

May 13, 2015

STATEMENT OF PROCEEDINGS

The Minutes of the

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

COUNTY OF SAN DIEGO

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STATEMENT OF PROCEEDINGS
COUNTY OF SAN DIEGO BOARD OF SUPERVISORS
REGULAR MEETING
MEETING AGENDA
WEDNESDAY, MAY 13, 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; also David Hall, Clerk.

ABSENT: Supervisors Greg Cox; Ron 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:
 VISTA VALLEY COUNTRY CLUB OPEN SPACE EASEMENT VACATION
 AND MAJOR USE PERMIT; BONSALL COMMUNITY PLAN AREA
 (4/22/2015 – SET HEARING; 5/13/2015 – HOLD HEARING)

2. NOTICED PUBLIC HEARING:
 PUBLIC HEARING AND CONFIRMATION OF LEVIES FOR MOSQUITO,
 VECTOR AND DISEASE CONTROL BENEFIT ASSESSMENT AND
 MOSQUITO ABATEMENT AND VECTOR CONTROL SERVICE CHARGE FOR
 FISCAL YEAR 2015-2016
 [FUNDING SOURCES: BENEFIT ASSESSMENT, MOSQUITO ABATEMENT
 AND VECTOR CONTROL SERVICE CHARGES, AND THE VECTOR
 CONTROL DISTRICT TRUST FUND FUND BALANCE]

3. SET A HEARING FOR 6/10/2015:
 SANTA YSABEL PRESERVE – ACQUISITION OF 175.23 ACRES FOR OPEN
 SPACE (SANTA YSABEL RANCH, LLC) (5/13/2015 – SET HEARING;
 6/10/2015 – HOLD HEARING)

4. EXTENSION OF PERFORMANCE COMPLETION DATES ON VARIOUS
 BONDED AGREEMENTS TO COMPLETE SUBDIVISION REQUIREMENTS

1. **SUBJECT: NOTICED PUBLIC HEARING:
VISTA VALLEY COUNTRY CLUB OPEN SPACE
EASEMENT VACATION AND MAJOR USE PERMIT;
BONSALL COMMUNITY PLAN AREA
(4/22/2015 – SET HEARING; 5/13/2015 – HOLD HEARING)
(DISTRICT: 5)**

OVERVIEW:

On April 22, 2015 (2), the Board of Supervisors set a Hearing for May 13, 2015.

Application date: June 3, 2014.

This is a request for the Board of Supervisors (Board) to consider a Major Use Permit (MUP) for a private country club pool facility and the vacation of an open space easement (VAC) pursuant to Board Policy I-103 Open Space Easement Vacations and the Streets and Highway Code.

The subject property is a 9.57 acre site located in the Bonsall Community Plan area, 2.25 miles west of Interstate 15 (I-15) and 1,500 feet south of Gopher Canyon Road.

The MUP is for a private country club pool facility, adjacent to the existing Vista Valley Country Club and Golf Course, under the Zoning Use Type "Participant Sports and Recreation". This permit would authorize the construction of two main buildings, four patio covers, two pools and parking for 37 vehicles. The project would also require the dedication of 4.5 acres of Diegan coastal sage scrub into biological open space. Currently, the site is improved with a single family dwelling, detached garage and two storage buildings. The dwelling and detached garage will be retained as a caretakers quarters and the two storage buildings will be demolished.

Zoning Ordinance Section 7352c. specifies that a use permit filed concurrently with any other application which is under the original jurisdiction of the Board, shall be under the original jurisdiction of the Board and shall receive a recommendation from the Planning Commission prior to action by the Board. As such, the MUP was reviewed by the Planning Commission and their recommendation included in this report for consideration by the Board.

The open space easement requested to be vacated by the applicant was recorded in association with the Vista Valley Country Club and Golf Course Tentative Map 3791-1, April 23, 1980. The intent of the open space easement was written into the easement language as "... being understood that the purpose of this easement is solely to restrict the uses to which the subject land may be put". The applicant's request a vacation of 0.33 acre of the 1.8 acre open space easement parcel.

Today's request requires two steps: On April 22, 2015, it is requested that the Board set a date for a public hearing on May 13, 2015 and provide public notice of that hearing. If the Board takes the actions recommended for April 22, 2015, then

2. **SUBJECT: NOTICED PUBLIC HEARING:
PUBLIC HEARING AND CONFIRMATION OF LEVIES
FOR MOSQUITO, VECTOR AND DISEASE CONTROL
BENEFIT ASSESSMENT AND MOSQUITO ABATEMENT
AND VECTOR CONTROL SERVICE CHARGE FOR
FISCAL YEAR 2015-2016 (DISTRICTS: ALL)**

OVERVIEW:

On July 30, 2014 (8), the Board of Supervisors (Board) approved the levy of assessments for the Mosquito, Vector and Disease Control Benefit Assessment for Fiscal Year 2014-15. According to Article XIID of the State Constitution (Proposition 218) approved by the California voters in November 1996, property owners approve a benefit assessment through a ballot measure and in subsequent years the governing body approves the levy on properties.

This is a request to adopt a Resolution to approve the Engineer's Report which establishes the Services to be funded and the costs for the Services by the Assessments for the fiscal year, confirm the assessment diagram and assessment, and order the levy of assessments for the Mosquito, Vector and Disease Control Benefit Assessment for Fiscal Year 2015-16. There is a proposed decrease in assessments for Fiscal Year 2015-16. The Board is also being asked to approve a Resolution confirming the levy for Mosquito Abatement and Vector Control Service Charge which was adopted by the Board prior to Proposition 218. The existing service charge for Fiscal Year 2015-16 will be levied within the authorized rate structure with no change in rates for the three subregions: Coastal, Inland Suburban and Inland Rural.

Upon adoption, the Mosquito, Vector and Disease Control Benefit Assessment and the Mosquito Abatement and Vector Control Service Charge will be placed on the tax roll, so property owners can continue to pay the benefit assessment and service charge through their property tax bills for all taxable parcels.

FISCAL IMPACT:

Funds for this request are included in the Fiscal Year 2015-16 Chief Administrative Officer Approved Operational Plan for the Department of Environmental Health. If approved, these requests will result in costs and revenues of \$8.2 million. The funding sources are benefit assessment (\$4.6 million), Mosquito Abatement and Vector Control Service Charges (\$2.0 million), and the Vector Control District Trust Fund fund balance (\$1.6 million). Subsequent years' assessments will be based on the Vector Surveillance and Control Program budget, approved annually by the Board. There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT:

Mosquitoes and other vectors hinder, annoy and harm residents, guests, visitors, farm workers and employees. A vector-borne disease outbreak and other related public health threats would have a negative effect on agriculture, business, tourism and residential activities in the county.

3. **SUBJECT: SET A HEARING FOR 6/10/2015:
SANTA YSABEL PRESERVE – ACQUISITION OF 175.23
ACRES FOR OPEN SPACE (SANTA YSABEL RANCH, LLC)
(5/13/2015 – SET HEARING; 6/10/2015 – HOLD HEARING)
(DISTRICTS: 2 & 5)**

OVERVIEW:

The County has identified 175.23 acres of land available for acquisition that would link the east and west sections of the Santa Ysabel Preserve. The proposed acquisition is west of State Route 79 and just north of the intersection of State Routes 79 and 78 in Santa Ysabel (57th Edition Thomas Guide page 1135, A-1). The 175.23-acre property is located within the future Multiple Species Conservation Program East County Plan and contains valuable grassland, riparian scrub and forest, and montane meadow habitats. The appraised value of the property is \$1,401,840.

Today's request regarding Assessor's Parcel Numbers 247-080-05 (portion), 247-100-05 (portion), 247-140-17, 247-160-01, and 247-160-07 requires two steps. On May 13, 2015, it is requested that the Board of Supervisors (Board) set a hearing for June 10, 2015, and provide public notice of the hearing. If the Board takes the actions recommended on May 13, 2015, then on June 10, 2015, after making the necessary findings, the Board is requested to approve the purchase of the 175.23-acre property from Santa Ysabel Ranch, LLC a California limited liability company at the appraised value of \$1,401,840.

FISCAL IMPACT:

Funds for this request are included in the Fiscal Year 2014-15 Operational Plan for Multiple Species Conservation Program Acquisitions Fund. If approved, this request will result in a current year cost of \$1,554,550 itemized as follows: \$1,401,840 for property acquisition; \$43,000 for staff, appraisal and pre-acquisition costs to complete the transaction; \$4,500 for closing and title costs; and \$105,210 in one-time land protection costs. The one-time land protection costs include \$88,410 to update the Resource Management Plan and one-time stewardship costs of approximately \$16,800 for signage, access control, vegetation management and boundary survey.

Total annual costs for land monitoring and adaptive management of the 175.23 acres are estimated at \$9,500. In addition, there will be an estimated annual cost of \$420 for fixed charge assessment including vector control and water standby charges. These costs will be absorbed within the Department of Parks and Recreation's existing budget. There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT:

N/A

4. **SUBJECT: EXTENSION OF PERFORMANCE COMPLETION DATES ON VARIOUS BONDED AGREEMENTS TO COMPLETE SUBDIVISION REQUIREMENTS (DISTRICTS: 2 & 5)**

OVERVIEW:

San Diego County Code of Regulatory Ordinances (County Code) Section 81.405, Extension of Time to Construct Required Improvements, enables the Board of Supervisors (Board) to consider time extensions for completion of required improvements for major subdivisions. The Department of Public Works reviews existing subdivision agreements and the associated bonding requirements to determine if a recommendation for a time extension is warranted.

This is a request to approve the extension of performance completion dates for two bonded subdivision agreements to May 13, 2017. Staff has determined extensions are warranted for these agreements and both have final maps previously approved by the Board. The following agreements are proposed to be extended two years:

District 2

- TM 5267-1 Roberts Development (a 53.22 acre site with eight approved lots), located in Ramona area

District 5

- TM 4908-2 Brook Hills Unit 2 (a 105.20 acre site with 34 approved lots), located in Fallbrook area

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:

N/A

RECOMMENDATION:

CHIEF ADMINISTRATIVE OFFICER

1. Find in accordance with Section 15060(c)(3) of the California Environmental Quality Act (CEQA) Guidelines that extension of agreements to complete subdivision improvements is not a project as defined in Section 15378 of the CEQA Guidelines.
2. Extend to May 13, 2017, the performance completion dates in subdivision agreements for developments referenced by Tentative Map Nos. 4908-2 and 5267-1.

ACTION:

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

AYES: Jacob, D. Roberts, Horn

ABSENT: Cox, R. Roberts

3. Adopt the following Resolution:
RESOLUTION AMENDING TRAFFIC RESOLUTION NO. 301
RELATING TO THE ESTABLISHMENT OF NO STANDING
OR PARKING ZONES IN THE COUNTY OF SAN DIEGO (Item
5-B).

4. Approve the introduction, read title and waive further reading of the following
Ordinance:

AN ORDINANCE ADDING SECTION 72.169.74.13. TO THE
SAN DIEGO COUNTY CODE RELATING TO TRAFFIC
REGULATIONS IN THE COUNTY OF SAN DIEGO (Item 5-C).

If, on May 13, 2015, the Board takes action as recommended in the Chief
Administrative Officer's above Recommendation 4 related to Item 5-C, on
June 10, 2015:

Consider and adopt:

AN ORDINANCE ADDING SECTION 72.169.74.13. TO THE
SAN DIEGO COUNTY CODE RELATING TO TRAFFIC
REGULATIONS IN THE COUNTY OF SAN DIEGO (Item 5-C)
(second reading).

ACTION:

ON MOTION of Supervisor Jacob, seconded by Supervisor D. Roberts, the Board
took action as recommended, on Consent, adopting Resolution No. 15-063
entitled: RESOLUTION AMENDING TRAFFIC RESOLUTION NO. 301
RELATING TO THE ESTABLISHMENT OF NO STANDING OR PARKING
ZONES IN THE COUNTY OF SAN DIEGO; and introduced an Ordinance for
further Board consideration and adoption on June 10, 2015.

AYES: Jacob, D. Roberts, Horn

ABSENT: Cox, R. Roberts

6. **SUBJECT: AUTHORIZATION TO ADVERTISE AND AWARD A
CONSTRUCTION CONTRACT FOR THE FELICITA PARK
AMERICANS WITH DISABILITIES ACT RAMP AND
SIDEWALKS REPLACEMENT PROJECT (DISTRICT: 3)**

OVERVIEW:

The United States Department of Housing and Urban Development provides an
annual grant funding opportunity for housing and community development
projects through the Community Development Block Grant (CDBG) Program. On
April 15, 2014 (10), the County's Department of Housing and Community
Development received Board of Supervisors approval of the Final Proposed Fiscal
Year 2014-15 County of San Diego Annual Funding Plan that included CDBG
project funding of \$50,000 for the Felicita Park ramp and sidewalks replacement
project. The Fiscal Year 2014-15 Grant Agreement for CDBG funds was executed
in August 2014. The Felicita Park Americans with Disabilities Act (ADA) Ramp
and Sidewalks Replacement project will replace the current ramp at the bandstand

7. **SUBJECT: RATIFY APPLICATION AND ADOPT RESOLUTIONS TO APPLY FOR AND ACCEPT SANDAG TRANSNET ENVIRONMENTAL MITIGATION PROGRAM GRANT FUNDS (DISTRICT: 1)**

OVERVIEW:

The TransNet Extension Ordinance and Expenditure Plan, as approved by the voters on November 2, 2004, and implemented by the San Diego Association of Governments (SANDAG), includes an Environmental Mitigation Program (EMP). The EMP is a program for mitigating habitat impact costs on regional transportation projects and includes a funding allocation for habitat acquisition, management, and monitoring activities as needed to help implement regional habitat conservation plans.

This is a request to ratify the applications and adopt resolutions authorizing the Department of Parks and Recreation to apply for and accept up to \$119,046 of SANDAG EMP grant funding to control unauthorized access at the Furby North Property and up to \$66,840 of SANDAG EMP grant funding for cactus wren habitat restoration within the Otay River Valley. In addition, this request is to authorize the Director, Department of Parks and Recreation, or designee, as an agent of the County to conduct all negotiations and to execute and submit all documents that may be necessary to apply for and accept the grant funds.

FISCAL IMPACT:

There is no fiscal impact associated with today's action. Appropriations for these projects have been included in the Fiscal Year 2015-16 CAO Recommended Operational Plan for the Department of Parks Recreation (DPR). If approved, this request will authorize DPR to apply for and accept TransNet Environmental Mitigation Program (EMP) grant funds of up to \$119,046 for the Furby North Property Unauthorized Access Control project and \$66,840 in EMP grant funds for the Otay River Valley Cactus Wren Habitat Restoration project. The EMP grant is a competitive grant program and awards will be announced in May 2015.

Matching funds, although not required, improve the competitiveness of grants. If approved and the grant is awarded, matching funds will be provided through in-kind services in the form of County staff time in the amount of \$12,327 for the Furby North Property Unauthorized Access Control project and in the amount of \$3,600 for the Otay River Valley Cactus Wren Habitat Restoration project.

There will be no change in net General Fund costs and no additional staff years.

BUSINESS IMPACT STATEMENT:

N/A

ACTION:

ON MOTION of Supervisor Jacob, seconded by Supervisor D. Roberts, the Board took action as recommended, on Consent, adopting Resolution No. 15-064, entitled: RESOLUTION OF THE SAN DIEGO COUNTY BOARD OF SUPERVISORS AUTHORIZING AN APPLICATION FOR ENVIRONMENTAL MITIGATION LAND MANAGEMENT GRANT FUNDS TO THE SAN DIEGO ASSOCIATION OF GOVERNMENTS FOR THE FURBY NORTH PROPERTY UNAUTHORIZED ACCESS CONTROL PROJECT, COMMITTING TO PROVIDE MATCHING FUNDS, AND AUTHORIZING ACCEPTANCE OF GRANT FUNDS AND EXECUTION OF GRANT AGREEMENT; and Resolution No. 15-065, entitled: RESOLUTION OF THE SAN DIEGO COUNTY BOARD OF SUPERVISORS OF AUTHORIZING AN APPLICATION FOR ENVIRONMENTAL MITIGATION LAND MANAGEMENT GRANT FUNDS TO THE SAN DIEGO ASSOCIATION OF GOVERNMENTS FOR THE OTAY RIVER VALLEY CACTUS WREN HABITAT RESTORATION PROJECT, COMMITTING TO PROVIDE MATCHING FUNDS, AND AUTHORIZING ACCEPTANCE OF GRANT FUNDS AND EXECUTION OF GRANT AGREEMENT.

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

8. **SUBJECT: SEMI-ANNUAL REPORT OF GIFTS AND DONATIONS TOTALING OVER \$5,000 TO THE DEPARTMENT OF PARKS AND RECREATION (DISTRICTS: ALL)**

OVERVIEW:

The County of San Diego Department of Parks and Recreation (DPR) received numerous donations from the San Diego County Parks Society (Parks Society) during the period of July 1, 2014 through December 31, 2014. The Parks Society is a nonprofit organization committed to promoting DPR and supporting its programs and special events by offsetting costs through cash and non-cash donations. County of San Diego Administrative Code, Section 66, Acceptance of Gifts, permits the acceptance of donations by the administrative head of each department of the County, subject to ratification by the Board of Supervisors. Board of Supervisors' acknowledgement and a report of all individual donations not exceeding \$5,000, but cumulatively totaling more than \$5,000, is required. Donations received from the Parks Society for the period of July 1, 2014 through December 31, 2014 cumulatively total \$8,174.44: \$7,619.64 in cash and \$554.80 in non-cash donations.

Today's proposed action is to accept the Department of Parks and Recreation Report of Gifts and Donations for the period of July 1, 2014 through December 31, 2014 and ratify the acceptance of gifts exceeding \$5,000. In addition, today's action authorizes the Chair of the Board of Supervisors to sign a letter of appreciation to San Diego County Parks Society for the donations.

Today's proposed action is to amend the WPO, to ensure that it complies with the minimum requirements of the new MS4 Permit. Amendments needed to bring the WPO into conformance with the current MS4 Permit include updating terminology and definitions, establishing more stringent stormwater management requirements for land development projects, and prohibiting water runoff from entering the MS4 as a result of irrigation activities such as lawn or landscape watering. The ordinance has also been restructured to match the organization of the MS4 Permit and to consolidate Best Management Practice (BMP) requirements pertaining to particular categories of discharges to make it easier for the public to use and understand. The amended ordinance will enhance the quality of the environment in the County through pollution prevention supporting the Sustainable Environments Initiative in the County of San Diego's 2015-2020 Strategic Plan.

If the WPO amendment is approved for introduction on April 8, 2015, the ordinance will be brought to the Board of Supervisors for adoption on May 13, 2015. The amended WPO will go into effect 30 days after its adoption.

FISCAL IMPACT:

This action will result in no change in General Fund current year costs, and no additional staff years will be required.

BUSINESS IMPACT STATEMENT:

Adoption of this ordinance, as mandated by the new MS4 Permit, will require land development projects and property owners to implement more extensive measures to eliminate or reduce the discharge of non-stormwater and pollutants in water. The MS4 Permit substantially restricts non-stormwater discharges and establishes more extensive control measures for the treatment and discharge of stormwater. 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 are expected to 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.

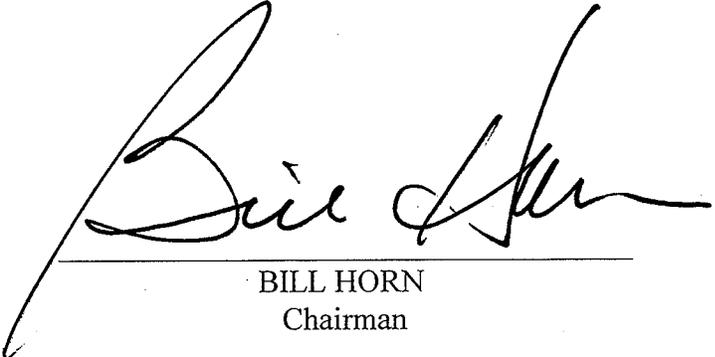
ACTION:

ON MOTION of Supervisor Jacob, seconded by Supervisor D. Roberts, the Board took action as recommended, on Consent, adopting Ordinance No. 10385 (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: Jacob, D. Roberts, Horn

ABSENT: Cox, R. Roberts

Approved by the Board of Supervisors, on Wednesday, June 10, 2015.



BILL HORN
Chairman

Attest:



DAVID HALL
Clerk of the Board

05/13/15