

City of Brisbane

Agenda Report

TO: Honorable Mayor and City Council

FROM: Lisa Pontecorvo via Stuart Schillinger, Administrative Services Director

DATE: Meeting of June 27, 2011

SUBJECT: Update of Open Space Fund and Resolution 99-1

PURPOSE:

The purpose of Resolution 2011- 22 is to replace Resolution 99-1 with a more sustainable policy to support open space acquisition and management.

RECOMMENDATION:

Rescind Resolution 99-1 and Adopt Resolution 2011- 22

BACKGROUND:

The Open Space Fund was established by the City Council in the 1997-98 fiscal year with a \$50,000 allocation from the General Fund. Resolution No. 99-1 adopted a policy of funding for open space acquisition and management through annual contributions to the Open Space Fund that increase the \$50,000 initial allocation by 10% each succeeding year.

The City has acquired about two-thirds of the parcels in the Brisbane Acres that were identified as priority preservation areas in the 2001 Open Space Plan. The Open Space Fund has been used to fund these land acquisitions in the Acres and to provide matching funds for acquisition grants. Over the past decade, the City has received over \$1 million in state and federal matching grants. The Open Space Fund is also used to support the annual vegetation management program to maintain the habitat value of City-owned open space.

The Open Space Fund is also currently repaying a debt to the General Fund for two loans of \$490,000 and \$250,000 that were made to acquire critical properties at a time when there was not a sufficient balance in the Open Space Fund to purchase the properties.

At the May 3, 2010 City Council meeting, former Councilmember Clarke Conway asked the Council to consider modification of the formula for the annual contribution from the General Fund to the Open Space Fund. He indicated that the 10% automatic increase in the funding formula was unsustainable, especially in light of the City's fiscal situation. A 10% annual growth rate would result in doubling of the amount every seven years. The current contribution would be over \$150,000.

Councilmember Conway attended a meeting of the Open Space and Ecology Committee to discuss his concerns. Staff prepared a report outlining the status of the Open Space Fund, the progress that has been made toward meeting the goals of the Open Space Plan, potential future land acquisition scenarios, and how the City's commitment to support these efforts might be restructured.

DISCUSSION:

The Open Space and Ecology Committee recognizes that the City Council is committed to acquiring and maintaining high quality open space, and that Resolution 99-1 established 12 years ago to support this commitment is now obsolete. The Committee therefore recommends that the City Council rescind Resolution 99-1 and replace it with Resolution 2011- 22.

The attached updated resolution reiterates the General Plan commitment to the value of open space, and reaffirms the Council's commitment to acquiring and preserving open space consistent with the Open Space Plan (approved by City Council on August 27, 2001). The Open Space and Ecology Committee anticipates reviewing the Open Space Plan from time to time and making recommendations for modifications as necessary to adapt to changing circumstances.

FISCAL IMPACT/FINANCING ISSUES

The proposed resolution recommends closing the Open Space Fund (fund 230) while maintaining a separate budget for the Open Space and Ecology Department (0300). This change would eliminate the Open Space Fund and transfer the balance of its assets (\$155,343) and its liabilities (\$402,332) back to the General Fund.

The updated resolution establishes the City Council's willingness to use General Fund reserves to purchase critical open space lands when necessary, and institutionalizes a budget of approximately \$30,000 each fiscal year for habitat maintenance and protection of City-owned open space.

It also encourages the Open Space and Ecology Committee and staff to seek out creative strategies beyond the City's budget to acquire open space parcels, such as grants, developer contributions, and transfer of development rights (the density transfer program).

MEASURE OF SUCCESS

The City continues to support acquisition of valuable open space and to protect native habitat through ongoing maintenance programs.



Management Analyst



City Manager

ATTACHMENTS:

1. Resolution 2011- 22

RESOLUTION NO. 2011- 22

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRISBANE TO RESCIND RESOLUTION 99-1 AND TO REAFFIRM THE CITY COUNCIL'S COMMITMENT TO ACQUISITION AND PROTECTION OF OPEN SPACE

WHEREAS, the General Plan establishes a commitment to the value of open space; and

WHEREAS, the City Council reaffirms its commitment to the acquisition and preservation of open space consistent with the Open Space Plan; and

WHEREAS, the Open Space Plan anticipates regular review by the Open Space and Ecology Committee to make recommendations for modifications as changing circumstances warrant; and

WHEREAS, the Open Space and Ecology Committee and staff are encouraged to seek strategies beyond the City's budget to acquire open space, including grants, developer contributions, and density transfers; and

WHEREAS, Resolution 1991-1 is obsolete and unsustainable because it establishes an escalating funding formula based on an annual 10% increase over the prior year's appropriation;

NOW, THEREFORE, BE IT RESOLVED that Resolution 1999-1 be rescinded and replaced with Resolution 2011- 22. Adoption of this resolution establishes that a separate budget department called the Open Space and Ecology Department (0300) will be maintained to demonstrate the City's commitment to open space protection. The assets and liabilities of the Open Space Fund (230) will revert to the General Fund.

BE IT FURTHER RESOLVED, that the City Council affirms its willingness to consider expenditures of General Fund reserves for the purchase of critical open space lands, and to budget for habitat maintenance and protection of City-owned open space.

Cyril G. Bologoff, Mayor

I hereby certify that the foregoing Resolution 2011- 22 was duly and regularly adopted at a regular meeting of the Brisbane City Council on June 27, 2011 by the following vote:

AYES:
NOES:
ABSENT:

Sheri Marie Spediacci, City Clerk