THE CITY OF SAN DIEGO

REPORT TO THE CITY COUNCIL

DATE ISSUED: June 20, 2006 REPORT NO.: 06-077

ATTENTION: Council President and City Council
Docket of June 27, 2006

SUBJECT: Agreement with the Bird Rock Development Corporation for the Administration of Contracts for Goods and Services in the Bird Rock Maintenance Assessment District

REQUESTED ACTION:

This City Council action is to authorize the Bird Rock Development Corporation to administer the contracts for goods and services in support of the Bird Rock Maintenance Assessment District. This request is community driven.

STAFF RECOMMENDATION:

Authorize the Bird Rock Development Corporation to administer the contracts for goods and services in support of the Bird Rock Maintenance Assessment District.

SUMMARY:

The Maintenance Assessment District Ordinance, San Diego Municipal Code Section 65.0212 paragraph (b)(2), authorizes the City Council to approve a one-year Agreement with non-profit corporations to administer the Contracts for Goods and Contracts for Services in Maintenance Assessment Districts, if the required percentage of property owners have requested it. On August 2, 2005, the majority property owners in the Bird Rock Maintenance Assessment District (District) requested that their contracts be administered by the "Bird Rock Development Corporation" (Corporation). The Corporation, doing business as "Bird Rock Community Council," wishes to enter into this Agreement with the City of San Diego from March 1, 2006 to June 30, 2006.

This action will authorize the City Manager to sign and execute the Agreement between the City and the Corporation for a period of four months beginning on March 1, 2006, and ending on June 30, 2006, with the following provisions:

1. The Corporation will administer Contracts for Goods and Contracts for Service and prepare financial statements for the District as provided for in the Maintenance Assessment District Ordinance, Landscape and Lighting Act of 1972, and as set

forth in the Assessment Engineer's Report dated June 2005 for the Bird Rock Maintenance Assessment District.

2. The Corporation will perform all duties as set forth in the Agreement under Article I ("Scope of Services") Section B ("Specific Requirements"). The Corporation will be reimbursed for these services within fifteen (15) working days from receipt of properly prepared reimbursement requests.

3. The Corporation will be compensated for administration in an amount not to exceed 15% of the approved assessments, or $2,062 per month.

FISCAL CONSIDERATIONS:

Funds are available in the Bird Rock Maintenance Assessment District (Fund 70281) to reimburse the Corporation for maintenance services. The total approved annual assessments for Bird Rock MAD in Fiscal Year 2006 is $165,007. Under the terms of the agreement, the City will be reimbursed $833 per month for administrative services from Fund 70281.

PREVIOUS COUNCIL and/or COMMITTEE ACTION:

The Bird Rock Maintenance Assessment District was approved by affected property owners and was approved by City Council Resolution R-300746 on August 2, 2005.

COMMUNITY PARTICIPATION AND PUBLIC OUTREACH EFFORTS:

An advisory committee consisting of property owners within the district is in favor of the Bird Rock Development Corporation administering the contracts for goods and services. On August 2, 2005, voters approved the Bird Rock Development Corporation administering the contracts for goods and services.

KEY STAKEHOLDERS & PROJECTED IMPACTS (if applicable):

Key stakeholders in this area include all property owners within the boundaries of the Bird Rock Maintenance Assessment District and the Bird Rock Development Corporation (doing business as the Bird Rock Community Council).

Ted Medina
Park and Recreation Department Director

Ted Martinez, Jr.
Deputy Chief, Neighborhood Services and Customer Service