

January 7, 2015

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, JANUARY 07, 2015, 9:00 A.M.
BOARD OF SUPERVISORS NORTH CHAMBER
1600 PACIFIC HIGHWAY, ROOM 310, SAN DIEGO, CALIFORNIA

REGULAR SESSION – Regular Meeting was called to order at 9:01 a.m.

Present: Supervisors Bill Horn, Chairman; Dave Roberts, Vice Chairman; Dianne Jacob; Ron Roberts; also Nicole C. Temple, Assistant Clerk.

Absent: Supervisor Greg Cox

Approval of Statement of Proceedings/Minutes for the meeting of December 3, 2014.

ACTION:

ON MOTION of Supervisor D. Roberts, seconded by Supervisor Jacob, the Board of Supervisors approved the Statement of Proceedings/Minutes for the meeting of December 3, 2014.

AYES: Jacob, D. Roberts, R. Roberts, Horn

ABSENT: Cox

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:
 FLINN SPRINGS COUNTY PARK – ACQUISITION OF 40.3 ACRES OF LAND FOR OPEN SPACE (FLINN SPRINGS 72, LLC) (12/3/2014 – SET HEARING; 1/7/2015 – HOLD HEARING)

2. ESTABLISH APPROPRIATIONS AND APPROVE THE NINTH AMENDMENT TO THE JOINT EXERCISE OF POWERS AGREEMENT BETWEEN THE VALLEY CENTER PARKS AND RECREATION DISTRICT AND THE COUNTY OF SAN DIEGO
 [FUNDING SOURCE(S): PLDO AREA 38 VALLEY CENTER PRIOR YEAR FUND BALANCE AVAILABLE]
 (4 VOTES)

3. ADOPT A RESOLUTION OF THE BOARD OF SUPERVISORS TO SUMMARILY VACATE IRREVOCABLE OFFERS OF DEDICATION FOR PUBLIC HIGHWAY PURPOSES, IN THE VICINITY OF RANCHO SAN DIEGO (VACATION NO. 2014-0137)
[FUNDING SOURCE(S): DEPOSIT FROM THE APPLICANT, ADEL YALDA]
4. ADOPT A RESOLUTION AUTHORIZING APPLICATION AND ACCEPTANCE OF GRANT FUNDS FROM CALRECYCLE
5. ESTABLISH APPROPRIATIONS, ADVERTISE AND AWARD A CONSTRUCTION CONTRACT FOR GUARDRAIL MAINTENANCE FISCAL YEAR 2014-15
[FUNDING SOURCE(S): BUDGETED HIGHWAY USER TAX ACCOUNT, AND AVAILABLE ROAD FUND FUND BALANCE]
(4 VOTES)
6. TRAFFIC ADVISORY COMMITTEE: RESOLUTION AMENDING TRAFFIC RESOLUTION NO. 1197 RELATING TO THE ESTABLISHMENT OF LOADING ZONES IN THE COUNTY OF SAN DIEGO (ITEM 5-C)
7. SECOND CONSIDERATION AND ADOPTION OF ORDINANCE: ANNEXATION OF ADDITIONAL TERRITORY TO COMMUNITY FACILITIES DISTRICT NO. 2008-01 (HARMONY GROVE VILLAGE) AND AUTHORIZING SPECIAL TAX
8. ADMINISTRATIVE ITEM:
SECOND CONSIDERATION AND ADOPTION OF ORDINANCE: LAND USE AND ENVIRONMENT GROUP 2014 SUNSET REVIEW OF BOARD OF SUPERVISORS POLICIES, CODE OF ADMINISTRATIVE ORDINANCES, AND CODE OF REGULATORY ORDINANCES
9. PUBLIC COMMUNICATIONS

1. **SUBJECT: NOTICED PUBLIC HEARING:
FLINN SPRINGS COUNTY PARK – ACQUISITION OF 40.3
ACRES OF LAND FOR OPEN SPACE (FLINN SPRINGS 72,
LLC) (12/3/2014 – SET HEARING; 1/7/2015 – HOLD
HEARING) (DISTRICT: 2)**

OVERVIEW:

On December 3, 2014 (9) the Board set a Hearing for January 7, 2015.

The County has identified 40.3 acres in the Lakeside community south of Old Highway 80 and Marina Springs Lane available for inclusion in the Flinn Springs County Park (58th Edition Thomas Guide page 1232, J-5). Acquisition of the property will help preserve a corridor within the Multiple Species Conservation Program (MSCP) Lakeside linkage for the California gnatcatcher and an existing trail on the property that provides a connection to several community trails on the adopted Lakeside Community Trails and Pathway Plan, which is included in the County Trails Master Plan. The property is within the Pre-Approved Mitigation Area of the MSCP South County Subarea Plan.

The acquisition of the property, identified as Assessor's Parcel Numbers 399-010-09, -10 and -11, requires two steps. On December 3, 2014, it is requested that the Board set a hearing for January 7, 2015 and provide public notice of the hearing. If the Board takes the action recommended on December 3, 2014, then on January 7, 2015, after making the necessary findings the Board is requested to approve the purchase of 40.3 acres from Flinn Springs 72, LLC for the appraised value of \$400,000.

FISCAL IMPACT:

Funds for this request are budgeted in the Fiscal Year 2014-15 Operational Plan for Multiple Species Conservation Program (MSCP) Acquisitions Fund. If approved, this request will result in Fiscal Year 2014-15 cost of \$458,200 itemized as follows: \$400,000 for property acquisition; \$30,000 for staff and pre-acquisition expenses to complete the transaction; \$3,200 for closing and title costs; and \$25,000 in one-time land protection costs for activities including signage, boundary survey, vegetation management and access control measures.

Total annual costs for required land monitoring and management of the 40.3 acres are estimated at \$2,300. In addition, there will be an annual cost of \$744 for fixed charge assessments, including water standby charges and mosquito and vector control charges. These costs will be absorbed within the Department of Parks and Recreation existing budget. There will be no change in net General Fund costs and no additional staff years.

BUSINESS IMPACT STATEMENT:

N/A

**RECOMMENDATION:
CHIEF ADMINISTRATIVE OFFICER**

1. Find that the proposed project is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Section 15325.
2. Cancel appropriations of \$25,000 and related Operating Transfer from the General Fund in the Multiple Species Conservation Program Acquisitions Fund, for initial stewardship.
3. Transfer appropriations of \$25,000 from the Contributions to Capital Outlay Fund, Operating Transfer Out, to the Department of Parks and Recreation, Services and Supplies, for initial stewardship.
4. Approve and authorize the Director, Department of General Services, to execute two originals of the Purchase and Sale Agreement and Joint Escrow Instructions for the purchase of APNs 399-010-09, -10 and -11 from Flinn Springs 72, LLC for the appraised value of \$400,000.
5. Authorize the Director, Department of General Services, or designee, to execute all escrow and related documents necessary to complete the purchase of the property.

ACTION:

ON MOTION of Supervisor Jacob, seconded by Supervisor R. Roberts, the Board closed the Hearing and took action as recommended, on Consent.

AYES: Jacob, D. Roberts, R. Roberts, Horn

ABSENT: Cox

2. **SUBJECT: ESTABLISH APPROPRIATIONS AND APPROVE THE NINTH AMENDMENT TO THE JOINT EXERCISE OF POWERS AGREEMENT BETWEEN THE VALLEY CENTER PARKS AND RECREATION DISTRICT AND THE COUNTY OF SAN DIEGO (DISTRICT: 5)**

OVERVIEW:

The Valley Center Parks and Recreation District is an independent park district that owns and operates recreational facilities in the unincorporated community of Valley Center. On December 13, 1994 (79), the Board approved a Joint Exercise of Powers Agreement (JEPA) to fund recreational improvements for the Valley Center Parks and Recreation District (known at the time as the Valley Center Community Services District). To date, there have been eight amendments to the JEPA, which have provided Parkland Dedication Ordinance (PLDO) funds for acquisition and improvement of Valley Center parks.

The Valley Center Parks and Recreation District (VCPRD) has requested PLDO funding to install a new pool cleaning system and heaters at the Adams Park pool, improve pickleball & basketball courts at Adams Park, and add a new recreation turf area which will include fencing, gates, a driveway and electrical improvements at the Valley Center Community Center. The Department of Parks and Recreation concurs with the proposed improvements and determined that the funding request is reasonable and appropriate for the use of Parkland Dedication Ordinance funds. If approved, the VCPRD will begin the improvements in spring 2015 and they will be completed in summer 2015.

The requested actions will authorize the Director, Department of Parks and Recreation to execute the Ninth Amendment to the existing JEPA with the VCPRD and establish appropriations of \$132,000 in Parkland Dedication Ordinance Area 38 Valley Center fund based on prior year fund balance available for park improvements at Adams Park and the Valley Center Community Center.

FISCAL IMPACT:

Funds for this request are not included in the Fiscal Year 2014-15 Operational Plan for the Parkland Dedication Ordinance (PLDO) Area 38 Valley Center fund. If approved, this request will result in current year costs of \$132,000 in the Parkland Dedication Ordinance Area Valley Center fund for park and recreation improvements at Adams Park and the Valley Center Community Center. The funding source is PLDO Area 38 Valley Center prior year fund balance available. There will be no change in net General Fund cost and no additional staff years. Annual operations and maintenance costs will be the responsibility of the Valley Center Parks and Recreation District.

BUSINESS IMPACT STATEMENT:

N/A

RECOMMENDATION:

CHIEF ADMINISTRATIVE OFFICER

1. Find in accordance with Sections 15301 and 15303 of the California Environmental Quality Act (CEQA) Guidelines that the proposed improvements at Adams Park and the Valley Center Community Center are categorically exempt from CEQA.
2. Establish appropriations of \$132,000 in the Parkland Dedication Ordinance Area 38 Valley Center fund, for park and recreational facility improvements at Adams Park and the Valley Center Community Center based on prior year fund balance available. **(4 VOTES)**
3. Authorize the Director, Department of Parks and Recreation to execute the Ninth Amendment to the Joint Exercise of Powers Agreement between the Valley Center Parks and Recreation District and the County of San Diego for the Development of Recreation Facilities in the Community of Valley Center.

ACTION:

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

AYES: Jacob, D. Roberts, R. Roberts, Horn

ABSENT: Cox

3. **SUBJECT: ADOPT A RESOLUTION OF THE BOARD OF SUPERVISORS TO SUMMARILY VACATE IRREVOCABLE OFFERS OF DEDICATION FOR PUBLIC HIGHWAY PURPOSES, IN THE VICINITY OF RANCHO SAN DIEGO (VACATION NO. 2014-0137) (DISTRICT: 2)**

OVERVIEW:

The Department of General Services, Real Estate Services Division is processing a request from Adel Yalda, owner of APN 498-371-29, to summarily vacate Irrevocable Offers of Dedication (IODs) for public highway purposes, which includes right-of-way for street or highways, slope rights and access rights. The proposed vacation is located in the unincorporated area of the county, in Rancho San Diego, between Fuerte Heights Lane and Sundale Road (2010 Thomas Guide Page 1272-A2 and A3).

Today's request is to adopt a resolution to summarily vacate IODs that are excess. The IODs were originally dedicated to provide right-of-way for the future alignment of State Route 54, which was consistent with the County's previous General Plan and Caltrans' plan for State Route 54 at that time. However, the areas are no longer included in the Mobility Element in the County's General Plan. The proposed vacations are also consistent with Caltrans' plans for the rescission of the unconstructed portion of State Route 54. The IODs requested for vacation were never accepted by the County, no improvements were made within the IODs by the County, and the IODs have not been used for the purposes for which they were dedicated or acquired. No property owner would be land-locked. Pursuant to Streets and Highways Code Section 8334(a), excess right-of-way not required for street or highway purposes may be summarily vacated.

FISCAL IMPACT:

Funds for this request are partially included in the Fiscal Year 2014-2015 Operational Plan in the Department of General Services. If approved, this request would result in costs and revenue of \$2,500 to process the proposed vacation. The funding source is a deposit from the applicant, Adel Yalda. 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 action is not subject to review under California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15060 (c)(2) and (3) because it does not have a direct or indirect effect on the environment as it will only result in the vacation of unnecessary easement interests, and the action is not a project as defined in Section 15378 of the CEQA Guidelines.
2. Adopt a Resolution entitled: RESOLUTION OF THE BOARD OF SUPERVISORS TO SUMMARILY VACATE IRREVOCABLE OFFERS OF DEDICATION FOR PUBLIC HIGHWAY PURPOSES, IN THE VICINITY OF RANCHO SAN DIEGO (VACATION NO. 2014-0137).
3. Direct the Clerk of the Board to record the Resolution for Vacation No. 2014-0137 pursuant to Streets and Highways Code Section 8336.

ACTION:

ON MOTION of Supervisor Jacob, seconded by Supervisor R. Roberts, the Board took action as recommended, on Consent, adopting Resolution No. 15-004, entitled: RESOLUTION OF THE BOARD OF SUPERVISORS TO SUMMARILY VACATE IRREVOCABLE OFFERS OF DEDICATION FOR PUBLIC HIGHWAY PURPOSES, IN THE VICINITY OF RANCHO SAN DIEGO (VACATION NO. 2014-0137).

AYES: Jacob, D. Roberts, R. Roberts, Horn
ABSENT: Cox

4. **SUBJECT: ADOPT A RESOLUTION AUTHORIZING APPLICATION AND ACCEPTANCE OF GRANT FUNDS FROM CALRECYCLE (DISTRICT: 2)**

OVERVIEW:

The State of California, Department of Resources, Recycling and Recovery (CalRecycle) provides grant funds to local government agencies for abatement, cleanup and disposal of solid waste to protect public health and safety and the environment. The grants are competitive and do not require a funding match. A resolution from the governing body must be included with the CalRecycle grant application.

This is a request to adopt a resolution authorizing the Department of Parks and Recreation (DPR) to apply for and accept CalRecycle grants for up to five years from the date of adoption of the resolution provided there are no material changes to the grant terms and funding levels. This request is also to authorize the Director, Department of Parks and Recreation, or designee, as agent of the County, to conduct all negotiations and execute and submit all documents that may be necessary to apply for and accept the grants from CalRecycle.

If approved, DPR will be submitting its first application for a \$50,000 grant from CalRecycle under the Ca1084 Solid Waste Disposal & Co-disposal Site Cleanup Program; Illegal Disposal Site Abatement Grant Program for removal of old barbed wire fencing at El Monte County Park Flume Trail (57th Edition Thomas Guide Page 1213, A-6). DPR will return to the Board if a grant is awarded to appropriate funds.

FISCAL IMPACT:

There is no fiscal impact associated with today's actions. If approved, this request will authorize the Department of Parks and Recreation (DPR) to apply for and accept CalRecycle grant funds. There will be no change in net General Fund cost and no additional staff years

The CalRecycle grant is competitive; therefore, it is unknown if grant funding will be awarded or the amount of the award. The CalRecycle grant program does not require a funding match. If approved and grant funds are awarded, DPR will return to the Board to appropriate funds as necessary.

BUSINESS IMPACT STATEMENT:

N/A

RECOMMENDATION:

CHIEF ADMINISTRATIVE OFFICER

1. Find that the application and acceptance of future grants is not a project under the California Environmental Quality Act (CEQA) Section 15060(c)(3).
2. For the \$50,000 CalRecycle grant under the Ca1084 Solid Waste Disposal & Co-disposal Site Cleanup Program the Department of Parks and Recreation will be applying for, find that the Mitigated Negative Declaration (MND) on file in the Department of Parks and Recreation for the Flume Trail Project, dated August 31, 2012, State Clearinghouse # 2012071084, was adopted in compliance with CEQA and State and County CEQA guidelines, that the decision-making body has reviewed and considered the information contained therein prior to approving the project; and

Find that there are no substantial changes in the project or in the circumstances under which it is undertaken which involve significant new environmental impacts which were not considered in the previously adopted MND, dated August 31, 2012, that there is no substantial increase in the severity of previously identified significant effects, and that no new information of substantial importance has become available since the MND was adopted as explained in the Environmental Update Checklist dated November 18, 2014 (Attachment B).

3. Adopt a Resolution entitled: RESOLUTION OF THE SAN DIEGO COUNTY BOARD OF SUPERVISORS AUTHORIZING THE SUBMITTAL OF APPLICATION AND ACCEPTANCE OF ALL CALRECYCLE GRANTS FOR WHICH THE DEPARTMENT OF PARKS AND RECREATION IS ELIGIBLE.

4. Authorize the Director, Department of Parks and Recreation, or designee, as agent of the County, to conduct all negotiations and submit all documents including, but not limited to: applications, contracts, payment requests and, if funds are awarded, to execute the grant agreement, including any extensions or amendments thereof that do not materially impact or alter the grant programs or funding levels.

ACTION:

ON MOTION of Supervisor Jacob, seconded by Supervisor R. Roberts, the Board took action as recommended, on Consent, adopting Resolution No. 15-005, entitled: RESOLUTION OF THE SAN DIEGO COUNTY BOARD OF SUPERVISORS AUTHORIZING THE SUBMITTAL OF APPLICATION AND ACCEPTANCE OF ALL CALRECYCLE GRANTS FOR WHICH THE DEPARTMENT OF PARKS AND RECREATION IS ELIGIBLE.

AYES: Jacob, D. Roberts, R. Roberts, Horn

ABSENT: Cox

5. **SUBJECT: ESTABLISH APPROPRIATIONS, ADVERTISE AND AWARD A CONSTRUCTION CONTRACT FOR GUARDRAIL MAINTENANCE FISCAL YEAR 2014-15 (DISTRICT: 5)**

OVERVIEW:

The Department of Public Works has identified various locations for replacement of guardrail-end sections and installation of new guardrail segments as part of its Guardrail Maintenance Program. Guardrails and the associated end sections are typically repaired or replaced along roadways where guardrails have been damaged or where it is determined there is a need to upgrade existing guardrails to meet current design standards.

This is a request to establish appropriations and approve advertisement and subsequent contract award to the lowest responsive and responsible bidder for this project. The estimated cost of the project is \$350,000, including contingency. Project construction is scheduled to begin in spring 2015 and be completed by summer 2015.

FISCAL IMPACT:

Funds for this request are partially included in the Fiscal Year 2014-15 Operational Plan in the Department of Public Works Detailed Work Program. If approved, total construction cost will be \$350,000, including contingency. The funding sources are budgeted Highway User Tax Account (\$200,000), and available Road Fund fund balance (\$150,000). 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 California Environmental Quality Act (CEQA) as specified under Section 15301 of the state CEQA Guidelines because this project consists of the advertisement and award of a contract to allow for repair and replacement of existing guardrails involving negligible or no expansion of existing uses.
2. Establish appropriations of \$150,000 in the Department of Public Works Detailed Work Program for construction of metal beam guardrails at various County roads, based on available prior year Road Fund fund balance. **(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 actions 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 Jacob, seconded by Supervisor R. Roberts, the Board took action as recommended, on Consent.

AYES: Jacob, D. Roberts, R. Roberts, Horn

ABSENT: Cox

6. **SUBJECT: TRAFFIC ADVISORY COMMITTEE: RESOLUTION AMENDING TRAFFIC RESOLUTION NO. 1197 RELATING TO THE ESTABLISHMENT OF LOADING ZONES IN THE COUNTY OF SAN DIEGO (ITEM 5-C) (DISTRICTS: 2 & 5)**

OVERVIEW:

The Traffic Advisory Committee meets every six weeks to review proposed additions, deletions or changes to regulatory traffic controls. Four items were on the Committee's September 12, 2014 meeting agenda. The Committee recommends your action on all four items.

FISCAL IMPACT:

Funds for this proposal are included in the Department of Public Works Road Fund Fiscal Year 2014-15 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:
TRAFFIC ADVISORY COMMITTEE**

District 2

- 2-A. Alpine Heights Road from South Grade Road westerly 3,000 feet (57th Edition Thomas Guide Page 1253-J1) Alpine – Recertify the existing 45 MPH speed limit for continued radar speed enforcement.

District 5

- 5-A. Nordahl Road from Rock Springs Road southerly to the San Marcos City Limit (57th Edition Thomas Guide Page 1109-E7) San Marcos – Recertify the existing 35 MPH speed limit for continued radar speed enforcement.
- 5-B. Buena Creek Road and Monte Vista Drive (57th Edition Thomas Guide Page 1108-D1) Vista – Place the intersection on the County’s Traffic Signal Priority List.
- 5-C. Avenida De Acacias, west side, from a point 150 feet south of La Granada southerly 20 feet (57th Edition Thomas Guide Page 1168-D3) Rancho Santa Fe – Remove an existing Disabled Parking Space.

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 CEQA Guidelines because the proposed action involves minor alteration of existing public facilities relating to regulatory traffic control issues on County-maintained roads, resulting in negligible or no expansion of use beyond that existing at the time of Board action.
2. Adopt the Traffic Advisory Committee’s recommendations.
3. Adopt the following Resolution:
RESOLUTION AMENDING TRAFFIC RESOLUTION
NO. 1197 RELATING TO THE ESTABLISHMENT OF
DISABLED PARKING SPACES IN THE COUNTY OF SAN
DIEGO (Item 5-C).

ACTION:

ON MOTION of Supervisor Jacob, seconded by Supervisor R. Roberts, the Board took action as recommended, on Consent, adopting Resolution No. 15-006, entitled: RESOLUTION AMENDING TRAFFIC RESOLUTION NO. 1197 RELATING TO THE ESTABLISHMENT OF DISABLED PARKING SPACES IN THE COUNTY OF SAN DIEGO (Item 5-C).

AYES: Jacob, D. Roberts, R. Roberts, Horn

ABSENT: Cox

7. **SUBJECT: SECOND CONSIDERATION AND ADOPTION OF ORDINANCE: ANNEXATION OF ADDITIONAL TERRITORY TO COMMUNITY FACILITIES DISTRICT NO. 2008-01 (HARMONY GROVE VILLAGE) AND AUTHORIZING SPECIAL TAX (DISTRICT: 5)**

OVERVIEW:

On October 29, 2014 (3) the Board introduced the Ordinance for further consideration and adoption on January 7, 2015.

On June 25, 2008 (9), the Board of Supervisors (Board) adopted a resolution forming Community Facilities District No. 2008-01 (Harmony Grove Village), County of San Diego, State of California (CFD No. 08-01 or District), an approximately 470-acre community development located west of the City of Escondido where Harmony Grove Road meets Country Club Drive in the unincorporated community of Elfin Forest. Harmony Grove Village is being developed by Standard Pacific Corporation (Developer) with two improvement areas composed of 736 residential units and 20,000 square feet of non-residential floor area, an equestrian center, trails and parks, and a town square. Special taxes collected from property owners within CFD No. 08-01 will help fund public facilities (Facilities) to be acquired and / or operated by the County of San Diego, Rincon del Diablo Water District (Rincon) and the San Diego County Sanitation District (Sanitation District), and certain public services (Services) to be provided by the San Diego County Flood Control District (Flood Control District). The Facilities to be acquired and/or operated are: by the Sanitation District, a sewage treatment plant and pump station; by Rincon, various water infrastructure improvements; by the Flood Control District, maintenance of storm drain structures; and by the County, various street improvements, public parks/recreation facilities/open space and fire protection and emergency response facilities and services.

Since the time that the Board adopted a resolution forming CFD No. 08-01, boundaries of the parcels within the District have changed. The District was formed with two improvement areas, Improvement Area No. 1 (IA No. 1) and Improvement Area No. 2 (IA No. 2), each with a distinct special tax formula. At the time of formation in 2008, the existing parcel lines did not follow the intended eventual boundaries of the District or the improvement areas within the District. Currently, parcel lines are now aligned, and, as anticipated at the time of formation of CFD No. 08-01 and pursuant to the special tax formula documents, certain territory originally in IA No. 1 (Additional Territory No. 1) was released from IA No. 1 with the intention to be annexed to IA No. 2 to reflect this alignment. The Additional Territory No. 1, as well as certain areas outside of the CFD No. 08-01 (Additional Territory No. 2, and with Additional Territory No. 1, Additional Territory) must be annexed to IA No. 2 of CFD No. 08-01. Such annexation of the Additional Territory was also intended at the time of formation of CFD No. 08-01 to occur once a final map had been recorded that created unique assessor parcels for the area.

On September 17, 2014 (4), the Board formalized its intention to move forward with this annexation by adopting Resolution No. 14-134 and set a public hearing for October 29, 2014, in accordance with the Mello-Roos Community Facilities Act of 1982 (the "Act"). Upon the conclusion of the hearing if there is no majority protest, a special election to approve annexation and imposition of special taxes in the annexed territory must be held.

The imposition of special taxes in Improvement Areas No. 1 and 2 was approved by landowner vote on July 23, 2008. This is a request to:

- Adopt the Resolution to call the required special election for the territory to be annexed to IA No. 2 (Attachment B); and, upon the certification of sufficient votes by the qualified electors in favor of the annexation.
- Adopt the Resolution to authorize the annexation of Additional Territory to IA No. 2 of CFD No. 08-01 (Attachment D) and the levying of special taxes within this Additional Territory, and to declare results of the special election and direct the recording of an amendment to a notice of special tax lien; and
- Adopt an Ordinance authorizing the levy of special taxes in IA No. 1 and IA No. 2 as adjusted by the annexation proposal (Attachment G).

FISCAL IMPACT:

All costs related to the administration of CFD No. 08-01 and the construction and acquisition of facilities will be paid through special taxes collected by the District. The Developer has delivered a deposit to fund formation and administration costs that will be reimbursed from bond proceeds. There will be no change in net General Fund costs and no additional staff years.

BUSINESS IMPACT STATEMENT:

N/A

RECOMMENDATION:

CHIEF ADMINISTRATIVE OFFICER

1. Adopt a Resolution entitled: A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO OF ANNEXATION DETERMINING THAT THE ANNEXATION OF ADDITIONAL TERRITORY TO IMPROVEMENT AREA NO. 2 OF COMMUNITY FACILITIES DISTRICT NO. 2008-01 (HARMONY GROVE VILLAGE), COUNTY OF SAN DIEGO, STATE OF CALIFORNIA AND THE LEVYING OF SPECIAL TAXES WITHIN SUCH ADDITIONAL TERRITORY IS LAWFULLY AUTHORIZED AND DIRECTING RECORDING OF NOTICE OF SUCH ANNEXATION.

2. Adopt the Ordinance: AN ORDINANCE OF THE COUNTY OF SAN DIEGO LEVYING SPECIAL TAXES WITHIN IMPROVEMENT AREA NO. 1 AND IMPROVEMENT AREA NO. 2 OF COMMUNITY FACILITIES DISTRICT NO. 2008-01 (HARMONY GROVE VILLAGE), COUNTY OF SAN DIEGO, STATE OF CALIFORNIA.
3. The Clerk of the Board is directed to execute and cause the recording of the Notice of Cancellation of Special Tax Lien for the portion of IA No. 1 annexed to IA No. 2, to execute and record the First Amendment to Notice of Special Tax Lien to add the annexed territory to IA No. 2, and to take such other administrative action as may necessary to effectuate today's action.

ACTION:

ON MOTION of Supervisor Jacob, seconded by Supervisor R. Roberts, the Board took action as recommended, on Consent, adopting Resolution 15-007, entitled: A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO OF ANNEXATION DETERMINING THAT THE ANNEXATION OF ADDITIONAL TERRITORY TO IMPROVEMENT AREA NO. 2 OF COMMUNITY FACILITIES DISTRICT NO. 2008-01 (HARMONY GROVE VILLAGE), COUNTY OF SAN DIEGO, STATE OF CALIFORNIA AND THE LEVYING OF SPECIAL TAXES WITHIN SUCH ADDITIONAL TERRITORY IS LAWFULLY AUTHORIZED AND DIRECTING RECORDING OF NOTICE OF SUCH ANNEXATION; and adopting Ordinance No. 10369 (N.S.), entitled: AN ORDINANCE OF THE COUNTY OF SAN DIEGO LEVYING SPECIAL TAXES WITHIN IMPROVEMENT AREA NO. 1 AND IMPROVEMENT AREA NO. 2 OF COMMUNITY FACILITIES DISTRICT NO. 2008-01 (HARMONY GROVE VILLAGE), COUNTY OF SAN DIEGO, STATE OF CALIFORNIA.

AYES: Jacob, D. Roberts, R. Roberts, Horn

ABSENT: Cox

8. **SUBJECT: ADMINISTRATIVE ITEM:
SECOND CONSIDERATION AND ADOPTION OF
ORDINANCE: LAND USE AND ENVIRONMENT GROUP
2014 SUNSET REVIEW OF BOARD OF SUPERVISORS
POLICIES, CODE OF ADMINISTRATIVE ORDINANCES,
AND CODE OF REGULATORY ORDINANCES
(DISTRICTS: ALL)**

OVERVIEW:

On December 3, 2014 (4) the Board introduced the Ordinance for further consideration and adoption on January 7, 2015.

In accordance with Board of Supervisors Policy A-76, Sunset Review Process, the Land Use and Environment Group periodically reviews Board of Supervisors policies and provisions, as well as ordinances of the County Administrative Code and County Regulatory Code (Code) to ensure obsolete policies and Code provisions are deleted and remaining requirements reflect current Board standards and practices.

The proposed action includes approval of a new sunset review date as well as proposed revisions for policies and ordinances listed in this letter. No revisions are proposed to Board of Supervisor Policy J-10 or County Administrative Code Article XV-A, San Diego County Environmental Health Advisory Board. Revisions are proposed to County Administrative Code Article XXII—Department of Planning & Development Services—and Article XXIV—Department of Parks and Recreation—as well as revisions to Board of Supervisors Policies F-41, I-63, I-103, I-123, I-132, I-135, J-28, J-35 and J-36. County staff recommends the rescission of policies I-107—Policy on Long-Term Availability of Sewer Services to Certain portions of East County—and J-34—Off-Site Circulation Element Road Improvements for Major Subdivisions, Large Scale Projects, and Major Use Permits. This action also requires that the Board acting as the Board of Directors for the San Diego County Sanitation District (District) concur on actions that apply to the District.

FISCAL IMPACT:

The requested actions will have no current year or annual cost and will not require any additional staff years.

BUSINESS IMPACT STATEMENT:

N/A

RECOMMENDATION:

CHIEF ADMINISTRATIVE OFFICER

Adopt the Ordinance listed below and establish a sunset review date of December 31, 2021 for the Articles in the Administrative Code effected by the amendment:

AN ORDINANCE AMENDING PORTIONS OF ARTICLES XXII
AND XXIV OF THE SAN DIEGO COUNTY ADMINISTRATIVE
CODE.

ACTION:

ON MOTION of Supervisor Jacob, seconded by Supervisor R. Roberts, the Board took action as recommended, on Consent, adopting Ordinance No. 10370 (N.S.), entitled: AN ORDINANCE AMENDING PORTIONS OF ARTICLES XXII AND XXIV OF THE SAN DIEGO COUNTY ADMINISTRATIVE CODE.

AYES: Jacob, D. Roberts, R. Roberts, Horn

ABSENT: Cox

9. **SUBJECT: PUBLIC COMMUNICATIONS (DISTRICTS: ALL)**

OVERVIEW:

Martha Welch spoke to the Board regarding fracking.

Robert Germann spoke to the Board regarding Gillespie Field Airport.

ACTION:

Heard, referred to the Chief Administrative Officer.

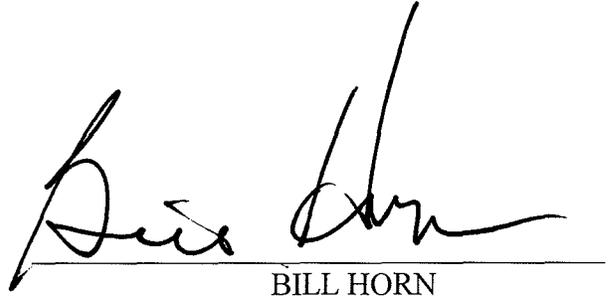
There being no further business, the Board adjourned at 9:08 a.m.

DAVID HALL
Clerk of the Board of Supervisors
County of San Diego, State of California

Consent: Miller

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, January 28, 2015.

A handwritten signature in black ink, appearing to read "Bill Horn", written over a horizontal line.

BILL HORN
Chairman

Attest:

A handwritten signature in black ink, appearing to read "D. Hall", written over a horizontal line.

DAVID HALL
Clerk of the Board