

January 27, 2016

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 27, 2016, 9:00 A.M.
BOARD OF SUPERVISORS NORTH CHAMBER
1600 PACIFIC HIGHWAY, ROOM 310, SAN DIEGO, CALIFORNIA

REGULAR SESSION – Called to order at 9:01 a.m.

PRESENT: Supervisors Ron Roberts, Chairman; Dianne Jacob, Vice Chairwoman; Greg Cox; Dave Roberts; Bill Horn; also David Hall, Clerk of the Board.

Approval of the Statement of Proceedings/Minutes for the meeting of January 6, 2016.

ACTION:

ON MOTION of Supervisor D. Roberts, seconded by Supervisor Jacob, the Board of Supervisors approved the Statement of Proceedings for the meeting of January 6, 2016.

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

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. AUTHORIZATION TO ADVERTISE AND AWARD A CONSTRUCTION CONTRACT FOR THE HEISE PARK ELECTRICAL AND WATER PROJECT
 [FUNDING SOURCE: PRIOR YEAR AVAILABLE GENERAL FUND FUND BALANCE]

2. ADVERTISE AND AWARD A CONSTRUCTION CONTRACT FOR POTRERO ELEMENTARY SCHOOL TRAFFIC CALMING MEASURES PROJECT
 [FUNDING SOURCES: COMMUNITY DEVELOPMENT BLOCK GRANT AND HIGHWAY USER TAX ACCOUNT]

3. ADVERTISE AND AWARD A CONTRACT FOR THE CONSTRUCTION OF CLEMMENS LANE SIDEWALK IMPROVEMENTS IN FALLBROOK
 [FUNDING SOURCES: COMMUNITY DEVELOPMENT BLOCK GRANT AND HIGHWAY USER TAX ACCOUNT (HUTA)]

4. ADOPT A RESOLUTION FOR FINANCIAL ASSURANCE FOR CORRECTIVE ACTIONS OF THE SAN MARCOS LANDFILL AND AUTHORIZE SUBMISSION OF A PLEDGE OF REVENUE FOR CORRECTIVE ACTION PROGRAM AT SAN MARCOS LANDFILL
[FUNDING SOURCE: PRIOR YEAR AVAILABLE FUND BALANCE IN THE SOLID WASTE ENVIRONMENTAL TRUST FUND]
5. ESTABLISH APPROPRIATIONS AND APPROVE A NON-INFRASTRUCTURE FINANCING AGREEMENT WITH THE LAKESIDE UNION SCHOOL DISTRICT ASSOCIATED WITH STATE AND FEDERALLY FUNDED SAFE ROUTES TO SCHOOL PROJECTS NEAR LAKEVIEW ELEMENTARY SCHOOL
[FUNDING SOURCES: FEDERAL SAFE ROUTES TO SCHOOL PROGRAM AND THE STATE SAFE ROUTES TO SCHOOL PROGRAM]
(4 VOTES)
6. GILLESPIE FIELD – NEW 55-YEAR INDUSTRIAL GROUND LEASE WITH M.W. REYNOLDS CONSTRUCTION COMPANY, INCORPORATED
[FUNDING SOURCE: A ONE-TIME EQUITY PAYMENT DUE FROM THE LESSEE UNDER THE TERMS OF THE NEW LEASE]
(4 VOTES)
7. ADMINISTRATIVE ITEM:
SECOND CONSIDERATION AND ADOPTION OF ORDINANCE: ADOPT AN ORDINANCE TO AMEND THE COUNTY OF SAN DIEGO CODE OF REGULATORY ORDINANCES RELATING TO WATERSHED PROTECTION (1/6/16 – FIRST READING ORDINANCE; 1/27/16 – ADOPT ORDINANCE)
8. ADMINISTRATIVE ITEM:
SECOND CONSIDERATION AND ADOPTION OF ORDINANCES: SUNSET REVIEW OF BOARD OF SUPERVISORS POLICIES, ADMINISTRATIVE CODE, AND COUNTY CODE PROVISIONS APPLICABLE TO THE LAND USE AND ENVIRONMENT GROUP
9. ADMINISTRATIVE ITEM:
SECOND CONSIDERATION AND ADOPTION OF ORDINANCES: TRAFFIC ADVISORY COMMITTEE
10. PUBLIC COMMUNICATION

1. SUBJECT: AUTHORIZATION TO ADVERTISE AND AWARD A CONSTRUCTION CONTRACT FOR THE HEISE PARK ELECTRICAL AND WATER PROJECT (DISTRICT: 2)

OVERVIEW:

William Heise Park is a 929-acre County park located in the Laguna Mountains south of the unincorporated community of Julian. The park offers wilderness cabins, trailer and tent sites, group-tent camping, picnic areas, playgrounds and multi-use trails (2010 Thomas Guide page 1156, D5). William Heise Park has outdated utility infrastructure and needs improvements to the water and electrical systems in order to meet the increased electrical demand (50-amp) service for recreation vehicles and freeze resistant spigots to prevent freeze damage to existing waterlines. These improvements will meet the needs of park visitors.

The requested action will authorize the Director, Department of Purchasing and Contracting to advertise and award a construction contract to the lowest responsive and responsible bidder for the Heise Park Electrical and Water project for an estimated construction cost of \$1,700,000 including contingency. Remaining project funds of \$300,000 will be used for related project costs including design, inspection, construction management and project administration for an estimated total project cost of \$2,000,000. If approved, construction is scheduled to begin in spring 2016 with completion expected in fall 2016.

FISCAL IMPACT:

Funds for this project are included in the Fiscal Year 2015-16 Operational Plan for the Capital Outlay Fund. If approved, this request will result in cost and revenue of \$2,000,000 for Capital Project 1019561, Heise Park Electrical and Water project. Construction costs are estimated at \$1,700,000 including contingency. Remaining project funds of \$300,000 will be used for design, inspection, construction management, and project administration. The funding source is prior year available General Fund fund balance (\$2,000,000).

Upon project completion, annual operations and maintenance of improvements will be provided by existing Department of Parks and Recreation staff. There will be no change in current year net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT:

N/A

RECOMMENDATION:

CHIEF ADMINISTRATIVE OFFICER

1. Find that the Heise Park Electrical and Water project is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines section 15301, 15302, 15303, and 15304 because the project involves negligible expansion of use of an existing facility, replacing old infrastructure, construction of small structures, and minor alterations of land to improve the water and electrical systems.

2. Authorize the Director, Department of Purchasing and Contracting, to advertise and award a construction contract and take any other action authorized by Section 401 et seq. of the Administrative Code with respect to contracting for the construction of the Heise Park Electrical and Water project.
3. Designate the Director, Department of Parks and Recreation, 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 Horn, seconded by Supervisor Cox, the Board took action as recommended, on Consent.

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

2. **SUBJECT: ADVERTISE AND AWARD A CONSTRUCTION CONTRACT FOR POTRERO ELEMENTARY SCHOOL TRAFFIC CALMING MEASURES PROJECT (DISTRICT: 2)**

OVERVIEW:

The Department of Public Works was successful in obtaining a federal Community Development Block Grant (CDBG) for a traffic calming project in the unincorporated community of Potrero (57th Edition Thomas Guide Page 1316, C7). On April 7, 2015 (8), the County's Department of Housing and Community Development received Board of Supervisors approval of the Fiscal Year 2015-16 Annual Funding Plan which included CDBG funding for the Potrero Elementary School Traffic Calming project. The project will construct new school zone and vehicle speed feedback signs, as well as install related striping and pavement markings to enhance pedestrian visibility and safety in the school zone along Potrero Valley Road.

This is a request to approve advertisement and subsequent construction contract award to the lowest responsive and responsible bidder for this project. The estimated construction cost for the project is \$100,000, including contingencies. The project is scheduled to begin in spring 2016 and be completed by summer 2016.

FISCAL IMPACT:

Funds for this request are included in the Fiscal Year 2015-16 Operational Plan in the Department of Public Works Detailed Work Program. If approved, construction project costs are estimated at \$100,000, including contingencies. The funding sources are Community Development Block Grant (\$75,000) and Highway User Tax Account (\$25,000). 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 CEQA Guidelines because it involves the minor alteration of existing public roadway involving no or negligible expansion of existing use.
2. 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.
3. 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 Horn, seconded by Supervisor Cox, the Board took action as recommended, on Consent.

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

3. **SUBJECT: ADVERTISE AND AWARD A CONTRACT FOR THE CONSTRUCTION OF CLEMMENS LANE SIDEWALK IMPROVEMENTS IN FALLBROOK (DISTRICT: 5)**

OVERVIEW:

The Department of Public Works was successful in obtaining a federal Community Development Block Grant (CDBG) for a sidewalk construction project in the unincorporated community of Fallbrook along the north side of Clemmens Lane (57th Edition Thomas Guide Page 1027, F4). On April 7, 2015 (8), the County's Department of Housing and Community Development received Board of Supervisors approval of the Fiscal Year 2015-16 Annual Funding Plan which included CDBG project funding. The project will construct sidewalks and benefit the community by enhancing pedestrian safety, accessibility and walkability in this heavily-traveled area.

This is a request to approve the advertisement and subsequent construction contract award to the lowest responsive and responsible bidder for this project. The estimated construction cost for the project is \$195,000, including contingency. The project is scheduled to begin in winter 2016 and be completed by spring 2016.

FISCAL IMPACT:

Funds for this request are included in the Fiscal Year 2015-16 Operational Plan in the Department of Public Works Detailed Work Program. If approved, construction project costs are estimated at \$195,000, including contingency. The funding sources are Community Development Block Grant (\$129,000) and Highway User Tax Account (HUTA) (\$66,000). 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 because it involves the minor alteration of existing public roadway involving no or negligible expansion of existing use.
2. 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.
3. 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 Horn, seconded by Supervisor Cox, the Board took action as recommended, on Consent.

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

4. **SUBJECT: ADOPT A RESOLUTION FOR FINANCIAL ASSURANCE FOR CORRECTIVE ACTIONS OF THE SAN MARCOS LANDFILL AND AUTHORIZE SUBMISSION OF A PLEDGE OF REVENUE FOR CORRECTIVE ACTION PROGRAM AT SAN MARCOS LANDFILL (DISTRICT: 5)**

OVERVIEW:

As part of the solid waste facility permit review for the closed San Marcos Landfill, state law requires that the County of San Diego provide an additional supplement to its 1998 Pledge of Revenue Agreement for Post-Closure Maintenance (Pledge). The supplemental Pledge, from the Solid Waste Environmental Trust Fund, is to cover the County's obligation under Title 27 of the California Code of Regulations, which requires owners and operators of all disposal facilities operating after July 1, 1991 to provide additional financial assurance for corrective action based on the highest amount of either a water release corrective action or non-water release corrective action, on or before the date of the first permit review. The current financial obligation for the San Marcos Landfill is \$24,584,000. On July 1, 2011, the California Department of Resources Recycling and Recovery (CalRecycle) revised Title 27 to require owners and operators of all disposal facilities operating after July 1, 1991 to provide financial

assurance for corrective action based on the highest amount of either a water release corrective action or non-water release corrective action. To comply with Title 27, the County must now increase the total pledge by \$1,025,000 to a total of \$25,609,000.

This is a request to adopt a resolution and authorize submission of a pledge of revenue from the Solid Waste Environmental Trust Fund to CalRecycle and the Regional Water Quality Control Board, San Diego Region (Regional Board).

FISCAL IMPACT:

If approved, today's request will increase the financial assurance for the San Marcos Landfill by \$1,025,000 from \$24,584,000 to \$25,609,000. The funding source for the financial assurance is prior year available fund balance in the Solid Waste Environmental Trust Fund. 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 action is exempt under the California Environmental Quality Act Guidelines (CEQA), Section 15301 because it does not involve any change, expansion, alteration or other modification to the existing public facility beyond that existing at the time of the prior CEQA determination for the closure of the San Marcos Landfill.
2. Adopt a Resolution entitled:
RESOLUTION OF THE SAN DIEGO COUNTY BOARD OF SUPERVISORS ADOPTING FINANCIAL ASSURANCE FOR CORRECTIVE ACTION OF THE SAN MARCOS LANDFILL.
3. Authorize the Director, Department of Public Works, or designee, as agent of the County, to sign the Pledge of Revenue Agreement for submission to the California Department of Resources Recycling and Recovery and Regional Water Quality Control Board, San Diego Region.

ACTION:

Noting for the record that an Errata sheet has been submitted; ON MOTION of Supervisor Horn, seconded by Supervisor Cox, the Board took action as recommended, on Consent, adopting Resolution No. 16-011, entitled: RESOLUTION OF THE SAN DIEGO COUNTY BOARD OF SUPERVISORS ADOPTING FINANCIAL ASSURANCE FOR CORRECTIVE ACTION OF THE SAN MARCOS LANDFILL.

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

5. SUBJECT: ESTABLISH APPROPRIATIONS AND APPROVE A NON-INFRASTRUCTURE FINANCING AGREEMENT WITH THE LAKESIDE UNION SCHOOL DISTRICT ASSOCIATED WITH STATE AND FEDERALLY FUNDED SAFE ROUTES TO SCHOOL PROJECTS NEAR LAKEVIEW ELEMENTARY SCHOOL (DISTRICT: 2)

OVERVIEW:

On June 18, 2014 (11), the Board of Supervisors established appropriations and authorized the advertisement and award of a Federal- and State-funded project to construct sidewalk improvements near the Lakeview Elementary School located in the unincorporated community of Lakeside along Lakeview Road. The grant funding of these projects included a requirement for the school district to provide a non-infrastructure education and awareness component to promote and track the use of the sidewalk improvements and provide education and awareness training to students through organized events, bike rodeos, safety equipment purchases, and usage surveys. This requested action will authorize the Director, Department of Public Works, to execute a Non-Infrastructure Financing Agreement (Attachment A) with the Lakeside Union School District to provide grant funding for the grant-required activities.

FISCAL IMPACT:

Funds for this request are not included in the Fiscal Year 2015-16 Operational Plan in the Department of Public Works Detailed Work Program. If approved, this request will result in current year costs of \$78,700 for the Non-Infrastructure Financing Agreement with the Lakeside Union School District. The funding sources are the Federal Safe Routes to School Program (\$51,800) and the State Safe Routes to School Program (\$26,900). 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 in accordance with Section 15060(c)(2) of the California Environmental Quality Act (CEQA) Guidelines that the establishment of appropriations and approval of a Non-Infrastructure Financing Agreement (Attachment A) is exempt from CEQA review because it will not result in a direct or reasonably foreseeable indirect physical change in the environment.
2. Establish appropriations of \$78,700 in the Department of Public Works Detailed Work Program to reimburse the Lakeside Union School District for non-infrastructure activities and purchases per the Non-Infrastructure Finance Agreement based on revenue from the Federal Safe Routes to School Program (\$51,800) and revenue from the State Safe Routes to School Program (\$26,900). **(4 VOTES)**

3. Authorize the Director, Department of Public Works, to execute a Non-Infrastructure Finance Agreement (Attachment A) with the Lakeside Union School District.

ACTION:

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

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

6. **SUBJECT: GILLESPIE FIELD – NEW 55-YEAR INDUSTRIAL GROUND LEASE WITH M.W. REYNOLDS CONSTRUCTION COMPANY, INCORPORATED (DISTRICT: 2)**

OVERVIEW:

Gillespie Field is a general aviation airport owned and operated by the County of San Diego and located within the municipal limits of the City of El Cajon and the City of Santee (57th Edition Thomas Guide page 1251, D-1). Gillespie Field includes three industrial parks. The County leases land at these industrial parks to multiple businesses providing goods and services to the general public.

On October 17, 1978 (40), the Board of Supervisors approved a 55-year industrial ground lease with Soniform, Inc., which was later assigned to M.W. Reynolds Construction Company, Incorporated, for a 1.45-acre parcel located in the Gillespie Field Industrial Park. This lease commenced on November 1, 1978 and terminates on October 31, 2033. M.W. Reynolds Construction Company, Incorporated has requested a new lease to extend the term.

This is a request to approve a new 55-year industrial ground lease with M.W. Reynolds Construction Company, Incorporated, which would replace the existing lease. The proposed lease would commence on February 10, 2016 and terminate on February 9, 2071. The lease is subject to periodic rent adjustments. The first adjustment will occur after January 1, 2019 when the rent will be adjusted by using the Industrial Land Value Index formula contained in the lease. Thereafter, the rent will be renegotiated every five years.

FISCAL IMPACT:

Funds for this request are partially included in the Fiscal Year 2015-2016 Operational Plan for the Airport Enterprise Fund. If approved, this request would result in total annual revenue of \$173,456 in Fiscal Year 2015-2016, an increase of \$145,535 over the current year revenue, and total annual revenue of \$72,840 in Fiscal Year 2016-2017. The funding source for the Fiscal Year 2015-16 additional revenue is a one-time equity payment of \$145,535 due from the lessee under the terms of the new lease. 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 in accordance with Section 15301 of the California Environmental Quality Act (CEQA) Guidelines, that the proposed lease is categorically exempt from CEQA review as it consists of the leasing of existing facilities involving negligible or no expansion of existing use.
2. Approve and authorize the Clerk of the Board to execute, upon receipt, three copies of the new Industrial Ground Lease with M.W. Reynolds Construction Company, Incorporated. (4 VOTES)

ACTION:

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

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

7.

**SUBJECT: ADMINISTRATIVE ITEM:
SECOND CONSIDERATION AND ADOPTION OF
ORDINANCE: ADOPT AN ORDINANCE TO AMEND THE
COUNTY OF SAN DIEGO CODE OF REGULATORY
ORDINANCES RELATING TO WATERSHED
PROTECTION (1/6/16 – FIRST READING ORDINANCE;
1/27/16 – ADOPT ORDINANCE) (DISTRICTS: ALL)**

OVERVIEW:

On January 6, 2016 (11), the Board introduced the Ordinance for further consideration and adoption on January 27, 2016.

Federal and state law require the County of San Diego (County) to obtain a permit from the San Diego Regional Water Quality Control Board (Regional Board) regulating the discharge of stormwater and non-stormwater flows into and from its Municipal Separate Storm Sewer System (MS4). The MS4 Permit was initially issued to the County and 20 other Copermittees in July 1990, and has been subsequently re-issued three times. The latest re-issuance (Order No. R9-2013-0001) was adopted by the Regional Board in May 2013, and amended in February 2015 and November 2015 to enroll jurisdictions in the southern portions of Orange and Riverside counties. The amended MS4 Permit, like all previous iterations, requires the County to establish and maintain adequate legal authority to implement all updated Permit provisions. This authority is enacted primarily through the County's Watershed Protection, Stormwater Management and Discharge Control Ordinance, San Diego County Code section 67.801, et seq. (WPO).

Today's proposed action is to amend the WPO to ensure that it is current with the minimum requirements of the recently amended MS4 Permit approved by the Regional Board on November 18, 2015. Amendments needed to bring the WPO into conformance with the current MS4 Permit include updating terminology and definitions related to land development priority development projects (PDPs), removal of outdated sections, minor updates to discharge prohibitions, and the incorporation of an optional program to allow development projects to satisfy some of its stormwater compliance obligations at off-site locations.

If the WPO amendment is approved for introduction on January 6, 2016, the ordinance will be brought to the Board of Supervisors for adoption on January 27, 2016. The amended WPO will go into effect 30 days after its adoption.

FISCAL IMPACT:

There is no fiscal impact associated with today's proposed actions. There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT:

Amendment of this ordinance to comply with the amended MS4 Permit will in some cases require land development projects and property owners to implement additional measures to eliminate or reduce the discharge of non-storm water and pollutants in water. Costs to project proponents, for both public and private projects, and business owners will vary depending on the nature of the project and business, but may be substantial in some instances.

RECOMMENDATION:

CHIEF ADMINISTRATIVE OFFICER

Adopt the Ordinance entitled:

AN ORDINANCE TO AMEND SECTION 67.801 ET SEQ. OF
THE SAN DIEGO COUNTY CODE OF REGULATORY
ORDINANCES RELATING TO WATERSHED PROTECTION.

ACTION:

ON MOTION of Supervisor Horn, seconded by Supervisor Cox, the Board took action as recommended, on Consent, adopting Ordinance No. 10410 (N.S.), entitled: AN ORDINANCE TO AMEND SECTION 67.801 ET SEQ. OF THE SAN DIEGO COUNTY CODE OF REGULATORY ORDINANCES RELATING TO WATERSHED PROTECTION.

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

**8. SUBJECT: ADMINISTRATIVE ITEM:
SECOND CONSIDERATION AND ADOPTION OF
ORDINANCES: SUNSET REVIEW OF BOARD OF
SUPERVISORS POLICIES, ADMINISTRATIVE CODE, AND
COUNTY CODE PROVISIONS APPLICABLE TO THE
LAND USE AND ENVIRONMENT GROUP
(DISTRICTS: ALL)**

OVERVIEW:

On December 16, 2015 (8), the Board introduced the Ordinances for further consideration and adoption on January 6, 2016.

On January 6, 2016 (14), the Board continued the item to January 27, 2016 at 9:00 a.m.

In accordance with Board of Supervisors Policy A-76, Sunset Review Process, the Land Use and Environment Group periodically reviews certain Board policies and provisions of the County Administrative Code and County 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 for policies and ordinances revised by this letter. This action includes: revisions to County Administrative Code Article LIV, San Diego County Solid Waste Hearing Panel; Articles LVII, XV-A, San Diego County Environmental Health Advisory Board; and Article XV-AA, San Diego County Eye Gnat Abatement Appeals Board, Department of Environmental Health (DEH); rescission of Article XII-E of the County Administrative Code, Department of Agriculture, Weights and Measures (AWM); no changes are proposed to County Administrative Code Article XVI-E, Landscape Maintenance District No. 2 – Julian Advisory Committee, Department of Parks & Recreation (DPR); revisions to County Regulatory Code Title 2, Licenses, Business Regulations and Business Taxes; Title 4, Public Property; and Title 6, Health and Sanitation; rescission of Title 2, Pleasure Riding Trail Tax; revisions to Board Policies: A-115, F-016, F-045, I-038, and I-136; no revisions to Board Policies: A-008, A-100, I-017, I-018, I-22, and J-037; and rescission of Board Policy I-120. If the Board takes action on December 16, 2015 as recommended, the two proposed ordinance revisions will require adoption by a second reading on January 6, 2016.

FISCAL IMPACT:

There is no fiscal impact associated with these recommendations to amend certain Board of Supervisors Policies, Administrative Code, and County Code provisions and no additional staff years.

BUSINESS IMPACT STATEMENT:

N/A

**RECOMMENDATION:
CHIEF ADMINISTRATIVE OFFICER**

Adopt the Ordinances entitled:

AN ORDINANCE REPEALING ARTICLE XII-E AND AMENDING ARTICLES XV-A, XV-AA, LIV, AND LVII OF THE SAN DIEGO COUNTY ADMINISTRATIVE CODE PERTAINING TO THE DEPARTMENT OF AGRICULTURE, WEIGHTS AND MEASURES AND THE DEPARTMENT OF ENVIRONMENTAL HEALTH;

and

AN ORDINANCE REPEALING A PORTION OF TITLE 2 AND AMENDING PORTIONS OF TITLE 2, TITLE 4, AND TITLE 6, OF THE COUNTY REGULATORY CODE RELATING TO THE DEPARTMENT OF AGRICULTURE, WEIGHTS AND MEASURES, DEPARTMENT OF ENVIRONMENTAL HEALTH, AND DEPARTMENT OF PARKS AND RECREATION.

ACTION:

ON MOTION of Supervisor Horn, seconded by Supervisor Cox, the Board took action as recommended, on Consent, adopting Ordinance No. 10411 (N.S.), entitled: AN ORDINANCE REPEALING ARTICLE XII-E AND AMENDING ARTICLES XV-A, XV-AA, LIV, AND LVII OF THE SAN DIEGO COUNTY ADMINISTRATIVE CODE PERTAINING TO THE DEPARTMENT OF AGRICULTURE, WEIGHTS AND MEASURES AND THE DEPARTMENT OF ENVIRONMENTAL HEALTH; and Ordinance No. 10412 (N.S.), entitled: AN ORDINANCE REPEALING A PORTION OF TITLE 2 AND AMENDING PORTIONS OF TITLE 2, TITLE 4, AND TITLE 6, OF THE COUNTY REGULATORY CODE RELATING TO THE DEPARTMENT OF AGRICULTURE, WEIGHTS AND MEASURES, DEPARTMENT OF ENVIRONMENTAL HEALTH, AND DEPARTMENT OF PARKS AND RECREATION.

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

9. **SUBJECT: ADMINISTRATIVE ITEM:
SECOND CONSIDERATION AND ADOPTION OF
ORDINANCES: TRAFFIC ADVISORY COMMITTEE
(DISTRICTS: 1, 2 & 5)**

OVERVIEW:

On January 6, 2016 (12), the Board introduced the Ordinances for further consideration and adoption on January 27, 2016.

The Traffic Advisory Committee (TAC) meets every six weeks to review proposed additions, deletions or changes to regulatory traffic controls. Ten items were on the Committee's October 23, 2015, meeting agenda. The TAC recommends your action on all ten items.

The Board of Supervisors' (Board) actions on Items 5-B, 5-C and 5-D would revise the County Code of Regulatory Ordinances and requires two steps. On January 6, 2016, the Board will consider the TAC items. If the Board takes action on January 6, 2016, then on January 27, 2016, a second reading of Ordinances repealing Sections 72.161.24.1. and 72.161.24.11. and adding Sections 72.161.24.12. and 72.169.55.4. to the San Diego County Code of Regulatory Ordinances would be necessary to implement the Board's direction for Items 5-B, 5-C and 5-D.

FISCAL IMPACT:

Funds for this request are included in the Fiscal Year 2015-2016 Operational Plan for the Department of Public Works Road Fund. 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

Adopt the Ordinances entitled:

AN ORDINANCE REPEALING SECTIONS 72.161.24.1. AND 72.161.24.11. OF THE SAN DIEGO COUNTY CODE OF REGULATORY ORDINANCES RELATING TO TRAFFIC REGULATIONS IN SAN DIEGO COUNTY (Item 5-B) (Second reading);

AN ORDINANCE ADDING SECTION 72.161.24.12. TO THE SAN DIEGO COUNTY CODE RELATING TO TRAFFIC REGULATIONS IN SAN DIEGO COUNTY (Item 5-C) (Second reading); and

AN ORDINANCE ADDING SECTION 72.169.55.4. TO THE SAN DIEGO COUNTY CODE RELATING TO TRAFFIC REGULATIONS IN SAN DIEGO COUNTY (Item 5-D) (Second Reading).

ACTION:

ON MOTION of Supervisor Horn, seconded by Supervisor Cox, the Board took action as recommended, on Consent, adopting the following:

Ordinance No. 10413 (N.S.), entitled: AN ORDINANCE REPEALING SECTIONS 72.161.24.1. AND 72.161.24.11. OF THE SAN DIEGO COUNTY CODE OF REGULATORY ORDINANCES RELATING TO TRAFFIC REGULATIONS IN SAN DIEGO COUNTY (Item 5-B);

Ordinance No. 10414 (N.S.), entitled: AN ORDINANCE ADDING SECTION 72.161.24.12. TO THE SAN DIEGO COUNTY CODE RELATING TO TRAFFIC REGULATIONS IN SAN DIEGO COUNTY (Item 5-C); and

Ordinance No. 10415 (N.S.), entitled: AN ORDINANCE ADDING SECTION 72.169.55.4. TO THE SAN DIEGO COUNTY CODE RELATING TO TRAFFIC REGULATIONS IN SAN DIEGO COUNTY (Item 5-D).

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

10. SUBJECT: PUBLIC COMMUNICATION (DISTRICTS: ALL)

OVERVIEW:

Peggy Walker spoke to the Board regarding Marijuana Dispensaries.

Kathleen Lippitt spoke to the Board regarding Marijuana Cultivation.

Scott Chipman spoke to the Board regarding County Marijuana Ordinance.

ACTION:

Heard, referred to the Chief Administrative Officer.

There being no further business, the Board adjourned at 9:16 a.m.

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

Consent: Miller
Discussion: Zurita

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, March 2, 2016.



RON ROBERTS
Chairman

Attest:



DAVID HALL
Clerk of the Board

01/27/16