



**OFFICE OF MAYOR JERRY SANDERS
CITY OF SAN DIEGO**

MEMORANDUM

DATE : May 20, 2009

TO : Council President Hueso & Honorable Members of the
San Diego City Council

FROM : Mayor Jerry Sanders *[Signature]*
Councilmember Kevin Faulconer *[Signature]*
Councilmember Donna Frye *[Signature]*

SUBJECT : Establishment of Mission Bay Park Improvement Fund Oversight
Committee and San Diego Regional Parks Improvement Fund Oversight
Committee/Designate Mission Bay Park Committee & Park and
Recreation Board/Prescribe qualifications of Future Appointees

The City Council is required to pass an ordinance to establish the Mission Bay Park Improvement Fund Oversight Committee and the San Diego Regional Parks Improvement Fund Oversight Committee by designating the Mission Bay Park Committee and Park and Recreation Board to fulfill the role of the oversight committees, and prescribe qualifications for future appointees to perform effective oversight.

On July 28, 2008, City Council passed Ordinance Number 0-19776 to submit Proposition C to qualified voters of San Diego. With the passage of Proposition C on November 4, 2008, the Mission Bay Park Improvement Fund and the San Diego Regional Parks Improvement Fund were established to receive and spend Mission Bay lease revenues for the benefit for Mission Bay Park and San Diego regional parks. The Ordinance also provided for the establishment of the Mission Bay Park Improvement Fund Oversight Committee and the San Diego Regional Parks Improvement Fund Oversight Committee. The Ordinance also specified that prior to the effective date of Proposition C which is July 1, 2009, the City Council shall by ordinance designate the Mission Bay Park Committee to fulfill the role of the Mission Bay Park Improvement Fund Oversight Committee, and the Park & Recreation Board shall fulfill the role of the San Diego Regional Parks Improvement Fund Oversight Committee, and shall prescribe specific qualifications for future appointees to ensure that members possess the expertise necessary to perform effective oversight.

In determining the appropriate means to establish the committees and carry out the oversight roles and responsibilities intended with Proposition C, we worked

collaboratively with the Mayor's Office, Councilmembers Donna Frye and Kevin Faulconer and their offices, and the Park & Recreation department. As specified in Proposition C, the Council by ordinance shall designate the Mission Bay Park Committee to fulfill the role of the Mission Bay Park Improvement Fund Oversight Committee, and the Park and Recreation Board to fulfill the role of the San Diego Regional Parks Improvement Fund Oversight Committee.

Pursuant to the Ordinance and passage of Proposition C, Section 55.2 was added to the San Diego City Charter, and the following amendments are now proposed for Chapter 2, Article 6 of the San Diego Municipal Code to fulfill the requirement to "prescribe specific qualifications for future appointees to ensure that members possess the expertise necessary to perform effective oversight":

Section 26.30 (b) Park and Recreation Board

"The Park and Recreation Board shall also fulfill the role for the San Diego Regional Parks Improvement Fund Oversight Committee as described in Charter Section 55.2. Each of the members of the Park and Recreation Board shall possess expertise in one or more of the following areas: auditing, finance or municipal finance, general business, planning, biology or environmental science, resource management, construction management, or recreation management."

Section 26.30 (g) Mission Bay Park Committee

"The Mission Bay Park Committee shall also fulfill the role for the Mission Bay Park Improvement Fund Oversight Committee as described in Charter Section 55.2. Each of the members of the Mission Bay Park Committee shall possess expertise in one or more of the following areas: auditing, finance or municipal finance, general business, planning, biology or environmental science, resource management, construction management, or recreation management."

In addition, the composition of the Mission Bay Park Committee is to be restructured to more efficiently and properly support and reflect its new oversight role and responsibilities. The following changes to the Mission Bay Park Committee composition and/or amendments are proposed:

"The Mission Bay Park Committee shall consist of eleven members who shall serve without compensation. The members shall be appointed by the Mayor and confirmed by the City Council subject to the following conditions:

The Mayor shall appoint three At-Large members.

The Mayor shall appoint three members from nominees submitted by the Councilmember representing Council District 2.

The Mayor shall appoint three members from nominees submitted by the Councilmember representing Council District 6.

The Mayor shall appoint one Mission Bay lessee who shall represent a hotel in the Park.

The Mayor shall appoint one Mission Bay lessee who shall represent a lessee in the Park other than a hotel.

During July of each year, the Mayor may designate one member as Chairperson, however in the absence of such designation, the Committee shall on or after August 15, select a Chairperson from among its members.”

In addition, in light of the new role and financial oversight responsibility for the Mission Bay Park Committee and Park & Recreation Board, members will be required to file Statement of Economic Interest forms, and Conflict of Interest Codes will need to be in place to specify disclosure requirements. At this time, Park & Recreation Board members are already required to file a Statement of Economic Interest, however, the Board’s Conflict of Interest Code may need to be amended to reflect the new financial oversight role of the Board. With regard to the Mission Bay Park Committee, the filing of a Statement of Economic Interest form will be a new requirement for its members and a Conflict of Interest Code will be developed to specify disclosure requirements.

In summary, Council must pass an ordinance prior to July 1, 2009 to: designate the Mission Bay Park Committee to fulfill the role of the Mission Bay Park Improvement Fund Oversight Committee, and the Park and Recreation Board to fulfill the role of the San Diego Regional Parks Improvement Fund Committee; and prescribe qualifications for future appointees to ensure that committee members possess the requisite ability to perform effective oversight. The current schedule is to bring this item as an Information Item to the Natural Resources and Culture Committee on May 27, 2009, and the item will be docketed for City Council consideration in June 2009.

We appreciate your support in carrying out the intent and requirements of Proposition C through the establishment of these committees and oversight responsibilities. These committees will play a vital role in overseeing funds specified for capital improvement projects that will protect and maintain Mission Bay Park and San Diego regional parks for the benefit of San Diego citizens.

JS:lg

cc: City Attorney Jan Goldsmith
City Clerk Elizabeth Maland