

July 30, 2014

STATEMENT OF PROCEEDINGS

The Minutes of the

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

COUNTY OF SAN DIEGO

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

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

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

Approval of Statement of Proceedings/Minutes for the meetings of June 25, 2014 and July 9, 2014

ACTION:

ON MOTION of Supervisor D. Roberts, seconded by Supervisor Cox, the Board of Supervisors approved the Statement of Proceedings/Minutes for the meetings of June 25, 2014 and July 9, 2014.

AYES: Cox, Jacob, D. Roberts, Horn

ABSENT: R. Roberts

NOTICE: THE BOARD OF SUPERVISORS MAY TAKE ANY ACTION WITH RESPECT TO THE ITEMS INCLUDED ON THIS AGENDA. RECOMMENDATIONS MADE BY COUNTY STAFF DO NOT LIMIT ACTIONS THAT THE BOARD OF SUPERVISORS MAY TAKE. MEMBERS OF THE PUBLIC SHOULD NOT RELY UPON THE RECOMMENDATIONS IN THE BOARD LETTER AS DETERMINATIVE OF THE ACTION THE BOARD OF SUPERVISORS MAY TAKE ON A PARTICULAR MATTER.

Board of Supervisors' Agenda Items

Agenda # Subject

1. NOTICED PUBLIC HEARING:
 WILLIAM HEISE PARK – ACQUISITION OF 32.02 ACRES OF LAND FOR OPEN SPACE (FLANIGAN TRUST) (6/25/14 – SET HEARING; 7/30/14 – HOLD HEARING)

2. NOTICED PUBLIC HEARING:
 ADOPTION OF FORM BASED CODES AND DESIGN REVIEW CHECKLISTS FOR THE ALPINE VILLAGE CORE AND RAMONA VILLAGE CENTER AND AMENDMENTS TO THE FALLBROOK VILLAGE REGULATIONS

4. NOTICED PUBLIC HEARING:
PUBLIC HEARING TO CONFIRM FISCAL YEAR 2014-15 LEVIES FOR PERMANENT ROAD DIVISION ZONES, COUNTY SERVICE AREAS AND ZONES, AND STORMWATER MAINTENANCE ZONES
[FUNDING SOURCE(S): INDIVIDUAL DISTRICT FUNDS]

(RELATES TO FLOOD CONTROL DISTRICT AGENDA NO. FL1)
5. NOTICED PUBLIC HEARING:
FISCAL YEAR 2014-15 TAX ROLL OF APPROVED FEES AND CHARGES FOR SAN DIEGO COUNTY SANITATION DISTRICT AND CAMPO WATER MAINTENANCE DISTRICT
[FUNDING SOURCE(S): ANNUAL SEWER AND WATER SERVICE CHARGES]

(RELATES TO SANITATION DISTRICT AGENDA NO. SA1)
6. NOTICED PUBLIC HEARING:
ADOPTION OF A RESOLUTION OF NECESSITY FOR THE OLD HIGHWAY 80 AT PINE CREEK ROAD INTERSECTION IMPROVEMENTS PROJECT IN PINE VALLEY
[FUNDING SOURCE(S): ROAD FUND FUND BALANCE]
(4 VOTES)
7. NOTICED PUBLIC HEARING:
ADOPTION OF A RESOLUTION OF NECESSITY FOR THE BANCROFT ELEMENTARY SIDEWALK IMPROVEMENT PROJECT IN SPRING VALLEY
[FUNDING SOURCE(S): HIGHWAY USER TAX ACCOUNT]
(4 VOTES)
8. 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 2014-15
[FUNDING SOURCE(S): BENEFIT ASSESSMENT, MOSQUITO ABATEMENT AND VECTOR CONTROL SERVICE CHARGES, AND THE VECTOR CONTROL DISTRICT TRUST FUND FUND BALANCE]
9. REVISIONS TO THE COUNTY'S FOOD HANDLER PROGRAM AND AMENDMENTS TO COUNTY CODE OF REGULATORY ORDINANCES SECTION 61.114 AND SECTION 65.107 (FEES) RELATED TO THE FOOD HANDLER PROGRAM (7/30/14 – FIRST READING; 8/06/14 – SECOND READING)

10. AUTHORIZATION TO SIGN TWO MEMORANDA OF UNDERSTANDING REGARDING A FERAL PIG MANAGEMENT PROGRAM AND AMEND THE COUNTY CODE REGARDING THE USE OF FIREARMS IN COUNTY PARKS TO CONTROL INVASIVE, NON-NATIVE ANIMALS CAUSING SIGNIFICANT DAMAGE TO THE ENVIRONMENT (7/30/14 – FIRST READING; 8/6/14 – SECOND READING)
11. PROPERTY TAX EXCHANGE FOR JURISDICTIONAL CHANGES AND REORGANIZATION FOR FIRE PROTECTION AND WATER SERVICES – HARMONY GROVE VILLAGE REORGANIZATION
12. COUNTY OF SAN DIEGO TRACT NO. 5382-1: APPROVAL OF FINAL MAP AND SECURED AGREEMENT FOR PUBLIC AND PRIVATE IMPROVEMENTS FOR MONTIEL ROAD TOWNHOMES CONDOMINIUM SUBDIVISION LOCATED IN NORTH COUNTY METRO COMMUNITY PLAN AREA
13. ESTABLISH APPROPRIATIONS AND ADVERTISE AND AWARD CONTRACT FOR CONSTRUCTION OF 10TH STREET AND H STREET TRAFFIC SIGNAL AND INTERCONNECT IMPROVEMENTS
[FUNDING SOURCE(S): HIGHWAY SAFETY IMPROVEMENT PROGRAM GRANT AND ROAD FUND FUND BALANCE AVAILABLE]
(4 VOTES)
14. ESTABLISH APPROPRIATIONS, ADVERTISE AND AWARD A CONTRACT TO CONSTRUCT WOODSIDE AVENUE FLOOD CONTROL IMPROVEMENTS
[FUNDING SOURCE(S): AVAILABLE FLOOD CONTROL DISTRICT FUND BALANCE, FEDERAL EMERGENCY MANAGEMENT AGENCY, ROAD FUND FUND BALANCE AVAILABLE, AND UNANTICIPATED REVENUE FROM SAN DIEGO GAS AND ELECTRIC, AT&T AND COX COMMUNICATIONS]
(4 VOTES)

(RELATES TO FLOOD CONTROL DISTRICT AGENDA NO. FL2)
15. ESTABLISH APPROPRIATIONS AND ADVERTISE AND AWARD A CONTRACT FOR CONSTRUCTION OF THE DAIRY MART PONDS OVERLOOK PROJECT
[FUNDING SOURCE(S): GRANT FROM THE LAND AND WATER CONSERVATION FUND (LWCF) AND AN OPERATING TRANSFER FROM THE GENERAL FUND DUE TO CANCELLATION OF REMAINING APPROPRIATIONS IN COMPLETED CAPITAL PROJECT 1014134, TIJUANA RIVER VALLEY TRAIL CONSTRUCTION]
(4 VOTES)

16. AUTHORIZATION TO ADVERTISE AND AWARD A CONSTRUCTION CONTRACT FOR TIJUANA RIVER VALLEY SMUGGLER'S GULCH SEDIMENT REMOVAL
[FUNDING SOURCE: GENERAL PURPOSE REVENUE]
17. CLOSURE OF LAND ACQUISITION - DIVESTITURE HOLDING FUND AND TRANSFER OF REMAINING FUNDS TO THE ENVIRONMENTAL TRUST FUND
18. PUBLIC COMMUNICATIONS

1. **SUBJECT: NOTICED PUBLIC HEARING:
WILLIAM HEISE PARK – ACQUISITION OF 32.02 ACRES
OF LAND FOR OPEN SPACE (FLANIGAN TRUST)
(6/25/14 – SET HEARING; 7/30/14 – HOLD HEARING)
(DISTRICT: 2)**

OVERVIEW:

On June 25, 2014 (2), the Board set a Hearing for July 30, 2014 at 9:00 a.m.

The County has identified 32.02 acres of land available for acquisition adjacent to William Heise Park in Julian. The property is located on the north side of Iron Springs Road, approximately two miles southwest of Harrison Park Road (2013 Thomas Guide page 1156, C-7) and within the future Multiple Species Conservation Program East County Plan. The acquisition of this property would expand connectivity to adjacent preserved land at William Heise Park.

The acquisition of Assessor's Parcel Numbers 293-020-35, -36, -37, and -38 requires two steps. On June 25, 2014, it is requested that the Board set a hearing for July 30, 2014 and provide public notice of the hearing. If the Board takes the actions recommended on June 25, 2014, then on July 30, 2014, after making the necessary findings, the Board is requested to approve the purchase of 32.02 acres from the Flanigan Trust for the appraised value of \$175,000.

FISCAL IMPACT:

Funds for this request are budgeted in the Fiscal Year 2014-16 CAO Approved Operational Plan for Multiple Species Conservation Program (MSCP) Acquisitions Fund. If approved, this request will result in Fiscal Year 2014-15 cost of \$239,900 itemized as follows: \$175,000 for property acquisition; \$35,900 for staff and due diligence expenses to complete the transaction; \$1,500 for closing and title costs; and \$27,500 in one-time land protection costs for vegetation management, boundary survey, and access and erosion control measures.

Total annual costs for required land monitoring and management of the 32.02 acres are estimated at \$2,007. In addition, there will be an annual cost of \$56 for fixed charge assessments including Julian fire station and vector control. These costs will be absorbed within the 2014-16 CAO Approved Operational Plan in the Department of Parks and Recreation. There will be no change in net General Fund costs and no additional staff years.

BUSINESS IMPACT STATEMENT:

N/A

RECOMMENDATION:

CHIEF ADMINISTRATIVE OFFICER

1. Find that the proposed project is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Section 15325 as it involves the acquisition of land to preserve natural conditions and open space for park purposes.

2. Approve and authorize the Director, Department of General Services, to execute two originals of the Purchase and Sale Agreement and Joint Escrow Instructions for the purchase of APNs 293-020-35, -36, -37, and -38 from the Patsy R. Flanigan 1998 Trust for the appraised value of \$175,000.
3. Authorize the Director, Department of General Services, or designee, to execute all escrow and related documents necessary to complete the purchase of the property.

ACTION:

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

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

2. **SUBJECT: NOTICED PUBLIC HEARING:
ADOPTION OF FORM BASED CODES AND DESIGN
REVIEW CHECKLISTS FOR THE ALPINE VILLAGE
CORE AND RAMONA VILLAGE CENTER AND
AMENDMENTS TO THE FALLBROOK VILLAGE
REGULATIONS (DISTRICTS: 2 & 5)**

OVERVIEW:

This is a request for the Board of Supervisors to consider and adopt: (a) the Form of Ordinance amending the County's Zoning Ordinance to incorporate the new Alpine and Ramona Form Based Code (FBC) regulatory requirements, adopt the FBCs for Alpine and Ramona, and to update the Fallbrook Village Regulations; (b) the Form of Ordinance changing the zoning classification of certain property within the County of San Diego to incorporate the new Alpine and Ramona FBC regulatory requirements and to update the Fallbrook Village Regulations; and (c) the Form of Ordinance adopting design review checklists for the Alpine FBC, Ramona FBC, and the Ramona Community Design Review Area.

This project will institute FBC as an innovative tool for developing and enhancing the town centers of Alpine and Ramona in an effort to promote compact and viable village areas as envisioned in the County's General Plan. FBCs promote mixed uses, compact building design, and a variety of housing types within the villages beyond what is currently permitted under existing zoning regulations. Enhanced design requirements within the town centers will foster a new sense of place for Ramona and Alpine, making roadways and building facades more attractive when applied to new infill or renovated projects. Another element of this project is the adoption of design review checklists for specified areas of Ramona and Alpine that will allow applicants to comply with a ministerial design review checklist provided certain requirements are met. Finally, the project involves a minor Zoning Ordinance amendment to change the naming convention used for Fallbrook Village zoning designations.

FISCAL IMPACT:

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

BUSINESS IMPACT STATEMENT:

The project would simplify and create more streamlined permitting processes resulting in reduced processing times and costs.

RECOMMENDATION:

PLANNING COMMISSION

The Planning Commission modified the Planning & Development Services (PDS) recommendations, and requests that the Board of Supervisors:

1. Review and consider the information contained in the Final Program Environmental Impact Report (EIR), dated August 3, 2011, on file with PDS as Environmental Review Number 02-ZA-001, and the Draft Addendum, dated April 10, 2014, on file with PDS as POD11-010; POD11-012; REZ14-002, prior to making its decision on the project.
2. Adopt the attached Form of Ordinance entitled: AN ORDINANCE AMENDING THE SAN DIEGO COUNTY ZONING ORDINANCE TO INCORPORATE NEW RAMONA VILLAGE CENTER PLAN AND ALPINE VILLAGE CORE REGULATORY REQUIREMENTS, TO UPDATE THE FALLBROOK VILLAGE ZONE REGULATIONS, AND TO ADOPT FORM BASED CODE FOR THE ALPINE VILLAGE CORE AND RAMONA VILLAGE CENTER; POD11-010; POD11-012; REZ14-002 (Attachment B, on file with the Clerk of the Board).
3. Adopt the attached Form of Ordinance entitled: AN ORDINANCE CHANGING THE ZONING CLASSIFICATION OF CERTAIN PROPERTY WITHIN THE COUNTY OF SAN DIEGO TO INCORPORATE NEW RAMONA VILLAGE CENTER PLAN AND ALPINE VILLAGE CORE REGULATORY REQUIREMENTS AND TO UPDATE THE FALLBROOK VILLAGE ZONE REGULATIONS; POD11-010; POD11-012; REZ14-002 (Attachment C, on file with the Clerk of the Board).
4. Adopt the attached Form of Ordinance entitled: AN ORDINANCE ADOPTING DESIGN REVIEW CHECKLISTS FOR THE ALPINE VILLAGE CORE FORM BASED CODE, RAMONA VILLAGE CENTER FORM BASED CODE, AND RAMONA COMMUNITY DESIGN REVIEW AREA; POD11-010; POD11-012; REZ14-002 (Attachment D, on file with the Clerk of the Board).
5. Direct staff to consider inclusion of the "Hagey" property within the Ramona Form Based Code area as part of a periodic review of the Form Based Code documents or a future County-initiated Zoning Ordinance amendment.
6. Direct staff to modify the zoning recommended for the Dyke property (APN: 403-271-24) in Alpine from AL-V2 Core District to AL-V1 Edge District.

DEPARTMENT OF PLANNING & DEVELOPMENT SERVICES

The Department concurs with the Planning Commission's Recommendations with exception to Recommendation #6. The Department recommends AL-V2 Core District zoning for the Dyke property (APN: 403-271-24) in Alpine.

ACTION:

ON MOTION of Supervisor Jacob, seconded by Supervisor D. Roberts, the Board closed the Hearing and took the following action:

- Reviewed and considered the information contained in the Final Program Environmental Impact Report (EIR), dated August 3, 2011, on file with PDS as Environmental Review Number 02-ZA-001, and the Draft Addendum, dated April 10, 2014, on file with PDS as POD11-010; POD11-012; REZ14-002, prior to making its decision on the project;
- Adopted Ordinance No. 10346 (N.S.), entitled: AN ORDINANCE AMENDING THE SAN DIEGO COUNTY ZONING ORDINANCE TO INCORPORATE NEW RAMONA VILLAGE CENTER PLAN AND ALPINE VILLAGE CORE REGULATORY REQUIREMENTS, TO UPDATE THE FALLBROOK VILLAGE ZONE REGULATIONS, AND TO ADOPT FORM BASED CODE FOR THE ALPINE VILLAGE CORE AND RAMONA VILLAGE CENTER; POD11-010; POD11-012; REZ14-002; (Attachment B, on file with the Clerk of the Board);
- Adopted Ordinance No. 10347 (N.S.), entitled: AN ORDINANCE CHANGING THE ZONING CLASSIFICATION OF CERTAIN PROPERTY WITHIN THE COUNTY OF SAN DIEGO TO INCORPORATE NEW RAMONA VILLAGE CENTER PLAN AND ALPINE VILLAGE CORE REGULATORY REQUIREMENTS AND TO UPDATE THE FALLBROOK VILLAGE ZONE REGULATIONS; POD11-010; POD11-012; REZ14-002; and (Attachment C, on file with the Clerk of the Board);
- Adopted Ordinance No. 10348 (N.S.), entitled: AN ORDINANCE ADOPTING DESIGN REVIEW CHECKLISTS FOR THE ALPINE VILLAGE CORE FORM BASED CODE, RAMONA VILLAGE CENTER FORM BASED CODE, AND RAMONA COMMUNITY DESIGN REVIEW AREA; POD11-010; POD11-012; REZ14-002. (Attachment D, on file with the Clerk of the Board);
- Directed the Chief Administrative Officer to include the "Hagey" property within the Ramona Form Based Code area as part of a periodic review of the Form Based Code documents or a future County-initiated Zoning Ordinance amendment; and
- Directed Chief Administrative Officer to retain AL-V2 Core District zoning for the Dyke property (APN: 403-271-24) in Alpine.

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

NOES: Horn

3. **SUBJECT: NOTICED PUBLIC HEARING:
HEARING TO CONFIRM FISCAL YEAR 2014-15
ASSESSMENTS IN THE SAN DIEGO COUNTY STREET
LIGHTING DISTRICT AND LANDSCAPE MAINTENANCE
DISTRICT ZONES NO. 1 AND NO. 2 (6/25/14 – SET
HEARING; 7/30/14 – HEARING) (DISTRICTS: 1, 2, 3, AND 5)**

OVERVIEW:

This item addresses the continuation of existing street lighting and landscape maintenance assessments for Fiscal Year 2014-15 with rate changes to Landscape Maintenance District 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 10,068 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 through a small 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 County's street lights for the next fiscal year without a rate increase. The proposed assessment rate for the SDCSL District for Fiscal Year 2014-15 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 County'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 2014-15, LMDZ No. 1 will increase the maximum authorized rate of \$30.88 to \$31.28 per single family home in accordance with a Consumer Price Index of 1.31% 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 2014-15 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 25, 2014, the actions requested are to approve the Engineer's Reports for the San Diego County Street Lighting

District and LMDZ Nos. 1 and 2, and to set a public hearing date of July 30, 2014. If the Board takes these actions on June 25, 2014, then at the hearing on July 30, 2014, 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 2014-16 CAO Recommended Operational Plan. There is no proposed increase in assessments for the San Diego County Street Lighting District for Fiscal Year 2014-15. The proposed increase of \$1,911 for Landscape Maintenance District Zone No. 1 is included in Fiscal Year 2014-15 of the CAO Approved Operational Plan for Landscape Maintenance District Zone No. 1. There is no proposed increase in assessments for Fiscal Year 2014-15 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

1. Adopt a Resolution entitled: RESOLUTION CONFIRMING DIAGRAM AND ASSESSMENT 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 R. Roberts, seconded by Supervisor D. Roberts, the Board closed the Hearing and took action as recommended, on Consent, adopting the following:

Resolution No. 14-099, entitled: RESOLUTION CONFIRMING DIAGRAM AND ASSESSMENT IN THE SAN DIEGO COUNTY STREET LIGHTING DISTRICT;

Resolution No. 14-100, entitled: RESOLUTION CONFIRMING DIAGRAM AND ASSESSMENTS IN THE LANDSCAPE MAINTENANCE DISTRICT ZONE NO. 1; and

Resolution No. 14-101, entitled: RESOLUTION CONFIRMING DIAGRAM AND ASSESSMENTS IN THE LANDSCAPE MAINTENANCE DISTRICT ZONE NO. 2.

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

4. **SUBJECT: NOTICED PUBLIC HEARING:
PUBLIC HEARING TO CONFIRM FISCAL YEAR 2014-15
LEVIES FOR PERMANENT ROAD DIVISION ZONES,
COUNTY SERVICE AREAS AND ZONES,
AND STORMWATER MAINTENANCE ZONES
(DISTRICTS: ALL)**

OVERVIEW:

A public hearing is required annually to confirm and adopt levies for Permanent Road Division Zones, County Service Areas and Zones, and Flood Control District Stormwater Maintenance Zones prior to placement of the levies on the tax roll. All levies described in this staff report have been previously approved by property owner ballots or registered district voter elections in accordance with Articles XIII A-D of the California Constitution and remain within previously approved limits to those levies.

These annual levies are for the purpose of providing a variety of services such as road maintenance, street lighting, park and landscape maintenance, fire protection, stormwater management facilities, paramedic and emergency medical services, and regional emergency communication services.

In Fiscal Year 2014-15, 48 Permanent Road Division Zones, 15 County Service Areas and Zones, and three Flood Control District Stormwater Maintenance Zones will levy within their voter-approved range. There are increases proposed in six County Service Areas and a decrease proposed in one Permanent Road Division Zone. The increases are based on approved cost index escalators for each district.

Following is a summary of the proposed levies.

Permanent Road Division Zones (48 Zones; one change)

Road Services: Permanent Road Division (PRD) 1000 is the overarching district for road maintenance activities in neighborhoods. Within the division there are 48 Zones that levy assessments. Of those, in Fiscal Year 2014-15, PRD 1008 Canter Road will reduce its benefit assessments by an average of 50% as major roadwork was completed in Fiscal Year 2013-14 and there are sufficient reserves for future road maintenance. With the exception of PRD 1008 Canter Road which will have a reduced benefit assessment, the remaining 47 Zones' assessments will remain unchanged and are within their voter approved range.

County Service Areas and Zones (15 Total; six changes)

A. Parks (Three Areas): County Service Areas levying with no increase are:

1. 26 Rancho San Diego
2. 128 San Miguel

The third Park County Service Area, San Dieguito Local Parks District No. 83 – Zone A (4S Ranch), will levy an assessment within its ballot-approved maximum rate, based on the CPI of 1.31% to fully fund operational costs during Fiscal Year 2014-15 (average increase of \$1.50 per resident).

B. Public Works (Two Areas): County Service Areas levying with no increase are:

1. 26A Cottonwood Village, providing landscaping and firebreak service
2. 26B Monte Vista, providing landscaping service

C. San Diego County Flood Control District (One Area): County Service Area levying with no increase is:

1. 136 Sundance Detention Basin

D. Public Safety Communications (Three Zones): 800 MHz Regional Communications System County Service Area No. 135:

The 800 MHz Regional Communication System is managed by the Sheriff's Department and provides 800 MHz Communications to:

1. Zone B – Del Mar
2. Zone H – Solana Beach
3. Zone F – Poway

The levy will not include an increase for these three zones.

E. Fire Services (Four Areas):

The following four areas will levy assessments within their voter-approved maximum rates.

1. County Service Area No. 107 – Elfin Forest will increase the levy in Fiscal Year 2014-15 by \$8.50. This increase is based on the voter approved annual flat rate increase of \$8.50 per year for CSA 107 – Elfin Forest.

2. County Service Area No. 135 - San Diego County Fire Authority (Three Areas).
 - Palomar Mountain levy assessment will be increased for Fiscal Year 2014-15 by 1.31% based on CPI.
 - San Pasqual levy assessment will be increased for Fiscal Year 2014-15 by 1.31% based on CPI.
 - Mount Laguna will levy an assessment with no increase for Fiscal Year 2014-15.

F. Emergency Medical and Paramedic Services (Two Areas):

The following two areas' levy will reflect an increase based on the CPI of 1.31%, which is within their voter-approved maximum.

1. County Service Area No. 17 – San Dieguito Emergency Medical Services
2. County Service Area No. 69 – Heartland Paramedic Services

Flood Control District – Stormwater Maintenance Zones (Three Zones):

The following three Flood Control District Stormwater Maintenance Zones will levy within their voter-approved range and will not include an increase in Fiscal Year 2014-15.

1. No. 3-4978-1 – Blackwolf
2. No. 4-4249-3 – Lake Rancho Viejo
3. No. 3-5142-1 – Ponderosa

This request is to adopt resolutions confirming levies for various districts. Upon adoption, the levies will be placed on the tax roll, so that district members can pay amounts necessary to provide district services through their property tax bills.

FISCAL IMPACT:

Funds for processing this request are included in the Fiscal Year 2014-15 CAO Approved Operational Plan. The funding source is individual district funds. The levies are consistent with revenues shown in the proposed budgets for the Permanent Road Division Zones, County Service Areas and Zones, and the Flood Control District Stormwater Maintenance Zone. The CAO Recommended Operational Plan was submitted to the Board on May 6, 2014 (11), and was subject to public hearings from June 9 through June 18, 2014. The Operational Plan for the Permanent Road Division Zones, County Service Areas and Zones, and the Flood Control District Stormwater Maintenance Zone were approved following budget deliberations on June 24, 2014. Final budget adoption is scheduled for August 5, 2014. There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT:

N/A

**RECOMMENDATION:
CHIEF ADMINISTRATIVE OFFICER**

Acting as the San Diego County Board of Supervisors:

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 or providing services and is not a project as defined in Section 15378 of the state CEQA Guidelines.
2. Adopt a Resolution entitled: RESOLUTION OF THE BOARD OF SUPERVISORS ACTING AS THE GOVERNING BODY OF SAN DIEGO COUNTYWIDE PERMANENT ROAD DIVISION NO. 1000 ZONES ADOPTING ASSESSMENTS AND CONFIRMING REPORTS RE: LEVIES TO BE COLLECTED ON THE TAX ROLL FOR FISCAL YEAR 2014-15.
3. Adopt a Resolution entitled: RESOLUTION OF THE BOARD OF SUPERVISORS ACTING AS THE GOVERNING BODY OF COUNTY SERVICE AREAS CSA 26A – COTTONWOOD VILLAGE, CSA 26B – MONTE VISTA, AND CSA 136 – SUNDANCE DETENTION BASIN ADOPTING ASSESSMENTS AND CONFIRMING REPORTS RE: LEVIES TO BE COLLECTED ON THE TAX ROLL FOR FISCAL YEAR 2014-15.
4. Adopt a Resolution entitled: RESOLUTION OF THE BOARD OF SUPERVISORS ACTING AS THE GOVERNING BODY OF COUNTY SERVICE AREA NO. 26 – RANCHO SAN DIEGO LOCAL PARK DISTRICT, COUNTY SERVICE AREA NO. 128 – SAN MIGUEL LOCAL PARK DISTRICT, AND COUNTY SERVICE AREA NO. 83, ZONE A – SAN DIEGUITO LOCAL PARK DISTRICT ADOPTING CHARGES AND CONFIRMING REPORTS RE: LEVIES TO BE COLLECTED ON THE TAX ROLL FOR FISCAL YEAR 2014-15.
5. Adopt a Resolution entitled: RESOLUTION OF THE BOARD OF SUPERVISORS ACTING AS THE GOVERNING BODY OF COUNTY SERVICE AREA NO. 135, ZONES B – DEL MAR, H – SOLANA BEACH, AND F – POWAY ADOPTING LEVIES AND CONFIRMING REPORTS RE: SPECIAL TAXES TO BE COLLECTED ON THE TAX ROLL FOR FISCAL YEAR 2014-15.
6. Adopt a Resolution entitled: RESOLUTION OF THE BOARD OF SUPERVISORS ACTING AS THE GOVERNING BODY OF COUNTY SERVICE AREA NO. 107 – ELFIN FOREST AND COUNTY SERVICE AREA NO. 135 - SAN DIEGO COUNTY FIRE AUTHORITY ADOPTING LEVIES AND CONFIRMING REPORTS RE: SPECIAL TAXES TO BE COLLECTED ON THE TAX ROLL FOR FISCAL YEAR 2014-15.

7. Adopt a Resolution entitled: RESOLUTION OF THE BOARD OF SUPERVISORS ACTING AS THE GOVERNING BODY OF COUNTY SERVICE AREAS NO. 17 – SAN DIEGUITO EMERGENCY MEDICAL SERVICES AND NO. 69 – HEARTLAND PARAMEDIC SERVICES ADOPTING LEVIES AND CONFIRMING REPORTS RE: SPECIAL TAXES TO BE COLLECTED ON THE TAX ROLL FOR FISCAL YEAR 2014-15.

Acting as the Board of Directors of the San Diego County Flood Control District:

1. Adopt a Resolution entitled: RESOLUTION OF THE BOARD OF DIRECTORS OF THE SAN DIEGO COUNTY FLOOD CONTROL DISTRICT ACTING AS THE GOVERNING BODY OF STORMWATER MAINTENANCE ZONES 3-4978-1 BLACKWOLF, 4-4249-3 LAKE RANCHO VIEJO, AND 3-5142-1, PONDEROSA, ADOPTING ASSESSMENTS AND CONFIRMING REPORTS RE: LEVIES TO BE COLLECTED ON THE TAX ROLL FOR FISCAL YEAR 2014-15.

(Relates to Flood Control District Agenda No. FL1)

ACTION:

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

Resolution No. 14-102, entitled: RESOLUTION OF THE BOARD OF SUPERVISORS ACTING AS THE GOVERNING BODY OF SAN DIEGO COUNTYWIDE PERMANENT ROAD DIVISION NO. 1000 ZONES ADOPTING ASSESSMENTS AND CONFIRMING REPORTS RE: LEVIES TO BE COLLECTED ON THE TAX ROLL FOR FISCAL YEAR 2014-15;

Resolution No. 14-103, entitled: RESOLUTION OF THE BOARD OF SUPERVISORS ACTING AS THE GOVERNING BODY OF COUNTY SERVICE AREAS CSA 26A – COTTONWOOD VILLAGE, CSA 26B – MONTE VISTA, AND CSA 136 – SUNDANCE DETENTION BASIN ADOPTING ASSESSMENTS AND CONFIRMING REPORTS RE: LEVIES TO BE COLLECTED ON THE TAX ROLL FOR FISCAL YEAR 2014-15;

Resolution No. 14-104, entitled: RESOLUTION OF THE BOARD OF SUPERVISORS ACTING AS THE GOVERNING BODY OF COUNTY SERVICE AREA NO. 26 – RANCHO SAN DIEGO LOCAL PARK DISTRICT, COUNTY SERVICE AREA NO. 128 – SAN MIGUEL LOCAL PARK DISTRICT, AND COUNTY SERVICE AREA NO. 83, ZONE A – SAN DIEGUITO LOCAL PARK DISTRICT ADOPTING CHARGES AND CONFIRMING REPORTS RE: LEVIES TO BE COLLECTED ON THE TAX ROLL FOR FISCAL YEAR 2014-15;

Resolution No. 14-105, entitled: RESOLUTION OF THE BOARD OF SUPERVISORS ACTING AS THE GOVERNING BODY OF COUNTY SERVICE AREA NO: 135, ZONES B – DEL MAR, H – SOLANA BEACH, AND F – POWAY ADOPTING LEVIES AND CONFIRMING REPORTS RE: SPECIAL TAXES TO BE COLLECTED ON THE TAX ROLL FOR FISCAL YEAR 2014-15;

Resolution No. 14-106, entitled: RESOLUTION OF THE BOARD OF SUPERVISORS ACTING AS THE GOVERNING BODY OF COUNTY SERVICE AREA NO. 107 – ELFIN FOREST AND COUNTY SERVICE AREA NO. 135 - SAN DIEGO COUNTY FIRE AUTHORITY ADOPTING LEVIES AND CONFIRMING REPORTS RE: SPECIAL TAXES TO BE COLLECTED ON THE TAX ROLL FOR FISCAL YEAR 2014-15; and

Resolution No. 14-107, entitled: RESOLUTION OF THE BOARD OF SUPERVISORS ACTING AS THE GOVERNING BODY OF COUNTY SERVICE AREAS NO. 17 – SAN DIEGUITO EMERGENCY MEDICAL SERVICES AND NO. 69 – HEARTLAND PARAMEDIC SERVICES ADOPTING LEVIES AND CONFIRMING REPORTS RE: SPECIAL TAXES TO BE COLLECTED ON THE TAX ROLL FOR FISCAL YEAR 2014-15.

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

5. **SUBJECT: NOTICED PUBLIC HEARING:
FISCAL YEAR 2014-15 TAX ROLL OF APPROVED FEES AND
CHARGES FOR SAN DIEGO COUNTY SANITATION DISTRICT
AND CAMPO WATER MAINTENANCE DISTRICT
(DISTRICTS: 1, 2 AND 5)**

OVERVIEW:

The San Diego County Sanitation District provides sewer service to more than 35,000 customers, and the Campo Water Maintenance District provides water service to approximately 240 customers. A public hearing is required annually for preparation of the Districts' tax rolls. Sewer service charges and water charges will be collected along with property taxes. Collecting sewer and water fees through the tax roll avoids a separate and costly billing process. The charges described in this staff report were previously approved by the Board of Supervisors and the Board of Directors of the San Diego County Sanitation District on April 6, 2011(1 and SAN1) by Ordinance 10140 (N.S.).

This is a request to conduct a public hearing on the San Diego County Sanitation District and Campo Water Maintenance District tax roll reports, and to adopt Resolutions approving collection of sewer and water service charges on the tax rolls, as authorized by the Uniform Sewer Ordinance and County Water Service Ordinance.

FISCAL IMPACT:

Funds for this action are included in the Fiscal Year 2014-15 CAO Approved Operational Plan in the Department of Public Works' sanitation and water maintenance district budgets. The funding sources are annual sewer and water service charges. There is no change in the sewer rate for seven of the eight service areas within the San Diego County Sanitation District and there is no change in the water rate for customers of the Campo Water Maintenance District. Sewer rates in the Winter Gardens service area will increase commensurate with charges previously approved by the Board of Supervisors and the Board of Directors of the San Diego County Sanitation District on April 6, 2011 (1 and SAN1) by Ordinance 10140 (N.S.). There will be no change in net General Fund cost and no additional staff years. This increase will generate an additional \$306,980 for the San Diego County Sanitation District.

BUSINESS IMPACT STATEMENT:

N/A

RECOMMENDATION:

CHIEF ADMINISTRATIVE OFFICER

Acting as the Board of Supervisors:

1. Find that the proposed action is not subject to the California Environmental Quality Act (CEQA) as specified under Section 15060 (c)(3) of the state CEQA Guidelines because the activity in question is administrative in nature and is not a project as defined in CEQA Guidelines Section 15378.
2. Adopt a Resolution entitled: RESOLUTION AUTHORIZING WATER SERVICE CHARGES FOR FISCAL YEAR 2014-15 TO BE COLLECTED ON THE TAX ROLL.

Acting as the Board of Directors of the San Diego County Sanitation District:

1. Find that the proposed action is not subject to the California Environmental Quality Act (CEQA) as specified under Section 15060 (c)(3) of the state CEQA Guidelines because the activity in question is administrative in nature and is not a project as defined in CEQA Guidelines Section 15378.
2. Adopt a Resolution titled RESOLUTION AUTHORIZING SEWER SERVICE CHARGES FOR FISCAL YEAR 2014-15 TO BE COLLECTED ON THE TAX ROLL.

(Relates to Sanitation District Agenda No. SA1)

ACTION:

ON MOTION of Supervisor R. Roberts, seconded by Supervisor D. Roberts, the Board closed the Hearing and took action as recommended, on Consent, adopting Resolution No. 14-108, entitled: RESOLUTION AUTHORIZING WATER SERVICE CHARGES FOR FISCAL YEAR 2014-15 TO BE COLLECTED ON THE TAX ROLL.

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

6. **SUBJECT: NOTICED PUBLIC HEARING:
ADOPTION OF A RESOLUTION OF NECESSITY FOR THE
OLD HIGHWAY 80 AT PINE CREEK ROAD
INTERSECTION IMPROVEMENTS PROJECT IN PINE
VALLEY (DISTRICT: 2)**

OVERVIEW:

On June 25, 2014 (7), the Board set a Hearing for July 30, 2014 at 9:00 a.m.

The Old Highway 80 at Pine Creek Road Intersection Improvements Project (Project) proposes to reconstruct approximately 500 feet of Pine Creek Road at its intersection with Old Highway 80 in Pine Valley, an unincorporated area in east San Diego County. Pine Creek Road is bounded on the north side by a steep rock bank that overhangs the road. There is potential for rock fall from this hillside to the road area. The current intersection configuration has limited sight distance and is difficult for vehicles, particularly large ones, to maneuver. The Project proposes to improve the angle of the intersection by cutting into, re-grading and stabilizing the adjoining hillside. The reconstructed road will minimize potential risks from rock falls and provide additional roadway width. The Project also includes storm drain improvements, rock wall fencing, new road signs, and pavement markings. The planned improvements will benefit all users, which include cars, trucks, cyclists, equestrians and pedestrians.

Construction of the Project requires the fee acquisition of a small portion of one property within the project area. County staff will continue to work with the property owners to resolve issues related to the required acquisition, however, the Project schedule requires that the authority to commence an action in eminent domain be requested at this time. Construction of the project is scheduled to commence in spring 2015 and be completed in fall 2015.

On June 25, 2014 (7), the Board set a hearing for July 30, 2014 to consider adoption of a Resolution of Necessity to initiate eminent domain action for the unsigned parcel. Notice of the July 30, 2014 hearing was sent to the property owner, as required by statute. The Board is requested to adopt the Resolution of Necessity for Old Highway 80 at Pine Creek Road Intersection Improvements Project for the unsigned parcel. The appraised value of the fee property required for the project is \$3,100.

FISCAL IMPACT:

Funds for this request are included in the Fiscal Year 2014-2015 CAO Approved Operational Plan in the Department of Public Works Detailed Work Program. The funding source is Road Fund fund balance. If approved, this request will result in total right of way costs of \$3,100, which represents the value of the unsigned parcel. 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 Mitigated Negative Declaration (MND), dated January 2, 2013, for the Old Highway 80 at Pine Creek Road Intersection Improvements Project was adopted by the Director, Department of Public Works, in compliance with California Environmental Quality Act (CEQA) guidelines, and

Find that there are no changes in the project or in the circumstances under which it is undertaken which involve significant new environmental impacts that were not considered in the previously adopted MND, that there is no substantial increase in the severity of the previously identified significant effects and that no new information of substantial importance has become available since the MND was adopted therefore, no additional environmental review or findings are necessary.

2. Adopt a Resolution of Necessity for the Old Highway 80 at Pine Creek Road Intersection Improvements Project for Parcel Number 2012-0093-D (Campillo). **(4 VOTES)**

ACTION:

ON MOTION of Supervisor R. Roberts, seconded by Supervisor D. Roberts, the Board closed the Hearing and took action as recommended, on Consent, adopting Resolution No. 14-109, entitled: RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO DECLARING THE PUBLIC NECESSITY FOR THE ACQUISITION OF REAL PROPERTY FOR THE OLD HIGHWAY 80 AT PINE CREEK ROAD INTERSECTION IMPROVEMENTS PROJECT AND AUTHORIZING COUNTY COUNSEL TO COMMENCE EMINENT DOMAIN PROCEEDINGS TO ACQUIRE REAL PROPERTY FOR SAID PROJECT.

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

7. **SUBJECT: NOTICED PUBLIC HEARING:
ADOPTION OF A RESOLUTION OF NECESSITY FOR THE
BANCROFT ELEMENTARY SIDEWALK IMPROVEMENT
PROJECT IN SPRING VALLEY (DISTRICT: 2)**

OVERVIEW:

The Bancroft Elementary Sidewalk Project (Project) proposes the construction of sidewalk, curb and gutter on the north side of Tyler Street between the intersections of Sweetwater Road and Bancroft Street in Spring Valley (2008 Thomas Guide, pages 1270 J-7 and 1271 A-7). The project will provide continuous sidewalks, curbs and gutters along the north side of the street and will facilitate pedestrian access to Bancroft Elementary School. The planned improvements will improve the safety of motorists, bicyclists and pedestrians with the Spring Valley area.

Construction of the Project requires acquisition of property rights from 27 privately-owned properties within the project area. The required property interests include road and temporary construction easements, as well as right-of-entry permits. All of the required rights are partial acquisitions consisting of strips of property along the existing road and driveways. The project does not require any full takes nor does it impact any buildings. To date, 24 of the 27 property owners have signed real property contracts or right-of-entry permits agreeing to sell the required interests to the County. All contracts were less than \$150,000 each and were approved by the Director, Department of General Services pursuant to Section 73 of the Administrative Code, which authorizes such approvals. County staff will continue to attempt to reach agreements with the three remaining owners, but the Project schedule requires that authority to commence actions in eminent domain be requested at this time. Depending on the property acquisition process, the County estimates that this project would be able to return to the Board during January 2015 for authorization to bid and award a construction contract.

On June 25, 2014 (6), the Board set a hearing for July 30, 2014 to consider adoption of a Resolution of Necessity to initiate eminent domain actions for the remaining three unsigned parcels. Notices of the July 30, 2014 hearing were sent to the property owners, as required by statute. The Board is requested to adopt the Resolution of Necessity for the Bancroft Elementary Sidewalk Improvement Project for the three remaining unsigned properties.

FISCAL IMPACT:

Funds for this request are included in the Fiscal Year 2014-2015 CAO Approved Operational Plan in the Department of Public Works Detailed Work Program. The funding source is Highway User Tax Account. If approved, this request will result in total right-of-way costs of \$9,540, which represents the appraised value of the three unsigned parcels. 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 Bancroft Elementary Sidewalk Improvement Project is categorically exempt from review under the California Environmental Quality Act (CECA) under CEQA Section 15301, Existing Facilities, which allows minor alterations of existing highways and streets, sidewalk, gutters, and bicycle and pedestrian trails with negligible or no expansion of the existing use.
2. Adopt a Resolution of Necessity for the Bancroft Elementary Sidewalk Improvement Project for the following parcels: 2013-0093-A, B (Boyd), 2013-0095-A, B (Von Hoffman) and 2013-0105-A, B (Ramirez). **(4 VOTES)**

ACTION:

ON MOTION of Supervisor R. Roberts, seconded by Supervisor D. Roberts, the Board closed the Hearing and took action as recommended, on Consent, adopting Resolution No. 14-110, entitled: RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO DECLARING THE PUBLIC NECESSITY FOR THE ACQUISITION OF REAL PROPERTY INTERESTS FOR THE BANCROFT ELEMENTARY SIDEWALK PROJECT AND AUTHORIZING COUNTY COUNSEL TO COMMENCE EMINENT DOMAIN PROCEEDINGS TO ACQUIRE REAL PROPERTY INTERESTS FOR SAID PROJECT.

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

8. **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 2014-2015 (DISTRICTS: ALL)**

OVERVIEW:

On July 31, 2013 (2), the Board approved the levy of assessments for the Mosquito, Vector and Disease Control Benefit Assessment for Fiscal Year 2013-14. According to Article XIIIID 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, confirm the assessment diagram and assessment, and order the levy of assessments for the Mosquito, Vector and Disease Control Benefit Assessment for Fiscal Year 2014-15. There is no proposed increase in assessments for Fiscal Year 2014-15. 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 2014-15 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 2014-15 CAO Approved Operational Plan for the Department of Environmental Health. If approved, these requests will result in costs and revenues of \$8.6 million. The funding sources are benefit assessment (\$5.3 million), Mosquito Abatement and Vector Control

Service Charges (\$2.4 million), and the Vector Control District Trust Fund fund balance (\$0.9 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 drastic negative effect on agriculture, business, tourism and residential activities in the county.

RECOMMENDATION:

CHIEF ADMINISTRATIVE OFFICER

1. Find in accordance with Section 21080(b)(8) of the Public Resources Code and Section 15273 of the California Environmental Quality Act Guidelines that this action is exempt from the California Environmental Quality Act, because it renews a charge to meet the operating expenses and necessary financial reserves for an existing program, specifically the County Vector Surveillance and Control Program as described herein and in the Engineer's Report.
2. Adopt a Resolution entitled: RESOLUTION OF THE SAN DIEGO COUNTY BOARD OF SUPERVISORS APPROVING ENGINEER'S REPORT, CONFIRMING ASSESSMENT DIAGRAM AND ASSESSMENT AND ORDERING THE CONTINUATION OF ASSESSMENTS FOR FISCAL YEAR 2014-15 FOR THE SAN DIEGO COUNTY VECTOR CONTROL PROGRAM'S MOSQUITO, VECTOR AND DISEASE CONTROL BENEFIT ASSESSMENT.
3. Adopt a Resolution entitled: RESOLUTION OF THE SAN DIEGO COUNTY BOARD OF SUPERVISORS EXERCISING THE POWERS OF THE MOSQUITO ABATEMENT AND VECTOR CONTROL DISTRICT ADOPTING SERVICE CHARGES AND CONFIRMING REPORTS REGARDING LEVIES TO BE COLLECTED ON THE TAX ROLL FOR FISCAL YEAR 2014-15.

ACTION:

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

Resolution No. 14-111, entitled: RESOLUTION OF THE SAN DIEGO COUNTY BOARD OF SUPERVISORS APPROVING ENGINEER'S REPORT, CONFIRMING ASSESSMENT DIAGRAM AND ASSESSMENT AND ORDERING THE CONTINUATION OF ASSESSMENTS FOR FISCAL YEAR 2014-15 FOR THE SAN DIEGO COUNTY VECTOR CONTROL PROGRAM'S MOSQUITO, VECTOR AND DISEASE CONTROL BENEFIT ASSESSMENT; and

Resolution No. 14-112, entitled: RESOLUTION OF THE SAN DIEGO COUNTY BOARD OF SUPERVISORS EXERCISING THE POWERS OF THE MOSQUITO ABATEMENT AND VECTOR CONTROL DISTRICT ADOPTING SERVICE CHARGES AND CONFIRMING REPORTS REGARDING LEVIES TO BE COLLECTED ON THE TAX ROLL FOR FISCAL YEAR 2014-15.

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

9. **SUBJECT: REVISIONS TO THE COUNTY'S FOOD HANDLER PROGRAM AND AMENDMENTS TO COUNTY CODE OF REGULATORY ORDINANCES SECTION 61.114 AND SECTION 65.107 (FEES) RELATED TO THE FOOD HANDLER PROGRAM (7/30/14 – FIRST READING; 8/06/14 – SECOND READING) (DISTRICTS: ALL)**

OVERVIEW:

The County of San Diego has historically been a leader in the State of California and across the nation in the implementation of a food handler program that protects public health and was one of the first counties in California to adopt such a program in the 1980s. The County's program promotes food safety education for employees involved in the preparation, storage, service or handling of food products. Anyone, including those who work for school districts, who prepares food or who may come in contact with food products, food utensils or equipment is required to have a standardized level of knowledge in food safety to provide the public with access to safe food.

In the County of San Diego food handlers have options to receive the necessary training. One option is to attend a local food handler school that can offer classroom or online training but certification exams are only available in the classroom. This prompted online trainers to ask the Department of Environmental Health (DEH) to evaluate the possibility of online testing. As part of this evaluation, information technology security measures were also evaluated to ensure the integrity of an online testing option. Additionally, DEH conducted an in-depth review of the food handler program, identifying efficiencies that maintain the level of service to the regulated community, and are protective of public health. Some of the proposed changes that were identified require amendments to the County ordinance and will reduce the overall cost of the County's program.

This is a request to adopt ordinance amendments to Sections 61.114 and 65.107 of Title 6 of the County Code of Regulatory Ordinances relating to the food handler program. Amendments will require food handler training in addition to testing every three years by eliminating a seldom used option to recertify as a food handler by taking an examination proctored by the DEH, and decrease the food handler certificate fee charged by the DEH by 50 percent, from \$6 to \$3. Additionally, a fee based on the DEH hourly rate, will be established for services to training providers such as the review of new or changed curriculum, online exam security used by a food handler trainer, or assessment of food handler instructor knowledge.

FISCAL IMPACT:

Funds for this request are included in the Fiscal Year 2014-15 Approved Operational Plan in the Department of Environmental Health. If approved, this request will result in a decrease of costs and revenue of \$66,000. There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT:

Local food handlers and the food industry will benefit from the reduction in the food handler certificate fee for the County's implementation of the local program; local food handler training programs will be able to pass savings on to their customers. From August 2013 through June 2014 the DEH convened industry stakeholder meetings to discuss proposed changes and to seek their input. Letters and group email messages were sent to stakeholder subscribers. Information was also posted online on the Department's website.

RECOMMENDATION:

CHIEF ADMINISTRATIVE OFFICER

On July 30, 2014:

1. Approve the introduction of the Ordinance (first reading), read title and waive further reading:

AN ORDINANCE AMENDING PORTIONS OF THE COUNTY
CODE OF REGULATORY ORDINANCES RELATING TO THE
FOOD HANDLER PROGRAM.

If on July 30, 2014, the Board takes action as recommended in the Chief Administrative Officer's Recommendation 1, then, on August 06, 2014:

1. In accordance with Section 15061(b)(3) of the State of California Environmental Quality Act (CEQA) Guidelines, find that it can be seen with certainty that there is no possibility this project may have a significant effect on the environment and that it is therefore exempt from CEQA.
2. Consider and adopt the Ordinance for amending Section 61.114 and Section 65.107 (second reading).

ACTION:

ON MOTION of Supervisor R. Roberts, seconded by Supervisor D. Roberts, the Board took action as recommended, on Consent, introducing the Ordinance for further Board consideration and adoption on August 6, 2014.

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

10. **SUBJECT: AUTHORIZATION TO SIGN TWO MEMORANDA OF UNDERSTANDING REGARDING A FERAL PIG MANAGEMENT PROGRAM AND AMEND THE COUNTY CODE REGARDING THE USE OF FIREARMS IN COUNTY PARKS TO CONTROL INVASIVE, NON-NATIVE ANIMALS CAUSING SIGNIFICANT DAMAGE TO THE ENVIRONMENT (7/30/14 –FIRST READING; 8/6/14 –SECOND READING) (DISTRICTS: ALL)**

OVERVIEW:

Feral pigs are not native to the San Diego region. Feral pigs were released into the San Diego River watershed approximately six years ago. Local feral pig populations have and will likely continue to proliferate and expand their range by moving into various areas of the county. Feral pigs are problematic for a number of reasons. They negatively impact local ecosystems by competing with native species for resources. They can affect public health by transmitting diseases and can cause considerable damage to property, agricultural lands and the natural environment by creating wallows and rooting for food.

A large population of feral pigs has been identified in the Lake Morena and Houser Canyon area. This population has caused significant environmental damage at Lake Morena County Park and surrounding lands.

In 2010, the San Diego Feral Pig Working Group (Working Group) was formed to explore ways to eradicate or reduce the spread of feral pigs in San Diego County. Members of the Working Group include local, state and federal agencies and Native American Tribes. Environmental review has been completed, and the federal and state agencies, the City of San Diego, water/irrigation districts and Tribal Governments have agreed to cooperate in the eradication effort. If approved, today's actions will further efforts of cooperation by authorizing the Director, Department of Parks and Recreation (DPR) upon review and approval of County Counsel, to enter into the two Memoranda of Understanding for Feral Pig Management Program and Implementation.

To control feral pigs on land managed by DPR, County Code Sections 33.101 and 41.117 relating to firearms in County parks and shooting regulations need to be amended. These amendments will allow the Director of DPR to authorize the use of firearms or other weapons in County parks to control invasive, non-native animals that are causing significant damage to the environment. In addition, the amendments will clarify that the prohibition on having firearms in County parks does not apply to peace officers, federal law enforcement officers and other governmental employees, or their agents, authorized to carry firearms. Today's request requires two steps. The first step will introduce the ordinance on July 30, 2014, and if the Board takes action as requested, the second reading will occur on August 6, 2014.

FISCAL IMPACT:

There is no direct fiscal impact associated with the approval of the two Memoranda of Understanding with federal, state and local governments to implement a feral pig management program and to approve an ordinance to allow the authorization of the use of firearms on lands managed by the Department of Parks and Recreation (DPR) for control of invasive, non-native animals causing significant damage to the environment. DPR will provide staff time or other in-kind support during the next five years as required by the Memoranda of Understanding for this program. 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. In accordance with State CEQA Guidelines Section 15096, find that the County as a responsible agency under the California Environmental Quality Act (CEQA) has considered the environmental effects of the project as shown in the Final Mitigated Negative Declaration for the Feral Pig Eradication and Control Project prepared by the lead agency, before reaching its own conclusion on whether and how to approve the project.
2. Adopt the Mitigation Monitoring and Reporting Program prepared in accordance with CEQA Guidelines Section 15097 for the project and direct the Director of Parks and Recreation to ensure compliance with the Mitigation Monitoring and Reporting Program. (Attachment A)
3. Authorize the Director, Department of Parks and Recreation to execute two Memoranda of Understanding that includes Feral Pig Management Program Memorandum of Understanding and Implementation Memorandum of Understanding subject to the review and approval of County Counsel.
4. Authorize the Director, Department of Parks and Recreation to sign and execute any amendments, renewals, and extensions of both Memoranda of Understanding that do not materially change the terms of the agreements.
5. Approve the introduction of the Ordinance (first reading), read title and waive further reading of the Ordinance: AN ORDINANCE AMENDING SECTIONS 41.117 AND 33.101 OF THE SAN DIEGO COUNTY CODE RELATING TO FIREARMS IN COUNTY PARKS AND SHOOTING REGULATIONS.

If, on July 30, 2014 the Board of Supervisors takes action as requested on Recommendation 5, then on August 6, 2014:

1. Find that the project is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Sections 15307 and 15308.
2. Submit the Ordinance for further Board consideration and adoption (Second Reading).

ACTION:

ON MOTION of Supervisor Jacob, seconded by Supervisor D. Roberts, the Board took action as recommended, introducing the Ordinance for further Board consideration and adoption on August 6, 2014.

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

11. SUBJECT: PROPERTY TAX EXCHANGE FOR JURISDICTIONAL CHANGES AND REORGANIZATION FOR FIRE PROTECTION AND WATER SERVICES – HARMONY GROVE VILLAGE REORGANIZATION (DISTRICT: 5)

OVERVIEW:

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

The proposed Harmony Grove Village reorganization is intended to consolidate the provision of fire protection and water services to the proposed development area within County Service Area (CSA) No. 107 (Elfin Forest/Harmony Grove Fire Department) and the Rincon Del Diablo Municipal Water District (MWD), respectively. The proposed reorganization of fire services would detach 56.66 acres from the San Marcos Fire Protection District and annex the property to County Service Area (CSA) No. 107. The proposed reorganization of water services would detach 39.38 acres from the Vallecitos Water District and annex the property to the Rincon Del Diablo MWD.

On July 1, 2014, County staff consulted the San Marcos Fire Protection District to determine an equitable exchange of property tax revenues associated with the fire protection reorganization. The exchange of tax revenue for water services is governed by a master property tax exchange resolution for annexations and detachments (Attachment C) approved by the Board in 2009. The project is located north of Del Dios Highway; east of S. Twin Oaks Valley Road; south of State Route 78; and west of Interstate 15.

Today's request is for the Board to adopt a Resolution to exchange property tax revenue from the San Marcos Fire Protection District to CSA No. 107 (Elfin Forest/Harmony Grove Fire Department) and from the Vallecitos Water District to the Rincon Del Diablo MWD.

FISCAL IMPACT:

If approved, this proposal will transfer property tax revenue for the affected properties from the San Marcos Fire Protection District to CSA No. 107 (Elfin Forest/Harmony Grove Fire Department) and from the Vallecitos Water District to the Rincon Del Diablo MWD. During 2013-2014, property tax revenue generated for the affected properties included \$1,639.31 for fire protection services and \$244.46 for water services. 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 R. Roberts, seconded by Supervisor D. Roberts, the Board took action as recommended, on Consent, adopting Resolution No. 14-113, entitled: RESOLUTION REGARDING NEGOTIATED PROPERTY TAX EXCHANGE RELATIVE TO JURISDICTIONAL CHANGES.

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

12. **SUBJECT: COUNTY OF SAN DIEGO TRACT NO. 5382-1: APPROVAL OF FINAL MAP AND SECURED AGREEMENT FOR PUBLIC AND PRIVATE IMPROVEMENTS FOR MONTIEL ROAD TOWNHOMES CONDOMINIUM SUBDIVISION LOCATED IN NORTH COUNTY METRO COMMUNITY PLAN AREA (DISTRICT: 5)**

OVERVIEW:

The purpose of this item is for the Board of Supervisors (Board) to review and approve the final map and secured agreement for public and private improvements for Montiel Road Townhomes. This project is a subdivision proposing 63 residential condominium units on one lot, on approximately 4.43 acres. County of San Diego Tract No. 5382-1, known as the Montiel Road Townhomes, is located within the North County Metro area, on the westerly side of Montiel Road and just northerly of State Route 78 (2009 Thomas Guide, Page 1129 F-2).

The applicant has satisfied all conditions in the Resolution of Approval. They have provided a labor and material bond and a performance bond for the construction of the public and private improvements. The 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. Approve the final map for County of San Diego Tract No. 5382-1.
2. Accept on behalf of the public, subject to improvements, a portion of Montiel Road for use as a street, together with the right to extend and maintain drainage facilities, excavation and embankment slopes beyond the limits of the right-of-way all as dedicated on said map.
3. Accept the access rights from the portion of Lot 1 in and to Montiel Road except at access openings Numbers 1 and 2, all as relinquished and waived on said map.
4. Accept the noise protection easement over Lot 1 as granted on said map.
5. Approve and authorize the Clerk of the Board to execute the Agreement to Improve Major Subdivision, which includes street improvements, drainage facilities, sewer facilities and water facilities (Attachment B).

ACTION:

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

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

13. **SUBJECT: ESTABLISH APPROPRIATIONS AND ADVERTISE AND AWARD CONTRACT FOR CONSTRUCTION OF 10TH STREET AND H STREET TRAFFIC SIGNAL AND INTERCONNECT IMPROVEMENTS (DISTRICT: 2)**

OVERVIEW:

The 10th Street and H Street Traffic Signal and Interconnect Improvements project is located in the unincorporated community of Ramona (57th Edition Thomas Guide Page 1172, G3-G4, H4-H5, J5 and Page 1173, A5, B5). The proposed project involves construction of a new traffic signal at the intersection of 10th and H Streets, and interconnects four signals along 10th Street/San Vicente Road. The proposed improvements will benefit the community by enhancing safety for the 10th Street Ramona Fire District Station, motorists, bicyclists and pedestrians at this heavily-traveled intersection.

This is a request to establish appropriations based on a Highway Safety Improvement Program Grant and to approve the advertisement and subsequent award of a construction contract to the lowest responsible bidder. Construction is scheduled to begin in the fall of 2014 and be completed by spring of 2015. The construction cost is estimated to be \$810,000, including contingencies.

FISCAL IMPACT:

Funds for this request are not included in the Fiscal Year 2014-16 CAO Approved Operational Plan in the Department of Public Works, Detailed Work Program. If approved, construction project costs will be \$810,000. The funding sources are Highway Safety Improvement Program Grant (\$726,804) and Road Fund fund balance available (\$83,196). 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 review under the California Environmental Quality Act (CEQA) pursuant to Section 15301 of the CEQA Guidelines.
2. Establish appropriations of \$810,000, in the Department of Public Works Detailed Work Program for 10th Street and H Street Traffic Signal and Interconnect Improvements based on unanticipated revenue from the Highway Safety Improvement Program (\$726,804) and Road Fund fund balance available (\$83,196). **(4 VOTES)**
3. Authorize the Director, Department of Purchasing and Contracting, to take any action necessary to advertise and award a contract and to take other action authorized by Section 401 et seq., of the Administrative Code with respect to contracting for subject public works project.
4. Designate the Director, Department of Public Works, as County Officer responsible for administering the construction contract, in accordance with Board Policy F-41, Public Works Construction Projects.

ACTION:

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

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

- 14. SUBJECT: ESTABLISH APPROPRIATIONS, ADVERTISE AND AWARD A CONTRACT TO CONSTRUCT WOODSIDE AVENUE FLOOD CONTROL IMPROVEMENTS (DISTRICT: 2)**

OVERVIEW:

The Woodside Avenue Flood Control Improvements Project, in unincorporated San Diego County, is located on Woodside Avenue between Winter Gardens Boulevard and west of Riverview Avenue and crosses underneath State Route 67

(57th Edition Thomas Guide Page 1231-J4). The existing flood control channel is under-sized which puts local businesses and homes located on Woodside Avenue at risk during moderate storm events. This project replaces the existing drainage system on Woodside Avenue with a drainage system that will accommodate a 100-year flood. In addition, all existing overhead utilities will be converted to underground facilities.

This is a request to approve advertisement and subsequent construction contract award to the lowest responsible bidder for the Woodside Avenue Flood Control Improvements Project. The estimated construction cost is \$15,922,117, including contingency.

This item is also a request for authority to execute construction agreements with the City of San Diego, Helix Water District and Padre Dam Municipal Water District and a Maintenance Agreement with the State Department of Transportation for maintenance of the new drainage system within State Route 67 Right of Way.

This is also a request to appropriate funding for the project, based on unanticipated revenues from FEMA through a Hazard Mitigation Program grant, available Flood Control District fund balance, available Road Fund fund balance, and unanticipated revenue from San Diego Gas and Electric, AT&T, and Cox Communications for utility undergrounding.

Upon Board approval, the Department of Purchasing and Contracting will advertise and subsequently award a contract for construction, which is scheduled to begin in fall 2014 and be completed in fall 2016.

FISCAL IMPACT:

Funds for this request are not included in the Fiscal Year 2014-15 CAO Approved Operational Plan in the Department of Public Works Detailed Work Program. Construction costs are estimated to be \$15,922,117, including contingency. The funding sources are available Flood Control District fund balance (\$9,813,597), Federal Emergency Management Agency (\$1,942,945), Road Fund fund balance available (\$2,979,362), and unanticipated revenue from San Diego Gas and Electric (\$975,771), AT&T (\$143,472) and Cox Communications (\$66,970). There will be no change in net General Fund costs and no additional staff years.

BUSINESS IMPACT STATEMENT:

N/A

RECOMMENDATION:

CHIEF ADMINISTRATIVE OFFICER

Acting on behalf of the Board of Supervisors for the County of San Diego:

1. Find that the Mitigated Negative Declaration (MND) on file in the Department of Public Works for the Woodside Avenue Flood Control Improvements Project, dated March 25, 2009, State Clearinghouse # 2008121078, and the Addendum thereto dated February 14, 2013 (collectively "MND") was adopted in compliance with CEQA and state and County CEQA Guidelines, that the decision-making body has reviewed and considered the information contained therein prior to approving the project; and,

Find that there are no substantial changes in the project or in the circumstances under which it is undertaken which involve significant new environmental impacts which were not considered in the previously adopted MND and that there is no substantial increase in the severity of previously identified significant effects, and that no new information of substantial importance has become available since the MND was adopted.

2. Establish appropriations of \$4,165,575, in the Department of Public Works Detailed Work Program for Woodside Avenue Drainage Improvements Project based on available Road Fund fund balance (\$2,979,362), and unanticipated revenue from San Diego Gas and Electric (\$975,771), AT&T (\$143,472) and Cox Communications (\$66,970). **(4 VOTES)**
3. Authorize the Director, Department of Purchasing and Contracting, to take any action necessary to advertise and award a contract and take other action authorized by Section 401 et seq., of the County Administrative Code with respect to contracting for the subject public works project.
4. Designate the Director, Department of Public Works, as the County Officer responsible for administering the construction contract, in accordance with Board Policy F-41, Public Works Construction Projects.

Acting as the Board of Directors for the San Diego County Flood Control District:

1. Establish appropriations of \$11,756,542, in the Flood Control District for Woodside Avenue Drainage Improvements construction based on available Flood Control District fund balance (\$9,813,597) and unanticipated revenue from the Federal Emergency Management Agency (\$1,942,945). **(4 VOTES)**
2. Authorize the Clerk of the Board to execute, upon receipt, Construction Agreements between the San Diego County Flood Control District and the City of San Diego, the Helix Water District and the Padre Dam Municipal Water District for construction of water and sewer main facilities within the project.

3. Authorize the Clerk of the Board to execute, upon receipt, a Maintenance Agreement between the San Diego County Flood Control District and the State Department of Transportation for maintenance of the new drainage system within State Route 67 Right of Way.

(Relates to Flood Control District Agenda No. FL2)

ACTION:

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

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

15. SUBJECT: ESTABLISH APPROPRIATIONS AND ADVERTISE AND AWARD A CONTRACT FOR CONSTRUCTION OF THE DAIRY MART PONDS OVERLOOK PROJECT (DISTRICT: 1)

OVERVIEW:

The Land and Water Conservation Fund (LWCF) program provides grant funds to federal, state and local agencies for the acquisition and development of public outdoor recreation areas and facilities. The LWCF program offers competitive grants and the program has a dollar-for-dollar match requirement. On October 10, 2012 (5), the Board of Supervisors authorized the application for and acceptance of LWCF funds for the Dairy Mart Ponds Overlook Project, located within the 1,700-acre Tijuana River Valley Regional Park (TRVRP) (2011 Thomas Guide 1350, D-4). The agreement for funding the project was signed on February 12, 2014.

The Dairy Mart Ponds Overlook project will enhance the Dairy Mart Trail Loop by providing a formal wildlife viewing area that will enable visitors to gather, observe and learn about natural resources within the valley. The project will be on the southern shore of the ponds and includes an observation deck, benches, and interpretive signs. This project will encourage visitors, local schools, bird watchers, photographers, and nearby residents to explore and appreciate natural areas within the TRVRP.

This requested action will establish appropriations of \$203,164.77 in Capital Project 1019230, Dairy Mart Ponds Overlook Construction. Funding is based on the grant award from the LWCF of \$100,000 and a transfer of \$103,164.77 from the remaining balance on the completed Capital Project 1014134, Tijuana River Valley Trail Construction project. The requested action will also authorize the Director, Department of Purchasing and Contracting, to advertise and award a construction contract estimated at \$150,000, including contingency for construction of this project. Remaining project funds will be used for related project costs including design, inspection services, construction management and project administration. If approved, construction is expected to begin in fall 2014 and be completed in spring 2016.

FISCAL IMPACT:

Funds for this request are not included in the Fiscal Year 2014-15 CAO Approved Operational Plan for the Capital Outlay Fund. If approved, this request will result in costs and revenue of \$203,164.77 for Capital Project 1019230, Dairy Mart Ponds Overlook Construction. Construction contract costs estimated at \$150,000, including contingency, will fund the construction of the Dairy Mart Ponds Overlook Construction project. Remaining project funds, estimated at \$53,164.77, will be used for related project costs including design inspection services, construction management and project administration. The funding sources are a grant from the Land and Water Conservation Fund (LWCF) (\$100,000) and an Operating Transfer from the General Fund due to cancellation of remaining appropriations in completed Capital Project 1014134, Tijuana River Valley Trail Construction (\$103,164.77). LWCF requires dollar-for-dollar matching funds. Department of Parks and Recreation proposes a higher match to fully fund the project. 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 Final Environmental Impact Report (FEIR) for the Tijuana River Valley Regional Park Trails and Habitat Enhancement Project, dated December 2006, State Clearinghouse #2004091159 on file with the Department of Parks and Recreation, was completed in compliance with the California Environmental Quality Act (CEQA) and CEQA Guidelines and that the Board of Supervisors has reviewed and considered the information contained therein and the Addendum thereto dated August 23, 2011, on file with the Department of Parks and Recreation, before approving the project; and

Find that there are no substantial changes in the project or in the circumstances under which it is undertaken which involve significant new environmental impacts which were not considered in the previously certified FEIR, that there is no substantial increase in the severity of previously identified significant effects, and that no new information of substantial importance has become available since the FEIR was certified.

2. Waive Board Policy B-29, Fees, Grants, Revenue Contracts – Department Responsibility for Cost Recovery, which requires full cost recovery and funding sources that require a revenue match from the County General Fund be limited to the designated match level mandated as a condition of funding.
3. Establish appropriations of \$203,164.77 in the Capital Outlay Fund for Capital Project 1019230, Dairy Mart Ponds Overlook Construction, for project implementation based on a grant award from the Land and Water Conservation Fund (\$100,000) and Operating Transfer from General Fund (\$103,164.77).
(4 VOTES)

4. Cancel appropriations of \$103,164.77 and related Operating Transfer from the General Fund in the Capital Outlay Fund for Capital Project 1014134, Tijuana River Valley Trail Construction, to provide funding for the Dairy Mart Ponds Overlook Project.
5. 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 Tijuana River Valley South West Trails Construction Project.

ACTION:

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

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

16. SUBJECT: AUTHORIZATION TO ADVERTISE AND AWARD A CONSTRUCTION CONTRACT FOR TIJUANA RIVER VALLEY SMUGGLER'S GULCH SEDIMENT REMOVAL (DISTRICT: 1)

OVERVIEW:

Smuggler's Gulch is a large drainage channel within the Tijuana River Valley (2010 Thomas Guide page 1350, B-6) originating in Mexico and entering the United States south of Monument Road between Hollister Street and Saturn Boulevard. Annual rainfall and runoff generate sediment deposits in Smuggler's Gulch. These deposits clog channels and culverts and increase the potential for flooding in the Tijuana River Valley. The Smuggler's Gulch Sediment Removal project will excavate the drainage course south of Monument Road and export the sediment.

This requested action will authorize the Director, Department of Purchasing and Contracting, to advertise and award a construction contract estimated at \$215,000 including contingency, for sediment removal in Smuggler's Gulch. Additional project funds of \$10,000 will be used for construction inspection services and procurement expenses for a total project cost of \$225,000. If approved, construction is expected to begin in fall 2014 and be completed by spring 2015.

FISCAL IMPACT:

Funds for this request are included in the Fiscal Year 2014-15 CAO Approved Operational Plan for the Department of Parks and Recreation. If approved, this request will result in total project costs of \$225,000. Construction contract costs estimated at \$215,000, including contingency, will fund the removal of sediment at Smuggler's Gulch. Remaining project funds, estimated at \$10,000, will be used for related project costs including construction inspection services and project administration. The funding source is General Purpose Revenue. There will be no change in the net General Fund costs and no additional staff years.

BUSINESS IMPACT STATEMENT:

N/A

RECOMMENDATION:

CHIEF ADMINISTRATIVE OFFICER

1. Find that the Mitigated Negative Declaration (MND) for the Regional General Permit (RGP) 53 on file with the Department of Public Works and the Addendum thereto were completed in compliance with the California Environmental Quality Act (CEQA) and CEQA Guidelines, that the Board of Supervisors reviewed and considered the information contained therein before approving the project; and

Find that there are no changes in the project or in the circumstances under which it is undertaken which involve significant new environmental impacts which were not considered in the previously adopted MND, that there is no substantial increase in the severity of previously identified significant effects, and that no new information of substantial importance has become available since the MND was adopted.

2. Authorize the Director, Department of Purchasing and Contracting to advertise and award a construction contract and to take any action authorized by Section 401 et seq. of the Administrative Code, with respect to contracting for the Tijuana River Valley Regional Park Smuggler's Gulch Sediment Removal project.

ACTION:

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

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

17. **SUBJECT: CLOSURE OF LAND ACQUISITION - DIVESTITURE HOLDING FUND AND TRANSFER OF REMAINING FUNDS TO THE ENVIRONMENTAL TRUST FUND (DISTRICTS: ALL)**

OVERVIEW:

On August 12, 1997 (1), the Board of Supervisors authorized the divestiture of the County's Solid Waste System to Allied Waste Industries, Inc. (Allied) pursuant to a Purchase and Sale Agreement between the County and Allied. On November 4, 1997 (54), as part of the divestiture action, the Board authorized allocation of the divestiture proceeds. Portions of the proceeds were used to establish the Environmental Trust Fund and the Land Acquisition-Divestiture Holding Fund. This item is to request closure of the Land Acquisition - Divestiture Holding Fund and transfer the balance to the Environmental Trust Fund.

Environmental Trust Fund

After the sale, the County retained responsibilities and obligations for the remaining inactive and closed solid waste sites and also County-owned buffer properties. The Environmental Trust Fund was created to pay for the costs of maintaining the remaining inactive and closed solid waste sites and associated buffer properties in compliance with environmental laws and regulations.

Land Acquisition – Divestiture Holding Fund

The Land Acquisition - Divestiture Holding Fund was created primarily to purchase buffer properties adjacent to the Sycamore and Ramona Landfills but was available for other uses as authorized by the Board. With Board authorization, a portion of this fund was also used to reimburse the City of Chula Vista and the City of Carlsbad for pre-divestiture road improvement commitments and to pay for a portion of the San Marcos II Landfill closure.

The Divestiture Holding Fund is no longer needed. All necessary buffer properties have been purchased and the San Marcos II Landfill closure project has been completed. This action requests that the fund be closed and the remaining \$841,251 be transferred to the Environmental Trust Fund to provide for on-going maintenance of the County inactive/closed solid waste sites.

FISCAL IMPACT:

If approved, this request would authorize the transfer of remaining sale proceeds of \$841,251 derived from the divestiture of the County's Solid Waste System to Allied Waste Industries, Inc. to the Environmental Trust Fund. The sale proceeds were previously designated for use in the acquisition of land which is complete. The remaining proceeds will be used for continued maintenance of the County's inactive and closed solid waste sites. There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT:

N/A

RECOMMENDATION:**CHIEF ADMINISTRATIVE OFFICER**

1. Find that the proposed activity is not subject to review under the California Environmental Quality Act (CEQA) as specified under state CEQA Guidelines Section 15060(c)(3) because the activity is not a project as defined in Section 15378 of the state CEQA Guidelines.
2. Authorize the transfer of \$841,251 available remaining funds from the Department of Public Works Land Acquisition-Divestiture Holding Fund (61033) to the Department of Public Works Environmental Trust Fund (12600), to provide for continued maintenance of County inactive/closed solid waste sites.
3. Direct the Auditor and Controller to take any actions necessary to close out all residual funds and close the Divestiture Holding Fund.

ACTION:

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

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

18. SUBJECT: PUBLIC COMMUNICATIONS (DISTRICTS: ALL)

OVERVIEW:

Scott Chipman spoke to the Board regarding medical marijuana dispensaries in San Diego.

ACTION:

Heard, referred to the Chief Administrative Officer.

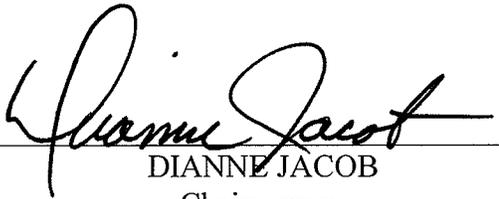
There being no further business, the Board adjourned at 10:00 a.m. in memory of Gordon Browning and Charles H. Smith.

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

Consent: Miller
Discussion: Panfil

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

Approved by the Board of Supervisors, on Wednesday, September 17, 2014.


DIANNE JACOB
Chairwoman

Attest:


THOMAS J. PASTUSZKA
Clerk of the Board

07/30/14