

June 20, 2018

STATEMENT OF PROCEEDINGS

The Minutes of the

***BOARD OF SUPERVISORS
REGULAR MEETING
PLANNING AND LAND USE MATTERS***

COUNTY OF SAN DIEGO

STATEMENT OF PROCEEDINGS
COUNTY OF SAN DIEGO BOARD OF SUPERVISORS
REGULAR MEETING
MEETING AGENDA
WEDNESDAY, JUNE 20, 2018, 9:00 AM
BOARD OF SUPERVISORS NORTH CHAMBER
1600 PACIFIC HIGHWAY, SAN DIEGO, CALIFORNIA

Order of Business

A. REGULAR SESSION: Meeting was called to order at 9:00 a.m.

PRESENT: Supervisors Kristin Gaspar, Chairwoman; Dianne Jacob, Vice-Chairwoman; Greg Cox; Ron Roberts; Bill Horn; also, Andrew Potter, Assistant Clerk of the Board of Supervisors.

B. Closed Session Report

C. Public Communication: Opportunity for members of the public to speak to the Board on any subject matter within the Board's jurisdiction but not an item on today's agenda.

D. Approval of the Statement of Proceedings/Minutes for the meetings of May 9, 2018 and May 16, 2018.

ACTION:

ON MOTION of Supervisor Cox, seconded by Supervisor Jacob, the Board of Supervisors approved the Statement of Proceedings/Minutes for the meetings of May 9, 2018 and May 16, 2018.

AYES: Cox, Jacob, Gaspar, Roberts, Horn

E. Formation of Consent Calendar

F. Discussion Items

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.

Board of Supervisors' Agenda Items

Agenda #	Subject
1.	CONTINUED NOTICED PUBLIC HEARING: SRINGERI VIDYA BHARATI FOUNDATION (SVBF) TEMPLE MAJOR USE PERMIT

2. ADMINISTRATIVE ITEM:
SECOND CONSIDERATION AND ADOPTION OF ORDINANCE:
TRAFFIC ADVISORY COMMITTEE (05/16/18 - ADOPT
RECOMMENDATIONS; 06/20/18 - SECOND READING OF AN
ORDINANCE)
3. NOTICED PUBLIC HEARING:
PUBLIC HEARING AND CONFIRMATION OF LEVIES FOR
MOSQUITO, VECTOR, AND DISEASE CONTROL BENEFIT
ASSESSMENT AND MOSQUITO ABATEMENT AND VECTOR
CONTROL SERVICE CHARGE FOR FISCAL YEAR 2018-19
[FUNDING SOURCES: MOSQUITO, VECTOR AND DISEASE
CONTROL BENEFIT ASSESSMENT, MOSQUITO ABATEMENT
AND VECTOR CONTROL SERVICE CHARGE, VECTOR CONTROL
DISTRICT TRUST FUND FUND BALANCE, AND INCOME FROM
INTEREST AND OTHER SERVICE CONTRACTS]
4. ADOPT AN ADDENDUM TO THE SWEETWATER REGIONAL
PARK ENVIRONMENTAL IMPACT REPORT, ESTABLISH AN
ALL-WAY STOP AT SAN MIGUEL ROAD AND PROCTOR VALLEY
ROAD, AND AUTHORIZE THE ADVERTISEMENT AND AWARD OF
A CONSTRUCTION CONTRACT FOR THE SOUTH COUNTY
BICYCLE SKILLS COURSE
[FUNDING SOURCES: AVAILABLE PRIOR YEAR GENERAL FUND
FUND BALANCE, AND AVAILABLE REVENUE IN THE PARKS AND
RECREATION TRUST FUND RESULTING FROM THE REMAINING
BALANCES FROM THE SALE OF PROPERTY AT SWEETWATER
REGIONAL PARK, AND THE TITLE III FOREST RESERVE FUNDS]
5. GILLESPIE FIELD - NEW INDUSTRIAL LEASE WITH GRAPHIC
BUSINESS SOLUTIONS, INC. AND TWO NEW INDUSTRIAL
LEASES WITH KENNETH A. HAMILTON AND ELAINE M.
HAMILTON
[FUNDING SOURCE: ONE-TIME EQUITY PAYMENTS FROM
LESSEES UNDER THE TERMS OF THE NEW LEASES]
(4 VOTES)
6. CLOSED SESSION (CARRYOVER FROM 06/19/18 AGENDA NO. 24)
7. PUBLIC COMMUNICATION

**1. SUBJECT: CONTINUED NOTICED PUBLIC HEARING:
SRINGERI VIDYA BHARATI FOUNDATION (SVBF) TEMPLE
MAJOR USE PERMIT (DISTRICT: 3)**

OVERVIEW

On May 16, 2018 (1), the Board of Supervisors continued the item to June 20, 2018.

This is a request for the Board of Supervisors to consider an appeal of the Planning Commission's approval of the proposed Sringeri Vidya Bharati Foundation Temple Major Use Permit. The project includes a temple on approximately 10 acres of a 19-acre parcel. The site is currently vacant. The proposed project is being appealed by community members due to concerns regarding increased traffic and negative impact on community character.

The site is located north of and adjacent to Old San Pasqual Road and south of State Route 78, between Summit Drive and San Pasqual Trail, within the North County Metropolitan Subregional Plan Area (57th Edition Thomas Guide Page 1130, F/6).

RECOMMENDATION(S)

PLANNING COMMISSION

On February 23, 2018, the Planning Commission considered the application and made the following decisions:

1. Adopt the Environmental Findings, which include a Mitigated Negative Declaration pursuant to California Environmental Quality Act guidelines (Attachment F).
2. Grant Major Use Permit PDS2015-MUP-15-011, make the findings, and impose the requirements and conditions as set forth in the Form of Decision (Attachment D).

DEPARTMENT OF PLANNING & DEVELOPMENT SERVICES

Planning & Development Services (PDS) concurs with the decision of the Planning Commission and recommends the Board of Supervisors (Board):

1. Deny the appeal (Attachment B) for the reasons discussed in this Board Letter.
2. Adopt the Environmental Findings, which includes the required California Environmental Quality Act (CEQA) findings that are required to adopt the Mitigated Negative Declaration (Attachment F).
3. Grant Major Use Permit PDS2015-MUP-15-011, make the findings, and impose the requirements and conditions as set forth in the Form of Decision in Attachment D.
4. Require Dr. S. S. Iyer / Sringeri Vidya Bharati Foundation (SVBF) Temple to enter into a Defense and Indemnification Agreement in accordance with County Code Section 86.201 et seq. and authorize the Director of Planning & Development Services to execute the Agreement. If litigation is filed challenging the Board's action on this project, require Dr. S. S. Iyer / SVBF Temple to provide security in the amount of \$350,000 in the form of an irrevocable letter of credit or bond, in a form acceptable to County Counsel within 10 days of litigation being filed (Attachment I).

FISCAL IMPACT

N/A

BUSINESS IMPACT STATEMENT

N/A

ACTION:

ON MOTION of Supervisor Gaspar, seconded by Supervisor Roberts, the Board of Supervisors closed the Hearing and took action as recommended.

AYES: Cox, Jacob, Gaspar, Roberts, Horn

2. **SUBJECT: ADMINISTRATIVE ITEM:
SECOND CONSIDERATION AND ADOPTION OF ORDINANCE:
TRAFFIC ADVISORY COMMITTEE (05/16/18 - ADOPT
RECOMMENDATIONS; 06/20/18 - SECOND READING OF AN
ORDINANCE) (DISTRICTS: 2 & 5)**

OVERVIEW

On May 16, 2018 (2), the Board of Supervisors introduced the Ordinance for further consideration and adoption on June 20, 2018.

The Traffic Advisory Committee (TAC) meets every six weeks to review proposed additions, deletions, or changes to regulatory traffic control devices on County-maintained roads. The TAC recommends the Board of Supervisors (Board) act on five items from the March 9, 2018, meeting agenda.

Item 2-A would establish a 40 MPH speed limit on Campo Road from Casa De Oro Boulevard to Sweetwater Springs Boulevard, establish a 45 MPH speed limit on Sweetwater Springs Boulevard from Campo Road to Jamacha Boulevard, and certify both speed limits for radar enforcement.

Item 2-B would recertify the existing 45 MPH speed limit on Avocado Boulevard from the El Cajon City Limit (near Dewitt Court) to the north line of State Highway 94 for radar enforcement.

Item 2-C would recertify the existing 35 MPH speed limit on Rolling Hills Drive from Horizon Hills Drive to Fuerte Drive for radar enforcement.

Item 2-D would recertify the existing 50 MPH speed limit on Mapleview Street/Lake Jennings Park Road from 1,570 feet east of Ashwood Street to Julian Avenue for radar enforcement.

Item 5-A would recertify the existing 35 MPH speed limit on La Orilla from El Camino Real to Rambla de Las Flores for radar enforcement.

Approval of items 2-A, 2-B, 2-C, 2-D, and 5-A will establish tools for speed enforcement that increase road safety and retain mobility. Properly posted speed limits provide feedback to safe and reasonable drivers to improve traffic safety, reduce the number and severity of collisions, and allow for fair enforcement.

The Board action on Item 2-A will revise the San Diego County Code of Regulatory Ordinances (County Code) and requires two steps. On May 16, 2018, the Board will consider the TAC items. If the Board takes action on May 16, 2018, then on June 20, 2018, a second reading of an Ordinance amending Section 72.163.7. (Item 2-A) and adding Section 72.173.8. (Item 2-A) of the County Code would be necessary to implement the Board's direction.

RECOMMENDATION(S)
TRAFFIC ADVISORY COMMITTEE

District 2

Item 2-A. Campo Road/Sweetwater Springs Boulevard from Casa De Oro Boulevard to Jamacha Boulevard in Casa De Oro and Spring Valley (58th Edition Thomas Guide Page 1271-E5) - Establish a 40 MPH speed limit on Campo Road from Casa De Oro Boulevard to Sweetwater Springs Boulevard, establish a 45 MPH speed limit on Sweetwater Springs Boulevard from Campo Road to Jamacha Boulevard, and certify both speed limits for radar enforcement.

Item 2-B. Avocado Boulevard from the El Cajon City Limit (near Dewitt Court) to the north line of State Highway 94 in El Cajon (58th Edition Thomas Guide Page 1271-G2) - Recertify the existing 45 MPH speed limit for continued radar enforcement.

Item 2-C. Rolling Hills Drive from Horizon Hills Drive to Fuerte Drive in El Cajon (58th Edition Thomas Guide Page 1271-H1) - Recertify the existing 35 MPH speed limit for continued radar enforcement.

Item 2-D. Mapleview Street/Lake Jennings Park Road from 1,570 feet east of Ashwood Street to Julian Avenue in Lakeside (58th Edition Thomas Guide Page 1232-B3) - Recertify the existing 50 MPH speed limit for continued radar enforcement.

District 5

Item 5-A. La Orilla from El Camino Real to Rambla de Las Flores in Rancho Santa Fe (58th Edition Thomas Guide Page 1167-J4) - Recertify the existing 35 MPH speed limit for continued radar enforcement.

CHIEF ADMINISTRATIVE OFFICER

Adopt the Ordinance entitled:

ORDINANCE AMENDING SECTION 72.163.7. AND ADDING SECTION 72.173.8. OF THE SAN DIEGO COUNTY CODE RELATING TO SPEED LIMITS ON COUNTY MAINTAINED ROADS IN SAN DIEGO COUNTY.

FISCAL IMPACT

There is no fiscal impact associated with these recommendations. If approved, there will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT

N/A

ACTION:

ON MOTION of Supervisor Roberts, seconded by Supervisor Horn, the Board of Supervisors took action as recommended, on Consent, adopting Ordinance No. 10543 (N.S.), entitled: ORDINANCE AMENDING SECTION 72.163.7. AND ADDING SECTION 72.173.8. OF THE SAN DIEGO COUNTY CODE RELATING TO SPEED LIMITS ON COUNTY MAINTAINED ROADS IN SAN DIEGO COUNTY.

AYES: Cox, Jacob, Gaspar, Roberts, Horn

3. **SUBJECT: NOTICED PUBLIC HEARING:
PUBLIC HEARING AND CONFIRMATION OF LEVIES FOR
MOSQUITO, VECTOR, AND DISEASE CONTROL BENEFIT
ASSESSMENT AND MOSQUITO ABATEMENT AND VECTOR
CONTROL SERVICE CHARGE FOR FISCAL YEAR 2018-19
(DISTRICTS: ALL)**

OVERVIEW

The Department of Environmental Health’s (DEH) Vector Control Program (VCP) protects residents and visitors from health risks associated with mosquitoes such as West Nile virus, Zika and dengue; as well as other vector-borne diseases like plague, hantavirus, Lyme disease and tularemia. The program conducts mosquito abatement throughout the region, performs surveillance and testing of vectors that can cause human disease, and educates the public on actions to prevent vectors, protect themselves from vectors, and report breeding sources. County Code defines a vector as “...an animal capable of transmitting the causative agent of human disease. ‘Vector’ also includes eye gnats.”

The introduction and establishment of two invasive mosquitoes *Aedes aegypti* and *Aedes albopictus* (Aedes) in San Diego county, in 2014 and 2015 respectively, has presented an increased risk to public health. Unlike native mosquitoes, Aedes live and breed in urbanized areas, including inside homes and backyards. Their eggs can survive without water for several months. Aedes mosquitoes can transmit diseases, including Zika, chikungunya, dengue and yellow fever, by biting travelers who return to the county with these illnesses and then biting another individual. Since 2014, VCP has experienced an increase of approximately 90% in requests for service, complaints, and treatments of known mosquito breeding sources, primarily due to Aedes mosquitoes. The increase from 2016 to 2017 was approximately 17%. Due to these factors along with cost increases associated with recent salary and benefit adjustments, DEH has determined an increase in the Mosquito, Vector and Disease Control Benefit Assessment is necessary to support costs of maintaining service levels and ensuring that additional supplies for monitoring and control activities are available to provide timely investigations, monitoring, and treatments to reduce the risk to public health.

On June 21, 2017 (16), the Board of Supervisors (Board) approved the levy of assessments for the Mosquito, Vector, and Disease Control Benefit Assessment for Fiscal Year 2017-18. According to Article XIID of the State Constitution (Proposition 218), approved by the California voters in November 1996, property owners may approve a benefit assessment through a mail ballot measure and in subsequent years, the governing body may continue or adjust the levy on properties within the limitations set by the ballot measure.

This is a request to adopt a Resolution to approve the Engineer's Report which establishes the services to be funded and the costs for the services funded by the assessments for the fiscal year, confirm the assessment diagram and assessment, and order the levy of assessments for the Mosquito, Vector, and Disease Control Benefit Assessment for Fiscal Year 2018-19. The proposed single family equivalent rate is \$7.93 which is a 12% increase from the adopted rate of \$7.07 for Fiscal Year 2017-18. The Board is also being asked to approve a Resolution confirming the levy for Mosquito Abatement and Vector Control Service Charge which was adopted by the Board prior to Proposition 218. The existing service charge for Fiscal Year 2018-19 would be levied within the authorized rate structure with no change in the rates of \$3.00, \$2.28, and \$2.28 for Subregions 1, 2, and 3 respectively.

Upon adoption, the Mosquito, Vector, and Disease Control Benefit Assessment and the Mosquito Abatement and Vector Control Service Charge will be placed on the tax roll for Fiscal Year 2018-19.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. Find in accordance with Section 21080(b)(8) of the Public Resources Code and Section 15273 of the California Environmental Quality Act (CEQA) Guidelines that this action is exempt from CEQA, because it modifies and approves a charge to meet the operating expenses and necessary financial reserves for an existing program, specifically the County Vector Control Program as described herein and in the Engineer's Report.
2. Adopt a Resolution entitled: RESOLUTION OF THE SAN DIEGO COUNTY BOARD OF SUPERVISORS APPROVING ENGINEER'S REPORT, CONFIRMING ASSESSMENT DIAGRAM AND ASSESSMENT AND ORDERING THE CONTINUATION OF ASSESSMENTS FOR FISCAL YEAR 2018-19 FOR THE SAN DIEGO COUNTY VECTOR CONTROL PROGRAM'S MOSQUITO, VECTOR AND DISEASE CONTROL BENEFIT ASSESSMENT.
3. Adopt a Resolution entitled: RESOLUTION OF THE SAN DIEGO COUNTY BOARD OF SUPERVISORS EXERCISING THE POWERS OF THE MOSQUITO ABATEMENT AND VECTOR CONTROL DISTRICT ADOPTING SERVICE CHARGES AND CONFIRMING REPORTS REGARDING LEVIES TO BE COLLECTED ON THE TAX ROLL FOR FISCAL YEAR 2018-19.

FISCAL IMPACT

Appropriations, revenue and an increase of 1.00 staff year for these requests are included in the Fiscal Year 2018-19 CAO Recommended Operational Plan in the Department of Environmental Health. If approved, the proposed actions will result in increased costs and revenue of \$11.2 million. The funding sources are the Mosquito, Vector and Disease Control Benefit Assessment (\$7.4 million), Mosquito Abatement and Vector Control Service Charge (\$2.5 million), Vector Control District Trust Fund fund balance (\$1.2 million), and income from interest and other service contracts (\$0.1 million). Subsequent years' assessments will be based on the Vector Control Program budget, approved annually by the Board. There will be no change in net General Fund cost.

BUSINESS IMPACT STATEMENT

Mosquitoes and other vectors hinder, annoy, and harm residents, businesses, and visitors. A vector-borne disease outbreak and other related public health risks would have a negative effect on agriculture, business, tourism, and residential activities in the county.

ACTION:

ON MOTION of Supervisor Roberts, seconded by Supervisor Horn, the Board of Supervisors closed the Hearing and took action as recommended, on Consent, adopting Resolution No. 18-071, entitled: RESOLUTION OF THE SAN DIEGO COUNTY BOARD OF SUPERVISORS APPROVING ENGINEER'S REPORT, CONFIRMING ASSESSMENT DIAGRAM AND ASSESSMENT AND ORDERING THE CONTINUATION OF ASSESSMENTS FOR FISCAL YEAR 2018-19 FOR THE SAN DIEGO COUNTY VECTOR CONTROL PROGRAM'S MOSQUITO, VECTOR AND DISEASE CONTROL BENEFIT ASSESSMENT; and Resolution No. 18-072, entitled: RESOLUTION OF THE SAN DIEGO COUNTY BOARD OF SUPERVISORS EXERCISING THE POWERS OF THE MOSQUITO ABATEMENT AND VECTOR CONTROL DISTRICT ADOPTING SERVICE CHARGES AND CONFIRMING REPORTS REGARDING LEVIES TO BE COLLECTED ON THE TAX ROLL FOR FISCAL YEAR 2018-19.

AYES: Cox, Jacob, Gaspar, Roberts, Horn

4. **SUBJECT: ADOPT AN ADDENDUM TO THE SWEETWATER REGIONAL PARK ENVIRONMENTAL IMPACT REPORT, ESTABLISH AN ALL-WAY STOP AT SAN MIGUEL ROAD AND PROCTOR VALLEY ROAD, AND AUTHORIZE THE ADVERTISEMENT AND AWARD OF A CONSTRUCTION CONTRACT FOR THE SOUTH COUNTY BICYCLE SKILLS COURSE (DISTRICT: 1)**

OVERVIEW

Sweetwater Regional Park is a 500-acre facility located in the unincorporated community of Bonita. The park offers a variety of recreational activities and amenities to the public including playgrounds, a campground, ball fields, a community building, picnic facilities, an amphitheater and a multi-use trail network. The Department of Parks and Recreation identified four undeveloped acres within the Park to create a bicycle park, located at the intersection of San Miguel Road and Proctor Valley Road. This project will provide a new recreational amenity that will allow visitors of all ages and abilities to learn, practice, and improve their mountain biking skills.

Today's proposed actions will adopt an addendum to the 1989 Environmental Impact Report for Sweetwater Regional Park for the new bicycle skills course. This project will relocate an informal mid-block trail crossing on San Miguel Road, relocate it to the intersection at Proctor Valley Road and adopt a resolution that amends a master resolution to establish all-way stop control at the intersection of San Miguel Road and Proctor Valley Road. Relocating this trail crossing from mid-block to a stop controlled road intersection will allow pedestrians, bicyclists and equestrians with a safe place to cross San Miguel Road to reach Sweetwater Regional Park, the new bicycle skills course and additional multi-use trails. Further, the proposed actions will authorize the Director, Department of Purchasing and Contracting, to advertise and award a construction contract for the South County Bicycle Skills Course project for an estimated cost of \$434,000, including contingency. Remaining project funds of \$113,431 will be used for related project costs including design, environmental documentation, construction management, and project administration for a total project cost of \$547,431. If approved, project construction will begin in summer 2018 and be completed in fall 2018.

RECOMMENDATION(S)
CHIEF ADMINISTRATIVE OFFICER

1. Find that the Addendum to the Final Environmental Impact Report (EIR) for the Sweetwater Regional Park Master Plan Log No. 87-18-11 on file in the Department of Planning and Development Services has been completed in compliance with California Environmental Quality Act (CEQA) and State and County CEQA Guidelines, that the decision-making body has reviewed and considered the information contained in the EIR and Addendum prior to approving the project, and that the Addendum reflects the independent judgement and analysis of the Board of Supervisors.
2. Find that the currently proposed actions are within the scope of the EIR; that there are no substantial changes in the project or in the circumstances under which it is to be undertaken, and no new information that would result in significant effects on the environment.
3. Find, in accordance with Section 72.101 of the County Code, that all-way stop control at the intersection of San Miguel Road and Proctor Valley Road in Bonita is necessary to support a relocated equestrian/pedestrian/bicycle crossing through the intersection.
4. Find that the installation of an all-way stop has been determined by Department of Public Works' Traffic Engineering Section to reduce the expectancy of accidents in a manner that could not be accomplished through the use of warning signs.
5. Adopt Resolution No. 3259 entitled: "Resolution Amending Traffic Resolution No. 299 relating to the establishment of All-Way Stop Intersections in San Diego County" which amends Traffic Resolution No. 299 to establish an all-way stop control at San Miguel Road and Proctor Valley Road.
6. Authorize the Director, Department of Purchasing and Contracting, to advertise and award a construction contract and take any other action authorized by Section 401 et seq. of the Administrative Code and Public Contract Code section 22160-22169, with respect to contracting for the construction of South County Bicycle Skills Course.
7. Designate the Director, Department of Parks and Recreation, as the County of San Diego Officer responsible for administering the construction contract, in accordance with Section 430.4 of the County Code of Administrative Ordinance and Board Policy F-41, Public Works Construction Projects.

FISCAL IMPACT

Funds of \$547,431 for this request are included in the Fiscal Year 2017-18 Operational Plan in the Capital Outlay Fund. Construction costs are estimated at \$434,000, including contingency. Remaining project funds of approximately \$113,431 are being partially used for related project expenses currently underway including design and environmental analysis. Remaining project funds will be used for construction management and project administration. The funding sources are available prior year General Fund fund balance (\$450,000), and available revenue in the Parks and Recreation Trust Fund resulting from the remaining balances from the sale of property at Sweetwater Regional Park (\$23,401), and the Title III Forest Reserve funds (\$74,030). There will be no additional staff years.

The Department of Parks and Recreation is working to negotiate a maintenance agreement with a partner organization to operate and maintain the bicycle skills course. If an agreement cannot be reached with a partner, ongoing operational costs, estimated at \$124,000 annually beginning Fiscal Year 2018-19. The funding source would be General Purpose Revenue.

BUSINESS IMPACT STATEMENT

N/A

ACTION:

ON MOTION of Supervisor Cox, seconded by Supervisor Jacob, the Board of Supervisors took action as recommended, adopting Resolution No. 18-073, entitled: RESOLUTION AMENDING TRAFFIC RESOLUTION NO. 299 RELATING TO THE ESTABLISHMENT OF ALL WAY STOP INTERSECTIONS IN SAN DIEGO COUNTY.

AYES: Cox, Jacob, Gaspar, Roberts, Horn

5. **SUBJECT: GILLESPIE FIELD - NEW INDUSTRIAL LEASE WITH GRAPHIC BUSINESS SOLUTIONS, INC. AND TWO NEW INDUSTRIAL LEASES WITH KENNETH A. HAMILTON AND ELAINE M. HAMILTON (DISTRICT: 2)**

OVERVIEW

Gillespie Field is a general aviation airport owned and operated by the County of San Diego (County) and located within the municipal limits of the City of El Cajon and the City of Santee (57th Edition Thomas Guide page 1251, D-1). The airport is a gateway to and from San Diego's east county providing aircraft storage, maintenance, and services to corporate and general aviation communities. There are also three industrial parks located on airport property. Approval of leases of airport property ensures adequate funding is provided for the use of the property and allows the Department of Public Works to use the revenue to make certain all the airports are properly maintained and safe for the users of the airports.

On January 31, 1978 (30 and 31), the Board of Supervisors approved two 55-year industrial ground leases in the Gillespie Field Industrial Park: an approximately one-acre leasehold, County Contract No. 12663R (30), with Michael House; and an approximately two-acre leasehold, County Contract No. 12666R (31) with James E. Farris. County Contract No. 12663R was later assigned to Graphic Business Solutions, Inc.. In 1997, the two-acre leasehold, was subdivided into two equally-sized leaseholds. On June 24, 1997 (23), the Board of Supervisors approved a lease amendment reducing the premises of County Contract No. 12666R to approximately one acre, and a new 35-year 7-month lease was created for the remaining one acre of land under County Contract No. 71955R, which commenced on July 1, 1997. Recently, both of the leaseholds in County Contracts No. 12666R and No. 71955R were assigned to Kenneth A. Hamilton and Elaine M. Hamilton, the owners of Graphic Business Solutions, Inc. All three existing leases in County Contracts No. 12663R, No 12666R and No. 71955R are scheduled to terminate on January 31, 2033. The current lessees have requested that the County grant new leases for additional term, because leases with less than 20 years of remaining term are not eligible for traditional financing. Also, terms of less than 20 years would not provide adequate time for the lessees to amortize additional investment in upgrades and maintenance.

This is a request to approve three new 50-year industrial ground leases, one with Graphic Business Solutions and two with Kenneth A. and Elaine M. Hamilton at the same rental rates as the existing leases, commencing on July 1, 2018, and terminating on June 30, 2068. When a new lease is granted that postpones ownership of existing leasehold improvements, the lessee pays an equity payment to the County for the improvements. If the proposed action is adopted, the Fiscal Year 2018-19 revenue would increase by \$621,619 due to the one-time equity payments under the terms of the new leases.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. Find in accordance with Section 15301 of the California Environmental Quality Act (CEQA) Guidelines, that the proposed leases are categorically exempt from CEQA review as they consist of the leasing of existing facilities involving negligible or no expansion of existing use.
2. Approve and authorize the Clerk of the Board to execute, upon receipt, three copies of the new Industrial Ground Lease with Graphic Business Solutions, Inc. **(4 VOTES)**.
3. Approve and authorize the Clerk of the Board to execute, upon receipt, three copies each of the two new Industrial Ground Leases with Kenneth A. Hamilton and Elaine M. Hamilton. **(4 VOTES)**.

FISCAL IMPACT

Funds for this request are partially included in the Fiscal Year 2018-19 CAO Recommended Operational Plan in the Airport Enterprise Fund. If approved, this request will result in total annual revenue of \$784,681 in Fiscal Year 2018-19, an increase of \$621,619 over the budgeted amount. The funding source for the Fiscal Year 2018-19 additional revenue is one-time equity payments from lessees under the terms of the new leases. There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT

N/A

ACTION:

ON MOTION of Supervisor Jacob, seconded by Supervisor Gaspar, the Board of Supervisors took action as recommended.

AYES: Cox, Jacob, Gaspar, Roberts, Horn

6. **SUBJECT: CLOSED SESSION (CARRYOVER FROM 06/19/18 AGENDA NO. 24)
(DISTRICTS: ALL)**

OVERVIEW

A. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION

(Paragraph (1) of subdivision (d) of Section 54956.9)

Eric Jacobs v. County of San Diego, et al., San Diego County Superior Court No. 37-2018-00002520-CU-PO-NC

- B. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
(Paragraph (1) of subdivision (d) of Section 54956.9)
Jose L. Ramos v. County of San Diego, et al.; San Diego County Superior Court No.
37-2017-00048434-CU-EI-CTL
- C. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION
Significant exposure to litigation pursuant to paragraph 2 of subdivision (d) of
Government Code section 54956.9: (Number of Potential Cases - 1)
- D. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION
Significant exposure to litigation pursuant to paragraph 2 of subdivision (d) of
Government Code section 54956.9: (Number of Potential Cases - 1)
- E. CONFERENCE WITH LABOR NEGOTIATORS
(Government Code section 54957.6)
Designated Representatives: Susan Brazeau, Brad Rankin
Employee Organizations and Unrepresented Employees: All

ACTION:

County Counsel reported that for Closed Session on Wednesday, June 20, 2018, the Board of Supervisors took the following action:

County Counsel reported that there were no reportable matters.

7. SUBJECT: PUBLIC COMMUNICATION (DISTRICTS: ALL)

OVERVIEW

Robbie A Morgan spoke to the Board regarding her health and city projects.

ACTION:

Heard, Referred to the Chief Administrative Officer.

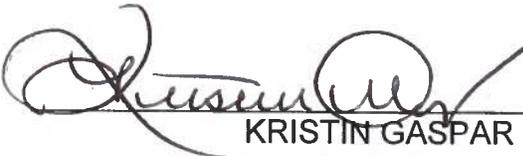
There being no further business, the Board adjourned at 11:28 a.m. in memory of Norbert Stein and Andy Mills.

DAVID HALL
Clerk of the Board of Supervisors
County of San Diego, State of California

Consent: Miller
Discussion: Zurita

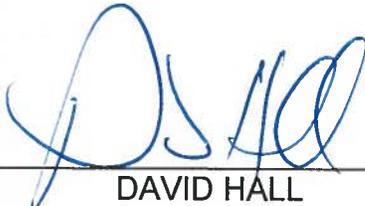
NOTE: This Statement of Proceedings sets forth all actions taken by the County of San Diego Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors, on Wednesday, July 11, 2018.



KRISTIN GASPAR
Chairwoman

Attest:



DAVID HALL
Clerk of the Board

06/20/18