

December 16, 2015

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, DECEMBER 16, 2015, 9:00 A.M.
BOARD OF SUPERVISORS NORTH CHAMBER
1600 PACIFIC HIGHWAY, ROOM 310, SAN DIEGO, CALIFORNIA

MORNING SESSION: Called to order at 9:05 a.m.

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

Approval of Statement of Proceedings/Minutes for the meeting of September 30, 2015.

ACTION:

ON MOTION of Director Jacob, 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 September 30, 2015, on Consent.

AYES: Cox, Jacob, D. Roberts, R. Roberts, Horn

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. NOTICED PUBLIC HEARING:
 IMPACT FEE DEFERRAL PROGRAM EXTENSION (12/16/2015 – FIRST
 READING; 1/6/2016 – SECOND READING)

(RELATES TO BOARD OF SUPERVISORS AGENDA NO. 1 AND
SANITATION DISTRICT AGENDA NO. SA01)

**FL1. SUBJECT: NOTICED PUBLIC HEARING:
IMPACT FEE DEFERRAL PROGRAM EXTENSION
(12/16/2015 – FIRST READING; 1/6/2016 – SECOND
READING) (DISTRICTS: ALL)**

OVERVIEW:

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), and again on December 4, 2013 (4), the Board authorized two separate two-year extensions of the Impact Fee Deferral Program, sun-setting December 31, 2015.

Today's request is that the Board authorize an additional two-year extension of the Impact Fee Deferral Program.

FISCAL IMPACT:

If approved, the Ordinances will result in the continued deferral of applicant payment and County collection of the TIF, PLDO 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 – September 2015, customers were able to defer approximately \$5.5 million in impact fees, with an average deferral period of 136 days.

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:

1. Find that the proposed project is exempt from CEQA as specified in Section 15273 of the State CEQA Guidelines for the reasons detailed in the Notice of Exemption dated December 16, 2015, on file with PDS, and approve the findings in Attachment G pursuant to the CEQA Guidelines Section 15273(c).
2. Approve the introduction of the Ordinance (first reading), read title and waive further reading of the Ordinance (Attachment D), titled:
AN ORDINANCE AMENDING FLOOD CONTROL DISTRICT
ORDINANCE NUMBERS 6 AND 7 TO DEFER THE PAYMENT
OF SPECIAL DRAINAGE AREA FEES.

If on December 16, 2015, the Board takes action as recommended, then on January 6, 2016:

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. 1 and Sanitation District
Agenda No. SA01)

ACTION:

ON MOTION of Director Jacob, seconded by Director Cox, the Board of Directors of the San Diego County Flood Control District closed the Hearing and took action as recommended, on Consent, introducing the Ordinance for further Board consideration and adoption on January 6, 2016.

AYES: Cox, Jacob, D. Roberts, R. Roberts, Horn

There being no further business, the Board of Directors of the San Diego County Flood Control District adjourned at 11:08 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 Wednesday, January 6, 2016.

A handwritten signature in black ink, appearing to read "Ron Roberts", written over a horizontal line.

RON ROBERTS
Chairman

Attest:

A handwritten signature in blue ink, appearing to read "D Hall", written over a horizontal line.

DAVID HALL
Clerk of the Board

12/16/15 FLOOD CONTROL DISTRICT