

#116 b
03/08/2022

(R-2022-328)

RESOLUTION NUMBER R- 313973

DATE OF FINAL PASSAGE MAR 22 2022

A RESOLUTION OF THE COUNCIL OF THE CITY OF
SAN DIEGO AUTHORIZING THE TRANSFER AND
EXPENDITURE OF \$773,500 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, previous HAF funds were appropriated for two East Elliot properties no longer available for acquisition; therefore, funds would be redirected for conservation of the subject property; and

WHEREAS, the proposed action would utilize an amount not to exceed \$773,500 from the Habitat Acquisition Fund (HAF) to acquire approximately 25.00 acres for MHPA/open space in the East Elliott area; and

WHEREAS, the HAF was adopted on February 12, 1990 (R-275129) "for acquisition, maintenance, and administrative costs associated with the establishment of biological habitat preserves." Monies are deposited in the HAF from development projects where the area of a project's impact is small and mitigation on an individual project level would be onerous and not result in significant habitat acquisitions. Monies are accrued by the City 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; NOW, THEREFORE,

BE IT RESOLVED, that the Chief Financial Officer or their designee is authorized to de-appropriate \$276,804.98 in Fund 200401, Habitat Acquisition Fund (HAF), from Program 30005832 and \$292,968.82 in Fund 200401, Habitat Acquisition Fund, from Program Number 30005831, and appropriate \$23,500 from Internal Order Number 13001882 – HAF Administrative and \$180,226.20 from Internal Order Number 13001881 – HAF Acquisition

BE IT FURTHER RESOLVED, that the Chief Financial Officer or their designee is authorized to appropriate and expend \$773,500 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 /s/ Noah J. Brazier
Noah J. Brazier
Deputy City Attorney

NJB:nja
02/22/2022
Or. Dept: Planning
Doc. No.: 2855655

I certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of MAR 08 2022.

ELIZABETH S. MALAND
City Clerk

By Connie Patterson
Deputy City Clerk

Approved: 3/22/22
(date)

Todd Gloria
TODD GLORIA, Mayor

Vetoed: _____
(date)

TODD GLORIA, Mayor

Passed by the Council of The City of San Diego on MAR 08 2022, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Joe LaCava	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jennifer Campbell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Stephen Whitburn	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Monica Montgomery Steppe	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marni von Wilpert	<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"/>
Raul A. Campillo	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Vivian Moreno	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sean Elo-Rivera	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage MAR 22 2022.

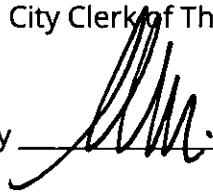
(Please note: When a resolution is approved by the Mayor, the date of final passage is the date the approved resolution was returned to the Office of the City Clerk.)

AUTHENTICATED BY:

TODD GLORIA
Mayor of The City of San Diego, California.

(Seal)

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

By , Deputy
for Connie Patterson

Office of the City Clerk, San Diego, California
Resolution Number R- <u>313973</u>