

CLERK OF THE BOARD OF SUPERVISORS
BOARD OF SUPERVISORS MEETING

WEDNESDAY, JUNE 25, 2025

Legislative Services Section: (619) 531-5434

REVISED AGENDA AND BACKUP:

1. **GILLESPIE FIELD - FIRST AMENDMENT TO INDUSTRIAL GROUND LEASE WITH SGCLMC-WELD INVESTMENT COMPANY, L.P. AND RELATED CEQA EXEMPTION (DISTRICTS: 2)**

THIS ITEM HAS BEEN WITHDRAWN AT THE REQUEST OF THE CHIEF ADMINISTRATIVE OFFICER

3. **SET A HEARING FOR OCTOBER 22, 2025:
COUNTY OF SAN DIEGO TRACT NO. 5505-1: APPROVAL OF AMENDMENT TO AGREEMENT FOR PUBLIC AND PRIVATE IMPROVEMENTS FOR OTAY BUSINESS PARK VESTING TENTATIVE MAP NO. 5505R2, SET HEARING TO CONSIDER PURCHASING TWO CALTRANS PARCELS LOCATED IN THE OTAY COMMUNITY PLAN AREA AND RELATED CEQA EXEMPTION (DISTRICT: 1)**

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COUNTY OF SAN DIEGO BOARD OF SUPERVISORS
REGULAR MEETING AGENDA

TUESDAY, JUNE 24, 2025, 9:00 AM AND WEDNESDAY, JUNE 25, 2025, 9:00 AM
COUNTY ADMINISTRATION CENTER,
BOARD CHAMBER, ROOM 310
1600 PACIFIC HIGHWAY, SAN DIEGO, CA 92101

LAND USE LEGISLATIVE SESSION
WEDNESDAY, JUNE 25, 2025, 9:00 AM

Order of Business

- A. Roll Call to Reconvene from Tuesday, June 24, 2025
- 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: Individuals can address the Board on topics within its jurisdiction that are not on the agenda. According to the Board's Rules of Procedure, each person may speak at only one Non-Agenda Public Communication session per meeting. Speakers can choose to speak during either the General Legislative or Land Use Legislative Session.
- E. Approval of the Statement of Proceedings/Minutes for concurrent Special District meetings: Flood Control District meeting of May 20, 2025; San Diego County Fire Protection District meeting of May 6, 2025; and, Sanitation District meeting of May 20, 2025.
- F. Consent Agenda
- G. 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.

Supporting documentation and attachments for items listed on this agenda can be viewed online at www.sandiegocounty.gov/cob or in the Office of the Clerk of the Board of Supervisors at the County Administration Center, 1600 Pacific Highway, Room 402, San Diego, CA 92101. To access the meeting virtually and offer public comment via a call-in option, please go to: www.sandiegocounty.gov/telecomments for instructions.

ASSISTANCE FOR PERSONS WITH DISABILITIES:

Agendas and records are available in alternative formats upon request. Contact the Clerk of the Board of Supervisors office at 619-531-5434 with questions or to request a disability-related accommodation. Individuals requiring sign language interpreters should contact the Countywide ADA Title II Coordinator at (619) 531-4908. To the extent reasonably possible, requests for accommodation or assistance should be submitted at least 72 hours in advance of the meeting so that arrangements may be made. An area in the front of the room is designated for individuals requiring the use of wheelchair or other accessible devices.

LANGUAGE INTERPRETATION ASSISTANCE:

Language interpretation services for public speakers are available upon request to the Clerk of the Board of Supervisors at least 72 hours prior to the meeting (refer to Board Policy A-139 for additional information). Please contact the Clerk of the Board's office at (619) 531-5434 or via e-mail at publiccomment@sdcounty.ca.gov.

LEVINE ACT NOTICE: DISCLOSURES REQUIRED ON SPECIFIED ITEMS (GOVERNMENT CODE § 84308)

The Levine Act states that parties to any proceeding involving a license, permit or other entitlement for use pending before the Board must disclose on the record of the proceeding any campaign contributions of more than \$500 (aggregated) made by the parties or their agents to Board Members within the preceding 12 months. Participants with financial interests, and agents of either parties or participants, are requested to disclose such contributions also. The disclosure must include the name of the party or participant and any other person making the contribution; the name of the recipient; the amount of the contribution; and the date the contribution was made. This disclosure can be made orally during the proceeding or in writing on a request to speak.

Board of Supervisors' Agenda Items

CONSENT AGENDA

All agenda items listed under this section are considered to be routine and will be acted upon with one motion. There will be no separate discussion of these items unless a member of the Board of Supervisors or the Chief Administrative Officer so requests, in which event, the item will be considered separately in its normal sequence.

Agenda #	Subject
1.	GILLESPIE FIELD - FIRST AMENDMENT TO INDUSTRIAL GROUND LEASE WITH SGCLMC WELD INVESTMENT COMPANY, L.P. AND RELATED CEQA EXEMPTION (4 VOTES)

THIS ITEM HAS BEEN WITHDRAWN AT THE REQUEST OF THE CHIEF ADMINISTRATIVE OFFICER

2.	GILLESPIE FIELD - THIRD AMENDMENT TO INDUSTRIAL LEASE WITH THE ARC OF SAN DIEGO AND RELATED CEQA EXEMPTION (4 VOTES)
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3. SET A HEARING FOR ~~SEPTEMBER 10~~ OCTOBER 22, 2025:
COUNTY OF SAN DIEGO TRACT NO. 5505-1: APPROVAL OF AMENDMENT
TO AGREEMENT FOR PUBLIC AND PRIVATE IMPROVEMENTS FOR OTAY
BUSINESS PARK VESTING TENTATIVE MAP NO. 5505R2, SET HEARING TO
CONSIDER PURCHASING TWO CALTRANS PARCELS LOCATED IN THE
OTAY COMMUNITY PLAN AREA AND RELATED CEQA EXEMPTION
4. LOCAL EMERGENCY REVIEW: PROCLAMATION OF LOCAL EMERGENCY
FOR U.S.-MEXICO TRANSBOUNDARY POLLUTION ENVIRONMENTAL
CRISIS AND RELATED CEQA EXEMPTION

DISCUSSION ITEMS

- | Agenda # | Subject |
|-----------------|---|
| 5. | TRAFFIC ADVISORY COMMITTEE AND RELATED CEQA EXEMPTION
(06/25/2025 - ADOPT RECOMMENDATIONS INCLUDING INTRODUCING AN
ORDINANCE; 08/27/2025 - SECOND READING OF AN ORDINANCE, UNLESS
ORDINANCE IS MODIFIED ON SECOND READING) AND CEQA EXEMPTION
FINDING |
| 6. | NOTICED PUBLIC HEARING:
PUBLIC HEARING TO CONFIRM FISCAL YEAR 2025-26 LEVIES FOR
COMMUNITY FACILITIES DISTRICTS AND RELATED CEQA EXEMPTION

(RELATES TO SAN DIEGO COUNTY FIRE PROTECTION DISTRICT ITEM
FP01) |
| 7. | NOTICED PUBLIC HEARING:
PUBLIC HEARING TO CONFIRM FISCAL YEAR 2025-26 LEVIES IN THE SAN
DIEGO COUNTY STREET LIGHTING DISTRICT AND LANDSCAPE
MAINTENANCE DISTRICT ZONES NO. 1 - RANCHO SAN DIEGO AND NO. 2 -
JESS MARTIN PARK AND RELATED CEQA EXEMPTION |
| 8. | NOTICED PUBLIC HEARING:
PUBLIC HEARING TO CONFIRM FISCAL YEAR 2025-26 LEVIES FOR
PERMANENT ROAD DIVISION ZONES, COUNTY SERVICE AREAS AND
ZONES, SAN DIEGO COUNTY FIRE PROTECTION DISTRICT ZONES, AND
STORMWATER MAINTENANCE ZONES

(RELATES TO FLOOD CONTROL DISTRICT ITEM FL01 AND SAN DIEGO
COUNTY FIRE PROTECTION DISTRICT ITEM FP02) |

9. NOTICED PUBLIC HEARING:
PUBLIC HEARING TO APPROVE FEES AND CHARGES FOR FISCAL YEAR
2025-26 TAX ROLL OF SAN DIEGO COUNTY SANITATION DISTRICT, CAMPO
WATER MAINTENANCE DISTRICT, AND COUNTY SERVICE AREA NO. 137 -
LIVE OAK SPRINGS WATER SYSTEM AND RELATED CEQA EXEMPTION

(RELATES TO SANITATION DISTRICT ITEM SA01)
10. NOTICED PUBLIC HEARING:
APPEAL OF PARADISE VALLEY ROAD WIRELESS TELECOMMUNICATION
FACILITY MAJOR USE PERMIT AND CEQA EXEMPTION

**1- SUBJECT: ~~GILLESPIE FIELD—FIRST AMENDMENT TO INDUSTRIAL-
GROUND LEASE WITH SGCLMC WELD INVESTMENT COMPANY,
L.P. AND RELATED CEQA EXEMPTION (DISTRICT: 2)~~**

OVERVIEW

The County of San Diego (County) operates Gillespie Field, a general aviation airport in the City of El Cajon. This approximately 700-acre property is designated for aviation use and includes a 400-acre general aviation airport, serving as a gateway to and from San Diego's East County. It provides infrastructure, facilities, and services to both corporate and general aviation. The remaining 300 acres are leased for non-aeronautical uses. The combination of uses on the 700 acres of land is leased to provide revenues to the Airport Enterprise Fund (AEF), which must be used exclusively for development, improvement, operation, and maintenance of the County's seven-airport system. The Federal Aviation Administration (FAA) requires that the County receive market rate rent for leases of airport land, and the lease revenue must be used for the operation and maintenance of the County Airport system. The non-aviation portion of Gillespie Field includes three industrial parks occupied by a variety of industrial tenants such as light industrial and manufacturing development, warehouses, mixed-use, and direct service facilities compatible with airport uses.

The Gillespie Field Industrial Park (GFIP) is one of the three industrial parks. The approximately 51-acre industrial park contains 33 individual ground leases that house numerous light industrial businesses. County Airports leases approximately 29.5 acres of vacant land to SGCLMC-Weld Investment Company, L.P (WELD), located at the northwest corner of Weld Boulevard and Cuyamaca Street, in El Cajon. The lease, approved by the Board of Supervisors on March 17, 2021 (2), is for 50 years and commenced on July 6, 2023.

The project on the leased land, consists of a 383,000-square-foot multi-tenant building. A certificate of occupancy was issued for the building on October 18, 2024. The site and building were designed to accommodate a variety of industrial businesses, including warehouse distribution and heavy manufacturing. Currently, approximately 42 percent of the building (158,328 square feet) is subleased by WELD to GKN Aerospace Chem-tronics, Inc. (GKN), a leading international manufacturer. The remaining 223,000 square feet is on the market now and includes a 16,634-square-foot interior two-story office and 7,000 amps of 480-volt power to support the needs of manufacturing businesses.

As a Lessee, WELD was required to make a minimum capital investment of \$20M into the site. The Lessee substantially exceeded the County's requirements, spending \$107M to develop and improve the site. These improvements greatly improved the value of the County's leasehold but also put strain on the Lessee because of the magnitude of the financing required to build out the project. The Lessee approached the County requesting additional lease years, including options, to facilitate obtaining additional funds to finance further development. FAA leasing guidelines allow airport sponsors to issue long-term lease options to allow leaseholders to amortize capital investments. This amendment will not reduce rent obligations and includes the option for periodic review and adjustments to market rate rent. Overall, this will help to ensure a fair return on investment for the Lessee, ensure the County's compliance with FAA grant requirements, and incentivize improvements and investment on airport property.

This is a request to approve an amendment to the 50-year ground lease agreement with WELD to:

I. Extend the term by an additional 25 years, with two renewal options. The first option allows the lease to be extended 15 years, and the second option provides for an additional 9 years, resulting in a total potential lease term of 99 years; the allowable maximum amount of time for an industrial ground lease. If approved, the extension will allow WELD to access financing opportunities, continue developing the project, support its amortization, and align with best leasing practices as dictated by the FAA; and

II. Add the Working Families Ordinance (WFO) provision to bring the lease into compliance with the ordinance adopted in 2022. The lease was approved in 2021 prior to the adoption of the WFO. If approved, revenues from this lease on airport property would be placed into the County's Airport Enterprise Fund (AEF) to be used to develop, operate, maintain, and improve County Airports. These revenues will affect the AEF starting in 2073, which is the termination of the current lease.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. ~~Find, in accordance with Section 15301 of the California Environmental Quality Act (CEQA) Guidelines, that the proposed lease amendment is categorically exempt from CEQA review as it consists of the leasing of existing facilities involving negligible or no expansion of existing or former use.~~
2. ~~Approve and authorize the Director of Airports, to execute, upon receipt, three copies of the amendment to the ground lease with SGCLMC Weld Investment Company, L.P., a California Limited Partnership. (4 VOTES)~~

EQUITY IMPACT STATEMENT

The County of San Diego (County) owns and operates seven airports that serve as essential air transportation hubs, emergency response facilities, and regional economic engines. The County strives to deliver these services in a fair and equitable manner, actively working to remove barriers by providing general airport information in the County's threshold languages, encouraging participation, and providing competitive opportunities for small businesses - those with traditionally less working capital - and business owners and managers who may be socially and economically underserved.

SUSTAINABILITY IMPACT STATEMENT

This request to authorize the "First Amendment To Industrial Ground Lease With SGCLMC-Weld Investment Company, L.P." contributes to economic and social sustainability benefits. The base monthly rent from business leases supports economic and social sustainability by providing services for the region. This lease extension will help operate, maintain, and improve the County Airports system, aligning with the County of San Diego's (County) sustainability goal of providing just and equitable access to County services and resources in support of sustainable communities.

FISCAL IMPACT

Funds for this request are included in the Fiscal Year (FY) 2025-26 Operational Plan in the Department of Public Works, Airport Enterprise Fund (AEF). There is no fiscal impact to the budgeted revenue of \$420,000 in FY 2025-26 and \$420,000 in FY 2026-27. However, if this amendment is approved, there will be a future fiscal impact beginning in 2073, which marks the year of termination of the current lease. At that time, any additional revenue generated from rent will be added to the AEF. The funding source is revenue from the industrial ground lease agreement with SGCLMC-Weld Investment Company, L.P. There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT

Leases at airports benefit the local business community by creating jobs, increasing economic activity, providing business opportunities, and supporting infrastructure development. Leasing airport property attracts visitors, generates revenue, and helps small businesses grow, thereby stimulating the local economy and improving the quality of life for residents. San Diego County Airports (County Airports) connect individuals to jobs and links local communities to the world. Revenue from airport leases enables the Department of Public Works to operate and maintain the eight County Airports safely, efficiently, and cost-effectively. Today's action of extending the lease term to SGCLMC-Weld Investment Company, L.P., a California Limited Partnership, supports the self-sufficiency of Gillespie Field and strengthens the economic viability of the County Airport system.

**THIS ITEM HAS BEEN WITHDRAWN AT THE REQUEST OF THE CHIEF
ADMINISTRATIVE OFFICER**

2. **SUBJECT: GILLESPIE FIELD - THIRD AMENDMENT TO INDUSTRIAL LEASE
WITH THE ARC OF SAN DIEGO AND RELATED CEQA EXEMPTION
(DISTRICT: 2)**

OVERVIEW

The County of San Diego (County) operates Gillespie Field, a general aviation airport in the City of El Cajon. This approximately 700-acre property is designated for aviation use and includes a 400-acre general aviation airport, serving as a gateway to and from San Diego's East County. It provides infrastructure, facilities, and services to both corporate and general aviation. The remaining 300 acres are leased for non-aeronautical uses. The 700 acres of land is leased for a combination of uses to provide revenues to the County's Airport Enterprise Fund (AEF), which must be used exclusively for development, improvement, operation, and maintenance of the County's seven-airport system. The Federal Aviation Administration (FAA) requires that the County receive market rate rent for leases of airport land, and that the lease revenue must be used for the operation and maintenance of the County Airport system. The non-aviation portion of Gillespie Field includes three industrial parks occupied by a variety of industrial tenants such as light industrial and manufacturing development, warehouses, mixed-use, and direct service facilities compatible with airport uses.

The Gillespie Field Industrial Park (GFIP) is one of these three industrial parks. The approximately 51-acre industrial park contains 33 individual ground leases that house numerous light industrial businesses. The industrial lease with The Arc of San Diego (The Arc) is one of these 33 leases. On April 13, 1982 (70), the Board approved a 55-year "Industrial Lease" with The Arc, a nonprofit corporation that provides services for people with developmental disabilities, for an 0.89-acre parcel. On June 18, 2003 (13), the Board approved the First

Amendment to this lease for The Arc to provide maintenance, landscaping and other services as consideration in lieu of their monthly rental payments. The FAA reviewed the terms of this amendment and agreed it complies with its requirements. On February 25, 2009 (7), the Board of Supervisors (Board) approved the Second Amendment to this lease to implement a tiered rental increase over the subsequent five-year period of the lease. These lease amendments ensure The Arc pays fair market value rent in accordance with FAA requirements, but authorized payment of rent through services that the County would otherwise have to procure.

The current Arc lease includes rental adjustments every five years based on the Industrial Land Value (ILV) Index. The application of the ILV, which was set to adjust on January 1, 2024, resulted in a rent increase that appeared to be excessive when compared to rent values in the area. As a result, County Airports obtained a third-party appraisal report in July 2023 which resulted in a rental rate that is more reasonable than the designated index. As an alternative to implementing an immediate ILV index-based increase, the County and the lessee negotiated a phased increase based on the appraisal, as allowed by the current lease and FAA guidelines. Obtaining an appraisal is common practice in determining fair market rent. In 2019, the rental rate was adjusted to \$4,854 per net acre per month based on the application of the ILV index, a 0.78% increase over the 2014 rate, reflecting minor growth due to post-recession market conditions.

This phased-rate increase strategy not only ensures compliance with federal regulations but also demonstrates the County's commitment to retaining valued tenants like The Arc and other GFIP businesses. By easing the transition, the County helps reduce financial strain, fosters economic stability, and supports services that benefit the broader community.

As is typical with many leases, the current lease allows The Arc to assign or transfer its interest in the premises, or a portion of it, to another entity with the County's prior written consent. The Arc intends to assign its leasehold interest to James A. Renner Jr. 401(k) Profit Sharing Plan & Trust, MYRE Angel LLC, and Denton Road LLC, and part of this Amendment will adjust the language in the lease to allow it to do so. This assignment will occur after the execution of this Third Amendment to the lease. The new entity will not provide services in lieu of rent but will make monthly cash payments toward rent which is outlined in the lease agreement.

This is a request to approve the "Third Amendment to Industrial Lease" to:

- (i) remove language in the lease that allows The Arc to provide services in lieu of cash payments for rent;
- (ii) remove Exhibit "G" of the lease which identifies the services The Arc can provide;
- (iii) revise the permitted use to reflect only those uses permitted and described in the lease's Exhibit "B" (such as research and development, industrial and manufacturing, warehousing, storage, offices, services, and others), and remove the allowable uses that are specific to The Arc (such as for training and jobs for people with developmental disabilities) as The Arc intends to assign or transfer its interest in the premises to another entity;
- (iv) implement a tiered rental increase over the five-year period, from January 1, 2024 to December 31, 2028; and
- (v) add the Working Families Ordinance (WFO) provision to bring the lease into compliance with the ordinance adopted in 2022. The previous lease amendment was approved in 2009 prior to the adoption of the WFO.

The proposed amendment would eliminate service for rent and other provisions in the County's lease that were negotiated to allow The Arc to remain in the Gillespie Field Industrial Park in a manner consistent with FAA sustainability requirements. Since The Arc has decided to assign its parcel to an entity that will not be engaged in the same activities, these provisions are no longer necessary. To fully comply with FAA requirements in light of the change of use, these unique provisions are proposed to be removed and replaced with standard lease language and other lease requirements that will ensure fair market value rent is collected in accordance with the FAA's sustainability requirements.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. Find, in accordance with Section 15301 of the California Environmental Quality Act (CEQA) Guidelines, that the proposed lease amendment is categorically exempt from CEQA review as it consists of leasing of existing facilities, involving negligible or no expansion of existing or former use.
2. Approve and authorize the Director of Airports, upon receipt, to execute three copies of each of the proposed "Third Amendment to Industrial Lease".
(County Contract No. 17946R) **(4 VOTES)**

EQUITY IMPACT STATEMENT

The County of San Diego (County) owns and operates seven airports that serve as essential air transportation hubs, emergency response facilities, and regional economic engines. The County strives to deliver services in a fair and equitable manner, actively working to remove barriers by providing general airport information in the County's threshold languages, encouraging participation, and offering competitive opportunities for small businesses - those with traditionally less working capital - and business owners and managers who may be socially and economically underserved.

SUSTAINABILITY IMPACT STATEMENT

The proposed amendment would eliminate service for rent and other provisions in a lease on County land and shift to requiring standard monthly cash payments based on a variety of factors. This approach is consistent with FAA sustainability requirements and supports the fiscal sustainability of the County's Airport Enterprise Fund. Payment increases are also phased to allow tenants time to plan for increases which helps support successful leases over time.

FISCAL IMPACT

Funds for this request are included in the Fiscal Year (FY) 2025-26 Operational Plan in the Department of Public Works, Airport Enterprise Fund. If approved, this request will result in total revenue of \$65,569 in FY 2025-26, and \$72,126 in FY 2026-27. The funding source is revenue from the industrial lease agreement with Arc of San Diego. There would be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT

Leases at airports benefit the local business community by creating jobs, increasing economic activity, providing business opportunities, and supporting infrastructure development. Leasing Airport property attracts visitors, generates revenue, and helps small businesses grow, thereby stimulating the local economy and improving the quality of life for residents. San Diego County

Airports connect individuals to jobs and link local communities to the world. Revenue from airport leases enables the Department of Public Works to operate and maintain the eight County airports safely, efficiently, and cost-effectively. Today's action, implementing scheduled rent adjustments to the industrial lease with The Arc of San Diego, promotes self-sufficiency of Gillespie Field and enhances the economic viability of the County Airport system.

3. **SUBJECT: SET A HEARING FOR ~~SEPTEMBER 10~~ OCTOBER 22, 2025: COUNTY OF SAN DIEGO TRACT NO. 5505-1: APPROVAL OF AMENDMENT TO AGREEMENT FOR PUBLIC AND PRIVATE IMPROVEMENTS FOR OTAY BUSINESS PARK VESTING TENTATIVE MAP NO. 5505R2, SET HEARING TO CONSIDER PURCHASING TWO CALTRANS PARCELS LOCATED IN THE OTAY COMMUNITY PLAN AREA AND RELATED CEQA EXEMPTION (DISTRICT: 1)**

OVERVIEW

The Otay Business Park (Final Map No. 16562) is an approved subdivision of 121.9 acres into eleven (11) lots, including nine (9) commercial/industrial lots, one (1) public street lot, and one (1) sewer pump station located in East Otay Mesa within unincorporated San Diego County. The Final Map was approved by the Director of Planning & Development Services on April 4, 2023. At the time the Final Map was approved, the County of San Diego (County), San Diego County Sanitation District, and the developer/owner of the Otay Business Park, CH REALTY X-ELC I OTAY MESA BUSINESS PARK L.P (Owner), entered into a Subdivision Improvement Agreement (IA) to guarantee the construction of private and public improvements as a condition of approval of the subdivision. These improvements include the construction of Siempre Viva Road, a planned 4-lane major road in the County's General Plan from the project site to the City of San Diego boundary, which will enhance regional mobility and help economic growth and binational trade by providing additional access to the new planned Otay port of entry into Mexico.

Subdivision IAs and their financial security protect the County by ensuring any required improvements are constructed. In the event of a default by the applicant, financial security can be used by the County to complete the required improvements. Under certain circumstances, the County can grant amendments to allow an applicant additional time or the ability to complete the improvements, while simultaneously preserving the County's rights to have the public improvements constructed by the applicant. If approved, the IA for this project would remain valid through April 4, 2027, at which point the applicant could request an amendment if additional time is required to complete work.

A condition of this project requires the completion of certain offsite improvements to Siempre Viva Road that were studied under the California Environmental Quality Act (CEQA) as part of the project approval, of which a portion is currently owned by the State of California Department of Transportation (Caltrans). Caltrans cannot sell its excess property directly to a private party, unless such private party is the owner of adjoining property and certain findings are met, without conducting a public auction or calling for competitive bids. However, Caltrans can sell its excess property to a public entity without competitive bids and California Government Code allows the

County to acquire the needed property from Caltrans. If the County does not purchase the property, the condition will have to be waived. The property is in East Otay Mesa and is approximately 0.81 acres in size. Caltrans is willing to enter negotiations to sell it directly to the County. This acquisition will allow the Owner to complete the offsite improvements in accordance with the terms of the Amendment to the Joint Agreement to Improve Major Subdivision (Attachment A), and the County will maintain ownership of the Property. The Owner agrees to pay all costs incurred by County, including, but not limited to, the full appraised value of the property, as determined by a Caltrans appraisal, attorney fees, preparation of maps, services by the County, engineering, appraisal fees, and any other fees or costs incurred by the County in connection with the acquisition of the Property in accordance with the terms of the Agreement to Pay Acquisition Costs (Attachment B). The County would maintain the property and road once it is constructed to County standards similar to other development projects.

Today's request is for the Board to approve an Amendment to the subdivision improvement agreement for the Otay Business Park to pay the cost for the County to acquire a portion of property owned by Caltrans to construct Siempre Viva Road. Staff is also requesting the Board set a hearing on ~~September 10~~ October 22, 2025 to consider approval of the purchase of the Caltrans Property and to direct the Clerk of the Board to provide public notice of the hearing. If the Board approves the request, then on ~~September 10~~ October 22, 2025, after making the necessary findings, the Board will be requested to authorize the purchase of the Property from Caltrans for the estimated appraised value of \$645,000, which will be fully funded by the Owner. An updated appraisal will be provided as part of the future purchase and sale agreement.

If the ~~Board does not approve the~~ Amendment is not approved, nor set a hearing set for the Board to consider purchasing the Property, the County cannot move forward with the financial security provided with the original agreement and move forward with construction of the road. If the road is not constructed, traffic from the Otay Business Park project and other projects would use other existing roads, which would lead to increased traffic congestion in the area. However, the County is not obligated to build the road and there is no guarantee the secured amount will be enough to cover the cost of the improvements if constructed by the County.

RECOMMENDATION(S)**CHIEF ADMINISTRATIVE OFFICER**

1. Find that the approval of the First Amendment to Agreement (Attachment A on file with the Clerk of the Board) and associated actions for County Tract No. 5505-1 are not subject to the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Sections 15060(c)(3) and 15378(b)(4 and 5).
2. Approve and authorize the Clerk of the Board of Supervisors (Clerk) to execute the First Amendment to Agreement, which includes an Agreement to Pay Acquisition Costs incurred by County in acquiring the property owned by Caltrans.
3. Find that the proposed action to set a hearing is not subject to CEQA because it is an administrative action and not an approval of a project as defined by CEQA and does not commit the County of San Diego (County) to a definite course of action under sections 15352 and 15004(b)(2)(A).

4. Set a hearing for ~~September 10~~ **October 22, 2025**, at which time the Board of Supervisors (Board) may consider authorizing the Director, Department of General Services, or designee, to enter into a purchase and sale agreement with Caltrans for the acquisition of parcels DD 30305-01-01 and DD 30306-01-02 for the estimated appraised value of \$645,000.
5. Direct the Clerk of the Board to provide notice of the hearing via publication and posting as required by law.

EQUITY IMPACT STATEMENT

Planning & Development Services (PDS) ensures that public improvements are constructed as part of new developments, such as roads and stormwater drainage systems. PDS ensures the completion of the public improvements through agreements and financial security, which ensures communities are safe. This amendment to the improvement agreement will allow the applicant the ability to complete the required public improvements, which will help provide roads needed for commercial and industrial development that will provide additional jobs for unincorporated communities.

SUSTAINABILITY IMPACT STATEMENT

Planning & Development Services (PDS) is committed to promoting sustainable community growth by ensuring that essential public infrastructure, such as roads and stormwater drainage systems, is appropriately constructed in new housing developments. These improvements are essential for creating safe, resilient, and environmentally responsible communities. Extension of time for improvement agreements provide additional time for applicants to complete essential required improvements for projects. This ensures that housing developments in the unincorporated communities meet both current and future sustainability standards.

FISCAL IMPACT

There is no fiscal impact associated with today's action. If approved, the developer will pay all staff costs to complete the transaction and will pay for the purchase price of the property, which is estimated at \$645,000. The final purchase price will be determined based on an updated appraisal of the property. There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT

N/A

4. **SUBJECT: LOCAL EMERGENCY REVIEW: PROCLAMATION OF LOCAL EMERGENCY FOR U.S.-MEXICO TRANSBOUNDARY POLLUTION ENVIRONMENTAL CRISIS AND RELATED CEQA EXEMPTION (DISTRICTS: ALL)**

OVERVIEW

On June 27, 2023 (16), the County of San Diego (County) Board of Supervisors (Board), issued a Proclamation of Local Emergency (Proclamation) as a result of the continued conditions for detrimental impacts to the environment, economy, and property within San Diego county, caused by persistent impacts from cross-border sewage pollution and sewage impacted ocean waters.



COUNTY OF SAN DIEGO

LAND USE AGENDA ITEM

BOARD OF SUPERVISORS

VACANT
First District

JOEL ANDERSON
Second District

TERRA LAWSON-REMER
Third District

MONICA MONTGOMERY STEPPE
Fourth District

JIM DESMOND
Fifth District

DATE: June 25, 2025

01

TO: Board of Supervisors

SUBJECT

**GILLESPIE FIELD – FIRST AMENDMENT TO INDUSTRIAL GROUND LEASE
WITH SGCLMC-WELD INVESTMENT COMPANY, L.P. AND RELATED CEQA
EXEMPTION (DISTRICTS: 2)**

OVERVIEW

The County of San Diego (County) operates Gillespie Field, a general aviation airport in the City of El Cajon. This approximately 700-acre property is designated for aviation use and includes a 400-acre general aviation airport, serving as a gateway to and from San Diego's East County. It provides infrastructure, facilities, and services to both corporate and general aviation. The remaining 300 acres are leased for non-aeronautical uses. The combination of uses on the 700 acres of land is leased to provide revenues to the Airport Enterprise Fund (AEF), which must be used exclusively for development, improvement, operation, and maintenance of the County's seven-airport system. The Federal Aviation Administration (FAA) requires that the County receive market rate rent for leases of airport land, and the lease revenue must be used for the operation and maintenance of the County Airport system. The non-aviation portion of Gillespie Field includes three industrial parks occupied by a variety of industrial tenants such as light industrial and manufacturing development, warehouses, mixed-use, and direct service facilities compatible with airport uses.

The Gillespie Field Industrial Park (GFIP) is one of the three industrial parks. The approximately 51-acre industrial park contains 33 individual ground leases that house numerous light industrial businesses. County Airports leases approximately 29.5 acres of vacant land to SGCLMC-Weld Investment Company, L.P (WELD), located at the northwest corner of Weld Boulevard and Cuyamaca Street, in El Cajon. The lease, approved by the Board of Supervisors on March 17, 2021 (2), is for 50 years and commenced on July 6, 2023.

The project on the leased land, consists of a 383,000-square-foot multi-tenant building. A certificate of occupancy was issued for the building on October 18, 2024. The site and building were designed to accommodate a variety of industrial businesses, including warehouse distribution and heavy manufacturing. Currently, approximately 42 percent of the building (158,328 square feet) is subleased by WELD to GKN Aerospace Chem-tronics, Inc. (GKN), a leading international manufacturer. The remaining 223,000 square feet is on the market now and includes a 16,634-square-foot interior two-story office and 7,000 amps of 480-volt power to support the needs of

SUBJECT: GILLESPIE FIELD – FIRST AMENDMENT TO INDUSTRIAL GROUND LEASE WITH SGCLMC-WELD INVESTMENT COMPANY, L.P. AND RELATED CEQA EXEMPTION (DISTRICTS: 2)

manufacturing businesses.

As a Lessee, WELD was required to make a minimum capital investment of \$20M into the site. The Lessee substantially exceeded the County's requirements, spending \$107M to develop and improve the site. These improvements greatly improved the value of the County's leasehold but also put strain on the Lessee because of the magnitude of the financing required to build out the project. The Lessee approached the County requesting additional lease years, including options, to facilitate obtaining additional funds to finance further development. FAA leasing guidelines allow airport sponsors to issue long-term lease options to allow leaseholders to amortize capital investments. This amendment will not reduce rent obligations and includes the option for periodic review and adjustments to market rate rent. Overall, this will help to ensure a fair return on investment for the Lessee, ensure the County's compliance with FAA grant requirements, and incentivize improvements and investment on airport property.

This is a request to approve an amendment to the 50-year ground lease agreement with WELD to:

I. Extend the term by an additional 25 years, with two renewal options. The first option allows the lease to be extended 15 years, and the second option provides for an additional 9 years, resulting in a total potential lease term of 99 years; the allowable maximum amount of time for an industrial ground lease. If approved, the extension will allow WELD to access financing opportunities, continue developing the project, support its amortization, and align with best leasing practices as dictated by the FAA; and

II. Add the Working Families Ordinance (WFO) provision to bring the lease into compliance with the ordinance adopted in 2022. The lease was approved in 2021 prior to the adoption of the WFO. If approved, revenues from this lease on airport property would be placed into the County's Airport Enterprise Fund (AEF) to be used to develop, operate, maintain, and improve County Airports. These revenues will affect the AEF starting in 2073, which is the termination of the current lease.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

- ~~1. Find, in accordance with Section 15301 of the California Environmental Quality Act (CEQA) Guidelines, that the proposed lease amendment is categorically exempt from CEQA review as it consists of the leasing of existing facilities involving negligible or no expansion of existing or former use.~~
- ~~2. Approve and authorize the Director of Airports, to execute, upon receipt, three copies of the amendment to the ground lease with SGCLMC Weld Investment Company, L.P., a California Limited Partnership. (4 VOTES)~~

EQUITY IMPACT STATEMENT

The County of San Diego (County) owns and operates seven airports that serve as essential air transportation hubs, emergency response facilities, and regional economic engines. The County strives to deliver these services in a fair and equitable manner, actively working to remove barriers

SUBJECT: GILLESPIE FIELD – FIRST AMENDMENT TO INDUSTRIAL GROUND LEASE WITH SGCLMC-WELD INVESTMENT COMPANY, L.P. AND RELATED CEQA EXEMPTION (DISTRICTS: 2)

by providing general airport information in the County's threshold languages, encouraging participation, and providing competitive opportunities for small businesses – those with traditionally less working capital – and business owners and managers who may be socially and economically underserved.

SUSTAINABILITY IMPACT STATEMENT

This request to authorize the "First Amendment To Industrial Ground Lease With SGCLMC-Weld Investment Company, L.P." contributes to economic and social sustainability benefits. The base monthly rent from business leases supports economic and social sustainability by providing services for the region. This lease extension will help operate, maintain, and improve the County Airports system, aligning with the County of San Diego's (County) sustainability goal of providing just and equitable access to County services and resources in support of sustainable communities.

FISCAL IMPACT

Funds for this request are included in the Fiscal Year (FY) 2025-26 Operational Plan in the Department of Public Works, Airport Enterprise Fund (AEF). There is no fiscal impact to the budgeted revenue of \$420,000 in FY 2025-26 and \$420,000 in FY 2026-27. However, if this amendment is approved, there will be a future fiscal impact beginning in 2073, which marks the year of termination of the current lease. At that time, any additional revenue generated from rent will be added to the AEF. The funding source is revenue from the industrial ground lease agreement with SGCLMC-Weld Investment Company, L.P. There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT

Leases at airports benefit the local business community by creating jobs, increasing economic activity, providing business opportunities, and supporting infrastructure development. Leasing airport property attracts visitors, generates revenue, and helps small businesses grow, thereby stimulating the local economy and improving the quality of life for residents. San Diego County Airports (County Airports) connect individuals to jobs and links local communities to the world. Revenue from airport leases enables the Department of Public Works to operate and maintain the eight County Airports safely, efficiently, and cost-effectively. Today's action of extending the lease term to SGCLMC-Weld Investment Company, L.P., a California Limited Partnership, supports the self-sufficiency of Gillespie Field and strengthens the economic viability of the County Airport system.

THIS ITEM HAS BEEN WITHDRAWN AT THE REQUEST OF THE CHIEF ADMINISTRATIVE OFFICER

ADVISORY BOARD STATEMENT

On May 21, 2025, the Gillespie Field Development Council (GFDC) recommended, by a vote of 5 in favor, that the Board of Supervisors approve the proposed amendment to the lease of SGCLMC-Weld Investment Company, L.P., a California Limited Partnership, extending the term of the lease up to 99 years.

BACKGROUND

The County of San Diego's (County) operates Gillespie Field, a general aviation airport in the City of El Cajon. This approximately 700-acre area is designated for aviation use and includes a 400-acre general aviation airport, serving as a gateway to and from San Diego's East County. It provides

SUBJECT: GILLESPIE FIELD – FIRST AMENDMENT TO INDUSTRIAL GROUND LEASE WITH SGCLMC-WELD INVESTMENT COMPANY, L.P. AND RELATED CEQA EXEMPTION (DISTRICTS: 2)

infrastructure, facilities, and services to both corporate and general aviation. The remaining 300 acres are leased for non-aeronautical use. The 700 acres of aviation land are leased to generate revenue for the Airport Enterprise Fund (AEF), which must be used exclusively for the development, improvement, operation, and maintenance of the County's eight-airport system. Gillespie Field is located within the municipal limits of the City of El Cajon, which acts as the land-use authority for private development at the airport. Gillespie Field's non-aeronautical land has been leased primarily for light industrial and manufacturing development, with most of the available acreage developed between 1975 and 2000, under the terms of approximately 70 separate ground lease agreements.

County Airports leased approximately 29.5 acres of vacant land to SGCLMC-Weld Investment Company, L.P (WELD), located at the northwest corner of Weld Boulevard and Cuyamaca Street, in El Cajon. The lease, approved by the Board of Supervisors on March 17, 2021, is for 50 years and commenced on July 6, 2023.

The project on the leased land consists of a 383,000-square-foot multi-tenant building. A certificate of occupancy was issued for the building on October 18, 2024. The site and building were designed to accommodate a variety of industrial businesses, from warehouse distribution (minimal power and parking needed) to heavy manufacturing (maximum power required and significant parking). Currently, approximately 42 percent of the building (158,328 square feet) is subleased by WELD to GKN Aerospace Chem-tronics, Inc. (GKN), a leading international manufacturer. GKN is in the process of installing equipment, which, once completed, is estimated to cost over \$50,000,000. The remaining 223,000 square feet of the building includes a 16,634 square-foot interior two-story office and 7,000 amps of 480-volt power to meet the needs of manufacturing businesses.

Basis for extension request

WELD's \$91M construction loan is due on December 14, 2025. Securing permanent financing to pay the construction loan is difficult due to the limited remaining term of the ground lease. The ground lease required WELD to construct improvements with a minimum cost of \$20M, but to date, WELD has invested approximately \$107M in project improvements – more than five times the required amount. When the project is fully leased and operational, the combined capital investment from WELD and tenants is expected to exceed \$200M – more than 10 times the required amount. A long-term lease extension aligns with the Federal Aviation Administration's (FAA) guidance for airport leasing, as outlined in the County Airport Rules and Regulations and Minimum Standards. The FAA encourages airport sponsors to consider lease term lengths that allow leaseholders to collateralize the debt needed to develop the property. Additionally, at the end of the lease, the improvements revert to the airport sponsor, further strengthening airport funding and solvency.

Based on current market conditions after making the Capital Improvements through partial personal financing, WELD has informed County Staff that the limited remaining term of the ground lease has caused prospective lenders to decline any preliminary discussions about providing permanent financing. To effectively engage with potential lenders, WELD requires an extension of the ground lease term.

SUBJECT: GILLESPIE FIELD – FIRST AMENDMENT TO INDUSTRIAL GROUND LEASE WITH SGCLMC-WELD INVESTMENT COMPANY, L.P. AND RELATED CEQA EXEMPTION (DISTRICTS: 2)

This is a request to approve an amendment to the 50-year ground lease agreement with WELD to:

- i. extend the term by an additional 25 years, with two renewal options. The first option allows the lease to be extended 15 years, and the second option provides an additional 9 years, resulting in a total potential lease term of 99 years. If approved, the extension will allow WELD to access financing opportunities, continue developing the project, support the amortization, and align with best leasing practices as dictated by the FAA; and
- ii. add the Working Families Ordinance (WFO) provision to bring the lease into compliance with the ordinance adopted in 2022. The lease was approved in 2021 prior to the adoption of the WFO

Anticipated Additional Capital Investment

Future Tenants: When the remaining 223,000 square feet of the building is leased, additional capital investment will be required to prepare the space for tenants' business operations. WELD estimates that the combined investment from WELD and tenants will total approximately \$30M, bringing the total capital investment from WELD and current and future tenants to approximately \$200M.

Roof Top Solar Facility: WELD plans to install solar panels on the building's roof to generate 3.5 megawatts of electricity. The solar installation will occur in three phases, with an estimated total cost of \$12M.

Project Quality and Features.

Project Inspiration: This 29.5-acre parcel of land, located at the west end of the airport on a hillside, inspired WELD's team to create a landmark project that reflects the native land rather than the typical "industry standard" industrial building. The landscape design was influenced by the Mission Trails Regional Park and includes a meandering trail that begins at the highest point to the west and wraps around the property. Emphasis is placed on the wetlands frontage along Cuyamaca Boulevard, featuring park benches where visitors can enjoy the natural surroundings and take in the eastern views of Gillespie Field Airport, with the granite-faced El Capitan mountains as a backdrop. WELD's architectural team designed the building to honor the history of Gillespie Field and aviation. The building features a Blue 'Wing' canopy symbolizing the discovery of flight, and an aluminum panel art piece on the south elevation that pays tribute to the WWII pilots and others who served in the armed forces.

Green Building: Gillespie Field Park is a state-of-the-art "Class A" industrial project that meets and exceeds the County's Climate Action Plan, Renewable Energy Plan, and the State of California's Green Build standards.

Conservation: The site, previously a "greenfield", underwent significant environmental reviews and integration. Notably, a neglected water drainage channel along Cuyamaca Boulevard was transformed into a native wetlands creek that supports necessary water flows while creating a beautiful natural waterway along the major street frontage. This waterway also integrates with a portion of the regional bike route into El Cajon.

SUBJECT: GILLESPIE FIELD – FIRST AMENDMENT TO INDUSTRIAL GROUND LEASE WITH SGCLMC-WELD INVESTMENT COMPANY, L.P. AND RELATED CEQA EXEMPTION (DISTRICTS: 2)

Additionally, WELD transplanted over 3,000 individual plants from the leased property to the banks of the San Diego River in Lakeside, on a land preserve that WELD financially supports. This initiative supports the management of the federally endangered San Diego Ambrosia (California Ambrosia), a plant species unique to the San Diego area. The relocation of these plants has been successful and has received recognition from industry and regulatory agencies. Notably, the San Diego Ambrosia is the only known plant species capable of converting solar light into energy (photosynthesis) in such a unique manner.

During site grading, expert biologists and archeologists were involved in monitoring for evidence of early human activity. They discovered evidence of small groups of native people who camped along the shores of Forester Creek (abutting the property on the northeast corner) and used large granite boulders to grind acorns into a paste for making bread. Two large granite boulders with characteristic “bowls” were preserved and relocated to the restored wetlands channel along the project’s main frontage. These boulders are now positioned in a location where they can be appreciated by project employees, as well as pedestrians and cyclists passing by the property.

ENVIRONMENTAL STATEMENT

Section 15301 of the California Environmental Quality Act (CEQA) Guidelines exempts from CEQA review actions related to the “operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of existing or former use.” The key consideration in applying this exemption is whether the proposed action involves any expansion of the existing use. The proposed action involves an amendment to an existing ground lease with SGCLMC-Weld Investment Company, L.P. As there are negligible or no changes to the current use, the action is exempt from CEQA review under Section 15301 of the CEQA Guidelines.

LINKAGE TO THE COUNTY OF SAN DIEGO STRATEGIC PLAN

Today’s proposed action supports the Economic Sustainability Strategic Initiative in the County of San Diego’s (County) 2025-2030 Strategic Plan. Revenue derived from airport leases is placed in the County’s Airport Enterprise Fund, which aligns services to available resources, maintaining fiscal stability, and ensuring long-term solvency by using lease revenue for ongoing maintenance and operation of County Airports. Airports in San Diego County are an important part of the County’s physical infrastructure and the federal transportation system and provide superior service delivery to the local aviation customers and the public which they serve.

Respectfully submitted,



DAHVIA LYNCH

Deputy Chief Administrative Officer

ATTACHMENT(S)

A: Vicinity Map



COUNTY OF SAN DIEGO

LAND USE AGENDA ITEM

BOARD OF SUPERVISORS

VACANT
First District

JOEL ANDERSON
Second District

TERRA LAWSON-REMER
Third District

MONICA MONTGOMERY STEPPE
Fourth District

JIM DESMOND
Fifth District

DATE: June 25, 2025

03

TO: Board of Supervisors

SUBJECT

COUNTY OF SAN DIEGO TRACT NO. 5505-1: APPROVAL OF AMENDMENT TO AGREEMENT FOR PUBLIC AND PRIVATE IMPROVEMENTS FOR OTAY BUSINESS PARK VESTING TENTATIVE MAP NO. 5505R2, SET HEARING TO CONSIDER PURCHASING TWO CALTRANS PARCELS LOCATED IN THE OTAY COMMUNITY PLAN AREA AND RELATED CEQA EXEMPTION (DISTRICT: 1)

OVERVIEW

The Otay Business Park (Final Map No. 16562) is an approved subdivision of 121.9 acres into eleven (11) lots, including nine (9) commercial/industrial lots, one (1) public street lot, and one (1) sewer pump station located in East Otay Mesa within unincorporated San Diego County. The Final Map was approved by the Director of Planning & Development Services on April 4, 2023. At the time the Final Map was approved, the County of San Diego (County), San Diego County Sanitation District, and the developer/owner of the Otay Business Park, CH REALTY X-ELC I OTAY MESA BUSINESS PARK L.P (Owner), entered into a Subdivision Improvement Agreement (IA) to guarantee the construction of private and public improvements as a condition of approval of the subdivision. These improvements include the construction of Siempre Viva Road, a planned 4-lane major road in the County's General Plan from the project site to the City of San Diego boundary, which will enhance regional mobility and help economic growth and binational trade by providing additional access to the new planned Otay port of entry into Mexico.

Subdivision IAs and their financial security protect the County by ensuring any required improvements are constructed. In the event of a default by the applicant, financial security can be used by the County to complete the required improvements. Under certain circumstances, the County can grant amendments to allow an applicant additional time or the ability to complete the improvements, while simultaneously preserving the County's rights to have the public improvements constructed by the applicant. If approved, the IA for this project would remain valid through April 4, 2027, at which point the applicant could request an amendment if additional time is required to complete work.

SUBJECT: COUNTY OF SAN DIEGO TRACT NO. 5505-1: APPROVAL OF AMENDMENT TO AGREEMENT FOR PUBLIC AND PRIVATE IMPROVEMENTS FOR OTAY BUSINESS PARK VESTING TENTATIVE MAP NO. 5505R2. SET HEARING TO CONSIDER PURCHASING TWO CALTRANS PARCELS LOCATED IN THE OTAY COMMUNITY PLAN AREA AND RELATED CEQA EXEMPTION (DISTRICT: 1)

A condition of this project requires the completion of certain offsite improvements to Siempre Viva Road that were studied under the California Environmental Quality Act (CEQA) as part of the project approval, of which a portion is currently owned by the State of California Department of Transportation (Caltrans). Caltrans cannot sell its excess property directly to a private party, unless such private party is the owner of adjoining property and certain findings are met, without conducting a public auction or calling for competitive bids. However, Caltrans can sell its excess property to a public entity without competitive bids and California Government Code allows the County to acquire the needed property from Caltrans. If the County does not purchase the property, the condition will have to be waived. The property is in East Otay Mesa and is approximately 0.81 acres in size. Caltrans is willing to enter negotiations to sell it directly to the County. This acquisition will allow the Owner to complete the offsite improvements in accordance with the terms of the Amendment to the Joint Agreement to Improve Major Subdivision (Attachment A), and the County will maintain ownership of the Property. The Owner agrees to pay all costs incurred by County, including, but not limited to, the full appraised value of the property, as determined by a Caltrans appraisal, attorney fees, preparation of maps, services by the County, engineering, appraisal fees, and any other fees or costs incurred by the County in connection with the acquisition of the Property in accordance with the terms of the Agreement to Pay Acquisition Costs (Attachment B). The County would maintain the property and road once it is constructed to County standards similar to other development projects.

Today's request is for the Board to approve an Amendment to the subdivision improvement agreement for the Otay Business Park to pay the cost for the County to acquire a portion of property owned by Caltrans to construct Siempre Viva Road. Staff is also requesting the Board set a hearing on ~~September 10~~ October 22, 2025, to consider approval of the purchase of the Caltrans Property and to direct the Clerk of the Board to provide public notice of the hearing. If the Board approves the request, then on ~~September 10~~ October 22, 2025, after making the necessary findings, the Board will be requested to authorize the purchase of the Property from Caltrans for the estimated appraised value of \$645,000, which will be fully funded by the Owner. An updated appraisal will be provided as part of the future purchase and sale agreement.

If the ~~Board does not approve the~~ Amendment is not approved, nor ~~set~~-a hearing set for the Board to consider purchasing the Property, the County cannot move forward with the financial security provided with the original agreement and move forward with construction of the road. If the road is not constructed, traffic from the Otay Business Park project and other projects would use other existing roads, which would lead to increased traffic congestion in the area. However, the County is not obligated to build the road and there is no guarantee the secured amount will be enough to cover the cost of the improvements if constructed by the County.

SUBJECT: COUNTY OF SAN DIEGO TRACT NO. 5505-1: APPROVAL OF AMENDMENT TO AGREEMENT FOR PUBLIC AND PRIVATE IMPROVEMENTS FOR OTAY BUSINESS PARK VESTING TENTATIVE MAP NO. 5505R2. SET HEARING TO CONSIDER PURCHASING TWO CALTRANS PARCELS LOCATED IN THE OTAY COMMUNITY PLAN AREA AND RELATED CEQA EXEMPTION (DISTRICT: 1)

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. Find that the approval of the First Amendment to Agreement (Attachment A on file with the Clerk of the Board) and associated actions for County Tract No. 5505-1 are not subject to the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Sections 15060(c)(3) and 15378(b)(4 and 5).
2. Approve and authorize the Clerk of the Board of Supervisors (Clerk) to execute the First Amendment to Agreement, which includes an Agreement to Pay Acquisition Costs incurred by County in acquiring the property owned by Caltrans.
3. Find that the proposed action to set a hearing is not subject to CEQA because it is an administrative action and not an approval of a project as defined by CEQA and does not commit the County of San Diego (County) to a definite course of action under sections 15352 and 15004(b)(2)(A).
4. Set a hearing for ~~September 10~~ October 22, 2025, at which time the Board of Supervisors (Board) may consider authorizing the Director, Department of General Services, or designee, to enter into a purchase and sale agreement with Caltrans for the acquisition of parcels DD 30305-01-01 and DD 30306-01-02 for the estimated appraised value of \$645,000.
5. Direct the Clerk of the Board to provide notice of the hearing via publication and posting as required by law.

EQUITY IMPACT STATEMENT

Planning & Development Services (PDS) ensures that public improvements are constructed as part of new developments, such as roads and stormwater drainage systems. PDS ensures the completion of the public improvements through agreements and financial security, which ensures communities are safe. This amendment to the improvement agreement will allow the applicant the ability to complete the required public improvements, which will help provide roads needed for commercial and industrial development that will provide additional jobs for unincorporated communities.

SUSTAINABILITY IMPACT STATEMENT

Planning & Development Services (PDS) is committed to promoting sustainable community growth by ensuring that essential public infrastructure, such as roads and stormwater drainage systems, is appropriately constructed in new housing developments. These improvements are essential for creating safe, resilient, and environmentally responsible communities. Extension of time for improvement agreements provide additional time for applicants to complete essential required improvements for projects. This ensures that housing developments in the unincorporated communities meet both current and future sustainability standards.

SUBJECT: COUNTY OF SAN DIEGO TRACT NO. 5505-1: APPROVAL OF AMENDMENT TO AGREEMENT FOR PUBLIC AND PRIVATE IMPROVEMENTS FOR OTAY BUSINESS PARK VESTING TENTATIVE MAP NO. 5505R2. SET HEARING TO CONSIDER PURCHASING TWO CALTRANS PARCELS LOCATED IN THE OTAY COMMUNITY PLAN AREA AND RELATED CEQA EXEMPTION (DISTRICT: 1)

FISCAL IMPACT

There is no fiscal impact associated with today's action. If approved, the developer will pay all staff costs to complete the transaction and will pay for the purchase price of the property, which is estimated at \$645,000. The final purchase price will be determined based on an updated appraisal of the property. There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT

N/A

ADVISORY BOARD STATEMENT

N/A

BACKGROUND

The East Otay Mesa Specific Plan Area (Specific Plan) was approved by the Board of Supervisors on July 27, 1994. The Specific Plan is a regulatory document that establishes standards for development, environmental conservation, and public facilities to implement the objectives of the County of San Diego General Plan. The Specific Plan was envisioned as a modern industrial and business center near the international border and was created as a major employment area for southern San Diego County. The most recent amendment to the Specific Plan was approved by the Board of Supervisors on March 17, 2021 (5).

Projects in the Specific Plan are required to construct all roads necessary to provide access to their site and ensure the roads meet County standards and implement the Specific Plan. The Otay Business Park (Project) was approved by the Planning Commission on November 4, 2011. The Project required several improvements to off-site roads including Siempre Viva Road. Siempre Viva Road is a planned 4-lane major road in the County's General Plan and Specific Plan. The Project is required to improve Siempre Viva Road from Enrico Fermi Drive to the existing Caltrans bridge located at the eastern boundary of the project site. Siempre Viva Road, once fully improved, will ultimately connect the City of San Diego to the new planned Otay Port of Entry into Mexico.

A portion of the offsite improvements to Siempre Viva Road that are required as part of the project are located on property (Property) owned by the State of California Department of Transportation (Caltrans). Caltrans cannot sell its excess property directly to a private party, unless such private party is the owner of adjoining property and certain findings are met, without conducting a public auction or calling for competitive bids. However, Caltrans can sell directly to the County without calling for competitive bids. Caltrans is willing to enter negotiations to sell the Property to the County, which will ultimately allow the Owner to complete the offsite improvements in accordance with the terms of the Amendment to the Joint Agreement to Improve Major

SUBJECT: COUNTY OF SAN DIEGO TRACT NO. 5505-1: APPROVAL OF AMENDMENT TO AGREEMENT FOR PUBLIC AND PRIVATE IMPROVEMENTS FOR OTAY BUSINESS PARK VESTING TENTATIVE MAP NO. 5505R2. SET HEARING TO CONSIDER PURCHASING TWO CALTRANS PARCELS LOCATED IN THE OTAY COMMUNITY PLAN AREA AND RELATED CEQA EXEMPTION (DISTRICT: 1)

Subdivision (Attachment A). The developer will have until April 4, 2027, to complete the improvements to Siempre Viva Road, which are estimated at \$8,371,100.

If the **Board chooses not to approve the Amendment** as recommended, nor set a hearing set for the Board to consider purchasing the Property, the County could move forward with the financial security provided with the original agreement and move forward with the construction of the road. However, the County is not obligated to build the road and there is no guarantee the secured amount will be enough to cover the cost of the improvements if constructed by the County.

ENVIRONMENTAL STATEMENT

The proposed action includes the amendment of a Subdivision Improvement Agreement and authorization of a hearing to provide for the acquisition of property necessary to complete road improvements required as a condition of approval of a tentative map. CEQA review was completed in connection with the approval of the tentative map for the project. A Subsequent Environmental Impact Report (EIR) was approved on November 4, 2011, for the Otay Business Park Project and is on file with Planning & Development Services. The proposed action to set a hearing is not subject to CEQA because it is an administrative action and is not considered a Project as defined by CEQA and does not commit the County to a definite course of action under sections 15352 and 15004(b)(2)(A).

CEQA review was completed in connection with the approval of each of the Tentative Maps, which were conditioned on completion of improvements identified in the improvement agreements. The proposed action does not change any improvement obligations imposed at the time of Tentative Map approval. Therefore, the proposed action is not subject to CEQA review pursuant to Sections 15061(b)(3) of the CEQA Guidelines.

SUBJECT: COUNTY OF SAN DIEGO TRACT NO. 5505-1: APPROVAL OF AMENDMENT TO AGREEMENT FOR PUBLIC AND PRIVATE IMPROVEMENTS FOR OTAY BUSINESS PARK VESTING TENTATIVE MAP NO. 5505R2. SET HEARING TO CONSIDER PURCHASING TWO CALTRANS PARCELS LOCATED IN THE OTAY COMMUNITY PLAN AREA AND RELATED CEQA EXEMPTION (DISTRICT: 1)

LINKAGE TO THE COUNTY OF SAN DIEGO STRATEGIC PLAN

Today's proposed actions support all the Initiatives in the County of San Diego's 2024-2029 Strategic Plan. The project proposes the Draft Ordinance which provides affordable and workforce housing opportunities that help meet the needs of a diverse community (Equity Initiative), provides a program that helps increase the well-being of our residents by improving housing opportunities (Community Initiative), and incorporates equity and environmental justice to reduce disproportionate housing access (Justice Initiative).

Respectfully submitted,

A handwritten signature in blue ink, appearing to read 'Dahvia Lynch', is written over a light blue rectangular background.

DAHVIA LYNCH

Deputy Chief Administrative Officer

ATTACHMENT(S)

Attachment A – First Amendment to Agreement to Improve Major Subdivision

Attachment B – Agreement to Pay Acquisition Costs

Attachment C – Vicinity Map



COUNTY OF SAN DIEGO

LAND USE AGENDA ITEM

BOARD OF SUPERVISORS

VACANT
First District

JOEL ANDERSON
Second District

TERRA LAWSON-REMER
Third District

MONICA MONTGOMERY STEPPE
Fourth District

JIM DESMOND
Fifth District

DATE: June 25, 2025

03

TO: Board of Supervisors

SUBJECT

COUNTY OF SAN DIEGO TRACT NO. 5505-1: APPROVAL OF AMENDMENT TO AGREEMENT FOR PUBLIC AND PRIVATE IMPROVEMENTS FOR OTAY BUSINESS PARK VESTING TENTATIVE MAP NO. 5505R2, SET HEARING TO CONSIDER PURCHASING TWO CALTRANS PARCELS LOCATED IN THE OTAY COMMUNITY PLAN AREA AND RELATED CEQA EXEMPTION (DISTRICT: 1)

OVERVIEW

The Otay Business Park (Final Map No. 16562) is an approved subdivision of 121.9 acres into eleven (11) lots, including nine (9) commercial/industrial lots, one (1) public street lot, and one (1) sewer pump station located in East Otay Mesa within unincorporated San Diego County. The Final Map was approved by the Director of Planning & Development Services on April 4, 2023. At the time the Final Map was approved, the County of San Diego (County), San Diego County Sanitation District, and the developer/owner of the Otay Business Park, CH REALTY X-ELC I OTAY MESA BUSINESS PARK L.P (Owner), entered into a Subdivision Improvement Agreement (IA) to guarantee the construction of private and public improvements as a condition of approval of the subdivision. These improvements include the construction of Siempre Viva Road, a planned 4-lane major road in the County's General Plan from the project site to the City of San Diego boundary, which will enhance regional mobility and help economic growth and binational trade by providing additional access to the new planned Otay port of entry into Mexico.

Subdivision IAs and their financial security protect the County by ensuring any required improvements are constructed. In the event of a default by the applicant, financial security can be used by the County to complete the required improvements. Under certain circumstances, the County can grant amendments to allow an applicant additional time or the ability to complete the improvements, while simultaneously preserving the County's rights to have the public improvements constructed by the applicant. If approved, the IA for this project would remain valid through April 4, 2027, at which point the applicant could request an amendment if additional time is required to complete work.

A condition of this project requires the completion of certain offsite improvements to Siempre Viva Road that were studied under the California Environmental Quality Act (CEQA) as part of

SUBJECT: COUNTY OF SAN DIEGO TRACT NO. 5505-1: APPROVAL OF AMENDMENT TO AGREEMENT FOR PUBLIC AND PRIVATE IMPROVEMENTS FOR OTAY BUSINESS PARK VESTING TENTATIVE MAP NO. 5505R2. SET HEARING TO CONSIDER PURCHASING TWO CALTRANS PARCELS LOCATED IN THE OTAY COMMUNITY PLAN AREA AND RELATED CEQA EXEMPTION (DISTRICT: 1)

the project approval, of which a portion is currently owned by the State of California Department of Transportation (Caltrans). Caltrans cannot sell its excess property directly to a private party, unless such private party is the owner of adjoining property and certain findings are met, without conducting a public auction or calling for competitive bids. However, Caltrans can sell its excess property to a public entity without competitive bids and California Government Code allows the County to acquire the needed property from Caltrans. If the County does not purchase the property, the condition will have to be waived. The property is in East Otay Mesa and is approximately 0.81 acres in size. Caltrans is willing to enter negotiations to sell it directly to the County. This acquisition will allow the Owner to complete the offsite improvements in accordance with the terms of the Amendment to the Joint Agreement to Improve Major Subdivision (Attachment A), and the County will maintain ownership of the Property. The Owner agrees to pay all costs incurred by County, including, but not limited to, the full appraised value of the property, as determined by a Caltrans appraisal, attorney fees, preparation of maps, services by the County, engineering, appraisal fees, and any other fees or costs incurred by the County in connection with the acquisition of the Property in accordance with the terms of the Agreement to Pay Acquisition Costs (Attachment B). The County would maintain the property and road once it is constructed to County standards similar to other development projects.

Today's request is for the Board to approve an Amendment to the subdivision improvement agreement for the Otay Business Park to pay the cost for the County to acquire a portion of property owned by Caltrans to construct Siempre Viva Road. Staff is also requesting the Board set a hearing on October 22, 2025, to consider approval of the purchase of the Caltrans Property and to direct the Clerk of the Board to provide public notice of the hearing. If the Board approves the request, then on October 22, 2025, after making the necessary findings, the Board will be requested to authorize the purchase of the Property from Caltrans for the estimated appraised value of \$645,000, which will be fully funded by the Owner. An updated appraisal will be provided as part of the future purchase and sale agreement.

If the Amendment is not approved, nor a hearing set for the Board to consider purchasing the Property, the County cannot move forward with the financial security provided with the original agreement and move forward with construction of the road. If the road is not constructed, traffic from the Otay Business Park project and other projects would use other existing roads, which would lead to increased traffic congestion in the area. However, the County is not obligated to build the road and there is no guarantee the secured amount will be enough to cover the cost of the improvements if constructed by the County.

RECOMMENDATION(S)
CHIEF ADMINISTRATIVE OFFICER

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1. Find that the approval of the First Amendment to Agreement (Attachment A on file with the Clerk of the Board) and associated actions for County Tract No. 5505-1 are not subject to the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Sections 15060(c)(3) and 15378(b)(4 and 5).
2. Approve and authorize the Clerk of the Board of Supervisors (Clerk) to execute the First Amendment to Agreement, which includes an Agreement to Pay Acquisition Costs incurred by County in acquiring the property owned by Caltrans.
3. Find that the proposed action to set a hearing is not subject to CEQA because it is an administrative action and not an approval of a project as defined by CEQA and does not commit the County of San Diego (County) to a definite course of action under sections 15352 and 15004(b)(2)(A).
4. Set a hearing for October 22, 2025, at which time the Board of Supervisors (Board) may consider authorizing the Director, Department of General Services, or designee, to enter into a purchase and sale agreement with Caltrans for the acquisition of parcels DD 30305-01-01 and DD 30306-01-02 for the estimated appraised value of \$645,000.
5. Direct the Clerk of the Board to provide notice of the hearing via publication and posting as required by law.

EQUITY IMPACT STATEMENT

Planning & Development Services (PDS) ensures that public improvements are constructed as part of new developments, such as roads and stormwater drainage systems. PDS ensures the completion of the public improvements through agreements and financial security, which ensures communities are safe. This amendment to the improvement agreement will allow the applicant the ability to complete the required public improvements, which will help provide roads needed for commercial and industrial development that will provide additional jobs for unincorporated communities.

SUSTAINABILITY IMPACT STATEMENT

Planning & Development Services (PDS) is committed to promoting sustainable community growth by ensuring that essential public infrastructure, such as roads and stormwater drainage systems, is appropriately constructed in new housing developments. These improvements are essential for creating safe, resilient, and environmentally responsible communities. Extension of time for improvement agreements provide additional time for applicants to complete essential required improvements for projects. This ensures that housing developments in the unincorporated communities meet both current and future sustainability standards.

FISCAL IMPACT

SUBJECT: COUNTY OF SAN DIEGO TRACT NO. 5505-1: APPROVAL OF AMENDMENT TO AGREEMENT FOR PUBLIC AND PRIVATE IMPROVEMENTS FOR OTAY BUSINESS PARK VESTING TENTATIVE MAP NO. 5505R2. SET HEARING TO CONSIDER PURCHASING TWO CALTRANS PARCELS LOCATED IN THE OTAY COMMUNITY PLAN AREA AND RELATED CEQA EXEMPTION (DISTRICT: 1)

There is no fiscal impact associated with today's action. If approved, the developer will pay all staff costs to complete the transaction and will pay for the purchase price of the property, which is estimated at \$645,000. The final purchase price will be determined based on an updated appraisal of the property. There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT

N/A

ADVISORY BOARD STATEMENT

N/A

BACKGROUND

The East Otay Mesa Specific Plan Area (Specific Plan) was approved by the Board of Supervisors on July 27, 1994. The Specific Plan is a regulatory document that establishes standards for development, environmental conservation, and public facilities to implement the objectives of the County of San Diego General Plan. The Specific Plan was envisioned as a modern industrial and business center near the international border and was created as a major employment area for southern San Diego County. The most recent amendment to the Specific Plan was approved by the Board of Supervisors on March 17, 2021 (5).

Projects in the Specific Plan are required to construct all roads necessary to provide access to their site and ensure the roads meet County standards and implement the Specific Plan. The Otay Business Park (Project) was approved by the Planning Commission on November 4, 2011. The Project required several improvements to off-site roads including Siempre Viva Road. Siempre Viva Road is a planned 4-lane major road in the County's General Plan and Specific Plan. The Project is required to improve Siempre Viva Road from Enrico Fermi Drive to the existing Caltrans bridge located at the eastern boundary of the project site. Siempre Viva Road, once fully improved, will ultimately connect the City of San Diego to the new planned Otay Port of Entry into Mexico.

A portion of the offsite improvements to Siempre Viva Road that are required as part of the project are located on property (Property) owned by the State of California Department of Transportation (Caltrans). Caltrans cannot sell its excess property directly to a private party, unless such private party is the owner of adjoining property and certain findings are met, without conducting a public auction or calling for competitive bids. However, Caltrans can sell directly to the County without calling for competitive bids. Caltrans is willing to enter negotiations to sell the Property to the County, which will ultimately allow the Owner to complete the offsite improvements in accordance with the terms of the Amendment to the Joint Agreement to Improve Major Subdivision (Attachment A). The developer will have until April 4, 2027, to complete the improvements to Siempre Viva Road, which are estimated at \$8,371,100.

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If the Board chooses not to approve the Amendment as recommended, nor a hearing set for the Board to consider purchasing the Property, the County could move forward with the financial security provided with the original agreement and move forward with the construction of the road. However, the County is not obligated to build the road and there is no guarantee the secured amount will be enough to cover the cost of the improvements if constructed by the County.

ENVIRONMENTAL STATEMENT

The proposed action includes the amendment of a Subdivision Improvement Agreement and authorization of a hearing to provide for the acquisition of property necessary to complete road improvements required as a condition of approval of a tentative map. CEQA review was completed in connection with the approval of the tentative map for the project. A Subsequent Environmental Impact Report (EIR) was approved on November 4, 2011, for the Otay Business Park Project and is on file with Planning & Development Services. The proposed action to set a hearing is not subject to CEQA because it is an administrative action and is not considered a Project as defined by CEQA and does not commit the County to a definite course of action under sections 15352 and 15004(b)(2)(A).

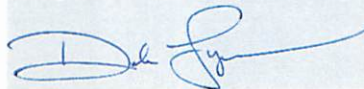
CEQA review was completed in connection with the approval of each of the Tentative Maps, which were conditioned on completion of improvements identified in the improvement agreements. The proposed action does not change any improvement obligations imposed at the time of Tentative Map approval. Therefore, the proposed action is not subject to CEQA review pursuant to Sections 15061(b)(3) of the CEQA Guidelines.

LINKAGE TO THE COUNTY OF SAN DIEGO STRATEGIC PLAN

SUBJECT: COUNTY OF SAN DIEGO TRACT NO. 5505-1: APPROVAL OF AMENDMENT TO AGREEMENT FOR PUBLIC AND PRIVATE IMPROVEMENTS FOR OTAY BUSINESS PARK VESTING TENTATIVE MAP NO. 5505R2. SET HEARING TO CONSIDER PURCHASING TWO CALTRANS PARCELS LOCATED IN THE OTAY COMMUNITY PLAN AREA AND RELATED CEQA EXEMPTION (DISTRICT: 1)

Today's proposed actions support all the Initiatives in the County of San Diego's 2024-2029 Strategic Plan. The project proposes the Draft Ordinance which provides affordable and workforce housing opportunities that help meet the needs of a diverse community (Equity Initiative), provides a program that helps increase the well-being of our residents by improving housing opportunities (Community Initiative), and incorporates equity and environmental justice to reduce disproportionate housing access (Justice Initiative).

Respectfully submitted,



DAHVIA LYNCH

Deputy Chief Administrative Officer

ATTACHMENT(S)

Attachment A – First Amendment to Agreement to Improve Major Subdivision

Attachment B – Agreement to Pay Acquisition Costs

Attachment C – Vicinity Map



BOARD LETTER APPROVAL LOG

BOARD LETTER TITLE:	COUNTY OF SAN DIEGO TRACT NO. 5505-1: APPROVAL OF AMENDMENT TO AGREEMENT FOR PUBLIC AND PRIVATE IMPROVEMENTS FOR OTAY BUSINESS PARK VESTING TENTATIVE MAP NO. 5505R2, SET HEARING TO CONSIDER PURCHASING TWO CALTRANS PARCELS LOCATED IN THE OTAY COMMUNITY PLAN AREA AND RELATED CEQA EXEMPTION (DISTRICT: 1)
ATTACHMENTS:	Attachments A-C
ORIGINATING DEPT:	Planning & Development Services

Approval Signature

Signature Verification

Justin Crumley

E-signed 2025-06-18 09:10AM PDT
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Aimee Leighton

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