



CITY COUNCIL STAFF REPORT



September 13, 2022

ITEM TITLE

Deed Restrictions: Approve Deed Restrictions on Park Properties as Required as Conditions of Grant Awards

Report Number: 22-0234

Location: Rohr Park, 4548 Sweetwater Road, 91902, and Rancho Del Rey Park, 1311 Buena Vista Way, 91910

Department: Community Services – Parks and Recreation

Environmental Notice: The Project qualifies for a Categorical Exemption pursuant to the California Environmental Quality Act State Guidelines Section 15301 Class 1 (Existing Facilities), Section 15303 class 3 (New Construction or Conversion of Small Structures), and Section 15304 Class 4 (Minor Alterations to Land).

Recommended Action

Adopt resolutions A) authorizing a deed restriction for the Rohr Park property as required as a condition of the Per Capita Grant award through Proposition 68; and B) authorizing a deed restriction for the Rancho Del Rey Park property as required as a condition of the Per Capita Grant award through Proposition 68.

SUMMARY

The City of Chula Vista was awarded \$177,952 in grant funds from the State of California. Funds are available for local park rehabilitation, creation, and improvement grants to local governments on a per capita basis. One project is to provide additional improvements to the jogging pathway at Rohr Park. The second project is to install solar lighting along the pathway at Rancho Del Rey Park. The grant awards require deed restrictions on the titles to the properties to safeguard the properties for purposes consistent with the grant through June 30, 2048.

ENVIRONMENTAL REVIEW

The Director of Development Services has reviewed the proposed project for compliance with the California Environmental Quality Act (CEQA) and has determined that the project qualifies for a Categorical Exemption pursuant to State CEQA Guidelines Section 15301 Class 1 (Existing Facilities), Section 15303 class 3 (New Construction or Conversion of Small Structures), and Section 15304 Class 4 (Minor Alterations to Land)

because the proposed actions would not result in a significant effect on the environment, create a cumulative impact, damage a scenic highway, or cause a substantial adverse change in the significance of a historical resource. Thus, no further environmental review is required.

BOARD/COMMISSION/COMMITTEE RECOMMENDATION

Not applicable.

DISCUSSION

This Per Capita program originates from Proposition 68, placed on the ballot via Senate Bill 5 (DeLeon, Chapter 852, statutes of 2017), and approved by California voters on June 5, 2018. Funds were available for local park rehabilitation, creation, and improvement grants to local governments on a per capita basis to rehabilitate existing infrastructure and to address deficiencies in neighborhoods lacking access to the outdoors.

The total allotment of Per Capita Grant funds to the City of Chula Vista is \$177,952 and City Council authorized the applications for projects at Rancho Del Rey Park and Rohr Park on December 7, 2021.

The project at Rancho Del Rey Park is to improve the asphalt pathway spine throughout the park, provide ADA access to the playground and gazebo, and install solar lighting along the pathway illuminating the park after sunset. This project is to improve park lighting at this location as well as the asphalt pathway.

The project at Rohr Park will supplement an existing project identified in the Measure P spending plan to improve the jogging path around the park. The project will include improving drainage along the southwestern section near the housing complex, improved surface grading, signage, stretch stations, benches, and solar lighting. The jogging path at Rohr Park is the most used park asset in the City of Chula Vista.

Both grant approvals are subject to, among other conditions, recordation of a deed restriction on the Property for each site location. The deed restrictions are to ensure that the properties will be used for purposes consistent with the grant through June 30, 2048 (See Attachment 1: Grant Contract; Attachment 3: Deed Restriction Form – Rohr Park; Attachment 5: Deed Restriction Form – Rancho Del Rey Park).

DECISION-MAKER CONFLICT

Staff has reviewed the property holdings of the City Council members and has found that Councilmember McCann has real property holdings within 500 feet of the boundaries of the property which is the subject of this action. Consequently, pursuant to California Code of Regulations Title 2, sections 18700 and 18702.2(a)(7), this item presents a disqualifying real property-related financial conflict of interest under the Political Reform Act (Cal. Gov't Code § 87100, et seq.) for the above-identified member.

Staff is not independently aware, and has not been informed by any City Council member, of any other fact that may constitute a basis for a decision-maker conflict of interest in this matter.

CURRENT-YEAR FISCAL IMPACT

There is no fiscal impact to the General Fund with these actions.

ONGOING FISCAL IMPACT

There is no ongoing fiscal impact to the General Fund with these actions.

ATTACHMENTS

1. Grant Contract
2. Exhibit A - Legal Description of Property (Rohr Park)
3. Deed Restriction Form – Rohr Park
4. Exhibit B - Legal Description of Property (Rancho Del Rey Park)
5. Deed Restriction Form – Rancho Del Rey Park

*Staff Contact: Tim Farmer, Parks & Recreation Administrator
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