

001489

**REQUEST FOR COUNCIL ACTION**  
 CITY OF SAN DIEGO

 1. CERTIFICATE NUMBER  
 (FOR AUDITOR'S USE) 126  
 11/18

TO: CITY ATTORNEY

 2. FROM (ORIGINATING DEPARTMENT):  
 Real Estate Assets Department

 3. DATE:  
 September 22, 2008

 4. SUBJECT:  
**MULTIPLE SPECIES CONSERVATION PROGRAM – PROPERTY ACQUISITION**

 5. PRIMARY CONTACT (NAME, PHONE, & MAIL STA.)  
 B. Lane MacKenzie, 236-6050, 51A

 6. SECONDARY CONTACT (NAME, PHONE & MAIL STA.)  
 David Sandoval, 236-5548, 51A

 7. CHECK BOX IF REPORT TO COUNCIL IS ATTACHED 
**8. COMPLETE FOR ACCOUNTING PURPOSES**

FUND	10571 RR	9. ADDITIONAL INFORMATION / ESTIMATED COST:	
DEPT.		CIP 37-443.0 Total Cost: \$ 15,911,050	
ORGANIZATION		Previously Authorized: \$ 14,261,050	
OBJECT ACCOUNT	9544	This Request: \$ 1,150,000	
JOB ORDER		<b>Other Information:</b>	
C.I.P. NUMBER	37-443.0	The total cost is inclusive of unidentified funding in the amount of \$500,000.	
AMOUNT	\$1,150,000.00	REA Job: 522541/Thomas Guide Page: 1230	

**10. ROUTING AND APPROVALS**

ROUTE (#)	APPROVING AUTHORITY	APPROVAL SIGNATURE	DATE SIGNED	ROUTE (#)	APPROVING AUTHORITY	APPROVAL SIGNATURE	DATE SIGNED
1	ORIGINATING DEPARTMENT	<i>A.F. Cunniff</i>	9/25/08	8	DEPUTY CHIEF	<i>VMH</i>	9/26/08
2	DSD/EAS	<i>Melissa Hudson</i>	10/1/08	9			
3	EOCP MEMO 5-3-96			10	CITY ATTORNEY	<i>[Signature]</i>	10/21/08
4	C.F.O./F.M.	<i>[Signature]</i>	10/7/08	11	ORIGINATING DEPARTMENT	<i>[Signature]</i>	10/21/08
5	C.F.O./AUDITOR	<i>[Signature]</i>	10/16/08		DOCKET COORD:	<i>[Signature]</i>	11/1/08
6	COUNCIL LIASON	<i>[Signature]</i>	10/14/08		COUNCIL PRESIDENT	<i>[Signature]</i>	
7	CPCVFF	<i>[Signature]</i>	10/14/08		<input type="checkbox"/> SPOB	<input checked="" type="checkbox"/> CONSENT	<input type="checkbox"/> ADOPTION
					<input type="checkbox"/> REFER TO:		COUNCIL DATE: 9/18/08

 11. PREPARATION OF:  RESOLUTION(S)  ORDINANCE(S)  AGREEMENT(S)  DEED(S)

1. Authorizing a \$1,150,000 increase in the Fiscal Year 2009 Capital Improvements Program Budget in CIP # 37-443.0, Multiple Species Conservation Program – Property Acquisition, in Fund #10571, Habitat Acquisition Fund, for the continued acquisition of property in the western portion of East Elliott; and appraisals in the Otay Mesa MSCP area.
2. Authorizing the Comptroller's Office to appropriate and expend an amount not to exceed, \$1,150,000.00 from CIP No. 37-4430, Multiple Species Conservation Program – Property Acquisition, in Fund #10571, Habitat Acquisition Fund, for the continued acquisition of property in the western portion of East Elliott; and appraisals in the Otay Mesa MSCP area and;
3. Authorizing the Comptroller's Office, upon advice from the administering department, to transfer excess funds, if any, to the appropriate reserves.

11A. STAFF RECOMMENDATIONS: APPROVE THE RESOLUTIONS

12. SPECIAL CONDITIONS (REFER TO A.R. 3.20 FOR INFORMATION ON COMPLETING THIS SECTION.)

COUNCIL DISTRICT: 7 (Madaffer) &amp; 8 (Hueso)

COMMUNITY AREA: EAST ELLIOT AND OTAY MESA

ENVIRONMENTAL IMPACT: This activity is exempt from CEQA Guidelines pursuant to Section 15313.

APPRAISAL: The most recent appraisal of property in the East Elliott area, by Peter Robertson, M.A.I., has property valued at \$35,000 per acre.

COMMENTS: To date the City has acquired 28 parcels totaling over 580 acres in the area. This action will authorize the Real Estate Assets Department to continue making offers to the remaining property owners in the area.

 CITY CLERK INSTRUCTIONS: **DO NOT RECORD.** Return documents to Real Estate Assets Department, Attention: B. Lane MacKenzie, M.S. 51A, for further handling.

001491

**EXECUTIVE SUMMARY SHEET**  
CITY OF SAN DIEGO

DATE ISSUED:  
ATTENTION:  
ORIGINATING DEPARTMENT: Real Estate Assets  
SUBJECT: Multiple Species Conservation Program – Acquisition  
COUNCIL DISTRICT(S): 7 & 8  
CONTACT/PHONE NUMBER: B. Lane MacKenzie – X66050

REQUESTED ACTION: Council adoption of the resolutions increasing the FY 2009 CIP Budget in CIP No. 37-443.0, Multiple Species Conservation Program – Acquisition, and authorizing the appropriation and expenditures of funds.

STAFF RECOMMENDATION: Approve the resolutions

EXECUTIVE SUMMARY: The City has an on going acquisition program within the East Elliott area, where they have acquired over 580 acres to date.

FISCAL CONSIDERATIONS: Funding in the amount of \$1,150,000 is available in Fund 10571, Habitat Acquisition Fund, for these actions.

PREVIOUS COUNCIL and/or COMMITTEE ACTION: By previous resolutions, R- 297751 dated 3/24/03, R-398808 dated 1/26/04, R-302323 dated 2/14/07, Council has approved a continuous acquisition program within the East Elliott area.

COMMUNITY PARTICIPATION AND PUBLIC OUTREACH EFFORTS: N/A

KEY STAKEHOLDERS AND PROJECTED IMPACTS: Park & Recreation expansion of its East Elliott ownership.



James F. Barwick, CCIM  
Director, Real Estate Assets



William Anderson, FAICP  
Deputy Chief/Chief Operating Officer  
City Planning and Development

001493

The City of San Diego  
CERTIFICATE OF CITY AUDITOR AND COMPTROLLER

CERTIFICATE OF UNALLOTTED BALANCE

AC 2900288  
ORIGINATING DEPT. NO.: 446

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: \$1,150,000.00 Fund: 10571

Purpose: Authorizing the appropriation and expenditure for Multiple Species Conservation Program-Property Acquisition, in Fund #10571, Habitat Acquisition Fund, for the continued acquisition of property in the western portion of East Elliott; and appraisals in the Otay Mesa MSCP area. CIP 37-443.0

Date: October 9, 2008 By: James Long  
AUDITOR AND COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA										
ACCTG. LINE	CY PY	FUND	DEPT	ORG.	ACCOUNT	JOB ORDER	OPERATION ACCOUNT	BENF/ EQUIP	FACILITY	AMOUNT
001	0	10571			9544					\$1,150,000.00
TOTAL AMOUNT										\$1,150,000.00

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: \_\_\_\_\_

Vendor: \_\_\_\_\_

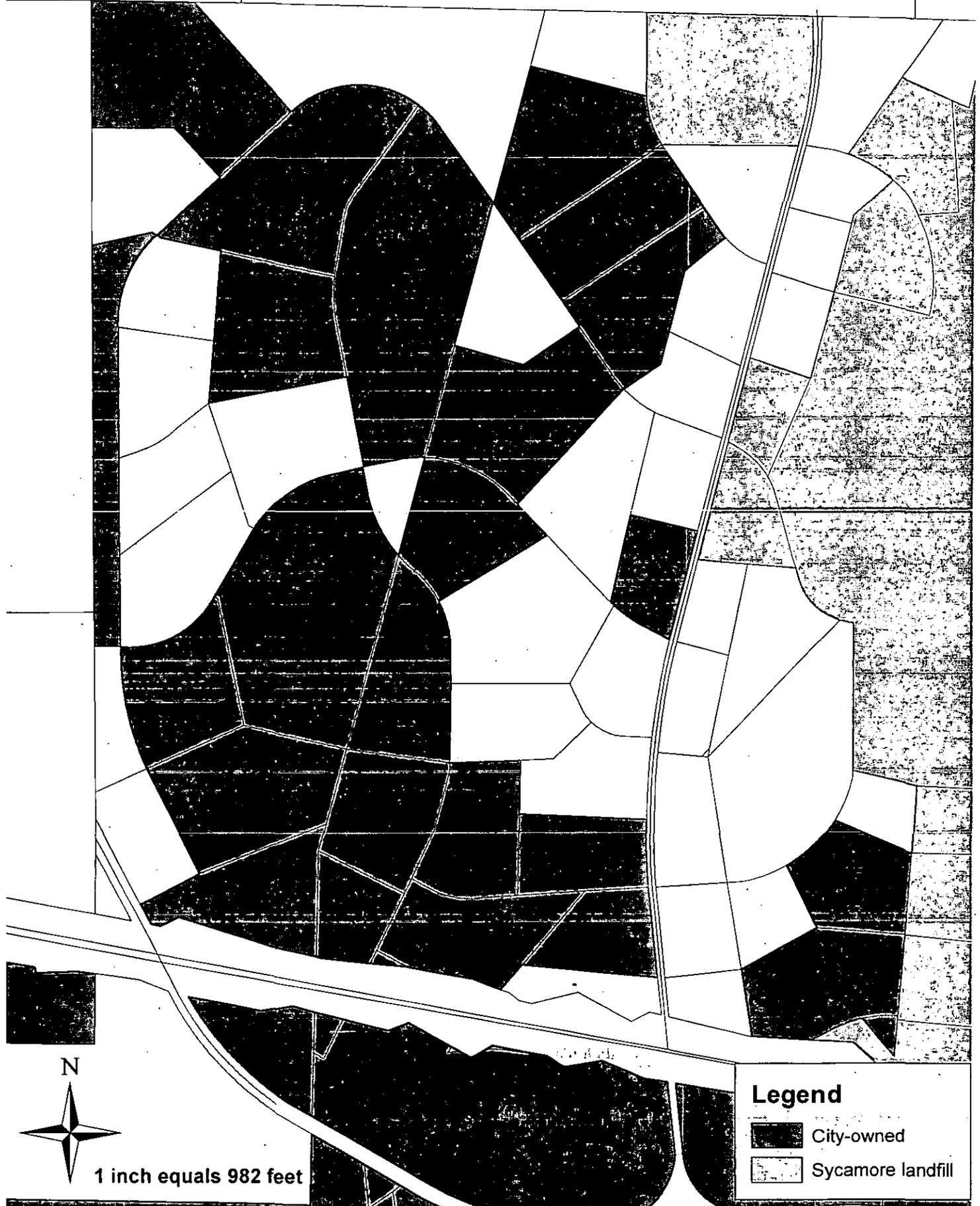
Purpose: \_\_\_\_\_

Date: \_\_\_\_\_ By: \_\_\_\_\_  
AUDITOR AND COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA										
ACCTG. LINE	CY PY	FUND	DEPT	ORG.	ACCOUNT	JOB ORDER	OPERATION ACCOUNT	BENF/ EQUIP	FACILITY	AMOUNT
TOTAL AMOUNT										

001495

# EAST ELLIOTT



### Legend

-  City-owned
-  Sycamore landfill

N



1 inch equals 982 feet

001497

**City Planning and Community Investment**

Facilities - Eng

Multiple Species Conservation Program - Property Acquisition 37-443.0

Council District: Citywide

Community Plan: Citywide

**Description:** This project provides for acquiring property in support of the Multiple Species Conservation Program (MSCP).

**Justification:** The Multiple Species Conservation Program Implementing Agreement, Section 10(a); Take Authorization of the Endangered Species Act, mandates a statutory responsibility on the part of the City to assemble the MSCP preserve. This responsibility includes public land acquisition to be used for wildlife habitat.

**Operating Budget Effect:** None.

**Relationship to General and Community Plans:** This project is consistent with applicable community plans and is in conformance with the City's Progress Guide and General Plan.

**Scheduling:** Land acquisition began in Fiscal Year 2000 and will continue as funding becomes available until Fiscal Year 2047. The total project cost has been updated to reflect the funding for the properties acquired and for future property acquisitions pursuant to the MSCP implementation agreement established by Council Resolution R-28455 on March 19, 1997.

**Summary of Project Changes:** The total estimated project cost increased by \$12.6 million. This project has been extended to Fiscal Year 2018 per Council Resolution R-28455.

Expenditures by Revenue Source								
Revenue Source/Tag	Fund	Exp/Enc	Con Appn	FY2009	FY2010	FY2011	FY2012	FY2013
CAPOUT	030245	26,000						
DEV HB	010571	4,452,642	77,358					
STATE EW	038331	5,000,000						
STATE ME	038330	2,985,050						
STATE WC	038332	1,720,000						
Unidentified Funding	999999				500,000			
<b>Total</b>		<b>14,183,692</b>	<b>77,358</b>		<b>500,000</b>			
Work Codes		L	L		L			

Revenue Source/Tag	Fund	FY2014	FY2015	FY2016	FY2017	FY2018	FY2019	Total
CAPOUT	030245							26,000
DEV HB	010571							4,530,000
STATE EW	038331							5,000,000
STATE ME	038330							2,985,050
STATE WC	038332							1,720,000
Unidentified Funding	999999							500,000
<b>Total</b>								<b>14,761,050</b>
Work Codes								

Contact: Jeanne Krosch

E-Mail: jkrosch@sandiego.gov

Phone: 619-236-6545

RESOLUTION NUMBER R-\_\_\_\_\_

DATE OF FINAL PASSAGE \_\_\_\_\_

A RESOLUTION AUTHORIZING THE MAYOR, OR HIS  
DESIGNEE, TO INCREASE THE FISCAL YEAR 2009  
CAPITAL IMPROVEMENTS PROGRAM BUDGET IN CIP NO.  
37-443.0, MULTIPLE SPECIES CONSERVATION PROGRAM  
- PROPERTY ACQUISITION.

WHEREAS, The City of San Diego [City] has an on-going acquisition program within  
the East Elliott area where they have acquired over 580 acres to date; and

WHEREAS, by previous resolutions, R-297751 dated 3/24/03, R-398808 dated 1/26/04,  
and R-302323 dated 2/14/07, the San Diego City Council [Council] has approved a continuous  
acquisition program within the East Elliott area; and

WHEREAS, funding in the amount of \$1,150,000 is available in Fund 10571, Habitat  
Acquisition Fund for these actions; and

WHEREAS, the most recent appraisal of property in the East Elliott area, by Peter  
Robertson, M.A.I., has property valued at \$35,000 per acre; and

WHEREAS, Council approval is required to authorize an increase in the Fiscal Year  
2009 budget for the continued acquisition and appraising of property in the western portion of  
East Elliott; NOW THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, that the Mayor, or his  
designee, is authorized to increase by \$1,150,000 in the Fiscal Year 2009 Capital Improvements  
Program Budget in CIP No. 37-443.0, Multiple Species Conservation Program - Property  
Acquisition, in Fund No. 10571, Habitat Acquisition Fund, for the continued acquisition of  
property in the western portion of East Elliott.

BE IT FURTHER RESOLVED, that the City Comptroller is authorized to, upon advice from the administering department to transfer funds, if any, to the appropriate reserves.

BE IT FURTHER RESOLVED, that the City Comptroller is authorized to appropriate and expend an amount not to exceed \$1,150,000 from CIP No. 37-443.0, Multiple Species Conservation Program – Property Acquisition, in Fund No. 10571, Habitat Acquisition Fund, for the continued acquisition of property in the western portion of East Elliott and the contracting of appraisal work in the Otay Mesa MSCP area.

APPROVED: MICHAEL J. AGUIRRE, City Attorney

By Todd Bradley  
Todd Bradley  
Deputy City Attorney

TB:bas  
10/21/08  
Or.Dept: READ  
R-2009-503  
MMS #6920

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of \_\_\_\_\_.

ELIZABETH S. MALAND  
City Clerk

By \_\_\_\_\_  
Deputy City Clerk

Approved: \_\_\_\_\_  
(date)

\_\_\_\_\_  
JERRY SANDERS, Mayor

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

\_\_\_\_\_  
JERRY SANDERS, Mayor