

July 11, 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, JULY 11, 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 9:05 a.m.

PRESENT: Supervisors Kristin Gaspar, Chairwoman; Greg Cox; Ron Roberts; also, Andrew Potter, Assistant Clerk of the Board of Supervisors.

ABSENT: Supervisors Dianne Jacob, Vice-Chairwoman; Bill Horn

B. Closed Session Report

C. Public Communication: No Speakers

D. Approval of the Statement of Proceedings/Minutes for the meetings of June 20, 2018 and June 27, 2018.

ACTION:

ON MOTION of Supervisor Cox, seconded by Supervisor Roberts, the Board of Supervisors approved the Statement of Proceedings/Minutes for the meetings of June 20, 2018 and June 27, 2018.

AYES: Cox, Gaspar, Roberts

ABSENT: Jacob, 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. | AN ORDINANCE REPEALING AND REPLACING THE PARK LANDS DEDICATION ORDINANCE OF THE SAN DIEGO COUNTY CODE OF REGULATORY ORDINANCES RELATING TO PARK LANDS DEDICATION, UPDATE OF RELEVANT BOARD POLICIES, CREATION OF A NEW BOARD POLICY AND CREATION OF NEW LOCAL PARK PLANNING AREA ACCOUNTS |
| 2. | ADMINISTRATIVE ITEM:
SECOND CONSIDERATION AND ADOPTION OF ORDINANCE:
TRAFFIC ADVISORY COMMITTEE (06/27/18 - ADOPT RECOMMENDATIONS; 07/11/18 - SECOND READING OF AN ORDINANCE) |
| 3. | NOTICED PUBLIC HEARING:
HEARING TO CONFIRM FISCAL YEAR 2018-19 ASSESSMENTS IN THE SAN DIEGO COUNTY STREET LIGHTING DISTRICT AND LANDSCAPE MAINTENANCE DISTRICT ZONES NO. 1 - RANCHO SAN DIEGO AND NO. 2 - JESS MARTIN PARK
[FUNDING SOURCE: ASSESSMENTS FROM PROPERTY OWNERS WITHIN LANDSCAPE MAINTENANCE DISTRICT ZONE NO. 1 – RANCHO SAN DIEGO] |
| 4. | APPOINTMENT OF ONE MEMBER TO THE SAN DIEGO COUNTY CITRUS PEST CONTROL DISTRICT'S FIVE-MEMBER BOARD OF DIRECTORS |
| 5. | ESTABLISH AUTHORITY TO ADVERTISE AND AWARD A CONSTRUCTION CONTRACT FOR THE SWEETWATER COMMUNITY GARDEN
[FUNDING SOURCE: GENERAL PURPOSE REVENUE] |
| 6. | PROPERTY TAX EXCHANGE FOR PROPOSED JURISDICTIONAL CHANGES - DISSOLUTION OF JULIAN-CUYAMACA FIRE PROTECTION DISTRICT AND ANNEXATION OF THE DISSOLVED DISTRICT BY COUNTY SERVICE AREA NO. 135 |
| 7. | MCCLELLAN-PALOMAR AIRPORT - AMENDMENTS TO AVIATION LEASES WITH WESTERN FLIGHT, INC.
[FUNDING SOURCE: INCREASED RENTAL PAYMENTS FROM THE LESSEE UNDER THE TERMS OF THE AMENDED LEASES]
(4 VOTES) |

1. SUBJECT: AN ORDINANCE REPEALING AND REPLACING THE PARK LANDS DEDICATION ORDINANCE OF THE SAN DIEGO COUNTY CODE OF REGULATORY ORDINANCES RELATING TO PARK LANDS DEDICATION, UPDATE OF RELEVANT BOARD POLICIES, CREATION OF A NEW BOARD POLICY AND CREATION OF NEW LOCAL PARK PLANNING AREA ACCOUNTS (DISTRICTS: ALL)

OVERVIEW

The County of San Diego's mission includes providing a world-class park system that helps build strong and sustainable communities. Parks and recreation facilities are key components of the County's *Live Well San Diego* vision; they give residents space to exercise, recreate and gather which supports physical and mental well-being. One of the ways the County provides parks for its growing population is through the Parks Lands Dedication Ordinance (PLDO), which requires new residential subdivisions to dedicate park land for its new residents and/or pay fees to the County so that parks can be developed.

Since the PLDO was initially approved in 1972, there have been changes to state law, County goals and policies, park design best practices and community needs that impact the development of the County's park system. On June 27, 2018 (2), staff proposed repeal of the existing PLDO and replacement with a new ordinance and process, provided the Board with recommendations for the new PLDO, and received direction to draft a new PLDO with updated fees and associated policies. Staff has drafted the new PLDO and program documents pursuant to Board direction.

Today's request requires two steps: if the Board approves the first reading of the new PLDO ordinance on July 11, 2018, then the ordinance will be brought back for adoption on July 25, 2018. This request also includes updates to two Board policies, creation of a new Board Policy, and establishment of the necessary number and types of funds to account for collected PLDO fee revenue.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. Find that the proposed activity is not subject to the California Environmental Quality Act (CEQA) because it is not a project pursuant to CEQA Guidelines section 15378 and is also exempt from CEQA pursuant to Section 15061(b)(3) because it can be seen with certainty that the action will not result in a significant impact on the environment.
2. Approve the introduction of the Ordinance Repealing and Replacing the San Diego County Code of Regulatory Ordinances Title 8, Division 10, Chapter 1 Relating to Park Lands Dedication and Payment of Fees (first reading), read title and waive further reading.

If on July 11, 2018 the Board of Supervisors takes the action recommended above related to the introduction of the Ordinance, then, on July 25, 2018:

1. Consider and adopt the Ordinance repealing and replacing San Diego County Code of Regulatory Ordinances Title 8, Division 10, Chapter 1 Relating to Park Lands Dedication and Payment of Fees (second reading).

2. Approve modifications to the following Board Policies:
 - a. Board Policy F-26: Utilization of PLDO Fees and Interest
 - b. Board Policy I-44: Procedure for Designing New County-Owned Community/Local Parks
3. Adopt new Board Policy G-19: Design Guidelines and Standards for County Parks and Recreational Facilities.
4. Direct the Auditor and Controller to establish the necessary number and types of funds for Park In-Lieu fees collected to fund the acquisition of park land, developing new, or rehabilitating existing park or recreation facilities with interest earnings allocated and distributed to each fund established.
5. Direct the Auditor and Controller to establish the necessary number and types of funds for Park Land Improvement Impact fees collected to fund the development of new, or expansion of existing park or recreation facilities, with interest earnings allocated and distributed to each fund established.
6. Direct the Auditor and Controller to establish the necessary number and types of funds for Park Land Acquisition Impact fees collected to fund the acquisition of park land with interest earnings allocated and distributed to each fund established.
7. Authorize the Department of Parks and Recreation and Auditor and Controller to take all actions necessary to close out the current Parkland Dedication funds.
8. Consider and adopt a Resolution entitled: RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO RELATING TO THE ADOPTION OF PARK IN-LIEU FEES.
9. Consider and adopt a Resolution entitled: RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO RELATING TO THE ADOPTION OF PARK LAND ACQUISITION AND PARK LAND IMPROVEMENT IMPACT FEES.
10. Direct that operative date for the above Ordinance, Resolutions, and Board Policies be January 1, 2019.

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. PLDO fees provide a funding source to acquire, develop and/or rehabilitate park land and facilities. Future projects proposed for the use of PLDO funds will be recommended to the Board only after all one-time capital, and ongoing operations and maintenance costs and funding have been identified.

BUSINESS IMPACT STATEMENT

This PLDO program update provides more flexibility to developers dedicating new parks, while balancing the needs of the community and park users. The new PLDO includes fee changes for developers paying fees.

ACTION:

Noting for the record that an Errata has been submitted; ON MOTION of Supervisor Roberts, seconded by Supervisor Cox, the Board of Supervisors took action as recommended, on Consent, introducing the Ordinance for further Board consideration and adoption on July 25, 2018.

AYES: Cox, Gaspar, Roberts
ABSENT: Jacob, Horn

2. **SUBJECT: ADMINISTRATIVE ITEM:
SECOND CONSIDERATION AND ADOPTION OF ORDINANCE:
TRAFFIC ADVISORY COMMITTEE (06/27/18 - ADOPT
RECOMMENDATIONS; 07/11/18 - SECOND READING OF AN
ORDINANCE) (DISTRICTS: 2, 3 & 5)**

OVERVIEW

On June 27, 2018 (5), the Board of Supervisors introduced the Ordinance for further Board consideration and adoption on July 11, 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 nine items from the April 27, 2018, meeting agenda:

Item 2-A would recertify the existing 40 MPH speed limit for radar enforcement on Fury Lane from Avocado Boulevard to 300 feet east of Dorsie Lane in Rancho San Diego.

Item 2-B would recertify the existing 35 MPH speed limit for radar enforcement on Edgewood Drive/Grandview Drive from Bancroft Drive to Resmar Road in Casa De Oro.

Item 2-C would recertify the existing 35 MPH speed limit for radar enforcement on Conrad Drive from Campo Road to Vista Del Sol in Casa De Oro.

Item 2-D would recertify the existing 40 MPH speed limit for radar enforcement on Conrad Drive from Vista Del Sol to Resmar Road in Casa De Oro.

Item 3-A would recertify the existing 50 MPH speed limit for radar enforcement on Del Dios Highway from Via Rancho Parkway to the Escondido City Limit (near Claudan Road) in Escondido.

Item 5-A would establish a 35 MPH speed limit and certify the speed limit for radar enforcement on El Camino Del Norte from the Encinitas City Limit (1,200 feet west of Val Sereno Drive) to Paseo Delicias/Del Dios Highway in Rancho Santa Fe.

Item 5-B would recertify the existing 35 MPH speed limit for radar enforcement on Buena Creek Road from South Santa Fe Avenue to Monte Vista Drive in Vista.

Item 5-C would establish a 40 MPH speed limit with radar enforcement on Buena Creek Road from Monte Vista Drive to Hollyberry Drive (East) in Vista.

Item 5-D would establish a 45 MPH speed limit with radar enforcement on Buena Creek Road from Hollyberry Drive (East) to the San Marcos City Limit (near Sunny Vista Lane) in Vista.

Approval of these items 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 Items 5-A, 5-C, and 5-D will revise the San Diego County Code of Regulatory Ordinances (County Code) and requires two steps. On June 27, 2018, the Board will consider the TAC items. If the Board takes action on June 27, 2018, then on July 11, 2018, a second reading of an Ordinance amending Sections 72.161.44.1. (Item 5-A), 72.162.5. (Item 5-C), and 72.162.51. (Item 5-D) of the County Code would be necessary to implement the Board's direction.

RECOMMENDATION(S)
TRAFFIC ADVISORY COMMITTEE

District 2

Item 2-A. Fury Lane from Avocado Boulevard to 300 feet east of Dorsie Lane in Rancho San Diego (58th Edition Thomas Guide Page 1271-F4) - Recertify the existing 40 MPH speed limit for continued radar enforcement.

Item 2-B. Edgewood Drive/Grandview Drive from Bancroft Drive to Resmar Road in Casa De Oro (58th Edition Thomas Guide Page 1271-B3) - Recertify the existing 35 MPH speed limit for continued radar enforcement.

Item 2-C. Conrad Drive from Campo Road to Vista del Sol in Casa De Oro (58th Edition Thomas Guide Page 1271-C5) - Recertify the existing 35 MPH speed limit for continued radar enforcement.

Item 2-D. Conrad Drive from Vista del Sol to Resmar Road in Casa De Oro (58th Edition Thomas Guide Page 1271-C4) - Recertify the existing 40 MPH speed limit for continued radar enforcement.

District 3

Item 3-A. Del Dios Highway from Via Rancho Parkway to the Escondido City Limit (near Claudan Road) in Escondido (58th Edition Thomas Guide Page 1129-E7) - Recertify the existing 50 MPH speed limit for continued radar enforcement.

District 5

Item 5-A. El Camino Del Norte from the Encinitas City Limit (1,200' west of Val Sereno Drive) to Paseo Delicias/Del Dios Highway in Rancho Santa Fe (58th Edition Thomas Guide Page 1148-B6) - Establish a 35 MPH speed limit and certify for radar enforcement.

Item 5-B. Buena Creek Road from South Santa Fe Avenue to Monte Vista Drive in Vista (58th Edition Thomas Guide Page 1108-C3) - Recertify the existing 35 MPH speed limit for continued radar enforcement.

Item 5-C. Buena Creek Road from Monte Vista Drive to Hollyberry Road (East) in Vista (58th Edition Thomas Guide Page 1108-D1) - Establish a 40 MPH speed limit and certify for radar enforcement.

Item 5-D. Buena Creek Road from Hollyberry Road (East) to the San Marcos City Limit (near Sunny Vista Lane) in Vista (58th Edition Thomas Guide Page 1108-G1) - Establish a 45 MPH speed limit and certify for radar enforcement.

CHIEF ADMINISTRATIVE OFFICER

Consider and adopt:

ORDINANCE AMENDING SECTIONS 72.161.44.1., 72.162.5. AND 72.162.51. 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 Cox, the Board of Supervisors took action as recommended, on Consent, adopting Ordinance No. 10547 (N.S.), entitled: ORDINANCE AMENDING SECTIONS 72.161.44.1., 72.162.5. AND 72.162.51. OF THE SAN DIEGO COUNTY CODE RELATING TO SPEED LIMITS ON COUNTY MAINTAINED ROADS IN SAN DIEGO COUNTY.

AYES: Cox, Gaspar, Roberts
ABSENT: Jacob, Horn

3. **SUBJECT: NOTICED PUBLIC HEARING:
HEARING TO CONFIRM FISCAL YEAR 2018-19 ASSESSMENTS IN
THE SAN DIEGO COUNTY STREET LIGHTING DISTRICT AND
LANDSCAPE MAINTENANCE DISTRICT ZONES NO. 1 - RANCHO
SAN DIEGO AND NO. 2 - JESS MARTIN PARK (DISTRICTS: ALL)**

OVERVIEW

On June 27, 2018 (3) the Board of Supervisors set a Hearing for July 11, 2018.

A public hearing is required annually to approve Engineer's Reports and confirm levies for the County of San Diego Street Lighting District and Parks and Recreation services in Rancho San Diego and Jess Martin Park in Julian. These levies ensure funding for the operation of districts to provide street lighting and parks and recreation services in the unincorporated county areas.

San Diego County Street Lighting District

The San Diego County Street Lighting District operates and maintains 10,386 public street lights in the unincorporated county and is dedicated to providing quality street light service at a low cost to property owners. Funding for the district is used to install, operate, and maintain

the street lights and comes from a portion of the ad valorem property tax and assessments charged to benefiting properties. Funding for the district is sufficient to operate and maintain the street lights for Fiscal Year 2018-19 without a rate increase. The proposed annual assessment rate will remain at the current assessment rate of \$13.50 per benefit unit and is within the voter-approved maximum rates for all land use categories.

Landscape Maintenance District Zone No. 1 - Rancho San Diego

Landscape Maintenance District Zone No. 1 - Rancho San Diego was established to supplement revenue assessed by County Service Area No. 26 - Rancho San Diego for park operation, maintenance, and improvements within the Rancho San Diego boundary. The proposed maximum annual assessment rate for Fiscal Year 2018-19 will increase from \$33.01 to \$34.00 per benefit unit in accordance with a Consumer Price Index increase of 3.00%.

Landscape Maintenance District Zone No. 2 - Jess Martin Park

Landscape Maintenance District Zone No. 2 - Jess Martin Park was established to fund ongoing maintenance of amenities and construction of minor capital improvements at Jess Martin Park in the community of Julian. There is no approved Consumer Price Index inflator therefore for Fiscal Year 2018-19 the assessment rate will remain at the current assessment rate of \$47.82 per single family home per year.

This action requires two steps. To become effective, the proposed assessments must be confirmed by the Board at an annual public hearing. On June 27, 2018, the actions requested are to approve the Engineer's Reports for the San Diego County Street Lighting District and Landscape Maintenance District Zones No. 1 - Rancho San Diego and No. 2 - Jess Martin Park, and to set a public hearing date of July 11, 2018. If the Board takes these actions on June 27, 2018, then at the hearing on July 11, 2018, after hearing public testimony, the Board will be asked to consider adopting resolutions confirming the assessments. Upon approval, the assessments will be placed on the tax roll, so that the property owners can continue to pay the benefit assessment through their property tax bills. These actions are discretionary after consideration of public testimony.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. Adopt a resolution entitled: RESOLUTION CONFIRMING DIAGRAM AND ASSESSMENTS IN THE SAN DIEGO COUNTY STREET LIGHTING DISTRICT.
2. Adopt a resolution entitled: RESOLUTION CONFIRMING DIAGRAM AND ASSESSMENTS IN THE LANDSCAPE MAINTENANCE DISTRICT ZONE NO. 1.
3. Adopt a resolution entitled: RESOLUTION CONFIRMING DIAGRAM AND ASSESSMENTS IN THE LANDSCAPE MAINTENANCE DISTRICT ZONE NO. 2.

FISCAL IMPACT

The proposed assessment levies are included in the Fiscal Year 2018-19 Operational Plan in the Departments of Public Works and Parks and Recreation. There is no proposed increase in assessment for the San Diego County Street Lighting District and the Landscape Maintenance District Zone No. 2 - Jess Martin Park for Fiscal Year 2018-19. The proposed increase in revenue for Landscape Maintenance District Zone No. 1 - Rancho San Diego will be \$4,530 (3.00%) in Fiscal Year 2018-19. The funding source is assessments from property owners within Landscape Maintenance District Zone No. 1 - Rancho San Diego. 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 Cox, the Board of Supervisors closed the Hearing and took action as recommended, on Consent, adopting the following:

Resolution No. 18-097, entitled: RESOLUTION CONFIRMING DIAGRAM AND ASSESSMENTS IN THE SAN DIEGO COUNTY STREET LIGHTING DISTRICT;

Resolution No. 18-098, entitled: RESOLUTION CONFIRMING DIAGRAM AND ASSESSMENTS IN THE LANDSCAPE MAINTENANCE DISTRICT ZONE NO. 1; and

Resolution No. 18-099, entitled: RESOLUTION CONFIRMING DIAGRAM AND ASSESSMENTS IN THE LANDSCAPE MAINTENANCE DISTRICT ZONE NO. 2.

AYES: Cox, Gaspar, Roberts

ABSENT: Jacob, Horn

- 4. **SUBJECT: APPOINTMENT OF ONE MEMBER TO THE SAN DIEGO COUNTY CITRUS PEST CONTROL DISTRICT’S FIVE-MEMBER BOARD OF DIRECTORS (DISTRICTS: 2, 3 & 5)**

OVERVIEW

On May 3, 2017 (15), the Board of Supervisors approved the establishment of a Citrus Pest Control District (District) and appointed a five-member Board of Directors (Board) to run the District. The District’s Board divided themselves by lot to serve on rotating terms. The first term for one of the members of the District’s Board has expired. This is a request to reappoint Greg Kamin to the Board of Directors of the Citrus Pest Control District.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. Find the proposed actions are not a project under the California Environmental Quality Act (CEQA) pursuant to and in accordance with Sections 15060(c)(3) and 15378(b)(5) of the CEQA Guidelines that the proposed actions are organizational and administrative activities that do not cause any change to the environment.
2. Appoint Greg Kamin to the SAN DIEGO COUNTY CITRUS PEST CONTROL DISTRICT BOARD OF DIRECTORS for a term to expire May 3, 2022.

FISCAL IMPACT

N/A

BUSINESS IMPACT STATEMENT

N/A

ACTION:

ON MOTION of Supervisor Roberts, seconded by Supervisor Cox, the Board of Supervisors took action as recommended, on Consent.

AYES: Cox, Gaspar, Roberts
ABSENT: Jacob, Horn

5. SUBJECT: ESTABLISH AUTHORITY TO ADVERTISE AND AWARD A CONSTRUCTION CONTRACT FOR THE SWEETWATER COMMUNITY GARDEN (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 amenities including playgrounds, a campground, community buildings, and a multi-use trail network. Within Sweetwater Regional Park, the County owns a parcel at the corner of Sweetwater Road and Bonita Road. A portion of this parcel is currently underutilized and has been identified for development as a community garden. Community gardens are a highly desired amenity throughout the region; they provide space for residents to work the land and cultivate their own plants. This project will provide approximately 200 rentable garden plots to members of the public to grow fruits, vegetables and ornamental plants. A community garden represents a new recreational opportunity for the Sweetwater community.

Today's proposed actions will find that the project is exempt from CEQA, and authorize the Director, Department of Purchasing and Contracting, to advertise and award a construction contract for the Sweetwater Community Garden project for an estimated cost of \$450,000, including contingency, for Capital Project 1021596, Sweetwater Community Garden. Remaining project funds of \$165,000 will be used for related project costs including design, environmental analysis, construction management, and project administration for a total project cost of \$615,000. If approved, project construction would begin in late summer 2018 and be completed in winter 2018/2019.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. Find that Sweetwater Community Garden project is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA guidelines Sections 15301 (Existing Facilities), 15303 (New Construction or Conversion of Small Structures) and 15304 (Minor Alterations to Land).
2. 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 with respect to contracting for the construction of Sweetwater Community Garden project.
3. Designate the Director, Department of Parks and Recreation, as the County of San Diego Officer responsible for administering the construction contract, in accordance with Board Policy F-41, Public Works Construction Projects.

FISCAL IMPACT

Funds for this request are included in the Fiscal Year 2018-2019 Operational Plan in the Capital Outlay Fund. If approved, costs for Capital Project 1021596, Sweetwater Community Garden, will be \$615,000. Construction costs are estimated at \$450,000, including contingency. Remaining project funds of approximately \$165,000 will be used for related project expenses including design, environmental analysis, construction management, and project administration. The funding comes from a decrease to the Parks Expansion & Improvement Commitment (\$385,000), which is a component of the General Fund fund balance, and Park Lands Dedication Ordinance Area 15 Sweetwater fund available prior year fund balance (\$230,000).

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 community garden. If an agreement cannot be reached with a partner, ongoing operational costs, estimated at \$74,000 annually will be included in future years' Operational Plans in the Department of Parks and Recreation. The funding source would be General Purpose Revenue.

BUSINESS IMPACT STATEMENT

N/A

ACTION:

ON MOTION of Supervisor Roberts, seconded by Supervisor Cox, the Board of Supervisors took action as recommended, on Consent.

AYES: Cox, Gaspar, Roberts

ABSENT: Jacob, Horn

- 6. **SUBJECT: PROPERTY TAX EXCHANGE FOR PROPOSED JURISDICTIONAL CHANGES - DISSOLUTION OF JULIAN-CUYAMACA FIRE PROTECTION DISTRICT AND ANNEXATION OF THE DISSOLVED DISTRICT BY COUNTY SERVICE AREA NO. 135 (DISTRICT: 2)**

OVERVIEW

This is a request for the Board of Supervisors (Board) to adopt a property tax exchange between the Julian-Cuyamaca Fire Protection District (JCFPD) and County Service Area (CSA) No. 135, relative to the dissolution of the JCFPD. Reorganization applications have been submitted to the Local Agency Formation Commission (LAFCO) to modify the boundaries of the JCFPD and CSA No. 135.

Since the JCFPD will dissolve, today's request is for the Board to adopt the Resolution transferring all future property tax revenue from the JCFPD to CSA No. 135 in accordance with Board Policy B-45 - Property Tax Exchanges Resulting from Jurisdictional Changes. Section 99 (b)(6) of the Revenue and Taxation Code requires that the Board adopt a property tax exchange resolution before LAFCO can consider the reorganization.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. Find that adoption of the proposed property tax exchange resolution is not subject to the California Environmental Quality Act (CEQA) pursuant to state CEQA Guidelines Section 15378(b)(4) because the proposed action involves government fiscal activities which do not involve any commitment to any specific project which may result in a potentially significant physical impact on the environment.
2. Adopt the Resolution entitled: RESOLUTION REGARDING NEGOTIATED PROPERTY TAX EXCHANGE RELATIVE TO JURISDICTIONAL CHANGES.

FISCAL IMPACT

There is no fiscal impact associated with these recommendations in Fiscal Year 2018-19. If approved by the Board, this resolution will transfer future property tax revenue of approximately \$195,145 annually from the Julian-Cuyamaca Fire Protection District (JCFPD) to County Service Area No. 135, subject to LAFCO approval. 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 Cox, the Board of Supervisors took action as recommended, on Consent, adopting Resolution No. 18-100, entitled: RESOLUTION REGARDING NEGOTIATED PROPERTY TAX EXCHANGE RELATIVE TO JURISDICTIONAL CHANGES.

AYES: Cox, Gaspar, Roberts

ABSENT: Jacob, Horn

7. **SUBJECT: MCCLELLAN-PALOMAR AIRPORT - AMENDMENTS TO AVIATION LEASES WITH WESTERN FLIGHT, INC. (DISTRICT: 5)**

OVERVIEW

McClellan-Palomar Airport is a general aviation airport owned and operated by the County of San Diego and located within the municipal limits of the City of Carlsbad (57th Edition Thomas Guide Page 1127, D3). The airport is a gateway to and from San Diego's north county and provides facilities and services to commercial, corporate and general aviation communities. 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 December 10, 2003 (12), the Board approved three new 30-year aviation leases with Western Flight, Inc. at McClellan-Palomar Airport. These leases require rent to be renegotiated every five years to keep current with market rates. These leases were amended four times: December 6, 2006 (6) to extend the term, June 25, 2008 (5) to adjust the rent, March 24, 2010 (6) to apply a rent credit to mitigate for a runway closure, and June 19, 2013 (14) to adjust the rent.

This is a request to approve the proposed Fifth Amendments to Aviation Leases with Western Flight, Inc., County Contract Numbers 75728R, 75729R, and 75730R. These amendments would increase monthly rent to reflect current market rates. If the proposed action is adopted, the current fiscal year revenue would increase by \$5,143 due to the increase in rents under the terms of the amended leases.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. Find, in accordance with Section 15301 of the California Environmental Quality Act (CEQA) Guidelines, that the proposed lease amendments 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 Clerk of the Board to execute, upon receipt, three copies of each of the Fifth Amendments to Aviation Lease with Western Flight, Inc., County Contract Nos. 75728R, 75729R, and 75730R. **(4 VOTES)**

FISCAL IMPACT

Funds for this request are partially included in the Fiscal Year 2018-19 Operational Plan for the Airport Enterprise Fund. If approved, this request would result in total annual revenue of \$223,075 in Fiscal Year 2018-19, an increase of \$5,143 over the budgeted amount. The funding source for the Fiscal Year 2018-19 additional revenue is increased rental payments from the lessee under the terms of the amended 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 Roberts, seconded by Supervisors Cox, the Board of Supervisors continued the item to July 25, 2018, on Consent.

AYES: Cox, Gaspar, Roberts
ABSENT: Jacob, Horn

There being no further business, the Board adjourned at 9:10 a.m.

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 25, 2018.



KRISTIN GASPAR
Chairwoman

Attest:



DAVID HALL
Clerk of the Board

07/11/18