

April 30, 2014

STATEMENT OF PROCEEDINGS

The Minutes of the

***BOARD OF SUPERVISORS
REGULAR MEETING
PLANNING AND LAND USE MATTERS***

COUNTY OF SAN DIEGO

STATEMENT OF PROCEEDINGS
COUNTY OF SAN DIEGO BOARD OF SUPERVISORS
REGULAR MEETING
MEETING AGENDA
WEDNESDAY, APRIL 30, 2014, 09:00 A.M.
BOARD OF SUPERVISORS NORTH CHAMBER
1600 PACIFIC HIGHWAY, ROOM 310, SAN DIEGO, CALIFORNIA

REGULAR SESSION – Regular Meeting was called to order at 9:02 a.m.

Present: Supervisors Dianne Jacob, Chairwoman; Bill Horn, Vice Chairman; Greg Cox; Dave Roberts; also Thomas J. Pastuszka, Clerk.

Absent: Supervisor Ron Roberts

Approval of Statement of Proceedings/Minutes for the meeting of April 16, 2014.

ACTION:

ON MOTION of Supervisor Cox, seconded by Supervisor D. Roberts, the Board of Supervisors approved the Statement of Proceedings/Minutes for the meeting of April 16, 2014.

AYES: Cox, Jacob, D. Roberts, Horn

ABSENT: R. Roberts

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.

Board of Supervisors' Agenda Items

Agenda # Subject

1. NOTICED PUBLIC HEARING:
 PROPERTY ZONING CLEANUP 2013, POD 13-014

2. ADOPT A RESOLUTION OF THE BOARD OF SUPERVISORS TO
 SUMMARILY VACATE A PORTION OF AN IRREVOCABLE OFFER OF
 DEDICATION FOR PUBLIC HIGHWAY PURPOSES ALONG VALLEY
 CENTER ROAD (VACATION NO. 2013-0018)

3. AUTHORIZATION TO ISSUE A REQUEST FOR PROPOSALS AND
 NEGOTIATE AND AWARD A CONTRACT FOR REGIONAL WATER
 QUALITY MONITORING SERVICES FOR THE WATERSHED PROTECTION
 PROGRAM

4. ESTABLISH APPROPRIATIONS, ADVERTISE AND AWARD A CONTRACT FOR CONSTRUCTION OF COUNTYWIDE SLURRY SEAL RESURFACING FISCAL YEAR 2013-2014
[FUNDING SOURCE(S): ROAD FUND FUND BALANCE AVAILABLE AND HIGHWAY USER TAX ACCOUNT]
(4 VOTES)
5. ESTABLISH APPROPRIATIONS, ADVERTISE AND AWARD A CONTRACT FOR CONSTRUCTION OF MUSSEY GRADE ROAD IMPROVEMENTS
[FUNDING SOURCE(S): AVAILABLE ROAD FUND FUND BALANCE]
(4 VOTES)
6. ESTABLISH APPROPRIATIONS, ADVERTISE AND AWARD A CONTRACT FOR CONSTRUCTION OF LAMAR STREET SLOPE REPAIRS
[FUNDING SOURCE(S): AVAILABLE ROAD FUND FUND BALANCE]
(4 VOTES)
7. ADMINISTRATIVE ITEM:
SECOND CONSIDERATION AND ADOPTION OF ORDINANCE: TRAFFIC ADVISORY COMMITTEE RECOMMENDATIONS
8. PUBLIC COMMUNICATION

1. **SUBJECT: NOTICED PUBLIC HEARING:
PROPERTY ZONING CLEANUP 2013, POD 13-014
(DISTRICTS: 1, 2 & 5)**

OVERVIEW:

On August 3, 2011 (1), the Board of Supervisors adopted the General Plan Update, which included an associated Zoning Ordinance amendment of property zoning changes and an Implementation Plan. One component of the Implementation Plan is an ongoing commitment to revising the Zoning Ordinance to ensure consistency with the goals, policies, and land use designations of the General Plan. The proposed project corrects zoning inconsistencies identified by staff and property owners on a total of 44 parcels in nine communities in the unincorporated county.

FISCAL IMPACT:

N/A

BUSINESS IMPACT STATEMENT:

N/A

RECOMMENDATION:

CHIEF ADMINISTRATIVE OFFICER

1. Review and consider the information contained in the Final Program Environmental Impact Report (EIR), dated August 3, 2011, on file with Planning & Development Services (PDS) as Environmental Review Number 02-ZA-001, and the Addendum thereto, dated February 28, 2014, on file with PDS as POD 13-014; REZ 13-004.
2. Adopt the attached Form of Ordinance: AN ORDINANCE CHANGING THE ZONING CLASSIFICATION OF CERTAIN PROPERTY WITHIN THE COUNTY OF SAN DIEGO RELATED TO THE PROPERTY ZONING CLEANUP 2013 [REZ 13-004; POD 13-014].

ACTION:

Noting for the record that an Errata sheet has been submitted to clarify and revise two items in Attachment A, ON MOTION of Supervisor Jacob, seconded by Supervisor Cox, the Board closed the Hearing and took the following action:

- Reviewed and considered the information contained in the Final Program Environmental Impact Report (EIR), dated August 3, 2011, on file with Planning & Development Services (PDS) as Environmental Review Number 02-ZA-001, and the Addendum thereto, dated February 28, 2014, on file with PDS as POD 13-014; REZ 13-004;
- Deleting "Section 1. Alpine", adopted Ordinance No. 10335 (N.S.), entitled: AN ORDINANCE CHANGING THE ZONING CLASSIFICATION OF CERTAIN PROPERTY WITHIN THE COUNTY OF SAN DIEGO RELATED TO THE PROPERTY ZONING CLEANUP 2013 [REZ 13-004; POD 13-014].

- Directed the Chief Administrative Officer to work with the property owner and residents regarding Alpine Zoning Density Changes and to return to the Board with recommendations.

AYES: Cox, Jacob, D. Roberts, Horn

ABSENT: R. Roberts

2. **SUBJECT: ADOPT A RESOLUTION OF THE BOARD OF SUPERVISORS TO SUMMARILY VACATE A PORTION OF AN IRREVOCABLE OFFER OF DEDICATION FOR PUBLIC HIGHWAY PURPOSES ALONG VALLEY CENTER ROAD (VACATION NO. 2013-0018) (DISTRICT: 5)**

OVERVIEW:

Valley Center View Properties, LP, is requesting the County of San Diego vacate a portion of an Irrevocable Offer of Dedication (IOD) for public highway purposes over a strip of land in the unincorporated area of the County, in the Valley Center area. The IOD, per document recorded January 29, 1981, as File/Page No. 81-029176, Official Records, is located on the north side of the Valley Center Road at its intersection with Miller Road (2010 Thomas Guide Page 1090, E1). Valley Center View Properties, LP, owns the parcel at the northeast corner of the intersection a portion of which is encumbered by the IOD.

Today's request is to adopt a resolution to summarily vacate a portion of an IOD over a strip of land along Valley Center Road that is an excess right-of-way not required for street or highway purposes. The portion of the IOD requested for vacation was never accepted by the County, no improvements were made within the right-of-way by the County and the IOD has not been used for the purpose for which it was dedicated or acquired. The IOD was originally dedicated in 1981 to allow for future widening of Valley Center Road. Recent improvements to Valley Center Road moved the centerline to the south, eliminating the need for a portion of the right-of-way reserved in the IOD. Therefore, the excess portion of the IOD may be vacated pursuant to Streets and Highways Code section 8334 (a).

An 18-foot strip of the IOD will be retained to allow for future road improvements. This portion of the IOD remains open and may be accepted at any time by the County, unless it is terminated by following the statutory procedure for street vacations.

FISCAL IMPACT:

Funds for this request are not included in the Fiscal Year 2013-2014 Operational Plan. If approved, this request will result in no cost and revenue of \$2,500 from a deposit from Valley Center View Properties, LP to process the proposed vacation. There will be no change in net General Fund cost and no additional staff.

BUSINESS IMPACT STATEMENT:

N/A

RECOMMENDATION:

CHIEF ADMINISTRATIVE OFFICER

1. Find that the proposed action is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15061(b)(3) because it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.
2. Adopt a Resolution entitled: RESOLUTION OF THE BOARD OF SUPERVISORS TO SUMMARILY VACATE A PORTION OF AN IRREVOCABLE OFFER OF DEDICATION FOR PUBLIC HIGHWAY PURPOSES ALONG VALLEY CENTER ROAD (VACATION NO. 2013-0018).
3. Direct the Clerk of the Board to record the Resolution for Vacation No. 2013-0018 pursuant to Streets and Highways Code section 8336.

ACTION:

ON MOTION of Supervisor Cox, seconded by Supervisor D. Roberts, the Board took action as recommended, on Consent, adopting Resolution No. 14-047, entitled: RESOLUTION OF THE BOARD OF SUPERVISORS TO SUMMARILY VACATE A PORTION OF AN IRREVOCABLE OFFER OF DEDICATION FOR PUBLIC HIGHWAY PURPOSES ALONG VALLEY CENTER ROAD (VACATION NO. 2013-0018).

AYES: Cox, Jacob, D. Roberts, Horn

ABSENT: R. Roberts

3. **SUBJECT: AUTHORIZATION TO ISSUE A REQUEST FOR PROPOSALS AND NEGOTIATE AND AWARD A CONTRACT FOR REGIONAL WATER QUALITY MONITORING SERVICES FOR THE WATERSHED PROTECTION PROGRAM (DISTRICTS: ALL)**

OVERVIEW:

The County of San Diego is named as a Copermittee required to comply with the conditions of San Diego Regional Water Quality Control Board Order No. R9-2013-0001, Municipal Stormwater Permit. Other copermittees include the 18 incorporated cities in the County of San Diego, the San Diego Unified Port District, and the San Diego County Regional Airport Authority. A new, five-year permit was adopted on May 8, 2013, and is scheduled to be re-issued on or after May 8, 2018. The County Watershed Protection Program has been administrating the regional contract for water quality monitoring services since 2002. The new permit continues to require water quality monitoring and associated reporting to be conducted.

If approved, today's action will provide authorization to issue a Request for Proposals and to negotiate and award a consultant contract to conduct field monitoring and some associated reporting services to ensure ongoing permit

compliance. For economy of scale and continuity, the monitoring is conducted regionally with the County administering the regional contract. Other copermittees will share the cost of the contract according to a formula that takes into account population (45%), urbanized land area (45%), and an equal division split (10%). The estimated total value of the contract ranges from \$1,338,420 to \$2,477,290 per year for a period of five years, with a total amount not to exceed \$8,978,250. The County's share of the estimated five-year cost is \$3,846,490.

FISCAL IMPACT:

There is no impact associated with approval of today's recommendations. The current contract for \$10.3 million will expire on June 30, 2014. Funding is included in the Fiscal Year 2014-16 CAO Recommended Operational Plan in the Department of Public Works, Watershed Protection Program. If a new regional five-year water quality monitoring contract is awarded to commence on July 1, 2015, the estimated total cost of \$8,978,250 will be shared between the County of San Diego (estimated at \$3,846,490 over five years) and other copermittees (estimated at \$5,131,760 over five years). Future year costs will be budgeted in the Operational Plan in Department of Public Works General Fund with revenue coming from copermittees' fees. There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT:

N/A

RECOMMENDATION:

CHIEF ADMINISTRATIVE OFFICER

1. Find that the proposed activity is not subject to review under the California Environmental Quality Act (CEQA) as specified under CEQA Guidelines Section 15060 (c)(3) because it is an administrative action and not a project as defined in section 15378 of the state CEQA Guidelines.
2. Authorize the Director, Department of Purchasing and Contracting, in accordance with County Administrative Code Section 401 et seq., to issue a Request for Proposals and negotiate and award a contract to acquire field monitoring with some associated reporting services for the Department of Public Works, subject to approval of the Director, Department of Public Works or his designee.
3. Authorize the Director, Department of Public Works, or his designee, as agent of the County, to administer and implement the contract by, among other things, processing all payment requests, coordinating with other contract parties, and managing the contract to ensure contractor compliance with contract terms.

ACTION:

Noting for the record that an Errata Sheet has been submitted to amend language to clarify the Fiscal Impact and Background, ON MOTION of Supervisor Cox, seconded by Supervisor D. Roberts, the Board took action as recommended, on Consent.

AYES: Cox, Jacob, D. Roberts, Horn

ABSENT: R. Roberts

4. SUBJECT: ESTABLISH APPROPRIATIONS, ADVERTISE AND AWARD A CONTRACT FOR CONSTRUCTION OF COUNTYWIDE SLURRY SEAL RESURFACING FISCAL YEAR 2013-2014 (DISTRICTS: 1, 2, 3 AND 5)

OVERVIEW:

The Department of Public Works maintains nearly 2,000 centerline miles of roads in the unincorporated area of San Diego County. County road crews inspect all County-maintained roads and prioritize them for preventive maintenance. Through visual inspection and scientific methods, staff determines which roads require repair and resurfacing. Resurfacing provides the traveling public with structurally sound roads and protects the roads from deterioration and costly future repairs.

This is a request to establish appropriations, approve advertisement and award a contract to the lowest responsive bidder for slurry seal resurfacing on County-maintained roads. Construction is estimated to cost \$1,000,000 including contingencies. If approved, construction is scheduled to begin in summer 2014 and be completed by the end of this calendar year.

FISCAL IMPACT:

Funds for this request are partially included in the Fiscal Year 2013-14 Operational Plan for the Department of Public Works Detailed Work Program. If approved, construction costs for the Countywide Slurry Seal Resurfacing Project will be \$1,000,000. The funding sources are Road Fund fund balance available (\$500,000) and Highway User Tax Account (\$500,000). There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT:

County public works contracts are competitively bid and help stimulate the local economy.

RECOMMENDATION:

CHIEF ADMINISTRATIVE OFFICER

1. Find that the proposed project is exempt from the California Environmental Quality Act (CEQA) as specified under Section 15301 of the state CEQA Guidelines.

2. Establish appropriations of \$500,000 in the Department of Public Works Detailed Work Program for the Slurry Seal Resurfacing Project based on Road Fund fund balance available. **(4 VOTES)**
3. Authorize the Director, Department of Purchasing and Contracting, to take any action necessary to advertise and award a construction contract and to take other action authorized by Section 401 et seq. of the Administrative Code with respect to contracting for subject public works project.
4. Designate the Director, Department of Public Works, as the County Officer responsible for administering the construction contract in accordance with Board Policy F-41, Public Works Construction Projects.

ACTION:

ON MOTION of Supervisor Cox, seconded by Supervisor D. Roberts, the Board took action as recommended, on Consent.

AYES: Cox, Jacob, D. Roberts, Horn

ABSENT: R. Roberts

5. **SUBJECT: ESTABLISH APPROPRIATIONS, ADVERTISE AND AWARD A CONTRACT FOR CONSTRUCTION OF MUSSEY GRADE ROAD IMPROVEMENTS (DISTRICT: 2)**

OVERVIEW:

The Mussey Grade Road Improvements project is located in the unincorporated community of Ramona. The improvements on Mussey Grade Road are located along both sides of the roadway approximately 0.72 miles south of Fernbrook Drive (57th Edition Thomas Guide Page 1192-B2). The improvements will benefit the community by repairing the damaged pavement and existing slopes and associated drainage thus reducing the potential of future slope failures and flooding.

This is a request to establish appropriations, approve advertisement and subsequent contract award to the lowest responsible bidder to construct the Mussey Grade Road Improvements project. Construction is estimated to cost \$550,000 including contingencies and is scheduled to begin in summer 2014 and be completed by fall 2014.

FISCAL IMPACT:

Funds for this request are not included in the Fiscal Year 2013-14 Operational Plan in the Department of Public Works Detailed Work Program. If approved, construction project costs will be \$550,000, including contingency. The funding source is available Road Fund fund balance (\$550,000). There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT:

County construction contracts are competitively bid and help stimulate the local economy.

RECOMMENDATION:

CHIEF ADMINISTRATIVE OFFICER

1. Find that the proposed project is exempt from California Environmental Quality Act (CEQA) as specified under Section 15301 of the state CEQA Guidelines.
2. Establish appropriations of \$550,000 in the Department of Public Works Detailed Work Program for the Mussey Grade Road Improvements project based on Road Fund fund balance available. **(4 VOTES)**
3. Authorize the Director, Department of Purchasing and Contracting, to take any action necessary to advertise and award a contract and to take other action authorized by Section 401 et seq., of the Administrative Code with respect to contracting for subject public works project.
4. Designate the Director, Department of Public Works, as County Officer responsible for administering the construction contract, in accordance with Board Policy F-41, Public Works Construction Projects.

ACTION:

ON MOTION of Supervisor Cox, seconded by Supervisor D. Roberts, the Board took action as recommended, on Consent.

AYES: Cox, Jacob, D. Roberts, Horn

ABSENT: R. Roberts

6. **SUBJECT: ESTABLISH APPROPRIATIONS, ADVERTISE AND AWARD A CONTRACT FOR CONSTRUCTION OF LAMAR STREET SLOPE REPAIRS (DISTRICT: 2)**

OVERVIEW:

The Lamar Street Slope Repair project is located in the vicinity of the unincorporated community of Spring Valley, bordered by State Route 94 to the north, State Route 125 to the west, Sweetwater Springs Boulevard to the east and Jamacha Boulevard to the south. The proposed project involves construction of 800-feet of slope stabilization improvements along the northern edge of Lamar Street between Spring View Street and Upland Street (57th Edition Thomas Guide Page 1271, C6). The improvements will benefit the community and enhance motor vehicle safety by stabilizing the roadway shoulder and constructing a retaining wall that will support the existing paved roadway.

This is a request to approve advertisement and subsequent contract award to the lowest responsible bidder to construct the Lamar Street Slope Repair project. Construction is estimated to cost \$1,000,000 including contingency. Upon Board

approval, the Department of Purchasing and Contracting will advertise and subsequently award a contract for construction, which is scheduled to begin in summer 2014 and be completed in fall 2014.

FISCAL IMPACT:

Funds for this request are not included in the Fiscal Year 2013-14 Operational Plan for the Department of Public Works Detailed Work Program. If approved, construction project costs will be \$1,000,000, including contingency. The funding source is available Road Fund fund balance (\$1,000,000). There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT:

County construction contracts are competitively bid and help stimulate the local economy.

RECOMMENDATION:

CHIEF ADMINISTRATIVE OFFICER

1. Find that the proposed project is exempt from the California Environmental Quality Act (CEQA) as specified under Section 15301 of the state CEQA Guidelines.
2. Establish appropriations of \$1,000,000 in the Department of Public Works Detailed Work Program for Lamar Street Slope Repair based on Road Fund fund balance available. **(4 VOTES)**
3. Authorize the Director, Department of Purchasing and Contracting, to take any action necessary to advertise and award a contract and to take other action authorized by Section 401 et seq., of the Administrative Code with respect to contracting for subject public works project.
4. Designate the Director, Department of Public Works, as County Officer responsible for administering the construction contract, in accordance with Board Policy F-41, Public Works Construction Projects.

ACTION:

ON MOTION of Supervisor Cox, seconded by Supervisor D. Roberts, the Board took action as recommended, on Consent.

AYES: Cox, Jacob, D. Roberts, Horn

ABSENT: R. Roberts

7. **SUBJECT: ADMINISTRATIVE ITEM:
SECOND CONSIDERATION AND ADOPTION OF
ORDINANCE: TRAFFIC ADVISORY COMMITTEE
RECOMMENDATIONS (DISTRICTS: 2 & 5)**

OVERVIEW:

On April 16, 2014 (5), the Board introduced the Ordinance for further consideration and adoption on April 30, 2014.

The Traffic Advisory Committee meets every six weeks to review proposed additions, deletions or changes to regulatory traffic controls. Three items were on the Committee's January 24, 2014 meeting agenda. The Committee recommends your action on all three items.

The Board of Supervisors actions on Items 2-A, 2-B and 5-A would revise the County Code of Regulatory Ordinances and requires two steps. On April 16, 2014, the Board will consider the Traffic Advisory Committee items. If the Board takes action on April 16, 2014, then on April 30, 2014, a second reading of an Ordinance adding Section 72.181.1. and Section 72.161.88. along with amending Section 72.169.88. of the San Diego County Code of Regulatory Ordinances will be necessary to implement the Board's direction for Items 2-A, 2-B and 5-A.

FISCAL IMPACT:

Funds for this proposal are included in the Department of Public Works Road Fund Fiscal Year 2013-14 Operational Plan. If approved, there will be no change in net General Fund cost and no additional staff years

BUSINESS IMPACT STATEMENT:

N/A

RECOMMENDATION:

CHIEF ADMINISTRATIVE OFFICER

Adopt the Ordinance entitled:

AN ORDINANCE ADDING SECTION 72.181.1. AND SECTION 72.161.88., AND AMENDING SECTION 72.169.88. OF THE SAN DIEGO COUNTY CODE RELATING TO TRAFFIC REGULATIONS IN THE COUNTY OF SAN DIEGO (Items 2-A, 2-B and 5-A).

ACTION:

ON MOTION of Supervisor Cox, seconded by Supervisor D. Roberts, the Board took action as recommended, on Consent, adopting Ordinance No. 10336 (N.S.), entitled: AN ORDINANCE ADDING SECTION 72.181.1. AND SECTION 72.161.88., AND AMENDING SECTION 72.169.88. OF THE SAN DIEGO COUNTY CODE RELATING TO TRAFFIC REGULATIONS IN THE COUNTY OF SAN DIEGO (Items 2-A, 2-B and 5-A).

AYES: Cox, Jacob, D. Roberts, Horn

ABSENT: R. Roberts

8. **SUBJECT: PUBLIC COMMUNICATION (DISTRICTS: ALL)**

OVERVIEW:

Jack Monger spoke to the Board regarding an Earth Day event at the County Operations Center.

ACTION:

Heard, referred to the Chief Administrative Officer.

There being no further business, the Board adjourned at 9:24 a.m.

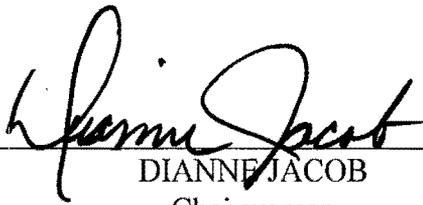
THOMAS J. PASTUSZKA
Clerk of the Board of Supervisors
County of San Diego, State of California

Consent: Miller

Discussion: Panfil

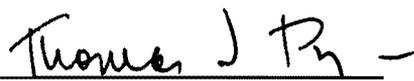
NOTE: This Statement of Proceedings sets forth all actions taken by the County of San Diego Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors, on Wednesday, May 21, 2014.



DIANNE JACOB
Chairwoman

Attest:



THOMAS J. PASTUSZKA
Clerk of the Board

04/30/14