

**REPORT/RECOMMENDATION TO THE BOARD OF SUPERVISORS
OF THE BOARD GOVERNED COUNTY SERVICE AREAS
AND RECORD OF ACTION**

June 22, 2021

FROM

TERRY W. THOMPSON, Director, Real Estate Services Department

JAMES E. JENKINS, Director, Department of Airports

SUBJECT

Appraisal and Acquisition of Vacant Land in Apple Valley for a Storm Water Detention Basin at the Apple Valley Airport

RECOMMENDATION(S)

Acting as the governing body of the County Service Area 60:

1. Adopt **Resolution No. 2021-118** to adopt the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program and making certain finding of fact as lead agency for the Apple Valley Airport Detention Basin Project.
2. Approve a budget increase to Capital Improvement Program (CIP) Project 17-010 in the amount of \$626,500, from \$50,000 to \$676,500, for the Apple Valley Airport Land Acquisition Project (WBSE 10.10.0267) to acquire the property.
3. Approve Appraisal No. 19-31, dated June 26, 2019, a copy of which is on file with the Real Estate Services Department.
4. Authorize the acquisition of approximately 18.86 acres of vacant land [a portion of Assessor Parcel Number (APN) 0463-381-77] from Newton A. Bass, an unmarried man as to an undivided 1/3 interest and Angelyn Bass, Trustee of the Angelyn Bass Trust dated August 20, 2002, as to an undivided 2/3 interest for a purchase price of \$660,000, plus escrow and title fees estimated to be \$4,000, for a storm water detention basin at the Apple Valley Airport.
5. Authorize the Director of the Real Estate Services Department to execute the acquisition agreement for the acquisition of approximately 18.86 acres of vacant land (a portion of APN 0463-381-77), and any other documents necessary to complete this transaction, subject to County Counsel review.
6. Direct the Clerk of the Board to file and post the Notice of Determination as required.
7. Authorize the Auditor-Controller/Treasurer/Tax Collector to post the necessary adjustments to the CIP's 2020-21 budget, as detailed in the Financial Impact Section (Four votes required).

(Presenter: Terry W. Thompson, Director, 387-5000)

COUNTY AND CHIEF EXECUTIVE OFFICER GOALS & OBJECTIVES

Operate in a Fiscally-Responsible and Business-Like Manner.

Ensure Development of a Well-Planned, Balanced, and Sustainable County.

Provide for the Safety, Health and Social Services Needs of County Residents.

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FINANCIAL IMPACT

Approval of this item will not result in the use of Discretionary General Funding (Net County Cost). The cost to acquire this real property in fee is \$660,000, plus escrow and title fees estimated to be \$4,000. Department of Airports will fund the acquisition of land with Available Unrestricted Net Position from County Service Area 60 (CSA 60) – Apple Valley Airport's Capital Improvement Fund (400-4550). Sufficient appropriation is included in the Department of Airport's 2020-21 budget (4003004550). The budget adjustments will be applied to the CIP's 2021-22 budget as detailed in the table below:

Fund Center	Commitment Item/GL Account	Description	Action	Amount	WBSE
7700003100	54004005	Land	Increase	\$626,500	10.10.0267
7700003100	55415017	Fixed Assets Transfers In	Increase	(\$626,500)	10.10.0267

BACKGROUND INFORMATION

Approval of this item will authorize the acquisition of a portion of one parcel in fee (APN 0463-381-77), totaling approximately 18.86 acres of land, located in the Town of Apple Valley, for the construction of a drainage detention basin on the south end of the Apple Valley Airport (Project).

The proposed Project will allow for development of a detention basin to improve drainage at the Apple Valley Airport (Airport), which the Department of Airports operates on behalf of CSA 60. Currently, there are three drains that are adjacent to the Airport's Runway 8-26 (Runway). Drainage from the Airport, coupled with off-site runoff from the surrounding desert areas, usually flows into these drains towards the southwest side of the Runway. At the end of the Runway, the flow from the swales turns southward and disperses into natural ground surfaces near Papago Road. This proposed construction will direct the flow of drainage into the proposed storm water detention basin. Ultimately, the proposed basin will help maintain the flow of water, and then be released slowly into the existing drainage channel to the east of the proposed basin.

An appraisal (No. 19-31) dated June 26, 2019, was completed by, and maintained on file with, the Real Estate Services Department. The appraisal establishes the amount of just compensation to be paid to the property owner for the fee interest for approximately 18.86 acres of vacant land (a portion of APN 0463-381-77) necessary to construct the Project and totals \$660,000.

Approval of this item will authorize the offer of just compensation to, and acceptance by, the private property owner and acquisition of the necessary fee interest in conformance with all applicable provisions of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, Government Code section 7260 et seq., corresponding regulations, and County Policy No. 12-20.

The California Environmental Quality Act (CEQA) and CEQA Guidelines require that the appropriate environmental review be completed prior to initiation of a project. CSA 60 is acting as the lead agency on the Project for purposes of CEQA review. As a result, the Board of CSA

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60 (Board) is the appropriate authority to consider and adopt environmental documents prepared for the Project, and must do so prior to approval of the Project.

Pursuant to CEQA and Section 15063 of the CEQA Guidelines (Title 14, California Code of Regulations), CSA 60 prepared a draft Initial Study/Mitigated Negative Declaration (IS/MND) for the Project, analyzing the potential environmental impacts.

The proposed IS/MND was circulated through the State Office of Planning and Research Clearinghouse (SCH #2019049129) on April 19, 2020, to the interested organizations and entities for the 30-day comment period as specified in the CEQA Guidelines. Additionally, a Notice of Intent to Adopt the Mitigated Negative Declaration was advertised by newspaper publication as well as posted on CSA 60's Website. CSA 60 considered the comments made during the comment period and determined that none of them would support a fair argument that the Project may have a significant effect on the environment or other required revision or recirculation of the IS/MND. One comment from the Division of Safety of Dams requested information to determine whether the basin would fall under their jurisdiction. CSA 60 submitted plans that confirmed the improvements did not reach the structural thresholds that would require State oversight for dam safety. The Department of Transportation identified a planned highway corridor that would traverse the future Project site, but only over a construction staging area with no impact to the basin improvements. Accordingly, the IS/MND concludes that the Project will not have a significant impact on the environment with implementation of the mitigation measures outlined in the IS/MND, and pursuant to CEQA, CSA 60 prepared the Mitigation Monitoring and Reporting Program, which delineates the responsibilities for implementing the mitigation measures in order to reduce potentially significant impacts to less than significant.

PROCUREMENT

Not applicable.

REVIEW BY OTHERS

This item has been reviewed by County Counsel (Agnes Cheng, Deputy County Counsel, 387-5455) on June 14, 2021; Department of Airports (James E. Jenkins, Director, 387-8812) on May 6, 2021; Purchasing Department (Bruce Cole, Supervising Buyer, 387-2148) on May 28, 2021; Auditor-Controller/Treasurer/Tax Collector (Erika Gomez, General Accounting Manager, 382-3196) on June 11, 2021; Finance (Elias Duenas, Administrative Analyst, 387-4052 and Carl Lofton, Administrative Analyst, 387-5404) on June 11, 2021; and County Finance and Administration (Matthew Erickson, Chief Financial Officer, 387-5423) on June 7, 2021.

(BJO: 659-4676)

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Record of Action of the Board of Supervisors
Board Governed County Service Areas

APPROVED (CONSENT CALENDAR)

Moved: Joe Baca, Jr. Seconded: Dawn Rowe
Ayes: Col. Paul Cook (Ret.), Janice Rutherford, Dawn Rowe, Curt Hagman, Joe Baca, Jr.

Lynna Monell, CLERK OF THE BOARD

BY  _____
DATED: June 22, 2021



cc: w/Resolution
File - SEP/Board Governed County Service Area 60 (Apple
Valley Airport) w/map w/CEQA & Receipt
CCM 06/24/2021