

COUNTY OF SAN DIEGO FLOOD CONTROL DISTRICT
REGULAR MEETING
MEETING AGENDA
WEDNESDAY, APRIL 25, 2018, 9:00 AM
BOARD OF SUPERVISORS NORTH CHAMBER
1600 PACIFIC HIGHWAY
SAN DIEGO, CA 92101

- A. Roll Call
- B. Public Communication: Opportunity for members of the public to speak to the Board on any subject matter within the Board's jurisdiction but not an item on today's agenda.
- C. Approval of the Statement of Proceedings/Minutes for the meeting of March 28, 2018.

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 the agenda can be viewed online at <http://www.sdcounty.ca.gov/cob/bosa/> 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.

Agenda Items

Agenda # Subject

- 1. APPROVE EXECUTION AND DELIVERY OF JOINT COMMUNITY FACILITIES AGREEMENT FOR FORMATION OF COMMUNITY FACILITIES DISTRICT NO. 2018-01 (MEADOWOOD MAINTENANCE)
(This item has been withdrawn at the request of the Chief Administrative Officer)
- 2. ESTABLISH FUNDS AND APPROPRIATIONS FOR PARK MAINTENANCE AND APPROVE AND AUTHORIZE EXECUTION OF AMENDED AND RESTATED JOINT COMMUNITY FACILITIES AGREEMENTS RELATED TO COMMUNITY FACILITIES DISTRICT NO. 2013-01 (HORSE CREEK RIDGE MAINTENANCE)
[FUNDING SOURCE: THE DEVELOPER, D.R. HORTON LOS ANGELES HOLDING COMPANY INC. THROUGH THE PARKS ACQUISITION AND INTERIM FUNDING AGREEMENT]

(RELATES TO BOARD OF SUPERVISORS AGENDA NO. 5)

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1. **SUBJECT: APPROVE EXECUTION AND DELIVERY OF JOINT COMMUNITY FACILITIES AGREEMENT FOR FORMATION OF COMMUNITY FACILITIES DISTRICT NO. 2018-01 (MEADOWOOD MAINTENANCE) (DISTRICT: 5)**

OVERVIEW

On March 28, 2018 (10), the Board of Supervisors adopted a Resolution of Intention (ROI) to form Community Facilities District (CFD) No. 2018-01 (Meadowood Maintenance CFD) and authorized the levy of a special tax. The purpose of the special tax is to finance the ongoing maintenance of public trails, a park, and storm water drainage and treatment facilities within the Meadowood Maintenance CFD. The Meadowood Maintenance CFD will also supplement fire protection and emergency medical services of the North County Fire Protection District for the new Meadowood residential subdivision.

This is a request to authorize the Clerk of the Board, acting on behalf of the San Diego County Flood Control District (District), to execute a Joint Community Facilities Agreement (JCFA) between the District and the County of San Diego for maintenance of storm water drainage and treatment facilities within the Meadowood Maintenance CFD. The JCFA will allow the District to receive the annual portion of the special taxes levied by the CFD for the maintenance of storm water and drainage facilities. The Board of Supervisors will be requested to subsequently approve the JCFA on May 9, 2018. This is also a request for the delegation of authority to the Director, Department of Public Works, or designee, acting on behalf of the District, to take such action as may be needed to secure CFD funding obtained by the County for District facilities and obtain interim funding to allow for maintenance before CFD funds become available.

RECOMMENDATION(S)**CHIEF ADMINISTRATIVE OFFICER**

~~Upon close of the hearing on April 25, 2018, the Board of Directors of the San Diego County Flood Control District is requested to take the following actions:~~

- ~~1. In accordance with California Environmental Quality Act (CEQA) Guidelines Section 15096, find that the San Diego County Flood Control District, as a responsible agency under CEQA, has considered the environmental effects of the project as shown in the Environmental Impact Report (EIR) for the Meadowood Project, dated January 11, 2012, State Clearinghouse Number 2004051028, on file in the County of San Diego, Planning & Development Services, as Environmental Review No. 04-02-004, before reaching its own conclusions on whether and how to approve the project.~~
- ~~2. Find that the currently proposed actions are within the scope of the EIR; that there are no changes in the project or in the circumstances under which it is undertaken that would result in significant environmental impacts beyond those considered in the certified EIR, nor a substantial increase in the severity of previously identified significant effects; and that no new information of substantial importance has become available since the EIR (CEQA Guidelines Section 15162) was prepared.~~
- ~~3. Find in accordance with Section 15091(a) (2) of the CEQA Guidelines that changes or alterations are within the responsibility and jurisdiction of the County of San Diego and not the District and that such changes were adopted by the County as the District did not approve the Meadowood Project and is only taking this action to obtain Community Facilities District (CFD) funding for improvements required by the County as a condition of project approval.~~

4. ~~Authorize the Director, Department of Public Works, or designee, to take such action on behalf of the District as may be necessary or convenient to obtain the portion of CFD funds for the maintenance of District facilities, negotiate and enter into an interim funding agreement to provide for at least two years of maintenance before CFD funds may become available, and authorize the Clerk of the Board on behalf of the District to execute the Agreement attached hereto as Attachment A entitled: JOINT COMMUNITY FACILITIES AGREEMENT BY AND BETWEEN COUNTY OF SAN DIEGO AND SAN DIEGO COUNTY FLOOD CONTROL DISTRICT RELATING TO COUNTY OF SAN DIEGO COMMUNITY FACILITIES DISTRICT NO. 2018-01 (MEADOWOOD MAINTENANCE).~~

(This item has been withdrawn at the request of the Chief Administrative Officer)

FISCAL IMPACT

Funds for this request are not included in the Fiscal Year 2017-18 Operational Plan in the Department of Public Works or Flood Control District. All County staff time acting on the District's behalf and consultant costs incurred to establish and form this Community Facilities District (CFD), estimated at \$75,000, will be funded by Pardee Homes (Developer). The Developer is responsible for all District costs incurred in the establishment and formation of this CFD, and will provide additional funds as needed. There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT

N/A

2. **SUBJECT: ESTABLISH FUNDS AND APPROPRIATIONS FOR PARK MAINTENANCE AND APPROVE AND AUTHORIZE EXECUTION OF AMENDED AND RESTATED JOINT COMMUNITY FACILITIES AGREEMENTS RELATED TO COMMUNITY FACILITIES DISTRICT NO. 2013-01 (HORSE CREEK RIDGE MAINTENANCE) (DISTRICT: 5)**

OVERVIEW

On January 29, 2014 (01), the Board adopted a resolution to form Community Facilities District (CFD) No. 2013-01 (Horse Creek Ridge Maintenance), to fund community services for a master planned community located in Fallbrook. The Board authorized the levy of a special tax to support ongoing operation and maintenance of the regional sports park complex, staging area and park trails, onsite and offsite open space, detention basins and fire services within the CFD. Since that time, no special taxes have been collected in CFD No. 2013-01.

On March 22, 2017 (FL02), the Board approved and authorized the Clerk of the Board to execute the Park Acquisition and Interim Funding Agreement, by and between the County and D.R. Horton Los Angeles Holding Company Inc. (Developer), to provide for interim maintenance of park facilities until sufficient special tax revenue is generated by the CFD to support maintenance of the facilities by the Department of Parks and Recreation (DPR).

Today's request is for the Board to authorize the Auditor and Controller to establish a special revenue fund and establish appropriations of \$78,000 for interim maintenance of park facilities in Horse Creek Ridge, based on revenue from the Developer through the Park Acquisition and Interim Funding Agreement. Today's recommendation also authorizes the Auditor and

Controller to establish special revenue funds for: overall CFD administration and maintenance of park facilities subsequent to the interim maintenance period; flood control services; and fire services for CFD No. 2013-01. It also authorizes the Clerk of the Board to sign Amended and Restated Joint Community Facilities Agreements (JCFA) related to CFD 2013-01 to ensure consistency with the fund names to be established by the Auditor and Controller and to update the responsibilities of the parties to the Joint Community Facilities Agreement to align with the accounting and reporting requirements of the Governmental Accounting Standards Board.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

Acting as the Board of Directors for the San Diego County Flood Control District:

Approve and authorize the Clerk of the Board, to execute the Amended and Restated Joint Community Facilities Agreement by and between the County and the San Diego County Flood Control District, dated as of December 1, 2013.

FISCAL IMPACT

Funds for this request are not included in the Fiscal Year 2017-18 Operational Plan in the Department of Parks and Recreation. If approved, this request will establish four new interest-bearing funds: HORSE CRK RDG CFD 13-01 A-SPECIAL TAX, HORSE CRK RDG FCD CFD 13-01 B-SPECIAL TAX, and HORSE CRK RDG FIRE CFD 13-01 C-SPECIAL TAX for deposit of revenue generated by the special tax levied in the Horse Creek Ridge Maintenance CFD; and HORSE CRK RDG CFD 13-01 INTERIM MAINT to account for cash security deposits collected from the Developer and park facilities' interim maintenance costs. Today's recommendations will result in current year costs and revenue of \$78,000 in HORSE CRK RDG CFD 13-01 INTERIM MAINT fund. The funding source is the Developer, D.R. Horton Los Angeles Holding Company Inc. through the Parks Acquisition and Interim Funding Agreement. There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT

N/A

(RELATES TO BOARD OF SUPERVISORS AGENDA NO. 5)

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