600,000 OF FUNDS FROM THE HABITAT ACQUISITION FUND (HAF) FOR EAST ELLIOTT.

WHEREAS, the City of San Diego (City) 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, 97% 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 \$600,000.00 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(a)(1)(C), and the process to use the fund is further described in the Land Development Manual Biology Guidelines; NOW, THEREFORE,

BE IT RESOLVED, that the Chief Financial Officer, or their designee, is authorized to reduce the Capital Improvement Program budget and de-appropriate \$625,000 in Fund 200401, Habitat Acquisition Fund, from CIP AGE00001, Resource-Based Open Space Parks.

BE IT FURTHER RESOLVED, that the Chief Financial Officer, or their designee, is authorized to appropriate and expend \$600,000 from Fund 200401 (Habitat Acquisition Fund) for the acquisition of property within the MHPA in the East Elliott area for conservation, contingent upon the Chief Financial Officer furnishing a certificate certifying that funds necessary for expenditure are, or will be, on deposit with the City Treasurer.

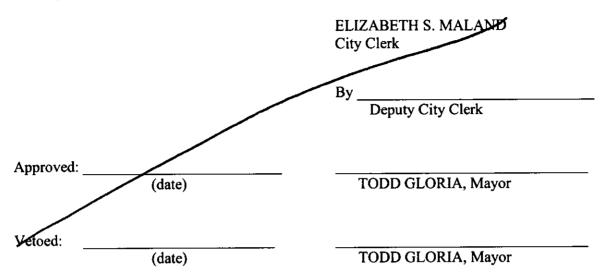
APPROVED: MARA W. ELLIOTT, City Attorney

By Noah Brazier

Noah J. Brazier
Deputy City Attorney

NJB:mb February 2, 2021 April 5, 2021 COR. COPY Or.Dep: Planning

CC No. 3000013757 Doc. No.: 2626353 I certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of ______.



(See attached Memo and signature page)

Office of The City Attorney City of San Diego

MEMORANDUM

DATE:

April 7, 2021

TO:

City Clerk

FROM:

Noah J. Brazier

SUBJECT:

Correction to City Attorney Resolution No. 2021-326 (R-313445)

The "Be It Resolved" language has been corrected in Resolution 2021-326, which the City Council passed as Item #103-B on February 23, 2021. The corrected language was omitted from the original resolution in error and its inclusion will allow the City Staff to effectuate the intent of this action as described in the staff report presented to Council. The "Be It Resolved" language of this resolution will now read:

"BE IT RESOLVED, that the Chief Financial Officer, or their designee, is authorized to reduce the Capital Improvement Program budget and de-appropriate \$625,000 in Fund 200401, Habitat Acquisition Fund, from CIP AGE00001, Resource-Based Open Space Parks.

BE IT FURTHER RESOLVED, that the Chief Financial Officer, or their designee, is authorized to appropriate and expend \$600,000 from Fund 200401 (Habitat Acquisition Fund) for the acquisition of property within the MHPA in the East Elliott area for conservation, contingent upon the Chief Financial Officer furnishing a certificate certifying that funds necessary for expenditure are, or will be, on deposit with the City Treasurer."

NJB:myb

Doc. No.: 2626371

Attachment

I certify that the foregoing Resol meeting of02/23/2021	ution was passed by the Council of the City of San Diego, at this
	ELIZABETH S. MALAND City Clerk
	By/s/ Stacy D. Ready Deputy City Clerk
Approved: 2(25/21 (date)	GODD GLORID Mayor
Vetoed:(date)	TODD GLORIA Mayor

The City of San Diego COMPTROLLER'S CERTIFICATE

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Passed by the Council of The C	lity of San Dieg	go onF[EB 2 3 2021	_, by the following vote:
Councilmembers	Yeas	Nays	Not Present	Recused
Joe LaCava	\mathbb{Z}			
Jennifer Campbell				
Stephen Whitburn				
Monica Montgomery St	teppe 📝			
Marni von Wilpert	$ ot \!$			
Chris Cate	\mathbb{Z}_{\downarrow}			
Raul A. Campillo				
Vivian Moreno	\mathbf{Z}_{\prime}			
Sean Elo-Rivera	$ ot \hspace{-1em} \not \hspace{-1em} \not \hspace{-1em} $			
(Please note: When a resolu date the approved resolutio		ed to the Offi —	ce of the City Cle	erk.) D GLORIA
AUTHENTICATED BY:		Mayo	or of The City of S ELIZABETH S	an Diego, California.
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		ву	Sty Riae	, Deputy
		Office of the	e City Clerk, San D	Diego, California
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