

CLERK OF THE BOARD OF SUPERVISORS
BOARD OF SUPERVISORS MEETING
WEDNESDAY, SEPTEMBER 16, 2020
Legislative Services Section: (619) 531-5434

INDEX:

Revised Page

NEW AGENDA AND BACKUP:

12. **DEVELOPING AN ACQUISITION PLAN TO PURCHASE ROUGHLY 98 ACRES OF SURPLUS PROPERTY FROM THE HELIX WATER DISTRICT (DISTRICT: 2)**

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11. APPROVE AND AUTHORIZE EXECUTION OF ASSOCIATE COMMISSION MEMBER AGREEMENT WITH THE SOUTHERN CALIFORNIA COASTAL WATER RESEARCH PROJECT AUTHORITY
[FUNDING SOURCE: GENERAL PURPOSE REVENUE]

12. DEVELOPING AN ACQUISITION PLAN TO PURCHASE ROUGHLY 98 ACRES OF SURPLUS PROPERTY FROM THE HELIX WATER DISTRICT
[FUNDING SOURCE: GENERAL PURPOSE REVENUE]

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11. SUBJECT: APPROVE AND AUTHORIZE EXECUTION OF ASSOCIATE COMMISSION MEMBER AGREEMENT WITH THE SOUTHERN CALIFORNIA COASTAL WATER RESEARCH PROJECT AUTHORITY (DISTRICTS: ALL)

OVERVIEW

This is a request to approve an agreement that would renew the County of San Diego's (County) membership in the Southern California Coastal Water Research Project Authority (SCCWRP) for five years. SCCWRP is a joint powers authority comprising Southern California's largest wastewater and stormwater management agencies, as well as state and federal regulatory agencies that develop and enforce water quality laws. Through this unique partnership of regulated and regulating entities, SCCWRP carries out objective water quality science that increases shared knowledge about how treated wastewater discharges, stormwater discharges, and other human activities affect Southern California's coastal aquatic ecosystems. Membership in SCCWRP enables the County to help develop scientific research that provides relevant data to inform implementation of stormwater management programs, including those required to comply with State and federal water quality mandates such as the Municipal Stormwater Permit. The County first joined SCCWRP in 2008. The current SCCWRP agreement is set to expire on June 30, 2021, and a new five-year agreement has been proposed.

In addition to furthering the region's knowledge about water quality, participation in SCCWRP assists the County in complying with San Diego Regional Water Quality Control Board Order No. R9-2013-0001 (the Municipal Stormwater Permit) and other water quality mandates, which require the County and other agencies to eliminate sources of pollution entering local waters. For the past 12 years, the County has successfully collaborated with SCCWRP's team of scientists on studies that support regulatory compliance through the identification and elimination of pollution sources. For example, SCCWRP studies have helped to identify the best approaches to comply with state-mandated Bacteria and Nutrient Total Maximum Daily Load regulations. Investigations such as the Surfer Health Study, the Santa Margarita River Watershed Nutrient Initiative, and the ongoing San Diego River Watershed investigation of human fecal sources shed light on the management strategies most likely to improve water quality. The results of SCCWRP studies are routinely published in peer-reviewed scientific journals and are readily accepted by water quality regulators and the scientific community at large.

Today's action is to authorize execution of an Associate Commission Member Agreement with SCCWRP to extend the County's membership from July 1, 2021, to June 30, 2026. Annual fees would begin at \$128,750 during FY 2021-22 and would increase by 3% each year, for a total five-year cost of \$683,552. The funding source for payment of membership fees in Fiscal Year 2021-22 is budgeted General Purpose Revenue, which also will be included in future year Operational Plans beginning in Fiscal Year 2022-23.

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 15061(b)(3) of the State CEQA Guidelines because it can be seen with certainty that there is no possibility that the proposed agreement would have a significant effect on the environment.

2. Approve and authorize execution by the Director, Department of Public Works, or designee, of the Associate Membership Agreement for Membership in the Southern California Coastal Water Research Project Authority, and to take all action necessary to fulfill the County obligations under the agreement, including, without limitation, authorizing membership fee payments.

FISCAL IMPACT

Funding for the Southern California Coastal Water Research Project Authority (SCCWRP) Associate Commission Member fees is included in the Fiscal Year 2021-22 Operational Plan in the Department of Public Works, Watershed Protection Program. If approved, this request will result in costs of \$128,750 in Fiscal Year 2021-22. The funding source is General Purpose Revenue. SCCWRP membership fees for Fiscal Years 2022-23 through 2025-26 will be \$132,613, \$136,591, \$140,689, and \$144,909, respectively, for a total five-year cost of \$683,552. Funding for the membership fees will be included in future year Operational Plans based on General Purpose Revenue. There will be no additional staff years.

BUSINESS IMPACT STATEMENT

N/A

12. **SUBJECT: DEVELOPING AN ACQUISITION PLAN TO PURCHASE ROUGHLY 98 ACRES OF SURPLUS PROPERTY FROM THE HELIX WATER DISTRICT (DISTRICT: 2)**

OVERVIEW

On March 18, 2020, the Helix Water District Board of Directors formally declared approximately 105 acres in the San Diego River Valley within the unincorporated community of Lakeside surplus to the District's needs.

Under Public Resources Code section 32646, the San Diego River Conservancy has the first right of refusal to acquire the subject properties as they are public lands suitable for park and open space within the Conservancy's jurisdiction.

On September 10, 2020, the San Diego River Conservancy Governing Board determined that the County of San Diego (County) could negotiate to purchase approximately 98 out of 105 acres of the San Diego River Valley property for open space or park use as there is a general interest to keep this property in public ownership and retain the current leases and uses on the properties. If Helix and the County are unable to agree upon the terms of the purchase and sale, the Conservancy will retain its first right of refusal.

Acquiring these lands and keeping them in public ownership would provide an opportunity for a future trail connection along the San Diego River that can connect to nearby County Department of Parks and Recreation facilities, as well as retaining four current leases on the property which include equestrian uses and youth baseball.

Today's action will formally express the County's interest in acquiring the property and directs the Chief Administrative Officer to develop an acquisition plan to purchase the property from the Helix Water District. In effort to spearhead this action, \$500,000 of District 2's Neighborhood Reinvestment Program funding will be allocated towards this acquisition.

RECOMMENDATION(S)
SUPERVISOR DIANNE JACOB

1. Find that the proposed action is not an approval of a project as defined by the California Environmental Quality Act (CEQA) pursuant to Sections 15352 and 15378(b)(5) of the CEQA Guidelines. The proposed action is also exempt from CEQA review pursuant to Sections 15004(b)(2)(A) and 15061(b)(3) of the CEQA Guidelines.

2. Allocate \$500,000 from the District 2 Neighborhood Reinvestment Program (Org 15655) to the Department of Parks and Recreation to partially fund the acquisition of approximately 98 acres that have been deemed surplus by the Helix Water District.

3. Transfer appropriations of \$500,000 from the District 2 Neighborhood Reinvestment Program (Org 15655), Other Charges, to the Department of Parks and Recreation, Capital Assets/Land Acquisition, to partially fund the acquisition of approximately 98 acres that have been deemed surplus by the Helix Water District.

4. Direct the Chief Administrative Officer to develop an acquisition plan to purchase approximately 98 acres from the Helix Water District to keep these lands in public ownership and retain the lease and current uses on subject properties, and if negotiations with the water district are successful, return to the Board of Supervisors no later than December 9, 2020 with recommendations that may include grant funding opportunities.

FISCAL IMPACT

The fiscal impact of this recommendation is \$500,000. Funds for these requests are included in the Fiscal Year 2020-2021 Operational Plan for the Neighborhood Reinvestment Program (Org 15655). The funding source is General Purpose Revenue. These actions will not result in the addition of any new staff years and no additional costs.

BUSINESS IMPACT STATEMENT

N/A

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DIANNE JACOB
SUPERVISOR, SECOND DISTRICT
SAN DIEGO COUNTY BOARD OF SUPERVISORS

COUNTY OF SAN DIEGO
2020 SEP 10 PM 3:43
CLERK OF THE BOARD
OF SUPERVISORS

AGENDA ITEM

DATE: September 16, 2020

12

TO: Board of Supervisors

SUBJECT

DEVELOPING AN ACQUISITION PLAN TO PURCHASE ROUGHLY 98 ACRES OF SURPLUS PROPERTY FROM THE HELIX WATER DISTRICT (DISTRICTS: 2)

OVERVIEW

On March 18, 2020, the Helix Water District Board of Directors formally declared approximately 105 acres in the San Diego River Valley within the unincorporated community of Lakeside surplus to the District's needs.

Under Public Resources Code section 32646, the San Diego River Conservancy has the first right of refusal to acquire the subject properties as they are public lands suitable for park and open space within the Conservancy's jurisdiction.

On September 10, 2020, the San Diego River Conservancy Governing Board determined that the County of San Diego (County) could negotiate to purchase approximately 98 out of 105 acres of the San Diego River Valley property for open space or park use as there is a general interest to keep this property in public ownership and retain the current leases and uses on the properties. If Helix and the County are unable to agree upon the terms of the purchase and sale, the Conservancy will retain its first right of refusal.

Acquiring these lands and keeping them in public ownership would provide an opportunity for a future trail connection along the San Diego River that can connect to nearby County Department of Parks and Recreation facilities, as well as retaining four current leases on the property which include equestrian uses and youth baseball.

Today's action will formally express the County's interest in acquiring the property and directs the Chief Administrative Officer to develop an acquisition plan to purchase the property from the Helix Water District. In effort to spearhead this action, \$500,000 of District 2's Neighborhood Reinvestment Program funding will be allocated towards this acquisition.

SUBJECT: DEVELOPING AN ACQUISITION PLAN TO PURCHASE ROUGHLY 98 ACRES OF SURPLUS PROPERTY FROM THE HELIX WATER DISTRICT (DISTRICTS: 2)

RECOMMENDATION(S)

SUPERVISOR DIANNE JACOB

1. Find that the proposed action is not an approval of a project as defined by the California Environmental Quality Act (CEQA) pursuant to Sections 15352 and 15378(b)(5) of the CEQA Guidelines. The proposed action is also exempt from CEQA review pursuant to Sections 15004(b)(2)(A) and 15061(b)(3) of the CEQA Guidelines.
2. Allocate \$500,000 from the District 2 Neighborhood Reinvestment Program (Org 15655) to the Department of Parks and Recreation to partially fund the acquisition of approximately 98 acres that have been deemed surplus by the Helix Water District.
3. Transfer appropriations of \$500,000 from the District 2 Neighborhood Reinvestment Program (Org 15655), Other Charges, to the Department of Parks and Recreation, Capital Assets/Land Acquisition, to partially fund the acquisition of approximately 98 acres that have been deemed surplus by the Helix Water District.
4. Direct the Chief Administrative Officer to develop an acquisition plan to purchase approximately 98 acres from the Helix Water District to keep these lands in public ownership and retain the lease and current uses on subject properties, and if negotiations with the water district are successful, return to the Board of Supervisors no later than December 9, 2020 with recommendations that may include grant funding opportunities.

FISCAL IMPACT

The fiscal impact of this recommendation is \$500,000. Funds for these requests are included in the Fiscal Year 2020-2021 Operational Plan for the Neighborhood Reinvestment Program (Org 15655). The funding source is General Purpose Revenue. These actions will not result in the addition of any new staff years and no additional costs.

BUSINESS IMPACT STATEMENT

N/A

ADVISORY BOARD STATEMENT

N/A

BACKGROUND

On March 18, 2020, the Helix Water District Board of Directors formally declared approximately 105 acres in the San Diego River Valley within the unincorporated community of Lakeside surplus to the District's needs. The County of San Diego (County) is potentially interested in acquiring approximately 98 out of 105 acres of the San Diego River Valley property if the Department of Parks and Recreation's assessment indicates that it is suitable for open space or active park uses. The remaining seven acres are under lease to the River Valley Equestrian Center and is not part of the County's subject acquisition area.

SUBJECT: DEVELOPING AN ACQUISITION PLAN TO PURCHASE ROUGHLY 98 ACRES OF SURPLUS PROPERTY FROM THE HELIX WATER DISTRICT (DISTRICTS: 2)

Under Public Resources Code section 32646, the San Diego River Conservancy has the first right of refusal to acquire the subject properties as they are public lands suitable for park and open space within the Conservancy's jurisdiction.

On September 10, 2020, the San Diego River Conservancy Governing Board conditionally waived its first right of refusal to allow for the County to negotiate for the purchase of approximately 98 acres of the San Diego River Valley property for open space or park use, as there is a general interest to keep this property in public ownership and retain the current leases and uses on the properties. A direct sale by Helix Water District to the County is permissible under an exemption in Government Code Section 54221. If Helix and the County are unable to agree upon the terms of the purchase and sale the Conservancy will retain its first right of refusal.

Acquiring these lands and keeping them in public ownership would provide an opportunity for a future trail connection along the San Diego River that can connect to nearby County Department of Parks and Recreation facilities, as well as retaining four current leases on the property which include equestrian uses and youth baseball.

Today's action will formally express the County of San Diego's interest in acquiring the property and directs the Chief Administrative Officer to develop an acquisition plan to purchase the property from the Helix Water District. The acquisition plan will include a County appraisal of the subject property to determine market value. In effort to spearhead this action, \$500,000 of District 2's Neighborhood Reinvestment Program funding will be allocated towards this acquisition.

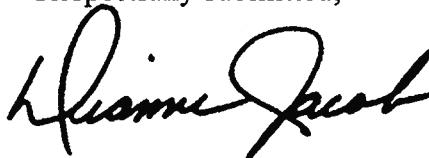
ENVIRONMENTAL STATEMENT

The direction to prepare an acquisition plan and return to the Board for consideration of this acquisition for property at a future date is not a project under sections 15352 and 15378(b)(5) of the State CEQA Guidelines, and this direction is also exempt from CEQA pursuant to Sections 15004(b)(2)(A) and 15061(b)(3) of the CEQA Guidelines because the direction to prepare an acquisition plan does not have the potential to cause a significant effect on the environment.

LINKAGE TO THE COUNTY OF SAN DIEGO STRATEGIC PLAN

N/A

Respectfully submitted,



DIANNE JACOB
Supervisor, Second District

ATTACHMENT(S)

SUBJECT: DEVELOPING AN ACQUISITION PLAN TO PURCHASE ROUGHLY 98 ACRES OF SURPLUS PROPERTY FROM THE HELIX WATER DISTRICT (DISTRICTS: 2)

AGENDA ITEM INFORMATION SHEET

REQUIRES FOUR VOTES: Yes No

WRITTEN DISCLOSURE PER COUNTY CHARTER SECTION 1000.1 REQUIRED
 Yes No

PREVIOUS RELEVANT BOARD ACTIONS:

BOARD POLICIES APPLICABLE:

BOARD POLICY STATEMENTS:

MANDATORY COMPLIANCE:

ORACLE AWARD NUMBER(S) AND CONTRACT AND/OR REQUISITION NUMBER(S):

ORIGINATING DEPARTMENT: District 2 – Board of Supervisors

OTHER CONCURRENCE(S):

CONTACT PERSON(S):

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