

June 10, 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, JUNE 10, 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 9:02 a.m.

PRESENT: Supervisors Bill Horn, Chairman; Dave Roberts, Vice Chairman; Dianne Jacob; Ron Roberts; also David Hall, Clerk.

ABSENT: Supervisor Greg Cox

Approval of the Statement of Proceedings/Minutes for the meetings of May 6, 2015 and May 13, 2015.

ACTION:

ON MOTION of Supervisor D. Roberts, seconded by Supervisor R. Roberts, the Board of Supervisors approved the Statement of Proceedings/Minutes for the meeting of May 6, 2015 and May 13, 2015.

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:
 SANTA YSABEL PRESERVE – AUTHORIZATION FOR THE AMENDMENT OF AGRICULTURAL LAND CONSERVATION CONTRACT NUMBER 6490 4900 AND ACQUISITION OF 175.23 ACRES FOR OPEN SPACE (SANTA YSABEL RANCH, LLC) (5/13/15 - SET HEARING; 6/10/15 – HOLD HEARING)

2. NOTICED PUBLIC HEARING:
 APPROVE AMENDMENTS TO DIVISION 8 OF TITLE 6 OF THE SAN DIEGO COUNTY CODE OF REGULATORY ORDINANCES TO ADOPT AND IMPLEMENT A LOCAL AGENCY MANAGEMENT PROGRAM FOR ONSITE WASTEWATER TREATMENT SYSTEMS (6/10/15 – FIRST READING; 6/24/15 – SECOND READING)

3. COUNTY OF SAN DIEGO TRACT NO. 5069-6: APPROVAL OF FINAL MAP AND JOINT SECURED AGREEMENT FOR PUBLIC AND PRIVATE IMPROVEMENTS FOR MCCRINK RANCH LOCATED IN SAN DIEGUITO COMMUNITY PLANNING AREA
 4. COUNTY AIRPORTS – ADOPT A RESOLUTION AUTHORIZING APPLICATIONS AND AGREEMENTS FOR ACCEPTANCE OF FEDERAL AND STATE GRANT FUNDS
[FUNDING SOURCE: THE FAA]
 5. AUTHORIZATION TO EXECUTE THE AMENDED AND RESTATED JOINT EXERCISE OF POWERS AGREEMENT BETWEEN THE COUNTY OF SAN DIEGO AND THE CITIES OF DEL MAR, ESCONDIDO, POWAY, SAN DIEGO AND SOLANA BEACH CREATING THE SAN DIEGUITO RIVER VALLEY REGIONAL OPEN SPACE PARK JOINT POWERS AUTHORITY
[FUNDING SOURCE: GENERAL PURPOSE REVENUE]
 6. PROPERTY TAX EXCHANGE FOR PROPOSED JURISDICTIONAL CHANGES AND REORGANIZATION FOR CASTLEROCK REORGANIZATION
 7. SET A HEARING FOR 7/22/15:
HEARING TO CONFIRM FISCAL YEAR 2015-16 ASSESSMENTS IN THE SAN DIEGO COUNTY STREET LIGHTING DISTRICT AND LANDSCAPE MAINTENANCE DISTRICT ZONES NO. 1 AND NO. 2 – (6/10/15 – SET HEARING; 7/22/15 – HEARING)
 8. ADMINISTRATIVE ITEM:
SECOND CONSIDERATION AND ADOPTION OF ORDINANCE: TRAFFIC ADVISORY COMMITTEE
 9. PUBLIC COMMUNICATION
-

1. **SUBJECT: NOTICED PUBLIC HEARING:
SANTA YSABEL PRESERVE – AUTHORIZATION FOR
THE AMENDMENT OF AGRICULTURAL LAND
CONSERVATION CONTRACT NUMBER 6490 4900 AND
ACQUISITION OF 175.23 ACRES FOR OPEN SPACE
(SANTA YSABEL RANCH, LLC) (5/13/15 - SET HEARING;
6/10/15 – HOLD HEARING) (DISTRICTS: 2 & 5)**

OVERVIEW:

On May 13, 2015 (3), the Board of Supervisors set a Hearing for June 10, 2015.

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. The property is subject to an Agricultural Land Conservation Contract (also known as a Williamson Act contract) which, among other things, restricts dividing the property into parcels smaller than 600 acres.

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 (3), the Board of Supervisors (Board) set a hearing for June 10, 2015 and provided public notice of the hearing. Because the Board took the actions recommended on May 13, 2015 (3), on June 10, 2015, 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. Additionally, since the May 13, 2015 Board hearing, staff modified the title of the board letter and added information and a recommendation associated with the Williamson Act contract. Due to the additions, the Board is also requested to authorize the Director, Department of General Services, to execute an amendment to the Agricultural Land Conservation Contract to allow the creation of a parcel of not less than 100 acres provided the parcel is contiguous to and included within the Santa Ysabel Preserve.

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

RECOMMENDATION:

CHIEF ADMINISTRATIVE OFFICER

1. Find that the proposed project is exempt from the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Section 15325 and Section 15317.
2. Cancel appropriations of \$16,800 and related Operating Transfer from the General Fund in Multiple Species Conservation Program Acquisitions Fund, for initial stewardship.
3. Transfer appropriations of \$16,800 from the Contributions to Capital Outlay Fund, Operating Transfer Out, to the Department of Parks and Recreation, Services and Supplies, for initial stewardship.
4. Authorize the Director, Department of General Services, or designee, to execute an amendment to Section 4 of Exhibit B of County of San Diego Agricultural Land Conservation Contract 6490 4900 to allow for the creation of a parcel of not less than 100 acres provided the divided parcel is contiguous to and included within the Santa Ysabel Preserve.
5. Approve and authorize the Director, Department of General Services, or designee, to execute two originals of the Purchase and Sale Agreement and Joint Escrow Instructions for the purchase of APNs 247-080-05 (portion), 247-100-05 (portion), 247-140-17, 247-160-01, and 247-160-07 from Santa Ysabel Ranch, LLC for the appraised value of \$1,401,840.
6. Authorize the Director, Department of General Services, or designee, to execute all escrow related documents necessary to complete the purchase of the property.

ACTION:

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

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

ABSENT: Cox

2.

**SUBJECT: NOTICED PUBLIC HEARING:
APPROVE AMENDMENTS TO DIVISION 8 OF TITLE 6 OF
THE SAN DIEGO COUNTY CODE OF REGULATORY
ORDINANCES TO ADOPT AND IMPLEMENT A LOCAL
AGENCY MANAGEMENT PROGRAM FOR ONSITE
WASTEWATER TREATMENT SYSTEMS (6/10/15 – FIRST
READING; 6/24/15 – SECOND READING)
(DISTRICTS: ALL)**

OVERVIEW:

Onsite Wastewater Treatment Systems (OWTS) are used throughout the state as a means to dispose of wastewater from residences or businesses that is discharged from plumbing fixtures, appliances and other devices including, but not limited to toilets, bathtubs, laundry facilities, etc. Until recently, there were no statewide requirements for siting, design, operation, and maintenance of these systems and requirements were left up to each local Regional Water Quality Control Board (RWQCB) to develop and implement. The Department of Environmental Health (DEH) issues most conventional OWTS permits for residential use in the County, pursuant to a delegation from the RWQCB. Assembly Bill 885 (2000) directed the State Water Resources Control Board (SWRCB) to develop regulations or standards for OWTS to be implemented by qualified local agencies. The SWRCB adopted the Water Quality Control Policy for Siting, Design, Operation, and Maintenance of Onsite Wastewater Treatment Systems (OWTS Policy) on June 19, 2012. Consequently, each RWQCB was required to make Basin Plan (or water quality control plan) amendments to incorporate the OWTS policy into their local Basin Plans. The San Diego RWQCB took action to amend their local Basin Plan on April 17, 2015.

If a local agency such as the County wants to continue to implement the OWTS program, it is required to develop and submit a Local Agency Management Program (LAMP) to the local RWQCB for approval. The County's LAMP was approved by the San Diego RWQCB on April 29, 2015. The purpose of the County's LAMP is to implement a revised local program to permit conventional OWTS and to expand the local program to permit and regulate alternative OWTS. The LAMP gives property owners additional tools to manage wastewater on their properties while protecting groundwater and surface water from contamination as well as public health through the proper design, placement, installation, maintenance and assessment of individual OWTS.

The LAMP replaces a similar preexisting County program, which was based on a delegation of authority from the RWQCB to permit OWTS in lieu of RWQCB waste discharge permits. The fundamental standards under the new LAMP are consistent with the standards currently applied in San Diego County by the County and the RWQCB. These standards will now be set out in the LAMP, rather than in the County Code. Full implementation of the OWTS Policy will transfer oversight of some larger conventional OWTS and some additional alternative OWTS from the RWQCB to the County.

During the General Plan Update in 2011 the Board of Supervisors directed the DEH to work with the State and stakeholders to develop uniform performance standards and regulations for the permitting and operation of alternative septic systems. With the SWRCB adoption of the State OWTS Policy on June 19, 2012, the RWQCB actions in April 2015, and approval of the recommendations below, the Board directed actions will be satisfied.

Today's request requires two steps. On June 10, 2015, it is requested that the Board introduce an ordinance to amend Title 6, Division 8 of the County Code of Regulatory Ordinances to adopt and implement a Local Agency Management Program for onsite wastewater treatment systems and to set a hearing for June 24, 2015. If the Board takes the actions recommended for June 10 2015, then on June 24, 2015, after making the necessary findings, the Board is requested to adopt the proposed ordinance and to authorize the Director, DEH to revise the LAMP, if necessary, to maintain RWQCB approval for County implementation of an OWTS program.

FISCAL IMPACT:

Funds for this request are included in the Fiscal Year 2015-17 CAO Recommended Operational Plan for the Department of Environmental Health. Permit types and fees are in the existing fee ordinance and any costs incurred as a result of this request will be offset by fee revenue. There will be no change in net General Fund costs and no additional staff years are required to implement this program.

BUSINESS IMPACT STATEMENT:

This program will benefit business by allowing the Department of Environmental Health to provide oversight for the expanded use of conventional Onsite Wastewater Treatment Systems (OWTS) and use of alternative OWTS for new construction. This oversight is currently provided by the County and in some cases by the Regional Water Quality Control Board (RWQCB) and the changes will streamline the approval process. The program will also allow for the creation of new lots based on the use of alternative OWTS which is currently prohibited. Stakeholder meetings have been held with the North County Civil Engineers and Land Surveyors Association, Building Industry Association, Land Development Industry Group, local OWTS design professionals and contractors and the general public to obtain input on the proposed program.

RECOMMENDATION:

CHIEF ADMINISTRATIVE OFFICER

On June 10, 2015:

1. Read the Title, waive further reading, and introduce an ordinance for further consideration and adoption on June 24, 2015:

AN ORDINANCE AMENDING TITLE 6, DIVISION 8 OF THE SAN DIEGO COUNTY CODE OF REGULATORY ORDINANCES TO ADOPT AND IMPLEMENT A LOCAL AGENCY MANAGEMENT PROGRAM FOR ONSITE WASTEWATER TREATMENT SYSTEMS.

If on June 10, 2015, the Board takes action as recommended then, on June 24, 2015:

1. Find, on the basis of the whole record, there is no substantial evidence the project will have a significant effect on the environment. Consider the Negative Declaration, dated January 16, 2015, for the Onsite Wastewater Treatment Systems (OWTS) – Amendment to County Code of Regulatory Ordinances to Implement San Diego County Local Agency Management Program for OWTS (Attachment C) together with any comments received during public review (Attachment D), and adopt it, finding it reflects the independent judgment and analysis of the Board of Supervisors.
2. Consider and adopt the Ordinance entitled: AN ORDINANCE AMENDING TITLE 6, DIVISION 8 OF THE SAN DIEGO COUNTY CODE OF REGULATORY ORDINANCES TO ADOPT AND IMPLEMENT A LOCAL AGENCY MANAGEMENT PROGRAM FOR ONSITE WASTEWATER TREATMENT SYSTEMS. (second reading)
3. Authorize the Director, Department of Environmental Health to revise the Local Agency Management Program if necessary to maintain Regional Water Quality Control Board approval for County implementation of an OWTS program, to accommodate new technology, or protect health and safety and the environment.

ACTION:

ON MOTION of Supervisor Jacob, seconded by Supervisor R. Roberts, the Board of Supervisors closed the Hearing and took action as recommended, on Consent, introducing the Ordinance for further Board consideration and adoption on June 24, 2015.

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

ABSENT: Cox

3. **SUBJECT: COUNTY OF SAN DIEGO TRACT NO. 5069-6: APPROVAL OF FINAL MAP AND JOINT SECURED AGREEMENT FOR PUBLIC AND PRIVATE IMPROVEMENTS FOR MCCRINK RANCH LOCATED IN SAN DIEGUITO COMMUNITY PLANNING AREA (DISTRICT: 5)**

OVERVIEW:

The purpose of this item is for the Board of Supervisors (Board) to review and approve the Final Map and Joint Agreement to Improve Major Subdivision (“Joint Agreement”) for public and private improvements for McCrink Ranch. This project is a subdivision consisting of 30 single family residential lots, three private street lots, one group care facility lot, and one open space lot for a total of 35 lots on 20.4 acres. County of San Diego Tract No. 5069-6, known as McCrink Ranch, is located within the San Dieguito Community Planning area, north of Camino Del Sur and east of Crosby Boulevard (2009 Thomas Guide, Page 1169, B-2).

The applicant has satisfied all conditions in the Resolution of Approval as approved by the Board on December 13, 1995 (2). A labor and material bond and a performance bond for the construction of the public and private improvements have also been provided by the applicant. The Final Map has been reviewed and found to be technically correct, and complies with State law and County ordinances.

FISCAL IMPACT:

N/A

BUSINESS IMPACT STATEMENT:

N/A

RECOMMENDATION:

CHIEF ADMINISTRATIVE OFFICER

1. Find that the approval of the Final Map ("Map") and associated actions is not a project subject to review under the California Environmental Quality Act (CEQA) pursuant to Section 15060(c)(1) & (2) of the CEQA Guidelines.
2. Approve the Final Map for County of San Diego Tract No. 5069-6.
3. Accept on behalf of the public the access restriction easements as granted on said Map.
4. Approve and authorize the Clerk of the Board of Supervisors to execute the Joint Agreement to Improve Major Subdivision, which includes street improvements, drainage facilities, sewer and water facilities and final monumentation. (Attachment B)

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

4. **SUBJECT: COUNTY AIRPORTS – ADOPT A RESOLUTION AUTHORIZING APPLICATIONS AND AGREEMENTS FOR ACCEPTANCE OF FEDERAL AND STATE GRANT FUNDS (DISTRICTS: 2 & 5)**

OVERVIEW:

The County of San Diego operates eight airports: Agua Caliente Springs Airport, Borrego Valley Airport, Fallbrook Community Airpark, Gillespie Field, Jacumba Airport, McClellan-Palomar Airport, Ocotillo Wells Airport, and Ramona Airport. County Airports provide valuable services for the aviation industry as well as commercial leasing opportunities that contribute to San Diego's employment and economic vitality.

Grant funding is a critical component of airport capital improvement and maintenance projects. Periodically, discretionary grant funds become available toward the end of the federal and state fiscal years. These funds are only available for a short period of time. Streamlining the grant application process by delegating authority to accept available grant funds enables County Airports to capture this additional grant funding on short notice, as it becomes available.

This is a request to adopt a Resolution authorizing the Director, Department of Public Works, or designee, to submit, negotiate and execute all documents necessary to secure grant funding from the Federal Aviation Administration, the State Airport Improvement Program for Matching Grants, and the State Division of Aeronautics Acquisition and Development Grant Program during Fiscal Year 2015-16. The Federal Aviation Administration and the State of California require County Airports to adopt a Resolution annually providing County Airports authorization to capture grant funding in the event it becomes available.

FISCAL IMPACT:

Funds for this request are partially included in the Fiscal Year 2015-17 CAO Recommended Airport Enterprise Fund Spending Plan, in the amount of \$69,217, for projects approved to date by the Federal Aviation Administration (FAA). The funding source is the FAA. The Department of Public Works will return to the Board at a later date to appropriate additional grant funds as they become available. 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 15061(b)(3) of the California Environmental Quality Act (CEQA) Guidelines that delegating authority to allow application for and acceptance of possible grant funding is exempt from CEQA review because it can be seen with certainty that there is no possibility the activity may have a significant effect on the environment.
2. Adopt a Resolution entitled: RESOLUTION OF THE BOARD OF SUPERVISORS AUTHORIZING APPLICATIONS AND AGREEMENTS TO ACCEPT FEDERAL AND STATE FUNDING FOR FISCAL YEAR 2015-16 AT GILLESPIE FIELD, MCCLELLAN-PALOMAR AIRPORT, BORREGO VALLEY AIRPORT, FALLBROOK COMMUNITY AIRPARK, RAMONA AIRPORT, AGUA CALIENTE SPRINGS AIRPORT, JACUMBA AIRPORT, AND OCOTILLO WELLS AIRPORT.
3. Authorize the Director, Department of Public Works, or designee, to submit, negotiate and execute all documents necessary to secure and spend federal and state grant funds for County Airport projects during Fiscal Year 2015-16.

ACTION:

ON MOTION of Supervisor Jacob, seconded by Supervisor R. Roberts, the Board took action as recommended, on Consent, adopting Resolution No. 15-069, entitled: RESOLUTION OF THE BOARD OF SUPERVISORS AUTHORIZING APPLICATIONS AND AGREEMENTS TO ACCEPT FEDERAL AND STATE FUNDING FOR FISCAL YEAR 2015-16 AT GILLESPIE FIELD, MCCLELLAN-PALOMAR AIRPORT, BORREGO VALLEY AIRPORT, FALLBOOK COMMUNITY AIRPARK, RAMONA AIRPORT, AGUA CALIENTE SPRINGS AIRPORT, JACUMBA AIRPORT, AND OCOTILLO WELLS AIRPORT.

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

ABSENT: Cox

5. **SUBJECT: AUTHORIZATION TO EXECUTE THE AMENDED AND RESTATED JOINT EXERCISE OF POWERS AGREEMENT BETWEEN THE COUNTY OF SAN DIEGO AND THE CITIES OF DEL MAR, ESCONDIDO, POWAY, SAN DIEGO AND SOLANA BEACH CREATING THE SAN DIEGUITO RIVER VALLEY REGIONAL OPEN SPACE PARK JOINT POWERS AUTHORITY (DISTRICTS: 2, 3 AND 5)**

OVERVIEW:

On May 16, 1989 (56), the Board of Supervisors approved the Joint Exercise of Powers Agreement (JEPA) between the County of San Diego and the cities of Del Mar, Escondido, Poway, San Diego and Solana Beach, which created the San Dieguito River Valley Regional Open Space Park Joint Powers Authority (JPA). Under the agreement, these agencies would work together to protect and preserve sensitive lands in the San Dieguito River Valley by placing the lands in public ownership for the benefit of future generations. The initial term of the JEPA was 25 years and was set to expire June 12, 2014. Five of the six member agencies extended the original JEPA for an additional 50 years in May 2014. The City of San Diego did not approve the JEPA extension for 50 years but instead opted to renew its membership for a total of one year which will expire June 30, 2015. At the direction of the Board of Supervisors, County staff convened the member agencies to review issues and make recommendations for areas of improvement to the JEPA, and as a result, a working group of the member agencies was formed to negotiate in good faith a new long-term JEPA during the City of San Diego's one year extension period. Since June 2014, the working group has met regularly to discuss potential improvements to the existing JEPA. The working group reached consensus on recommendations which are the basis of the Amended and Restated JEPA and on April 17, 2015, the JPA Board of Directors recommended approval of the Amended and Restated JEPA.

Today's request is to authorize the Clerk of the Board of Supervisors to execute the negotiated Amended and Restated JEPA between the County of San Diego and the cities of Del Mar, Escondido, Poway, San Diego and Solana Beach for 50 years.

FISCAL IMPACT:

Funds for the County's annual contribution of \$254,100 to the San Dieguito River Valley Regional Open Space Park Joint Powers Authority are included in the Fiscal Year 2014-15 Operational Plan for the Land Use and Environment Group Executive Office. The funding source is General Purpose Revenue. It should be noted that this contribution amount is based on the formula in the Amended and Restated Joint Exercise of Powers Agreement (JEPA) that has not yet been fully executed by all member agencies.

During negotiations for the Amended and Restated JEPA, it was discovered that population estimates, and not the certified U.S. Census data, were used to assign member agency contribution shares for Fiscal Year 2014-15. The City of Poway's population was overestimated and thus overcharged in Fiscal Year 2014-15. This has been corrected, and based on the formula included in the Amended and Restated JEPA, the contribution share for the City of Poway will decrease while the contribution share for the cities of Solana Beach and San Diego, and the County will each increase. Additionally, the contributions will increase due to the cost of staffing the Executive Director position, increases in personnel benefits costs, and a reduction in non-member contribution revenues. There is no general salary increase budgeted for employees – ranges/bands will remain at the same level. For Fiscal Year 2015-16, the County's estimated contribution amount will be \$294,979, resulting in a 16% increase from the prior Fiscal Year, and is included in the Fiscal Year 2015-17 CAO Recommended Operational Plan. 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 activity is exempt from the California Environmental Quality Act (CEQA) under CEQA Guidelines Section 15320 because it consists of a change in the organization of a local governmental agency that does not change the geographic area in which previously existing powers are exercised.
2. Authorize the Clerk of the Board of Supervisors to execute the Amended and Restated Joint Exercise of Powers Agreement Between the County of San Diego and the Cities of Del Mar, Escondido, Poway, San Diego and Solana Beach Creating the San Dieguito River Valley Regional Open Space Park Joint Powers Authority (Attachment A).

ACTION:

Noting for the record that an Errata sheet has been submitted; 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: PROPERTY TAX EXCHANGE FOR PROPOSED JURISDICTIONAL CHANGES AND REORGANIZATION FOR CASTLEROCK REORGANIZATION (DISTRICTS: 2 & 3)**

OVERVIEW:

Section 99 of the Revenue and Taxation Code requires that the Board of Supervisors (Board) adopt a property tax exchange resolution before the Local Agency Formation Commission (LAFCO) can process a proposal for reorganization.

The proposed Castlerock reorganization area is located on the eastern boundary of the City of San Diego, north of State Route 52, and east of Santee Lakes Recreational Preserve (2010 Thomas Guide, Page 1230, H5 and J3-J5). The reorganization involves detachment of approximately 108.72-acres of incorporated territory from the City of San Diego and a concurrent annexation of the proposal area to the City of Santee. The reorganization also involves annexation of the proposal area to the Padre Dam Municipal Water District (MWD) for the provision of sewer and water services; annexation to County Service Area (CSA) No. 69 (Heartland Paramedics) for emergency medical ambulance transport services; and annexation to CSA No. 135 (Regional Communications) for the regional emergency communications services. The reorganization will also require annexation to the County Library system because the City of Santee does not operate its own library system. The City of Santee Fire Department will provide structural fire protection and emergency medical services. The San Diego County Sheriff's Department will provide law enforcement services through its existing contract with the City of Santee. The annexing agencies will assume responsibility for the provision of designated services to the proposal area following the reorganization.

Today's request is for the Board to adopt a Resolution to exchange property tax revenue from the City of San Diego to the City of Santee, County Library, and CSA No. 69 (Heartland Paramedics). The Padre Dam MWD and CSA No. 135 (Regional Communications) do not receive a portion of property tax revenue.

FISCAL IMPACT:

If approved, this proposal will transfer future property tax revenue from the City of San Diego to the appropriate annexing agencies. During Fiscal Year 2014-2015, the total property tax revenue generated for the reorganization area was \$44,096.69. A total of \$6,008.80 of the property tax revenue was allocated to the City of San Diego. The proposed transfer of tax revenue will reallocate tax revenue from the City of San Diego to the City of Santee, County Library, and County Service Area (CSA) No. 69 (Heartland paramedics). The proposed funding ratios for the City of Santee, County Library, and CSA No. 69 are based on average citywide funding levels. The specific funding ratios are included in the proposed Resolution. The reallocated tax revenue will provide a new source of funding for County Library and CSA No. 69. 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 Resolution entitled: RESOLUTION REGARDING NEGOTIATED PROPERTY TAX EXCHANGE RELATIVE TO JURISDICTIONAL CHANGES.

ACTION:

ON MOTION of Supervisor Jacob, seconded by Supervisor R. Roberts, the Board took action as recommended, on Consent, adopting Resolution No. 15-070, entitled: RESOLUTION REGARDING NEGOTIATED PROPERTY TAX EXCHANGE RELATIVE TO JURISDICTIONAL CHANGES.

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

ABSENT: Cox

7. **SUBJECT: SET A HEARING FOR 7/22/15:
HEARING TO CONFIRM FISCAL YEAR 2015-16
ASSESSMENTS IN THE SAN DIEGO COUNTY STREET
LIGHTING DISTRICT AND LANDSCAPE MAINTENANCE
DISTRICT ZONES NO. 1 AND NO. 2 – (6/10/15 – SET
HEARING; 7/22/15 – HEARING) (DISTRICTS: ALL)**

OVERVIEW:

This item addresses the continuation of existing street lighting and landscape maintenance assessments for Fiscal Year 2015-16 with rate changes to Landscape Maintenance Zone No. 1, in accordance with a voter approved cost of living adjustment. Each year a public hearing is held to confirm benefit levies for street lighting and landscape maintenance districts for the coming fiscal year.

San Diego County Lighting District

The San Diego County Street Lighting District (SDCSL District) operates and maintains approximately 10,139 public street lights in unincorporated San Diego county and is dedicated to providing quality street light service at a low cost to property owners. Funding for the SDCSL District is used to install, operate, and maintain the 10,139 lights and comes from a portion of property tax and assessments charged to benefiting properties. Assessments are based on traffic generation for each type of land use, with a single-family residence being assigned one unit of benefit.

Funding for the SDCSL District is sufficient to operate and maintain the street lights for the next fiscal year without a rate increase. The proposed assessment rate for the SDCSL District for Fiscal Year 2015-16 will remain at the current rate of \$6.48 per single family home per year. Among all street lighting district jurisdictions in the San Diego region, the SDCSL District's assessment rate remains the lowest and has not increased since Fiscal Year 2008-09.

Landscape Maintenance District Zone No. 1

Landscape Maintenance District Zone (LMDZ) No. 1 was established to supplement revenue assessed by County Service Area No. 26 – Rancho San Diego for park operation, maintenance and improvements within the LMDZ No. 1 boundary. In Fiscal Year 2015-16, LMDZ No. 1 will increase the maximum authorized rate from \$31.28 to \$31.86 per single family home in accordance with a Consumer Price Index of 1.85% approved by the voters.

Landscape Maintenance District Zone No. 2

Landscape Maintenance District Zone (LMDZ) No. 2 – Julian (Jess Martin Park) was established to fund ongoing maintenance of amenities and construction of minor capital improvements at Jess Martin Park in the community of Julian. There is no proposed increase in assessment rate for Fiscal Year 2015-16 for LMDZ No. 2. The assessment rate will remain at the current assessment rate of \$47.82 per single family home per year.

This action requires two steps. The proposed assessments must be confirmed by the Board at an annual public hearing. On June 10, 2015, the actions requested are to approve the Engineers’ Reports for the San Diego County Street Lighting District and Landscape Maintenance District Zones No. 1 and No. 2, and to set a public hearing date of July 22, 2015. If the Board takes these actions on June 10, 2015, then at the hearing on July 22, 2015, after hearing public testimony, the Board will be asked to consider adopting resolutions confirming the assessments. These actions are discretionary after consideration of public testimony.

FISCAL IMPACT:

The proposed assessment levies are consistent with budgeted revenue shown in the Fiscal Year 2015-17 CAO Recommended Operational Plan. There is no proposed increase in assessments for the San Diego County Street Lighting District for Fiscal Year 2015-16. The proposed increase of \$2,920 for Landscape Maintenance District Zone No. 1 is included in the Fiscal Year 2015-17 of the CAO Recommended Operational Plan for Landscape Maintenance District Zone No. 1. There is no proposed increase in assessments for Fiscal Year 2015-16 for Landscape Maintenance District Zone No. 2. There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT:

N/A

RECOMMENDATION:

CHIEF ADMINISTRATIVE OFFICER

On June 10, 2015, take the following actions:

1. Find that the proposed activity is not subject to review under the California Environmental Quality Act (CEQA) as specified under state CEQA Guidelines Section 15060(c)(3) because the activity in question consists of funding mechanisms related to maintaining existing improvements and is not a project as defined in Section 15378 of the state CEQA Guidelines.

2. Accept and approve the Engineers' Reports for the San Diego County Street Lighting District and Landscape Maintenance District Zones No. 1 and No. 2.
3. Adopt a Resolution entitled: RESOLUTION OF INTENTION TO ORDER IMPROVEMENTS FOR THE SAN DIEGO COUNTY STREET LIGHTING DISTRICT, and set a hearing for July 22, 2015.
4. Adopt a Resolution entitled: RESOLUTION OF INTENTION TO ORDER OPERATION, MAINTENANCE AND IMPROVEMENTS FOR THE LANDSCAPE MAINTENANCE DISTRICT ZONE NO. 1, and set a hearing for July 22, 2015.
5. Adopt a Resolution entitled: RESOLUTION OF INTENTION TO ORDER OPERATION, MAINTENANCE AND IMPROVEMENTS FOR THE LANDSCAPE MAINTENANCE DISTRICT ZONE NO. 2, and set a hearing for July 22, 2015.

If, on June 10, 2015, the Board takes action on the Recommendations above, and after public testimony, then on July 22, 2015:

1. Adopt a Resolution entitled: RESOLUTION CONFIRMING DIAGRAM AND ASSESSMENTS IN THE SAN DIEGO COUNTY STREET LIGHTING DISTRICT.
2. Adopt a Resolution entitled: RESOLUTION CONFIRMING DIAGRAM AND ASSESSMENTS IN THE LANDSCAPE MAINTENANCE DISTRICT ZONE NO. 1
3. Adopt a Resolution entitled: RESOLUTION CONFIRMING DIAGRAM AND ASSESSMENTS IN THE LANDSCAPE MAINTENANCE DISTRICT ZONE NO. 2.

ACTION:

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

Resolution No. 15-071, entitled: RESOLUTION OF INTENTION TO ORDER IMPROVEMENTS FOR THE SAN DIEGO COUNTY STREET LIGHTING DISTRICT; and setting Hearing for July 22, 2015, 9:00 a.m.

Resolution No. 15-072, entitled: RESOLUTION OF INTENTION TO ORDER OPERATION, MAINTENANCE AND IMPROVEMENTS FOR THE LANDSCAPE MAINTENANCE DISTRICT ZONE NO. 1; and setting Hearing for July 22, 2015, 9:00 a.m.

Resolution No. 15-073, entitled: RESOLUTION OF INTENTION TO ORDER OPERATION, MAINTENANCE AND IMPROVEMENTS FOR THE LANDSCAPE MAINTENANCE DISTRICT ZONE NO. 2; and setting Hearing for July 22, 2015, 9:00 a.m.

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

8. **SUBJECT: ADMINISTRATIVE ITEM:
SECOND CONSIDERATION AND ADOPTION OF
ORDINANCE: TRAFFIC ADVISORY COMMITTEE
(DISTRICT: 5)**

OVERVIEW:

On May 13, 2015 (5), the Board introduced the Ordinance for further consideration and adoption on June 10, 2015.

The Traffic Advisory Committee (TAC) meets every six weeks to review proposed additions, deletions or changes to regulatory traffic controls. Three items were on the Committee's March 13, 2015 meeting agenda. The TAC recommends your action on all three items.

The Board of Supervisors' (Board) actions on Item 5-C would revise the County Code of Regulatory Ordinances and requires two steps. On May 13, 2015, the Board will consider the TAC items. If the Board takes action on May 13, 2015, then on June 10, 2015, a second reading of an Ordinance adding Section 72.169.74.13 to the San Diego County Code of Regulatory Ordinances would be necessary to implement the Board's direction for Item 5-C.

FISCAL IMPACT:

Funds for this request are included in the Fiscal Year 2014-15 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:

CHIEF ADMINISTRATIVE OFFICER

Adopt the Ordinance entitled: 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 R. Roberts, the Board took action as recommended, on Consent, adopting Ordinance No. 10387 (N.S.) entitled: AN ORDINANCE ADDING SECTION 72.169.74.13. TO THE SAN DIEGO COUNTY CODE RELATING TO TRAFFIC REGULATIONS IN THE COUNTY OF SAN DIEGO.

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

ABSENT: Cox

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

OVERVIEW:

Martha Welch spoke to the Board regarding Fracking.

Ben Stone spoke to the Board regarding Tijuana River Valley Park.

Jose Galaz spoke to the Board regarding Otay Ranch Village 13.

Salvador Pena spoke to the Board regarding Tijuana River Valley Park.

ACTION:

Heard, referred to the Chief Administrative Officer.

There being no further business, the Board adjourned at 9:30 a.m.

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

Consent: Vizcarra

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, June 24, 2015.



BILL HORN
Chairman

Attest:



DAVID HALL
Clerk of the Board

6/10/15