

**March 16, 2016**

**STATEMENT OF PROCEEDINGS**

*The Minutes of the*

***FLOOD CONTROL DISTRICT  
REGULAR MEETING***

**COUNTY OF SAN DIEGO**

STATEMENT OF PROCEEDINGS  
SAN DIEGO COUNTY FLOOD CONTROL DISTRICT  
REGULAR MEETING  
MEETING AGENDA  
**WEDNESDAY, MARCH 16, 2016, 9:00 A.M.**  
BOARD OF SUPERVISORS NORTH CHAMBER  
1600 PACIFIC HIGHWAY, ROOM 310, SAN DIEGO, CALIFORNIA

MORNING SESSION: Called to order at 9:04 a.m.

PRESENT: Directors Dianne Jacob, Vice Chairwoman; Greg Cox; Dave Roberts; Bill Horn; also, David Hall, Clerk of the Board.

ABSENT: Director Ron Roberts, Chairman.

Approval of Statement of Proceedings/Minutes for the meeting of March 2, 2016.

**ACTION:**

ON MOTION of Director Horn, seconded by Director Cox, the Board of Directors of the San Diego County Flood Control District Board approved the Statement of Proceedings/Minutes for the meeting of March 2, 2016, on Consent.

AYES: Cox, Jacob, D. Roberts, Horn

ABSENT: R. Roberts

**NOTICE:** THE BOARD OF SUPERVISORS MAY TAKE ANY ACTION WITH RESPECT TO THE ITEMS INCLUDED ON THIS AGENDA. RECOMMENDATIONS MADE BY COUNTY STAFF DO NOT LIMIT ACTIONS THAT THE BOARD OF SUPERVISORS MAY TAKE. MEMBERS OF THE PUBLIC SHOULD NOT RELY UPON THE RECOMMENDATIONS IN THE BOARD LETTER AS DETERMINATIVE OF THE ACTION THE BOARD OF SUPERVISORS MAY TAKE ON A PARTICULAR MATTER.

**Flood Agenda Items**

**Agenda #    Subject**

1.            ADMINISTRATIVE ITEM:  
              SECOND CONSIDERATION AND ADOPTION OF ORDINANCE: IMPACT FEE DEFERRAL PROGRAM PERMANENT EXTENSION (3/2/2016 – FIRST READING; 3/16/2016 – SECOND READING)

(RELATES TO BOARD OF SUPERVISORS AGENDA NO. 6 AND SANITATION DISTRICT AGENDA NO. SA3)

**FL1. SUBJECT: ADMINISTRATIVE ITEM:  
SECOND CONSIDERATION AND ADOPTION OF  
ORDINANCE: IMPACT FEE DEFERRAL PROGRAM  
PERMANENT EXTENSION (3/2/2016 – FIRST READING;  
3/16/2016 – SECOND READING) (DISTRICTS: ALL)**

**OVERVIEW:**

On March 2, 2016 (FL1), the Board introduced the Ordinance for further consideration and adoption on March 16, 2016.

In 2008, the State of California approved Assembly Bill 2604, which allows local governments to defer impact fees for land development projects as opposed to collecting the fees when the building permit is issued. The intent of the legislation was to promote economic stimulus by deferring the payment and collection of impact fees.

On December 10, 2008 (14), the Board of Supervisors (Board) directed the Chief Administrative Officer to draft ordinance amendments to defer impact fees for residential tracts and commercial building permits until final inspection or certificate of occupancy. The Board directed that the impact fee deferrals include Transportation Impact Fee (TIF), Park Lands Dedication Ordinance (PLDO) Fee, drainage fees, sanitation district fees, sewer fees, as well as a sunset date for the deferral program. On March 4, 2009 (2), the Board adopted the Impact Fee Deferral Program, which included ordinance amendments to authorize a two-year deferral of certain impact fees in accordance with Assembly Bill 2604. On July 13, 2011 (7), December 4, 2013 (4), and December 16, 2015 (1) the Board authorized three separate two-year extensions of the Impact Fee Deferral Program. On December 16, 2015 (1), the Board also directed staff to return with a permanent Impact Fee Deferral Program extension.

Today's request is that the Board authorize making the Impact Fee Deferral Program permanent.

**FISCAL IMPACT:**

If approved, the Ordinances will result in the permanent extension for deferral of applicant payment and County collection of the Transportation Impact Fee (TIF), Park Lands Dedication Ordinance Fee, drainage fees, sewer, and sanitation district fees. This deferral will result in a loss of revenue that would otherwise be generated by interest on the fees if they were collected earlier in the process. The previously adopted administration fee of \$170 ensures full cost recovery for additional staff time to administer the program, will remain unchanged. This administration fee will be charged for each commercial permit issued and for each grouped phase of homes for tract developments. Administration of the program will be accomplished with existing staff. Based on data from April 2009 – January 2016, customers were able to defer approximately \$5.7 million in impact fees, with an average deferral period of 138 days. There will be no change in net General Fund cost and no additional staff years.

**BUSINESS IMPACT STATEMENT:**

Under Assembly Bill 2604, the proposed Impact Fee Deferral Program is designed to provide an economic stimulus for the region through the deferral of payment and collection of impact fees. The Building Industry Association (BIA) supports the extension of the impact fee deferral concept as a means to continue to stimulate development, job growth and the local economy.

**RECOMMENDATION:**

**CHIEF ADMINISTRATIVE OFFICER**

Acting as Board of Directors of the San Diego County Flood Control District:  
Consider and adopt the Ordinance (second reading):

**AN ORDINANCE AMENDING FLOOD CONTROL DISTRICT ORDINANCE NUMBERS 6 AND 7 TO DEFER THE PAYMENT OF SPECIAL DRAINAGE AREA FEES**

(Relates to Board of Supervisors Agenda No. 6 and Sanitation District Agenda No. SA3)

**ACTION:**

ON MOTION of Director Horn, seconded by Director Cox, the Board of Directors of the San Diego County Flood Control District took action as recommended, on Consent, adopting Ordinance No. 10421 (N.S.), entitled: AN ORDINANCE AMENDING FLOOD CONTROL DISTRICT ORDINANCE NUMBERS 6 AND 7 TO DEFER THE PAYMENT OF SPECIAL DRAINAGE AREA FEES.

AYES: Cox, Jacob, D. Roberts, Horn

ABSENT: R. Roberts

There being no further business, the Board of Directors of the San Diego County Flood Control District adjourned at 11:37 a.m.

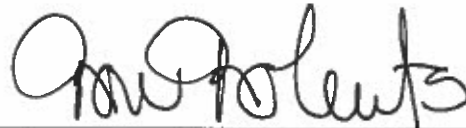
**DAVID HALL**

Clerk of the Board of Directors of the  
San Diego County Flood Control District

Notes: Miller

NOTE: This Statement of Proceedings sets forth all actions taken by the San Diego County Flood Control District on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Directors, on Tuesday, May 3, 2016.



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RON ROBERTS  
Chairman

Attest:



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DAVID HALL  
Clerk of the Board