

June 30, 2021

STATEMENT OF PROCEEDINGS

The Minutes of the

***FLOOD CONTROL DISTRICT
REGULAR MEETING***

COUNTY OF SAN DIEGO

STATEMENT OF PROCEEDINGS
COUNTY OF SAN DIEGO FLOOD CONTROL DISTRICT
REGULAR MEETING
MEETING AGENDA
WEDNESDAY, JUNE 30, 2021, 9:00 AM
COUNTY ADMINISTRATION CENTER, ROOM 310
1600 PACIFIC HIGHWAY
SAN DIEGO, CA 92101

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

PRESENT: Directors Nathan Fletcher, Chair; Nora Vargas, Vice-Chair; Joel Anderson, Terra Lawson-Remer; Jim Desmond; also, Andrew Potter, Clerk of the Board of Supervisors.

B. **Non-Agenda Public Communication:** No Speakers

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.

Supporting documentation and attachments for items listed on the agenda can be viewed online at www.sandiegocob.com or in the Office of the Clerk of the Board of Supervisors at the County Administration Center, 1600 Pacific Highway, Room 402, San Diego, CA 92101.

ASSISTANCE FOR PERSONS WITH DISABILITIES:

Agendas and records are available in alternative formats upon request. Contact the Clerk of the Board of Supervisors office at 619-531-5434 with questions or to request a disability-related accommodation. Individuals requiring sign language interpreters should contact the Countywide ADA Title II Coordinator at (619) 531-4908. To the extent reasonably possible, requests for accommodation or assistance should be submitted at least 72 hours in advance of the meeting so that arrangements may be made. An area in the front of the room is designated for individuals requiring the use of wheelchair or other accessible devices.

LANGUAGE TRANSLATION ASSISTANCE:

Language translation services for public speakers are available upon request to the Clerk of the Board of Supervisors at least 72 hours prior to the meeting (refer to Board Policy A-139 for additional information). Please contact the Clerk of the Board's office at (619) 531-5434 or via e-mail at publiccomment@sdcounty.ca.gov.

Agenda Items

- | Agenda # | Subject |
|-----------------|---|
| 1. | <p>NOTICED PUBLIC HEARING: PUBLIC HEARING TO CONFIRM FISCAL YEAR 2021-22 LEVIES FOR PERMANENT ROAD DIVISION ZONES, COUNTY SERVICE AREAS AND ZONES, SAN DIEGO COUNTY FIRE PROTECTION DISTRICT ZONES, AND STORMWATER MAINTENANCE ZONES [FUNDING SOURCES: ASSESSMENT AND SPECIAL TAX LEVIES FROM PROPERTY OWNERS WITHIN PRD ZONES, CSAS, FPDS AND SMZS]</p> <p>(RELATES TO BOARD OF SUPERVISORS AGENDA NO. 02; AND, SAN DIEGO COUNTY FIRE PROTECTION DISTRICT AGENDA NO. 01)</p> |
| 2. | <p>GENERAL SERVICES - ADOPT A RESOLUTION TO SUMMARILY VACATE A DRAINAGE EASEMENT IN THE LAKESIDE AREA (VACATION NO. 2020-0268) [FUNDING SOURCE: DEPOSIT FROM THE APPLICANT]</p> |

**1. SUBJECT: NOTICED PUBLIC HEARING:
PUBLIC HEARING TO CONFIRM FISCAL YEAR 2021-22 LEVIES
FOR PERMANENT ROAD DIVISION ZONES, COUNTY SERVICE
AREAS AND ZONES, SAN DIEGO COUNTY FIRE PROTECTION
DISTRICT ZONES, AND STORMWATER MAINTENANCE ZONES
(DISTRICTS: 2, 3, & 5)**

OVERVIEW

The County of San Diego (County), San Diego County Flood Control District (Flood Control District), and San Diego County Fire Protection District (Fire District) use special districts as a funding mechanism to provide services, such as private road maintenance, parks, and paramedic services, in a specific area that is defined by a geographical boundary. Services are funded by property owner assessments or special taxes collected through the County tax rolls which helps maintain low administration costs. The method for calculating each district's assessment or special tax is set forth in ordinances adopted when the districts were formed. The assessments or special taxes cannot exceed the maximum amount in the adopted ordinance without an additional vote. At the time of formation, some of the ordinances granted authority for the governing body to increase the maximum rate each subsequent year by an amount tied to a cost escalator. The most commonly used indices are the Consumer Price Index (CPI) and the Construction Cost Index (CCI).

Board of Supervisors Policy B-29: *Fees, Grants, Revenue Contracts - Department Responsibility for Cost Recovery* (Board Policy B-29) directs departments to recover the full cost of services provided to agencies or individuals. Staff reviewed the budget for each district to determine if revenues were adequate for services or if rates should be increased or decreased based on the budget. Staff determined that the proposed rates for Fiscal Year (FY) 2021-22 are needed to fund services, available fund balance is needed for working capital, future services, or facility repair, improvements or replacement, and to ensure compliance with Board Policy B-29. All proposed rates are in accordance with Articles XIII A-D of the California Constitution (Proposition 218) and are within maximum rates set forth in each district's adopted ordinance. Under Proposition 218, voters must approve special district formations and the amount that can be collected from property owners.

Permanent Road Division (County District)

There are 49 Permanent Road Division (PRD) Zones managed by the County Department of Public Works (DPW) that levy assessments or special taxes. Private road maintenance services funded by these PRD Zones are provided in multiple unincorporated communities. The amount each parcel is charged is based on the rate and the number of benefit units assigned to the parcel. Benefit units are based on the level of benefit a parcel receives from the maintenance services and may be based on the parcel size or type of land use. Rates will remain the same in 43 of the 49 PRD Zones that levy assessments or special taxes because revenues can fully fund planned services. Six rate increases are being proposed to fund multi-year maintenance plans for road resurfacing, culvert repairs, and future road replacements:

1. PRD Zone 13A-Pala Mesa is located in the unincorporated community of Fallbrook (District 5). The proposed rate will increase from \$0 to \$50 per benefit unit based on property owner approved rate increase, with an average single-family residence assigned three benefit units, or \$150 annually. Additional revenue will provide funding for planned road, culvert and slope maintenance.

2. PRD Zone 13B-Pala Mesa Zone B (Stewart Canyon) is located in the unincorporated community of Fallbrook (District 5). The proposed rate will increase from \$25 to \$100 per benefit unit based on property owner approved rate increase, with an average single-family residence assigned three benefit units, or \$300 annually. Additional revenue will provide funding for planned road and culvert maintenance.
3. PRD Zone 46-Rocoso is located in the unincorporated community of Lakeside (District 2). The proposed rate will increase from \$30 to \$500 per benefit unit based on property owner approved rate increase, with a single-family residence assigned two benefit units, or \$1,000 annually. Additional revenue will provide funding for planned road and culvert maintenance.
4. PRD Zone 99- Via Allondra/Via Del Corvo is located in the unincorporated community of North County Metro (District 5). The proposed rate will increase from \$65 to \$105 per benefit unit based on property owner approved rate increase, with a single-family residence assigned four benefit units, or \$420 annually. Additional revenue will provide funding for planned road and culvert maintenance.
5. PRD Zone 101A-High Ridge Road is located in the unincorporated community of Lakeside (District 2). The proposed rate will increase from \$200 to \$300 per benefit unit based on property owner approved rate increase, with a single-family residence assigned two benefit units, or \$600 annually. Additional revenue will provide funding for planned road maintenance.
6. PRD Zone 1015-Landavo is located in the unincorporated community of North County Metro (District 5). The proposed rate will increase from \$135 to \$255 per benefit unit based on property owner approved rate increase, with a single-family residence assigned one benefit unit, or \$255 annually. Additional revenue will provide funding for planned road maintenance.

County Services Areas (County District)

There are eleven County Services Areas (CSA) funded by assessments managed by multiple County departments based on the services provided. CSAs provide maintenance and operations for parks, landscaping, flood control, open space management, and emergency medical/paramedic in multiple unincorporated communities and six cities. Rates will remain the same in seven of the eleven CSAs that levy assessments because revenues can fully fund planned services. Four rate increases are being proposed:

1. CSA 83A-San Dieguito Local Parks District is managed by the Department of Parks and Recreation and provides park amenities and services in the unincorporated community of 4S Ranch (District 3). The proposed rate will increase from \$133.02 to \$135.01 per benefit unit, with a single-family residence assigned one benefit unit. The increase is due to a 1.50% escalation in the CPI and the additional revenue will be used to fund increased costs for parks maintenance and operations.
2. CSA 26 Zone A-Cottonwood Village is managed by DPW and provides open space fire-fuel management and landscape maintenance services in the unincorporated community of Rancho San Diego (District 2). The proposed rate will increase from

\$56.29 to \$100.00 per benefit unit, with the average single-family residence assigned one benefit unit. The properties assigned two benefit units receive additional landscaping services on slopes adjacent to their properties. The increase is based on a property owner approved rate increase, and the additional revenue will fund fire-break services and ensure the CSA has adequate working capital.

3. CSA 17-San Dieguito Emergency Medical Services is managed by the Health and Human Services Agency and provides services to the cities of Del Mar, Solana Beach, Encinitas, and the City of San Diego communities of Del Mar Heights and Del Mar Terrace, the unincorporated communities of Rancho Santa Fe, 4-S Ranch and a portion of Elfin Forest. (Districts 3 & 5). The proposed maximum annual special tax will increase from \$32.28 to \$32.76 per dwelling unit. The increase is due to a 1.50% escalation in the CPI and the additional revenue will ensure the CSA has adequate working capital.
4. CSA 69-Heartland Paramedic Services is managed by the Health and Human Services Agency and provides services to the unincorporated community of Lakeside and the City of Santee (District 2). The proposed maximum annual special tax will increase from \$58.61 to \$59.49 per dwelling unit, with a single-family residence assigned one dwelling unit. The increase is due to a 1.50% escalation in the CPI and the additional revenue will ensure the CSA has adequate working capital.

San Diego County Fire Protection District (Fire District)

There are ten zones in the San Diego County Fire Protection District (SDCFPD) funded by assessments or special taxes managed by the San Diego County Fire Authority that provide funds to supplement the cost of fire protection and emergency medical services across multiple unincorporated communities. Rates will remain the same in nine of the ten zones that levy assessments or special taxes because revenues are adequate to fully fund services; in addition, there is no voter approved cost price escalator. One rate increase is being proposed:

SDCFPD-Palomar Mountain provides services within the unincorporated community of Palomar Mountain (District 5). The proposed maximum annual special tax will increase from \$163.08 to \$165.53 per benefit unit, with a single-family residence assigned one benefit unit. The increase is due to a 1.50% escalation in the CPI, and the additional revenue will be used to fund for firefighting personnel and fire protection equipment and apparatus.

Flood Control District Stormwater Maintenance Zones (Flood Control District)

There are three Stormwater Maintenance Zones (SMZ) funded by assessments managed by the Flood Control District in DPW that provide maintenance of flood control facilities in multiple unincorporated communities. Rates will remain the same in two of the three zones that levy assessments because revenues can fully fund planned services. One rate increase is being proposed:

SMZ No. 4-4249-3-Lake Rancho Viejo is located in the unincorporated community of Fallbrook (District 5): The proposed rate will increase from \$319.48 to \$320.57 per benefit unit, with a single-family residence assigned one benefit unit. The increase is due to a 0.34% escalation in the CCI, and the additional revenue will be used to fund increased costs for stormwater facility maintenance and operations.

This is a request to adopt resolutions to confirm assessments and special taxes and authorize levies for 73 special districts administered by the County, the Fire District, and the Flood

Control District. Upon adoption, the assessments and special taxes will be placed on the tax roll for FY 2021-22. These actions are discretionary after consideration of public testimony.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

Acting as the Board of Directors, San Diego County Flood Control District:

Adopt a Resolution entitled:

RESOLUTION OF THE BOARD OF DIRECTORS OF THE SAN DIEGO COUNTY FLOOD CONTROL DISTRICT ACTING AS THE GOVERNING BODY OF STORMWATER MAINTENANCE ZONES 3-4978-1 BLACKWOLF, 4-4249-3 LAKE RANCHO VIEJO, AND 3-5142-1 PONDEROSA, ADOPTING ASSESSMENTS AND CONFIRMING REPORTS RE: LEVIES TO BE COLLECTED ON THE TAX ROLL FOR FISCAL YEAR 2021-22.

EQUITY IMPACT STATEMENT

Levying assessments and special taxes provide funding for special districts and result in additional community services and resources that can improve the health, safety, and economic interests of local communities. Based on community feedback received at public meetings and from conversations between residents and staff in the field and office, residents support continued funding for services through special districts. Levying charges on the FY 2021-22 tax rolls for the County of San Diego, San Diego County Flood Control District, and San Diego County Fire Protection District will have a direct impact on communities throughout the unincorporated areas of the county and incorporated cities of Del Mar, Encinitas, Poway, Santee, Solana Beach, and City of San Diego communities of Del Mar Heights and Del Mar Terrace, including providing fire protection, flood control protection, private road and landscape maintenance, parks, emergency communication services and paramedic services to residents of approximately 164,000 parcels.

FISCAL IMPACT

Revenue from the proposed levies is included in Fiscal Year (FY) 2021-22 Operational Plan for the Department of Parks and Recreation (DPR), San Diego County Flood Control District, and the San Diego County Fire Protection District (Fire District). Revenue from the proposed levies is partially included in the FY 2021-22 Operational Plan in the Departments of Public Works (DPW); Sheriff; and Health and Human Services Agency (HHS); and are based on the approved FY 2020-21 levies.

If approved, the proposed rate increases will result in additional estimated revenue of \$243,544.26 total in DPW for PRD Zone 13A-Pala Mesa (\$52,500), PRD Zone 13B-Stewart Canyon (\$18,875), PRD Zone 46-Rocoso Road (\$48,410), PRD Zone 101A-Hi Ridge Road (\$8,900), PRD Zone 99-Via Allondra/Via Del Corvo (\$6,960), PRD Zone 1015-Landavo Road (\$7,104), and CSA 26 Zone A-Cottonwood Village (\$100,795.26); \$57,624 total in HHS for CSA 17 San Dieguito (\$26,954) and CSA 69 Heartland (\$30,670); \$9,038 in the DPR for CSA 83A San Dieguito 4S Ranch; \$997.68 in the San Diego County Fire Protection District for SDCFPD-Palomar Mountain; and \$309.56 in the San Diego County Flood Control District for SMZ No. 4-4249-3-Lake Rancho Viejo.

If approved, staff will return to the Board to establish appropriations in the FY 2021-22 Operational Plan. The funding sources are assessment and special tax levies from property owners within PRD Zones, CSAs, FPDs and SMZs. There will be no change in net General Fund cost and no additional staff years.

If the Board does not adopt the resolutions, the proposed assessments and special taxes cannot be placed on the tax rolls for FY 2021-22. Without the revenue, services for each district would be reduced unless other funding sources are identified. Services for flood control facilities, private road maintenance, parks, and landscape services would be reduced, and maintenance would be deferred. For public safety communications systems, structural fire protection, and emergency medical services, fund balance would be leveraged to fill the gap, which would impact funding available for working capital.

BUSINESS IMPACT STATEMENT

N/A

(RELATES TO BOARD OF SUPERVISORS AGENDA NO. 02; AND; SAN DIEGO COUNTY FIRE PROTECTION DISTRICT AGENDA NO. 01)

ACTION:

ON MOTION of Director Desmond, seconded by Director Fletcher, the Board of Directors of the San Diego County Flood Control District closed the hearing and took action as recommended, adopting Resolution No. 21-111, entitled: RESOLUTION OF THE BOARD OF DIRECTORS OF THE SAN DIEGO COUNTY FLOOD CONTROL DISTRICT ACTING AS THE GOVERNING BODY OF STORMWATER MAINTENANCE ZONES 3-4978-1 BLACKWOLF, 4-4249-3 LAKE RANCHO VIEJO, AND 3-5142-1 PONDEROSA, ADOPTING ASSESSMENTS AND CONFIRMING REPORTS RE: LEVIES TO BE COLLECTED ON THE TAX ROLL FOR FISCAL YEAR 2021-22; and directed the Chief Administrative Officer to return to the Board within 180 days with options to amend the policy to ensure the Permanent Road Division Zones are adequately funded to ensure satisfactory road maintenance and repair to sustain a specific Pavement Condition Index (PCI) level as determined by staff.

AYES: Vargas, Anderson, Lawson-Remer, Fletcher, Desmond

2. **SUBJECT: GENERAL SERVICES - ADOPT A RESOLUTION TO SUMMARILY VACATE A DRAINAGE EASEMENT IN THE LAKESIDE AREA (VACATION NO. 2020-0268) (DISTRICT: 2)**

OVERVIEW

The Asset Management Division of the Department of General Services is processing a request to summarily vacate a drainage easement dedicated to the San Diego County Flood Control District (District) that encumbers a portion of Lot 126 of Lakeside Farms, Map No. 1204. The drainage easement is located in the unincorporated community of Lakeside and within the Lakeside Community Plan Area. A summary vacation is a streamlined process by which a public service easement is abandoned through one action where public noticing is not required. This may be requested by the public if the easement is found to be excess to District needs and is not required for the purpose for which it was obtained. In many cases summarily vacating a public service easement can be a public benefit through improved use of the land made available by the vacation.

The easement is considered excess to the District because the drainage facilities that were located within it have been removed and relocated onto private property where they will be privately maintained. There are no other public facilities within the easement that would be affected by this vacation.

Today's request is for the Board of Directors (Board) of the District to adopt a Resolution to summarily vacate the drainage easement.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. Find that the proposed action is not subject to review under California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines section 15060(c)(2) and (3) because it would not have a direct or indirect effect on the environment as it will only result in the vacation of an unnecessary easement interest, the action is not a project as defined in State CEQA Guidelines section 15378, and even if such action was subject to review under CEQA, it is categorically exempt under CEQA Guidelines Section 15305 because it is a minor alteration in land use limitation that will not result in land use or density changes.
2. Find that the drainage easement is no longer required for District purposes.
3. Adopt a Resolution entitled:
RESOLUTION TO SUMMARILY VACATE A DRAINAGE EASEMENT, IN THE LAKESIDE AREA (VACATION NO. 2020-0268) (DISTRICT 2).
4. Direct the Clerk of the Board to record the Resolution for Vacation No. 2020-0268 pursuant to State of California Streets and Highways Code Section 8336.

EQUITY IMPACT STATEMENT

To better serve the community, the Lakeside Community Planning Group was engaged and voted unanimously to approve this easement vacation. This resolution will provide public benefit through improved use of land made available by the vacation. The process of vacating public easements takes equity into account and is in the public interest because it would eliminate an encumbrance on private lands no longer needed by the public.

FISCAL IMPACT

Funds for this request are included in the Fiscal Year 2021-22 Operational Plan in the Department of General Services. If approved, this request will result in estimated costs and revenue of \$4,000 to process the proposed summary vacation. The funding source is a deposit from the applicant. There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT

N/A

ACTION:

ON MOTION of Director Fletcher, seconded by Director Vargas, the Board of Directors of the San Diego County Flood Control District took action as recommended, on Consent, adopting Resolution No. 21-112, entitled: RESOLUTION TO SUMMARILY VACATE A DRAINAGE EASEMENT, IN THE LAKESIDE AREA (VACATION NO. 2020-0268).

AYES: Vargas, Anderson, Lawson-Remer, Fletcher, Desmond

There being no further business, the Board of Directors of the San Diego County Flood Control District adjourned at 10:15 a.m.

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

Notes: Rodriguez

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 Wednesday, July 14, 2021.



NATHAN FLETCHER
Chair

Attest:



ANDREW POTTER
Clerk of the Board