

**COUNTY OF SAN DIEGO
BOARD OF SUPERVISORS
WEDNESDAY, OCTOBER 19, 2016**

MINUTE ORDER NO. 9

**SUBJECT: SET HEARING FOR 11/16/2016:
PURCHASE OF AGRICULTURAL CONSERVATION EASEMENT
(PACE) PROGRAM – PURCHASE OF TWO AGRICULTURAL
CONSERVATION EASEMENTS IN RAMONA AND PALA-PAUMA
VALLEY (10/19/2016 – SET HEARING; 11/16/2016 – HOLD HEARING)
(DISTRICTS: 2 & 5)**

OVERVIEW:

On December 4, 2013 (3), the Board of Supervisors (Board) established the Purchase of Agricultural Conservation Easement (PACE) Program as an on-going County program and established the continuous funding of acquisitions through an annual General Fund appropriation and sale of mitigation credits. On September 17, 2014 (1), the Board expanded the PACE Program to include a mitigation component.

The Board provided staff with the following direction:

- Periodically reopen the PACE application process to interested property owners; and

- Pursue an on-going PACE program based on an annual funding allocation of up to \$1,500,000.

In response to the Board’s direction, in Fiscal Year (FY) 2015-16, the County acquired 189.87 acres through the PACE program. As of today, 59.23 acres have been acquired in FY 2016-17. Today’s request is to approve easement acquisitions from two property owners that have signed “willing seller” letters. The first property is identified as Assessor Parcel Numbers (APN) 130-120-07, 132-020-16, -22, -37, -51, -52 (211.54 acres) appraised at \$608,470, and the second property is identified as APN 278-080-08 (81.99 acres) appraised at \$361,500, for a total of 293.53 acres. The appraised value of each easement exceeds the limit established by Government Code Section 25350.60 and Administrative Code Section 73(a), which authorizes acquisition of real property interests valued at less than \$250,000 by the Director, Department of General Services, and requires the Board’s approval. The two agricultural conservation easements appraised for a combined value of \$969,970.

The easement acquisition request requires two steps. On October 19, 2016, the Board is requested to set a hearing for November 16, 2016, and provide public notice for the hearing. If the Board takes the actions recommended for October 19, 2016, then on November 16, 2016, after making the necessary findings, staff requests the Board approve the purchase of agricultural easements for the above referenced properties.

FISCAL IMPACT:

Funds for this request are included in the Fiscal Year 2016-17 Operational Plan for Planning & Development Services (PDS). If approved, this request will result in estimated costs of \$974,970 for the two easements totaling \$969,970 which includes \$5,000 in related title and escrow costs. The funding source is Fiscal Year 2015-16 (\$411,056) and 2016-17 (\$563,914) PACE Program available fund balance. After acquiring the two easements, \$936,086 will remain in the PACE Program. There will be no change in net General Fund costs and no additional staff years.

BUSINESS IMPACT STATEMENT:

N/A

RECOMMENDATION:

CHIEF ADMINISTRATIVE OFFICER

On October 19, 2016:

1. Set a hearing for November 16, 2016 at which time the Board of Supervisors may consider approving the purchase of agricultural easements over Assessor Parcel Numbers (APNs) 130-120-07, 132-020-16, -22, -37, -51, -52 and 278-080-08.
2. Direct the Clerk of the Board of Supervisors to provide notice of said hearing via publication and posting as required by law.

If on October 19, 2016, the Board takes the actions recommended in Items 1-2 above, then on November 16, 2016:

1. Find that the proposed project is categorically exempt from the California Environment Quality Act (CEQA) pursuant to State CEQA Guidelines Section 15325 as it involves the transfer of ownership of land to allow continued agricultural use and preserve existing natural conditions.
2. Approve the Real Property Contract for the purchase of an agricultural conservation easement over APNs 130-120-07, 132-020-16, -22, -37, -51, and -52 from Few Acres Ranch LLC, John Dwight Beck Family Trust U.D.T. 2/17/99, and John D. Beck Family Trust U/D/T February 17, 1999 for the appraised value of \$608,470.
3. Approve the Real Property Contract for the purchase of an agricultural conservation easement over APN 278-080-08 from JSB Trust Dated January 22, 2000 for the appraised value of \$361,500.
4. Authorize the Director, Department of General Services, or designee, to execute two originals of each Real Property Contract as well as all escrow and related documents necessary to complete the purchases of agricultural conservation easements over APNs 130-120-07, 132-020-16, -22, -37, -51, -52 and 278-080-08.

ACTION:

ON MOTION of Supervisor Horn, seconded by Supervisor Cox, the Board took action as recommended, on Consent, setting a Hearing for November 16, 2016.

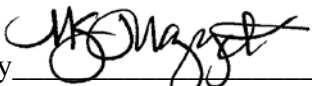
AYES: Cox, Jacob, D. Roberts, R. Roberts, Horn

State of California)
County of San Diego) §

I hereby certify that the foregoing is a full, true and correct copy of the original entered in the Minutes of the Board of Supervisors.

DAVID HALL
Clerk of the Board of Supervisors



By 
Marvice E. Mazyck, Chief Deputy