

October 11, 2023

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 - LAND USE
REGULAR MEETING
WEDNESDAY, OCTOBER 11, 2023, 9:00 AM
COUNTY ADMINISTRATION CENTER, ROOM 310
1600 PACIFIC HIGHWAY, SAN DIEGO, CALIFORNIA

Order of Business

A. REGULAR SESSION: Meeting was called to order at 10:00 a.m.

PRESENT: Supervisors Nora Vargas, Chair; Terra Lawson-Remer, Vice-Chair; Joel Anderson; also, Ryan Sharp, Assistant Clerk of the Board of Supervisors.

ABSENT: Supervisor Jim Desmond; (District 4 Seat Vacant)

B. Statement (just cause) and/or Consideration of a Request to Participate Remotely (emergency circumstances) by a Supervisor, if applicable.

C. Closed Session Report

D. Non-Agenda 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.

E. Approval of the Statement of Proceedings/Minutes for the meeting September 27, 2023.

ACTION:

ON MOTION of Supervisor Anderson, seconded by Supervisor Lawson-Remer, the Board of Supervisors approved the Statement of Proceedings/Minutes for the Regular Board of Supervisors meeting of September 27, 2023.

AYES: Vargas, Anderson, Lawson-Remer

ABSENT: Desmond; (District 4 Seat Vacant)

F. Consent Calendar

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. | SECOND CONSIDERATION AND ADOPTION OF ORDINANCE:
ENACT AN ORDINANCE AND ADOPT A RESOLUTION TO DISSOLVE SAN DIEGO COUNTY PERMANENT ROAD DIVISION NO. 1000, ZONE NO. 1003 - ALAMO WAY IN CREST, AND RELATED CEQA EXEMPTION |
| 2. | ADMINISTRATIVE ITEM:
SECOND CONSIDERATION AND ADOPTION OF ORDINANCE
AMEND THE GROUNDWATER ORDINANCE (September 27, 2023 - first reading; October 11, 2023 - second reading); AND FOCUSED UPDATE TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) GUIDELINES AND REPORT REQUIREMENTS FOR GROUNDWATER RESOURCES; AND CEQA NO PROJECT FINDING AND EXEMPTION |
| 3. | AUTHORIZATION TO ISSUE REQUEST FOR STATEMENT OF QUALIFICATIONS AND TO NEGOTIATE AND AWARD CONTRACT FOR AS-NEEDED ENGINEERING, CONSTRUCTION MANAGEMENT, AND CLOSED SOLID WASTE SITE MAINTENANCE AND REPAIR SERVICES AND RELATED CEQA EXEMPTION |
| 4. | SET HEARING FOR NOVEMBER 08, 2023:
BUTTERFIELD TRAILS RANCH - APPROVE ACQUISITION OF APPROXIMATELY 60 ACRES OF LAND (BUTTERFIELD TRAILS, LLC) AND CEQA EXEMPTIONS (10/11/2023 - SET HEARING; 11/8/2023 - HOLD HEARING)
[FUNDING SOURCE: PROVIDED BY APPROPRIATIONS IN THE CAPITAL OUTLAY FUND TO PROVIDE FUNDING FOR CAPITAL PROJECT 1026477 BUTTERFIELD RANCH ACQUISITION BASED ON OPERATING TRANSFERS IN FROM THE GENERAL FUND, AND OPERATING TRANSFERS IN FROM PARK LAND DEDICATION ORDINANCE AREA 38 VALLEY CENTER, PLD VALLEY CENTER LAND ACQUISITION IMPACT FEE, AND PLD VALLEY CENTER IMPROVEMENT IMPACT FEE; FY 2023-24 FROM DISTRICT 5 COMMUNITY ENHANCEMENT FUNDING, AND ADDITIONAL FUNDING FROM DISTRICT 5 IN FY 2024-25 TO FUND STEWARDSHIP] |
| 5. | PUBLIC COMMUNICATION |

- SUBJECT: SECOND CONSIDERATION AND ADOPTION OF ORDINANCE: ENACT AN ORDINANCE AND ADOPT A RESOLUTION TO DISSOLVE SAN DIEGO COUNTY PERMANENT ROAD DIVISION NO. 1000, ZONE NO. 1003 - ALAMO WAY IN CREST, AND RELATED CEQA EXEMPTION (DISTRICT: 2)**

OVERVIEW

On September 27, 2023 (05), the Board of Supervisors took action to further consider and adopt the Ordinance on October 11, 2023.

Special districts are created in order to provide new or enhanced local services and infrastructure to specific communities. Permanent Road Division (PRD) Zones are a type of special district that provides private road maintenance services and are governed under Streets and Highways Code Section 1160, et seq. The County of San Diego's PRD Program is administered by the Department of Public Works (DPW) and provides maintenance services to approximately 100 miles of private roads in multiple unincorporated communities. Road maintenance services are primarily funded by property owner paid assessments that are collected through the annual tax roll, reducing administrative costs from billing and payment collection. Regular road maintenance helps keep the overall repair costs down, protects the residents' investments in their properties, and enhances road safety by providing maintained access to homes and the community.

PRD No. 1000, Zone No. 1003 - Alamo Way (PRD Zone 1003) is located in the unincorporated community of Crest and was established in 1999 to provide private road maintenance services for twenty (20) parcels. Alamo Way is in need of asphalt repair, a resurfacing treatment, and replacement of one (1) drainage culvert. The estimated repair costs are approximately \$163,000 and the PRD Zone lacks adequate funding to repair and maintain the road in good condition. PRD Zone 1003's annual revenue is \$4,400 and is generated from property owner paid assessments. Over the past year, DPW staff has coordinated with property owners to discuss potential funding options to maintain the road in good condition, including increasing the annual assessment amount. On April 4, 2023, ballots were sent to all 20 property owners to determine their preference for road maintenance service levels, including options to increase rates to fund services needed to maintain their roads in good condition, to not increase rates, or to dissolve the PRD. Property owners representing 13 of the 20 parcels returned ballots (65%). Returned ballots from property representing the majority of all parcels (55%, 11 of 20) within PRD Zone 1003 supported the ballot option to disapprove a rate increase and request dissolution of PRD Zone 1003, which meets the requirements of Board of Supervisors Policy J-16: *Use of Permanent Road Division Zones for Maintenance of Public Roads* (Board Policy J-16) for dissolution.

After balloting concluded and dissolution was supported, letters were sent to all property owners to ensure they were aware of the results and their responsibilities for future road maintenance. Once dissolved, any remaining funds are returned to property owners and road maintenance responsibility will revert to the property owners within PRD Zone 1003. Dissolution does not preclude property owners from reforming a PRD Zone in the future, should they desire.

In accordance with Board Policy J-16 the dissolution process requires two steps. On September 27, 2023, the Board will introduce an ordinance to dissolve Permanent Road Division No. 1000, Zone No. 1003 - Alamo Way. If the Board takes action at the first meeting, then on October 11, 2023, the Board will adopt a Resolution to dissolve Permanent Road Division No. 1000, Zone No. 1003 - Alamo Way and repeal the related Ordinance authorizing the collection of benefit charges within the boundaries of PRD Zone 1003.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. Adopt an Ordinance to repeal the existing ordinance to collect assessments within Permanent Road Division No. 1000, Zone No. 1003 - Alamo Way entitled: AN ORDINANCE TO REPEAL ORDINANCE NO. 9127 (NEW SERIES) PROVIDING A PROCEDURE FOR FIXING AND COLLECTING CHARGES ON THE TAX ROLL FOR SERVICES AND CONTINUING IN EFFECT THE PREVIOUSLY APPROVED MAXIMUM CHARGE WITHIN SAN DIEGO COUNTYWIDE PERMANENT ROAD DIVISION NO. 1000, ZONE NO. 1003 - ALAMO WAY.
2. Adopt a Resolution entitled: RESOLUTION OF THE BOARD OF SUPERVISORS ORDERING DISSOLUTION OF SAN DIEGO COUNTYWIDE PERMANENT ROAD DIVISION NO. 1000, ZONE NO. 1003 - ALAMO WAY WITHOUT AN ELECTION.
3. Authorize the Director, Department of Public Works and the Auditor & Controller, once dissolution is complete and refunds have been issued to property owners, to take any action necessary to close out all residual funds and transfer to the General Fund relative to Permanent Road Division No. 1000, Zone No. 1003 - Alamo Way.

EQUITY IMPACT STATEMENT

Today's action continues the County's commitment to providing programs and services that enhance the health and safety of our local communities. Permanent Road Division (PRD) Zones are formed at the request of property owners and provide a funding mechanism for the County to provide private road maintenance services. The majority of property owners can request dissolution of a PRD Zone at any time when property owners no longer want to utilize the PRD Program for the long-term maintenance of their private roads. This action to dissolve PRD No. 1000, Zone No. 1003 - Alamo Way (PRD Zone 1003) is requested on behalf of property owners representing the majority of parcels within PRD Zone 1003.

SUSTAINABILITY IMPACT STATEMENT

Today's action to dissolve Permanent Road Division (PRD) No. 1000, Zone No. 1003 - Alamo Way supports the County's Sustainability Goals to protect the environment and health and wellbeing of residents. Performing road work in a timely manner prevents more costly repairs in the future, supporting both economic and environmental sustainability. Well-maintained roads also reduce costly vehicle maintenance and operation resources, supporting social sustainability. The current funding status for PRD No. 1000, Zone No. 1003 - Alamo Way is not sufficient for the long-term maintenance of their roads. The proposed dissolution will provide annual cost savings to property owners which can be utilized to maintain their roads.

FISCAL IMPACT

Funds for this request are included in the Fiscal Year 2023-24 Operational Plan in the Department of Public Works Permanent Road Division No. 1000, Zone No. 1003 - Alamo Way Fund (Fund).

The costs to bring this request for dissolution to the San Diego County Board of Supervisors and to complete the dissolution are approximately \$6,800. Approximately \$8,350 was utilized towards road work, including vegetation management in the road right of way, street and directional sign replacement, and repainting the stop legend (printed on the pavement before a stop sign). Any funds remaining in the Fund after dissolution will be returned to property owners. 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 Anderson, seconded by Supervisor Lawson-Remer, the Board of Supervisors took action as recommended, on Consent, adopting the following:

Ordinance No. 10865 (N.S.), entitled: AN ORDINANCE TO REPEAL ORDINANCE NO. 9127 (NEW SERIES) PROVIDING A PROCEDURE FOR FIXING AND COLLECTING CHARGES ON THE TAX ROLL FOR SERVICES AND CONTINUING IN EFFECT THE PREVIOUSLY APPROVED MAXIMUM CHARGE WITHIN SAN DIEGO COUNTYWIDE PERMANENT ROAD DIVISION NO. 1000, ZONE NO. 1003 – ALAMO WAY; and,

Resolution No. 23-123, entitled: RESOLUTION OF THE BOARD OF SUPERVISORS ORDERING DISSOLUTION OF SAN DIEGO COUNTYWIDE PERMANENT ROAD DIVISION NO. 1000, ZONE NO. 1003 – ALAMO WAY WITHOUT AN ELECTION.

AYES: Vargas, Anderson, Lawson-Remer
ABSENT: Desmond; (District 4 Seat Vacant)

- 2. **SUBJECT: ADMINISTRATIVE ITEM:
SECOND CONSIDERATION AND ADOPTION OF ORDINANCE:
AMEND THE GROUNDWATER ORDINANCE (September 27, 2023 - first reading; October 11, 2023 - second reading); AND FOCUSED UPDATE TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) GUIDELINES AND REPORT REQUIREMENTS FOR GROUNDWATER RESOURCES; AND CEQA NO PROJECT FINDING AND EXEMPTION (DISTRICTS: ALL)**

OVERVIEW

On September 27, 2023 (03), the Board of Supervisors took action to further consider and adopt the Ordinance on October 11, 2023.

Facing a prolonged statewide drought and unrestricted groundwater pumping, California passed the Sustainable Groundwater Management Act (SGMA) in 2014, which provides a framework to regulate groundwater for the first time in California's history. This law strengthens groundwater management by requiring local agencies to balance groundwater extraction with groundwater recharge in basins designated by the California Department of Water Resources as high- or medium-priority.

Today's actions propose (1) amending the County of San Diego's (County's) Groundwater Ordinance and (2) adopting a focused update to the County's California Environmental Quality Act (CEQA): *Guidelines for Determining Significance and Report Format and Content Requirements, Groundwater Resources* (County Groundwater Guidelines). The amendments proposed to the County Groundwater regulations are administrative in nature to implement Court proceedings and regulatory changes that have already occurred at the state level. The actions ensure consistency and compliance with SGMA, revisions to the State's CEQA Guidelines, and a Superior Court of California (Court) judgment. Changes to the Groundwater Ordinance are limited to the Borrego Springs Groundwater Subbasin (Borrego Basin). Updates to the County Groundwater Guidelines are primarily focused on the three SGMA-mandated basins in the San Diego region, which include the Upper San Luis Rey Valley Groundwater Subbasin (SLR Basin), the San Pasqual Valley Groundwater Basin (San Pasqual Basin), and the Borrego Basin (Attachment A).

At the request of groundwater pumpers within the community of Borrego Springs, the Court has adjudicated groundwater rights in the Borrego Basin. The Groundwater Ordinance is being amended to comply with the Borrego Springs Subbasin Groundwater Rights Adjudication (2021 Judgment). The 2021 Judgment provided holders of groundwater rights in Borrego Springs to work together alongside the County and the Borrego Water District to manage the Borrego Basin through a court-approved process. To accomplish this, the 2021 Judgment established the Borrego Springs Watermaster (Watermaster) as the entity responsible for managing groundwater resources in the Borrego Basin. Over the last two years, County staff and Watermasters have met regularly to align internal processes and procedures. The Groundwater Ordinance will now reflect that future water use is subject to the 2021 Judgment, which requires Borrego Basin groundwater users to have groundwater rights consistent with the Watermaster requirements before project approval. Therefore, all projects subject to the Groundwater Ordinance within the Borrego Basin must demonstrate the ability to obtain water rights before project approval.

The focused update to the County Groundwater Guidelines will reference SGMA and the State's 2018 revised CEQA Guidelines, which address a project's impacts on groundwater. The current version of the County Groundwater Guidelines already considers groundwater sustainability when determining a project's environmental impact. The updated County Groundwater Guidelines will reference the recent regulatory changes and the 2021 Judgment. Additionally, the requirement for groundwater investigations will now require a California Professional Geologist to prepare and sign reports in lieu of the current two-step requirement of being a California Professional Geologist and being a consultant on the County's CEQA Consultants list (CEQA List) for groundwater resources. This requirement is consistent with other similar County guidelines and is expected to reduce the cost to applicants while making it easier for applicants to find more qualified consultants.

The focused update to the County Groundwater Guidelines does not require a second hearing and is scheduled for adoption during today's hearing (September 27, 2023). The amended Groundwater Ordinance will be introduced on September 27, 2023, and, if approved, will be scheduled for adoption on October 11, 2023. If the proposed Groundwater Ordinance is altered on October 11, 2023, then on that date a subsequent meeting date will be selected for the ordinance's adoption.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

Consider and adopt the Ordinance Amending Sections 67.720 and 67.750 of the San Diego County Groundwater Ordinance Relating to the Borrego Springs Subbasin (second reading).

EQUITY IMPACT STATEMENT

Amending the Groundwater Ordinance and County Groundwater Guidelines will assist in an efficient and consistent review of projects potentially impacting groundwater resources. With the goal of equitable access to groundwater resources, the Groundwater Ordinance and County Groundwater Guidelines will require projects to provide relevant information to make appropriate planning decisions and determinations while meeting applicable regulations. These additional requirements will provide the surrounding communities with transparency of potential groundwater users before projects are approved.

SUSTAINABILITY IMPACT STATEMENT

The actions to amend the County's Groundwater Ordinance and update the County Groundwater Guidelines align with the County's sustainability goals and sustainability commitments in the FY 2022-23 Operational Plan by focusing on policies that protect our natural resources. By ensuring adequate groundwater resources are available to serve both existing users and proposed development, the County prioritizes long-term sustainable strategies, which is key to being a greater steward of natural resources and preserving, protecting, and maintaining groundwater resources for future generations.

FISCAL IMPACT

The amended Groundwater Ordinance and the updated County Groundwater Guidelines will be implemented through publicly or privately funded and initiated projects. The private sector will pay for private development costs through the entitlement and permitting process. Public projects may be initiated by County departments such as the Department of Parks and Recreation or the Department of Public Works. Each department will monitor its budget and identify project costs and the funding source(s) during project development and include in future Operational Plans. There is no fiscal impact associated with these recommendations. There will be no change in net General Fund costs and no additional staff years.

BUSINESS IMPACT STATEMENT

The updated County Groundwater Guidelines are expected to reduce the cost to applicants by removing the CEQA list requirement, thus, making it easier for applicants to find qualified consultants. Currently, there are only nine consultants on the CEQA list for groundwater resources. This change would create additional opportunities by expanding the number of consultants able to conduct hydrogeologic investigations for projects proposing to use groundwater.

ACTION:

ON MOTION of Supervisor Anderson, seconded by Supervisor Lawson-Remer, the Board of Supervisors took action as recommended, On Consent, adopting Ordinance No. 10866 (N.S.), entitled: AN ORDINANCE AMENDING THE SAN DIEGO COUNTY ADMINISTRATIVE CODE ARTICLE 10249 SECTIONS 67.720 AND 67.750, RELATING TO GROUNDWATER.

AYES: Vargas, Anderson, Lawson-Remer

ABSENT: Desmond; (District 4 Seat Vacant)

3. **SUBJECT: AUTHORIZATION TO ISSUE REQUEST FOR STATEMENT OF QUALIFICATIONS AND TO NEGOTIATE AND AWARD CONTRACT FOR AS-NEEDED ENGINEERING, CONSTRUCTION MANAGEMENT, AND CLOSED SOLID WASTE SITE MAINTENANCE AND REPAIR SERVICES AND RELATED CEQA EXEMPTION (DISTRICTS: ALL)**

OVERVIEW

The County of San Diego (County) owned and operated a network of landfills and trash burn sites from the 1940s to 1997 to meet residents' waste disposal needs. In November 1997, the County sold four remaining operating landfills. The County no longer operates facilities that accept trash but retains the responsibility for 21 closed solid waste facilities to manage, maintain, and monitor in order to ensure regulatory compliance with federal, state, and local laws. The County monitors and maintains these sites by reviewing ground and surface water quality, and air quality through the capture and control of landfill gas which protects public health, environmental health, and the safety of nearby communities. Services are performed by Department of Public Works field crews, consultants, and contractors. Due to aging infrastructure and increasing regulations, additional contractor services are needed for engineering, construction management, and maintenance and repair projects on closed landfills and former trash burn sites. Our current contracts are insufficient to meet our currently identified needs for major maintenance. Outreach to nearby communities is conducted when major maintenance projects are planned.

This is a request for the San Diego County Board of Supervisors to authorize issuance of a Request for Statement of Qualifications to negotiate and award up to two contracts for as-needed services. The maximum combined amount for the primary and secondary contracts is estimated at \$3,000,000 annually for a one-year initial term with four one-year options for a total capacity not to exceed \$15,000,000 over a five-year period. The funding source is the Environmental Trust Fund, which was established for environmental compliance for the County's closed solid waste facilities (Admin. Code §454.1).

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. Find that the proposed action is exempt from review under the California Environmental Quality Act (CEQA) pursuant to Section 15060(c)(3) of the CEQA Guidelines because it involves government fiscal activities, including the procurement of contracts without a commitment or approval of specific projects.

2. In accordance with Board Policy F-40, Procuring Architectural, Engineering, and Related Professional Services, approve and authorize the Director, Department of Purchasing and Contracting, to issue a Request for Statement of Qualifications for as needed engineering, construction management and closed solid waste site maintenance and repair services, and upon successful negotiation and determination of a fair and reasonable price, award up to two contracts for an initial term of one year, with four one-year options and an additional six months if needed, not to exceed an annual value of up to \$1,500,000 per contract, with a total not to exceed value of \$15,000,000 over a five-year period; and to amend the contracts as required to reflect changes to services and funding allocation,.

EQUITY IMPACT STATEMENT

Today's action continues the County's commitment to providing programs and services that enhance the health and safety of our local community. The contracts authorized in today's action reflect the County's focus on equitable outcomes for all members of our community by addressing environmental concerns and protecting public health through the proper management of closed solid waste sites.

SUSTAINABILITY IMPACT STATEMENT

Today's action to authorize a Request for Statement of Qualifications for closed solid waste facilities supports the County's Sustainability Goals to protect the environment, and health and well-being of residents. Performing maintenance work in a timely manner prevents more costly repairs in the future, supporting both economic and environmental sustainability. Continued monitoring and maintenance of the closed solid sites help address climate change through facility maintenance and hazard mitigation, preserving natural resources, ecosystems, and habitats, and safeguarding public and environmental health.

FISCAL IMPACT

There is no current year fiscal impact associated with the recommendations to issue a competitive solicitation for services for engineering, construction management, and closed solid waste site maintenance and repair services. There will be no change in net General Fund cost and no additional staff years.

If approved, this contract is estimated to result in annual expenditures of \$3,000,000 for five years starting in Fiscal Year 2024-25. The total expenditures will be approximately \$15,000,000 through Fiscal Year 2028-29. As projects and funding are identified, the Department of Public Works will return to the San Diego County Board of Supervisors to establish appropriations in future Operational Plans for the Department of Public Works, Inactive Waste Site Management Fund. The contracts will be amended, as-needed, to reflect changes to services and funding.

BUSINESS IMPACT STATEMENT

When approved by the Board of Supervisors for advertising and award, County of San Diego contracts are competitively bid and help stimulate the local economy by creating employment opportunities. All workers employed on public works projects must be paid the prevailing wages determined by the California Department of Industrial Relations, according to the type of work and location of the project. The prevailing wage rates are usually based on rates specified in collective bargaining agreements.

ACTION:

ON MOTION of Supervisor Anderson, seconded by Supervisor Lawson-Remer, the Board of Supervisors took action as recommended, on Consent.

AYES: Vargas, Anderson, Lawson-Remer

ABSENT: Desmond; (District 4 Seat Vacant)

4. **SUBJECT: SET HEARING FOR NOVEMBER 08, 2023:
BUTTERFIELD TRAILS RANCH - APPROVE ACQUISITION OF
APPROXIMATELY 60 ACRES OF LAND (BUTTERFIELD TRAILS,
LLC) AND CEQA EXEMPTIONS (10/11/2023 - SET HEARING;
11/8/2023 - HOLD HEARING) (DISTRICT: 5)**

OVERVIEW

On April 6, 2022 (4), the County of San Diego (County) Board of Supervisors (Board) directed staff to explore the feasibility of acquiring Butterfield Trails Ranch property (Property) in Valley Center for the purpose of establishing a public park and report back to the Board with options for a potential acquisition. Several Valley Center community members, groups, and organizations requested that the Board consider acquiring the Property for use as a County park including Valley Center Community Planning Group, Friends of Hellhole Canyon, Valley Center Trails Association, Valley Center Business Association, Valley Center History Museum & Foundation, Valley Center Vaqueros, Valley Center Stampede Rodeo, Valley Center Art Gallery & Foundation, Valley Center youth groups (Girl Scouts, Boy Scouts, and 4H Club), and Woods Valley Homeowners Association. The approximately 60-acre Property could be developed over time to provide trails, open space, and volunteer opportunities in the core of Valley Center. Residents also expressed an interest in celebrating the community's rural character and cultural heritage on site. Some Valley Center community members have expressed support for having the Valley Center Intergenerational Center at the Property. If the Property is acquired, the proposed active park component on the Property will include future public engagement, design, and CEQA environmental analyses.

The Property was appraised by a County third-party appraiser, Anderson and Brabant, in June 2022 for \$5,000,000 (approximately \$84,200/acre). On June 27, 2023 (17), the Board appropriated \$3,000,000 for the acquisition of the Property. The County executed an Option Agreement with the Seller for the purchase of the Property for the agreed upon value of \$3,000,000. Butterfield Trails, LLC (Seller) has secured funding from a third-party conservation group, who will donate \$2,000,000 towards the purchase price directly to the Seller. Today's request is for the Board to set a hearing for November 8, 2023, to consider approval of the purchase of the Property and direct the Clerk of the Board to provide public notice of the hearing. If the Board approves the request, on November 8, 2023, after making the necessary findings, the Board will be requested to authorize the purchase of the Property from the Seller for the agreed upon purchase price of \$3,000,000. The total one-time County cost, including property acquisition, staff time, and initial stewardship is \$3,186,809. Funds for this request are included in the Fiscal Year (FY) 2023-24 Operational Plan in the Capital Outlay

Fund for Capital Project 1026477 Butterfield Ranch Acquisition (\$3,000,000), and in the Department of Parks & Recreation (\$186,809). The annual costs to manage the Property are \$410,664, including ongoing stewardship, fire abatement, and supervision of the preserve. These ongoing costs will be requested in future Operational Plans.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

On October 11, 2023:

1. Set a hearing for November 8, 2023, at which time the Board of Supervisors (Board) may authorize the Director, Department of General Services, to exercise the option to purchase Assessor Parcel Numbers (APNs) 189-281-14, -18, 189-012-59, -60, -61, and -62 for the agreed upon purchase price of \$3,000,000.
2. Direct the Clerk of the Board to provide notice of the November 8, 2023 hearing via publication and posting as required by law.

If, on October 11, 2023, the Board takes the actions recommended in Items 1-2 above, then on November 8, 2023:

1. Find that the proposed acquisition of APNs 189-281-14, -18, 189-012-59, -60, -61, and -62 and associated actions are exempt from the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Sections 15301, 15304 and 15316.
2. Authorize the Director, Department of General Services, or designee to exercise the option to purchase APNs 189-281-14, -18, 189-012-59, -60, -61, and -62 for the agreed upon purchase price of \$3,000,000.--
3. Authorize the Director, Department of General Services, or designee to execute all escrow and related documents necessary to complete the purchase of APNs 189-281-14, -18, 189-012-59, -60, -61, and -62.

EQUITY IMPACT STATEMENT

The Department of Parks & Recreation Program for acquisition of properties with recreational opportunity is anticipated to result in positive public health impacts by providing recreational outdoor opportunities for the surrounding community and region. The Valley Center Community Plan Area (CPA) is comprised of approximately 94 square miles in the unincorporated area of northern San Diego county outside the City of Escondido and adjacent to one of San Diego county's most traveled commuter corridors, Interstate 15. Valley Center is known for its unique topographic features, agricultural uses, and residential development. The Valley Center CPA is composed of six census tracts and three zip codes with a total population of over 19,000 residents. In this CPA, youth under 18 and older adults ages 55+ comprise nearly two-thirds of the population (SANDAG Demographic and Socioeconomic Estimates, 2020). Acquiring this property would create greater recreation space opportunities for the Valley Center community and San Diego county residents.

SUSTAINABILITY IMPACT STATEMENT

The proposed acquisition supports multiple County Sustainability Goals. In alignment with County of San Diego (County) Sustainability Goal No. 1, any design of Butterfield Trails Ranch (Property) will be guided by extensive public engagement including virtual public meetings, online surveys, and focused outreach with stakeholder groups to involve the community in the development process. Acquisition of the approximately 60-acre Property supports County Sustainability Goal No. 3 and the County's Climate Action Plan by offsetting greenhouse gas emissions by an estimated 50 metric tons of carbon dioxide equivalents per year through park use as opposed to residential development. Additionally, future development of the acquired site as a park will further reduce the need for residents to travel outside their community to access parkland and active recreation opportunities. This has potential to reduce greenhouse gas emissions associated with vehicle trips to areas outside of the local community, thus further supporting County Sustainability Goal No. 3. The proposed acquisition site supports County Sustainability Goal No. 4 by expanding opportunities for community members to access outdoor recreation and nature, and County Sustainability Goal No. 6 by expanding open space adjacent to native ecosystems and habitats.

FISCAL IMPACT

Funds for this request are included in the Fiscal Year (FY) 2023-24 Operational Plan in the Capital Outlay Fund and the Department of Parks & Recreation. This request will result in total one-time project costs for the Butterfield Trails Ranch (Property) of \$3,186,809 in FY 2023-24, itemized as follows: \$3,000,000 for Property acquisition, \$65,000 for staff time and appraisal reports to complete the transaction; \$5,000 for closing and title costs; and \$116,809 in one-time land improvement costs, including debris and vegetation management, fence and gates repair, signage, equipment inspection, erosion control, contracted services for well systems, vector control for the pond, and grounds maintenance. The funding source for the Property acquisition is provided by appropriations of \$3,000,000 in the Capital Outlay Fund to provide funding for Capital Project 1026477 Butterfield Ranch Acquisition based on Operating Transfers In from the General Fund (\$2,000,000), and Operating Transfers In from Park Land Dedication Ordinance Area 38 Valley Center (\$577,848), PLD Valley Center Land Acquisition Impact Fee (\$61,458), and PLD Valley Center Improvement Impact Fee (\$360,694). The funding source for staff time, closing, and title costs, and initial stewardship is \$186,809 in FY 2023-24 from District 5 Community Enhancement funding, and additional funding from District 5 in FY 2024-25 to fund stewardship.

Future fiscal impacts include annual ongoing costs for assessments, monitoring, and operations and management of the Property are estimated at approximately \$410,664, itemized as follows: approximately \$168,100 for annual total operating costs for 2.00 full time equivalent (FTE), and \$242,564 for services and supplies. These ongoing costs and staff will be requested in future Operational Plans.

Future costs associated with the construction and maintenance of the proposed active recreation park component will be identified at a later date. The Department of Parks & Recreation will include proposals for construction on the Capital Improvement Needs Assessment, and operating costs in proposed future Operational Plans.

BUSINESS IMPACT STATEMENT

N/A

ACTION:

ON MOTION of Supervisor Anderson, seconded by Supervisor Lawson-Remer, the Board of Supervisors took action as recommended, on Consent, and set a Hearing for November 8, 2023.

AYES: Vargas, Anderson, Lawson-Remer

ABSENT: Desmond; (District 4 Seat Vacant)

5. SUBJECT: PUBLIC COMMUNICATION (DISTRICTS: ALL)

OVERVIEW

Robert Germann spoke to the Board regarding San Diego County airports.

Michael Brando spoke to the Board regarding Brown Act violations and comments made by members of the public.

Hermis spoke to the Board regarding elections.

Quarteize Roshell spoke to the Board regarding the homeless crisis.

Paul the Bold spoke to the Board regarding declaring emergencies.

Diane Grace spoke to the Board regarding the importance of mental health services.

Jennifer Kershbaum spoke to the Board regarding a land use violation in the City of San Marcos.

Consuelo spoke to the Board regarding Brown Act violations.

Ann Riddle spoke to the Board regarding support of AB 1207.

Audra spoke to the Board regarding actions of the Board of Supervisors.

Truth spoke to the Board regarding actions of the Board of Supervisors.

ACTION:

Heard, Referred to the Chief Administrative Officer.

There being no further business, the Board adjourned at 10:44 a.m.

ANDREW POTTER
Clerk of the Board of Supervisors
County of San Diego, State of California

Consent: Perez
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, October 25, 2023.



NORA VARGAS
Chair

Attest:



ANDREW POTTER
Clerk of the Board

10/11/2023