

**August 3, 2016**

**STATEMENT OF PROCEEDINGS**

*The Minutes of the*

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

**COUNTY OF SAN DIEGO**

STATEMENT OF PROCEEDINGS  
COUNTY OF SAN DIEGO BOARD OF SUPERVISORS  
REGULAR MEETING  
MEETING AGENDA  
WEDNESDAY, AUGUST 3, 2016, 9:00 A.M.  
BOARD OF SUPERVISORS NORTH CHAMBER  
1600 PACIFIC HIGHWAY, ROOM 310, SAN DIEGO, CALIFORNIA

REGULAR SESSION: Meeting was called to order at 9:03 a.m.

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

Approval of Statement of Proceedings/Minutes for meeting of July 20, 2016.

**ACTION:**

ON MOTION of Supervisor D. Roberts, seconded by Supervisor Horn, the Board of Supervisors approved the Statement of Proceedings for the meeting of July 20, 2016.

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

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

**Board of Supervisors' Agenda Items**

**Agenda #    Subject**

1.        ADVERTISE AND AWARD A CONSTRUCTION CONTRACT FOR ACCESS RAMPS, DELEGATE AUTHORITY TO AMEND AND EXECUTE AGREEMENTS, AND NEGOTIATE FUNDING FOR BIOLOGICAL MAINTENANCE OF KEYS CREEK CHANNEL  
[FUNDING SOURCE: PRIOR YEAR AVAILABLE FLOOD CONTROL DISTRICT FUND BALANCE]

(RELATES TO FLOOD CONTROL DISTRICT AGENDA NO. FL1)

2.        NOTICED PUBLIC HEARING:  
HEARING TO CONFIRM FISCAL YEAR 2016-17 LEVY OF ASSESSMENTS IN LANDSCAPE MAINTENANCE DISTRICT ZONES NO. 1 AND NO. 2 (7/20/16 – SET HEARING; 8/3/16 – HOLD HEARING)

3. NOTICED PUBLIC HEARING:  
AUTHORIZATION FOR THE COUNTY OF SAN DIEGO TO BECOME A GROUNDWATER SUSTAINABILITY AGENCY OVER EACH OF THE SAN LUIS REY VALLEY, SAN PASQUAL VALLEY AND SAN DIEGO RIVER VALLEY GROUNDWATER BASINS
4. NOTICED PUBLIC HEARING:  
HEARING TO CONFIRM FISCAL YEAR 2016-17 ASSESSMENTS IN THE SAN DIEGO COUNTY STREET LIGHTING DISTRICT (7/20/16 – SET HEARING; 8/3/16 – HOLD HEARING)
5. ESTABLISH APPROPRIATIONS AND AUTHORIZATION TO ADVERTISE AND AWARD A CONSTRUCTION CONTRACT FOR SAN DIEGUITO PARK ADA AND PLAYGROUND IMPROVEMENTS  
[FUNDING SOURCE: AVAILABLE PRIOR YEAR PARK LANDS DEDICATION ORDINANCE AREA 31 SAN DIEGUITO FUND BALANCE]  
(4 VOTES)
6. COUNTY OF SAN DIEGO TRACT NO. 5187-1: APPROVAL OF FINAL MAP, ACCEPTANCE OF RELATED EASEMENTS, AND APPROVAL OF JOINT SECURED AGREEMENT TO IMPROVE MAJOR SUBDIVISION FOR PUBLIC AND PRIVATE IMPROVEMENTS FOR PALA MESA HIGHLANDS TENTATIVE MAP LOCATED IN THE FALLBROOK COMMUNITY PLAN AREA
7. COUNTY OF SAN DIEGO TRACT NO. 5315-1: APPROVAL OF FINAL MAP, ACCEPTANCE OF RELATED EASEMENTS, AND APPROVAL OF JOINT SECURED AGREEMENT TO IMPROVE MAJOR SUBDIVISION FOR PUBLIC AND PRIVATE IMPROVEMENTS FOR STONE SUMMIT TENTATIVE MAP LOCATED IN THE VALLEY CENTER COMMUNITY PLAN AREA
8. ESTABLISH APPROPRIATIONS AND ADVERTISE AND AWARD A CONSTRUCTION CONTRACT FOR THE EAST VISTA WAY AT GOPHER CANYON ROAD INTERSECTION IMPROVEMENTS PROJECT  
[FUNDING SOURCE: REVENUE FROM TRANSNET AND TIF REVENUES]  
(4 VOTES)
9. RATIFY AND APPROVE REVENUE AGREEMENT WITH THE STATE OF CALIFORNIA FOR ENFORCEMENT OF THE STATE RADIATION CONTROL LAW  
[FUNDING SOURCES: REVENUE AGREEMENT WITH THE CALIFORNIA DEPARTMENT OF PUBLIC HEALTH, RADIOLOGICAL HEALTH BRANCH AND 1991 REALIGNMENT REVENUE]

10. ADOPT SWEETWATER CHANNEL LEVEE SYSTEM OPERATIONS AND MAINTENANCE PLAN  
[FUNDING SOURCES: COST SHARING AGREEMENTS WITH THE CITY OF CHULA VISTA AND THE CITY OF NATIONAL CITY TO SHARE COSTS BASED ON THE PERCENTAGE OF JURISDICTIONAL LAND FOR EACH ENTITY WITHIN THE SWEETWATER CHANNEL LEVEE SYSTEM RIGHT-OF-WAY]
11. TRAFFIC ADVISORY COMMITTEE
12. SECOND CONSIDERATION AND ADOPTION OF ORDINANCE: AN ORDINANCE AMENDING COUNTY BUILDING CODE TO STREAMLINE ELECTRICAL VEHICLE CHARGING PERMITS
13. PUBLIC COMMUNICATION

**1. SUBJECT: ADVERTISE AND AWARD A CONSTRUCTION CONTRACT FOR ACCESS RAMPS, DELEGATE AUTHORITY TO AMEND AND EXECUTE AGREEMENTS, AND NEGOTIATE FUNDING FOR BIOLOGICAL MAINTENANCE OF KEYS CREEK CHANNEL (DISTRICT: 5)**

**OVERVIEW:**

Keys Creek flood control channel, in the vicinity of Fallbrook, is a tributary of the San Luis Rey River (58th Edition Thomas Guide, Page 1048-H3). The channel was constructed as part of the Lake Rancho Viejo Unit 3 Development Project to convey floodwaters and requires routine flood control management to maintain its functionality. The San Diego County Flood Control District is responsible for maintaining the channel for flood control purposes.

In addition to serving as a flood control facility, the Keys Creek channel is also an 8.38 acre biological mitigation site (Creek Mitigation Site) maintained by the developer, K. Hovnanian at Lake Rancho Viejo, LLC (K. Hovnanian). K. Hovnanian's maintenance and management responsibilities for the Creek Mitigation Site and two other parcels are set forth in an Agreement for Maintenance of Habitat Preserves (Preserve Agreement) entered into on August 18, 2006 with the County.

In order to facilitate maintenance of the Keys Creek flood control channel, the Flood Control District proposes to construct two access ramps into the channel to provide improved access. In addition, the Flood Control District will assume K. Hovnanian's biological responsibilities for one of the three sites, the Creek Mitigation Site, addressed by the Preserve Agreement to streamline management of the channel for both purposes. K. Hovnanian has agreed to post an endowment that will fund the annual operating costs for the biological mitigation site in perpetuity, and satisfy obligations imposed by the Preserve Agreement for the Creek Mitigation Site before transferring management responsibility for this site to the Flood Control District.

Today's action, adopts the Mitigated Negative Declaration for all actions anticipated for access ramp construction, sediment removal and ongoing management of the flood control channel and biological open space. It also delegates authority to the Director, Department of Public Works, to take action on behalf of the County and Flood Control District to effectuate the transfer of K. Hovnanian's responsibilities for the Creek Mitigation Site to the Flood Control District and negotiate an endowment amount to fund these responsibilities. Finally, today's action authorizes County staff acting on behalf of the Flood Control District to advertise, award and manage a contract to construct access ramps into the Keys Creek channel to allow for maintenance access by the Flood Control District. Construction is scheduled to begin in late fall 2016 and be completed by early 2017. The estimated construction cost for the project will be \$180,000, including contingency.

**FISCAL IMPACT:**

Funds for this request are included in the Fiscal Year 2016-17 Operational Plan in the Department of Public Works Detailed Work Program. If approved, this request will result in costs and revenues of \$180,000 in Fiscal Year 2016-17. Construction costs are estimated to be \$180,000, including contingency. The funding source is prior year available Flood Control District fund balance (\$180,000). There will be no change in net General Fund cost and no additional staff years.

**BUSINESS IMPACT STATEMENT:**

Flood Control District construction contracts are competitively bid and will help stimulate the local economy.

**RECOMMENDATION:**

**CHIEF ADMINISTRATIVE OFFICER**

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

1. Find, on the basis of the whole record, that there is no substantial evidence that the project will have a significant effect on the environment. Consider the Mitigated Negative Declaration on file with the Department of Public Works dated April 12, 2016 for the Keys Creek Channel Access and Maintenance Project, State Clearinghouse # 2016041034 (Attachment B) together with comments received during public review (Attachment C), and adopt it, finding that it reflects the independent judgment and analysis of the Board of Supervisors.
2. Adopt the Mitigation Monitoring and Reporting Program prepared in accordance with Public Resources Code Section 21081.6, and authorize the Director, Department of Public Works to ensure compliance with the Mitigation Monitoring and Reporting Program (Attachment D).
3. Delegate authority authorizing the Director, Department of Public Works, as an agent of the County, to amend an existing developer maintenance agreement to remove Biological Maintenance of the 8.38 acre Keys Creek Channel Site from the agreement and identify the Flood Control District as the long-term manager of the 8.38 acre Creek Mitigation Site.
4. Delegate authority to the Director, Department of Public Works, as an agent of the County, to take such further action, including, without limitation, entering into agreements with any resource agencies or other parties, as may be necessary to effectuate the transfer of responsibility for the management of the Keys Creek Mitigation Site from the developer to the San Diego County Flood Control District.

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

1. 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 the Keys Creek Channel Access Ramps Project.

2. Designate the Director, Department of Public Works, as the person responsible for administering the construction contract, in accordance with Board Policy F-41, Public Works Construction Projects.
3. Delegate authority authorizing the Director, Department of Public Works, as an agent of the Flood Control District, to enter into an agreement with the developer of the Lake Rancho Viejo Unit 3 Development Project and the County to assume responsibility for the management of the Creek Mitigation Site.
4. Delegate authority authorizing the Director, Department of Public Works, as an agent of the Flood Control District, to negotiate an amount, estimated at \$2,400,000, from the developer to provide an endowment for the long-term biological maintenance of the Creek Mitigation Site in perpetuity, and to enter into an agreement with a financial organization to manage the endowment.
5. Delegate authority authorizing the Director, Department of Public Works, as an agent of the Flood Control District, to take such other action as may be necessary for the Flood Control District to assume responsibility for the management of the Creek Mitigation Site from the developer of the Lake Rancho Viejo Unit 3 Development Project, including, without limitation, entering into an agreement with the United States Army Corps of Engineers (USACOE) for the long-term biological maintenance of the site.

(Relates to Flood Control District Agenda No. FL1)

**ACTION:**

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

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

2. **SUBJECT: NOTICED PUBLIC HEARING:  
HEARING TO CONFIRM FISCAL YEAR 2016-17 LEVY OF  
ASSESSMENTS IN LANDSCAPE MAINTENANCE  
DISTRICT ZONES NO. 1 AND NO. 2 (7/20/16 – SET  
HEARING; 8/3/16 – HOLD HEARING) (DISTRICT: 2)**

**OVERVIEW:**

On July 20, 2016 (5) the Board of Supervisors set a Hearing for August 3, 2016.

This item addresses the continuation of existing landscape maintenance assessments for Fiscal Year 2016-17 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 landscape maintenance districts for the coming fiscal year.

### **Landscape Maintenance District Zone No. 1**

Landscape Maintenance District Zone (LMDZ) No. 1 was established in 2006 by the voters, 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. The formation of LMDZ No. 1, authorized a maximum annual increase per Equivalent Dwelling Unit (EDU) equal to the San Diego Region Consumer Price Index (CPI), not to exceed three percent annually. In Fiscal Year 2016-17, LMDZ No. 1 will increase the maximum authorized rate from \$31.86 to \$32.38 per single family home in accordance with a Consumer Price Index of 1.62%, in order to maintain current levels of service and maintenance.

### **Landscape Maintenance District Zone No. 2**

Landscape Maintenance District Zone (LMDZ) No. 2 – Julian (Jess Martin Park) was established in 2008 by the voters, to fund ongoing maintenance of amenities and construction of minor capital improvements at Jess Martin Park in the community of Julian. There is no voter approved cost of living increase for LMDZ No. 2. Any recommended increases in assessments would require approval of the assessed property owners within the LMDZ No. 2 district boundary. Therefore, there is no proposed increase in the assessment rate for Fiscal Year 2016-17 for LMDZ No. 2. The assessment rate will remain at \$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 July 20, 2016, the actions requested are to approve the Engineers' Reports for Landscape Maintenance District Zones No. 1 and No. 2, and to set a public hearing date of August 3, 2016. If the Board takes these actions on July 20, 2016, then at the hearing on August 3, 2016, 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:**

Funds from the proposed assessment levies are included in the Fiscal Year 2016-17 Approved Operational Plan for Landscape Maintenance District Zone No. 1. If approved, the proposed increase in Landscape Maintenance District Zone No. 1 will result in additional revenue of \$2,475. There is no proposed increase in assessments for Fiscal Year 2016-17 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 ASSESSMENTS IN LANDSCAPE MAINTENANCE DISTRICT ZONE NO. 1.

2. Adopt a Resolution entitled: RESOLUTION CONFIRMING DIAGRAM AND ASSESSMENTS IN LANDSCAPE MAINTENANCE DISTRICT ZONE NO. 2.

**ACTION:**

ON MOTION of Supervisor Horn, seconded by Supervisor Cox, the Board closed the Hearing and took action as recommended, on Consent, adopting Resolution No. 16-100, entitled: RESOLUTION CONFIRMING DIAGRAM AND ASSESSMENTS IN LANDSCAPE MAINTENANCE DISTRICT ZONE NO. 1; and Resolution No. 16-101, entitled: RESOLUTION CONFIRMING DIAGRAM AND ASSESSMENTS IN LANDSCAPE MAINTENANCE DISTRICT ZONE NO. 2.

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

3. **SUBJECT: NOTICED PUBLIC HEARING:  
AUTHORIZATION FOR THE COUNTY OF SAN DIEGO TO  
BECOME A GROUNDWATER SUSTAINABILITY AGENCY  
OVER EACH OF THE SAN LUIS REY VALLEY, SAN  
PASQUAL VALLEY AND SAN DIEGO RIVER VALLEY  
GROUNDWATER BASINS (DISTRICTS: 2, 3 AND 5)**

**OVERVIEW:**

This item is a request for the Board of Supervisors (Board) to consider a resolution to establish a Groundwater Sustainability Agency (GSA) over the San Luis Rey Valley Groundwater Basin (SLR Basin), the San Pasqual Valley Groundwater Basin (San Pasqual Basin) and San Diego River Valley Groundwater Basin (SD River Basin) [Attachment A] in accordance with the State of California's Sustainable Groundwater Management Act (SGMA). The primary purpose of a GSA under SGMA is to develop a Groundwater Sustainability Plan (Plan) to achieve long-term groundwater sustainability.

On May 9, 2016, the Yuima, Pauma and Mootamai Municipal Water Districts, each held a public hearing and each approved a resolution to elect to become a GSA over its portion of the SLR Basin, as shown on the SLR Basin Map [Attachment B]. The California Department of Water Resources posted the notices on June 22, 2016 which, per SGMA, started a 90-day window within which the County of San Diego (County) must determine whether to become a GSA within any overlapping areas of the SLR Basin. Under SGMA, counties are the default GSA if no local agencies elect to become a GSA for a basin. If multiple agencies elect to become a GSA over the same basin area, SGMA requires that the agencies reach an agreement regarding how multiple GSAs will administer a single Plan or coordinated Plans for each basin.

Today's request is for the Board to 1) approve a Resolution for the County to become a GSA over each of the SLR, San Pasqual and SD River Basins; and 2) authorize the Director, Department of Planning & Development Services (PDS) to enter into negotiations to develop agreements as necessary with other local agencies to become a unified GSA or coordinated GSAs for each basin.

**FISCAL IMPACT:**

There is no fiscal impact associated with the approval of the Resolution. There will be no change in net General fund cost and no additional staff years. If approved, staff will develop the governance structure and/or legal agreements with other local agencies. Staff costs associated with these activities will be funded by a grant. Staff will return to the Board to request approval of interagency agreements. A request for funding for future costs associated with preparation and implementation of the Groundwater Sustainability Plans will be requested from the Board at a future time, once costs have been determined.

**BUSINESS IMPACT STATEMENT:**

N/A

**RECOMMENDATION:**

**CHIEF ADMINISTRATIVE OFFICER**

1. Find that the proposed action is not a project as defined by the California Environmental Quality Act (CEQA) pursuant to Sections 15060(c)(3) and 15378(b)(5) of the State CEQA Guidelines.
2. Adopt a Resolution entitled:  
RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO TO BECOME A GROUNDWATER SUSTAINABILITY AGENCY OVER EACH OF THE SAN LUIS REY VALLEY, SAN PASQUAL VALLEY AND SAN DIEGO RIVER VALLEY GROUNDWATER BASINS (Attachment E).
3. Authorize the Director, Department of Planning & Development Services, as agent of the County, to conduct all negotiations and submit all documents including Groundwater Sustainability Agency formation notifications; and draft inter-agency agreements, including amendments thereof, which do not materially impact or alter the program funding level.

**ACTION:**

ON MOTION of Supervisor Jacob, seconded by Supervisor Horn, the Board closed the Hearing and took action as recommended, adopting Resolution No. 16-102, entitled: RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO TO BECOME A GROUNDWATER SUSTAINABILITY AGENCY OVER EACH OF THE SAN LUIS REY VALLEY, SAN PASQUAL VALLEY AND SAN DIEGO RIVER VALLEY GROUNDWATER BASINS.

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

4. **SUBJECT: NOTICED PUBLIC HEARING:  
HEARING TO CONFIRM FISCAL YEAR 2016-17  
ASSESSMENTS IN THE SAN DIEGO COUNTY STREET  
LIGHTING DISTRICT (7/20/16 – SET HEARING; 8/3/16 –  
HOLD HEARING (DISTRICTS: ALL))**

**OVERVIEW:**

On July 20, 2016 (4) the Board of Supervisors set a Hearing for August 3, 2016.

Each year a public hearing is held to confirm benefit levies set by the San Diego County Street Lighting District (District) for street lighting for the coming fiscal year. The District was formed in 1987 and consolidated several maintenance districts in existence at that time. Each district had voter approved maximum assessments of \$25.00 per residential unit and maximum amounts for other land use types based on acreage. The street lighting assessment for the upcoming fiscal year is proposed to be set at \$13.50 per benefit unit; this is an increase from the current amount of \$6.48 per benefit unit.

The District operates and maintains approximately 10,332 public street lights in unincorporated San Diego county and is dedicated to providing quality streetlight service at a low cost to property owners. Funding for the District is used to install, operate, and maintain the streetlights and comes from a portion of ad valorem property tax and assessments charged to benefiting properties. The proposed annual assessment rate for Fiscal Year 2016-17 is \$13.50 per benefit unit, and is within the voter approved maximum rates for all land use categories. It is higher than the prior year annual assessment of \$6.48 per benefit unit. The last time the District's rates were raised was eight years ago, in Fiscal Year 2008-09. The proposed assessment rate is needed to offset increases in energy costs and to complete a phased retrofit of the streetlights to energy efficient LED lights.

This action requires two steps. In order to become effective, the proposed assessments must be confirmed by the Board at an annual public hearing. On July 20, 2016, the actions requested are to approve the Engineer's Report for the District, and to set a public hearing date of August 3, 2016. If the Board takes these actions on July 20, 2016, then at the hearing on August 3, 2016, after hearing public testimony, the Board will be asked to consider adopting a Resolution confirming the assessments. Upon approval, the assessment will be placed on the tax roll, so that the property owners can continue to pay the benefit assessment through their property tax bills. These actions are discretionary after consideration of public testimony.

**FISCAL IMPACT:**

Funds for this request are not included in the Fiscal Year 2016-18 Approved Operational Plan for the Department of Public Works. If approved, this request would result in revenues of approximately \$1.47 million from the benefit assessment and \$0.98 million from the ad valorem property tax, for a total of \$2.45 million for the San Diego County Street Lighting District for Fiscal Year 2016-17.

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 a Resolution entitled: RESOLUTION CONFIRMING DIAGRAM AND ASSESSMENTS IN THE SAN DIEGO COUNTY STREET LIGHTING DISTRICT.

**ACTION:**

ON MOTION of Supervisor Horn, seconded by Supervisor Cox, the Board closed the Hearing and took action as recommended, on Consent, adopting Resolution No. 16-103, entitled: RESOLUTION CONFIRMING DIAGRAM AND ASSESSMENTS IN THE SAN DIEGO COUNTY STREET LIGHTING DISTRICT.

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

5. **SUBJECT: ESTABLISH APPROPRIATIONS AND AUTHORIZATION TO ADVERTISE AND AWARD A CONSTRUCTION CONTRACT FOR SAN DIEGUITO PARK ADA AND PLAYGROUND IMPROVEMENTS (DISTRICT: 5)**

**OVERVIEW:**

San Dieguito Park is a 124-acre facility located in the unincorporated community of Rancho Santa Fe (57th Edition Thomas Guide page 1168, A6). The park offers a variety of recreational amenities including playgrounds, a fitness course, a basketball court, pavilions, a wedding gazebo, picnic areas, and Miracle Field. The fully accessible Miracle Field baseball diamond was constructed to ensure that children and adults with special needs can engage in active sports. Enhancing ADA access in the vicinity of the Miracle Field, removing old playground equipment, and replacing it with accessible equipment will further expand the recreational opportunities for park users of all abilities.

Today's action will establish appropriations of \$600,000 in Capital Project 1020741, San Dieguito Park ADA and Playground Improvements project based on Park Lands Dedication Ordinance (PLDO) Area 31 San Dieguito prior year available fund balance. The requested action will also authorize the Director, Department of Purchasing and Contracting to advertise and award a construction contract to the lowest responsive and responsible bidder for the proposed San Dieguito County Park ADA and Playground Improvements project for an estimated cost of \$500,000 including contingency. Remaining project funds of \$100,000 will be used for related project costs, including design, inspection, construction management, and project administration for an estimated total project cost of \$600,000. If approved, construction is scheduled to begin in spring 2017 with completion expected in summer 2017.

**FISCAL IMPACT:**

Funds for this request are not included in the Fiscal Year 2016-17 Operational Plan for the Capital Outlay Fund. If approved, this request will result in current year costs and revenue of \$600,000 for Capital Project 1020741, San Dieguito Park ADA and Playground Improvement project. The funding source is available prior year Park Lands Dedication Ordinance Area 31 San Dieguito fund balance. There will be no change in net General Fund cost and no additional staff years. Upon project completion, operations and maintenance of the improvements will be provided by existing Department of Parks and Recreation staff.

**BUSINESS IMPACT STATEMENT:**

N/A

**RECOMMENDATION:**

**CHIEF ADMINISTRATIVE OFFICER**

1. Find that the San Dieguito County Park ADA and Playground Improvements project is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines section 15301, 15302, 15303, and 15304 because the project involves negligible expansion of an existing facility, replacing old infrastructure and constructing small structures and minor alterations of land to improve ADA access and playground features.
2. Establish appropriations of \$600,000 in the Park Lands Dedication Ordinance Area 31 San Dieguito fund, to fund the San Dieguito Park ADA and Playground Improvement project based on prior year available fund balance. **(4 VOTES)**
3. Establish appropriations of \$600,000 in Capital Outlay Fund for Capital Project 1020741, San Dieguito Park ADA and Playground Improvement project, based on an Operating Transfer from Park Lands Dedication Ordinance Area 31 San Dieguito fund. **(4 VOTES)**
4. 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 San Dieguito County Park ADA and Playground Improvements project.
5. Designate the Director, Department of Parks and Recreation, as the County Officer responsible for administering the construction contract, in accordance with Board Policy F-41, Public Works Construction Contracts.

**ACTION:**

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

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

6. **SUBJECT: COUNTY OF SAN DIEGO TRACT NO. 5187-1: APPROVAL OF FINAL MAP, ACCEPTANCE OF RELATED EASEMENTS, AND APPROVAL OF JOINT SECURED AGREEMENT TO IMPROVE MAJOR SUBDIVISION FOR PUBLIC AND PRIVATE IMPROVEMENTS FOR PALA MESA HIGHLANDS TENTATIVE MAP LOCATED IN THE FALLBROOK COMMUNITY PLAN AREA (DISTRICT: 5)**

**OVERVIEW:**

This item is a request for the Board of Supervisors (Board) to review and approve the Final Map, accept related easements, and approve, authorize, and execute the Joint Agreement to Improve Major Subdivision (Agreement) for public and private improvements for County of San Diego Tract No. 5187-1. This project, known as Pala Mesa Highlands Tentative Map (TM), is a subdivision consisting of 124 single-family residential lots, two park lots, two open space lots, one limited building zone lot and one open space lot, on 84.80 acres. It is located within the Fallbrook Community Plan area, north of Via Belmonte, south of Pala Mesa Drive and west of Old Highway 395 (2009 Thomas Guide, Page 1048 H-1).

**FISCAL IMPACT:**

N/A

**BUSINESS IMPACT STATEMENT:**

N/A

**RECOMMENDATION:**

**CHIEF ADMINISTRATIVE OFFICER**

1. Find that the approval of the Final Map, the Agreement and associated actions are not a project subject to review under the California Environmental Quality Act (CEQA) pursuant to Sections 15060(c)(1) and (2) of the CEQA Guidelines because it does not involve the exercise of discretionary powers by a public entity and the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment.
2. Approve the Final Map for County of San Diego Tract No. 5187-1.
3. Accept on behalf of the public, subject to improvements, Silent Knoll Drive, Quiet Ridge Lane, Jicarilla Drive, Panache Drive, Via De Todos Santos, Mohegan Lane, portions of Pala Mesa Drive (SC 150), and a portion of Old Highway 395 together with the right to extend and maintain drainage facilities, excavation, and embankment slopes beyond the limit of said rights of way for use as a street, as dedicated on the Final Map.
4. Accept on behalf of the County the drainage easements as granted on the Final Map.

5. Accept on behalf of the public the access rights from Lots 125 and 127 in and to Old Highway 395, except at Access Opening No. 1 (Mohegan Lane); Lots 1, 55, 56 and 124 in and to Mohegan Lane; Lots 14 and 33 in and to Silent Knoll Drive; Lot 87 in and to Quiet Ridge Lane; Lots 15 and 110 in and Via De Todos Santos; Lots 67, 86, 94 and 111 in and to Jicarilla Drive; Lots 15 through 23, inclusive, in and to Via Belmonte; all as relinquished and waived on the Final Map.
6. Approve and authorize the Clerk of the Board of Supervisors (Clerk) to execute the Agreement, which includes the street improvements, sewer and water facilities, and final monumentation (Attachment B).

**ACTION:**

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

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

7. **SUBJECT: COUNTY OF SAN DIEGO TRACT NO. 5315-1: APPROVAL OF FINAL MAP, ACCEPTANCE OF RELATED EASEMENTS, AND APPROVAL OF JOINT SECURED AGREEMENT TO IMPROVE MAJOR SUBDIVISION FOR PUBLIC AND PRIVATE IMPROVEMENTS FOR STONE SUMMIT TENTATIVE MAP LOCATED IN THE VALLEY CENTER COMMUNITY PLAN AREA (DISTRICT: 5)**

**OVERVIEW:**

This item is a request for the Board of Supervisors (Board) to review and approve the Final Map, accept related easements, and approve, authorize, and execute the Joint Agreement to Improve Major Subdivision (Agreement) for public and private improvements for County of San Diego Tract No. 5315-1. This project, known as Stone Summit Tentative Map (TM), is a subdivision consisting of seven single family residential lots and one private street lot, on 23.2 acres. It is located within the Valley Center Community Plan area, on Old Castle Road south of the intersection with Bella Linda Drive west of Lilac Road (2009 Thomas Guide, Page 1069, H-5).

**FISCAL IMPACT:**

N/A

**BUSINESS IMPACT STATEMENT:**

N/A

**RECOMMENDATION:  
CHIEF ADMINISTRATIVE OFFICER**

1. Find that the approval of the Final Map, the Agreement and associated actions is not a project subject to review under the California Environmental Quality Act (CEQA) pursuant to Sections 15060(c)(1) and (2) of the CEQA Guidelines because it does not involve the exercise of discretionary powers by a public entity and the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment.
2. Approve the Final Map for County of San Diego Tract No. 5315-1.
3. Accept on behalf of the public the access rights from Lots 1, 6 and 7 in and to Old Castle Road (SF 1415), except at Access Opening No. 1 (Stone Summit Drive), all as relinquished and waived on the Final Map.
4. Approve and authorize the Clerk of the Board of Supervisors (Clerk) to execute the Agreement, which includes the street improvements, water facilities, and final monumentation (Attachment B).

**ACTION:**

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

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

8. **SUBJECT: ESTABLISH APPROPRIATIONS AND ADVERTISE AND AWARD A CONSTRUCTION CONTRACT FOR THE EAST VISTA WAY AT GOPHER CANYON ROAD INTERSECTION IMPROVEMENTS PROJECT (DISTRICT: 5)**

**OVERVIEW:**

The East Vista Way at Gopher Canyon Road Intersection Improvements project is located in the unincorporated community of Bonsall (57th Edition Thomas Guide Page 1067, J7). The proposed project involves widening East Vista Way and Gopher Canyon Road, reconstruction of the traffic signal, and construction of pedestrian ramps and associated drainage improvements. The proposed improvements will benefit the community by enhancing safety for motorists, bicyclists and pedestrians at this intersection.

This is a request to establish appropriations and approve the advertisement and subsequent award of a construction contract to the lowest responsive and responsible bidder. Construction is scheduled to begin early 2017 and be completed by spring 2017. The construction cost is estimated at \$900,000, including contingencies.

**FISCAL IMPACT:**

Funds for this request are not included in the Fiscal Year 2016-17 Operational Plan in the Department of Public Works Detailed Work Program. If approved, total estimated construction project costs will be \$900,000, including contingencies. The funding source is revenue from TransNet (\$800,000) and TIF revenues (\$100,000). There will be no change in net General Fund cost and no additional staff years.

**BUSINESS IMPACT STATEMENT:**

County construction contracts are competitively bid and help stimulate the local economy.

**RECOMMENDATION:**

**CHIEF ADMINISTRATIVE OFFICER**

1. Find that the proposed project is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15301 of the CEQA Guidelines because it involves the minor alteration of existing public roadway involving no or negligible expansion of existing use.
2. Establish appropriations of \$900,000 in the Department of Public Works Fiscal Year 2016-17 Detailed Work Program for the East Vista Way at Gopher Canyon Road Intersection Improvements project based on revenues from TransNet (\$800,000) and Transportation Impact Fee (TIF) (\$100,000).  
**(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 Horn, seconded by Supervisor Cox, the Board took action as recommended, on Consent.

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

9. **SUBJECT: RATIFY AND APPROVE REVENUE AGREEMENT WITH THE STATE OF CALIFORNIA FOR ENFORCEMENT OF THE STATE RADIATION CONTROL LAW (DISTRICTS: ALL)**

**OVERVIEW:**

Since 1986, the California Department of Health Services – presently, the California Department of Public Health (CDPH) – has contracted with the Department of Environmental Health (DEH) to enforce the State Radiation Control Law in San Diego county. The local implementation of DEH’s Radiation Control program protects the residents and environment from the effects of radiation and ensures that all state and federal regulations are met.

On June 26, 2013 (2), the Board of Supervisors approved and authorized the DEH Director to execute a three-year revenue agreement with the CDPH, Radiologic Health Branch, to enforce the state Radiation Control Law in San Diego County, for the period July 1, 2013 through June 30, 2016. With the expiration of the current revenue agreement, DEH is requesting that the Board of Supervisors ratify and approve a new one-year revenue agreement with the CDPH.

This request is to enter into a one-year revenue agreement with the CDPH and adopt a Resolution authorizing the Director, Department of Environmental Health, or his/her designee to receive funds in the amount of \$854,175 to continue enforcement of the state Radiation Control Law for the period of July 1, 2016 through June 30, 2017.

**FISCAL IMPACT:**

Funds for this request are included in the Fiscal Year 2016-18 Operational Plan for the Department of Environmental Health (DEH). The total program costs are projected to be \$1,044,769 for Fiscal Year 2016-17. The funding sources are a revenue agreement with the California Department of Public Health, Radiological Health Branch (\$854,175) and 1991 Realignment Revenue (\$190,594). DEH receives a fixed amount of on-going 1991 Realignment Revenue which is restricted to fund public health programs with insufficient funding such as the Radiologic Health Program. A waiver of Board Policy, B-29: Fees, Grants, Revenue Contracts – Department Responsibility for Cost Recovery, is requested in the amount of \$190,594 for program costs not covered by the revenue agreement, including external (County) support costs, which are disallowed under the State agreement. 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. In accordance with the California Environmental Quality Act (CEQA) Guidelines section 15061(b)(3), 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.

Find in accordance with Section 15308 of the CEQA Guidelines that this action is exempt from CEQA because it is an action taken by a regulatory agency to assure the protection of the environment.

2. Waive Board Policy B-29: Fees, Grants, Revenue Contracts – Department Responsibility for Cost Recovery, with respect to full cost recovery for the implementation of this contract.
3. Ratify acceptance and authorize the Director, Department of Environmental Health, or his/her designee to execute a one-year revenue agreement with the California Department of Public Health, Radiological Health Branch to enforce the Radiation Control Law in San Diego County, in an amount not to exceed \$854,175 for the period July 1, 2016 through June 30, 2017.
4. Adopt a Resolution entitled: RESOLUTION AUTHORIZING EXECUTION OF A REVENUE AGREEMENT WITH THE CALIFORNIA DEPARTMENT OF PUBLIC HEALTH/RADIOLOGICAL HEALTH BRANCH FOR ENFORCEMENT OF THE RADIATION CONTROL LAW FOR FISCAL YEAR 2016-17.
5. Authorize the Director, Department of Environmental Health, or his/her designee to execute any amendments, extensions, and/or revisions thereof that do not materially impact or alter either the program or funding level.

**ACTION:**

ON MOTION of Supervisor Horn, seconded by Supervisor Cox, the Board took action as recommended, on Consent, adopting Resolution No. 16-104, entitled: RESOLUTION AUTHORIZING EXECUTION OF A REVENUE AGREEMENT WITH THE CALIFORNIA DEPARTMENT OF PUBLIC HEALTH/RADIOLOGICAL HEALTH BRANCH FOR ENFORCEMENT OF THE RADIATION CONTROL LAW FOR FISCAL YEAR 2016-17.

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

**10. SUBJECT: ADOPT SWEETWATER CHANNEL LEVEE SYSTEM OPERATIONS AND MAINTENANCE PLAN (DISTRICT: 1)**

**OVERVIEW:**

The Federal Emergency Management Agency (FEMA) and the County of San Diego (County) began a Map Modernization Initiative in 2009 to transform the format of the County's existing flood hazard mapping inventory from a paper based product to a digital product. One specific focus for FEMA in their Map Modernization Initiative was to verify that areas shown to be protected by levees on the effective Flood Insurance Rate Maps (FIRMs) were still valid.

The Sweetwater Channel Levee System (System) is located within the jurisdictions of the County, City of National City, and City of Chula Vista (Cities), and runs parallel to State Route 54 (SR-54) (Attachment A). The County has led the effort with the Cities to develop the Sweetwater Channel Levee System Operations and Maintenance Plan (Plan) and has received conditional approval of the Plan from FEMA. One of the final steps to receive accreditation of the System is adoption of the Plan by the Board of Supervisors. Once adopted, County staff will submit the adoption documentation to FEMA for final accreditation.

This is a request to adopt the Plan and submit to FEMA. This action will directly assist properties protected by the Sweetwater Levee System by ensuring that the areas shown as being protected by the levees on the effective FIRMs will continue their designation as protected from flooding and will not be subject to new limitations for construction and requirements for flood insurance.

**FISCAL IMPACT:**

Funds for this request are included in the Fiscal Year 2016-17 Operational Plan in the San Diego County Flood Control District. The funding sources are cost sharing agreements with the City of Chula Vista and the City of National City to share costs based on the percentage of jurisdictional land for each entity within the Sweetwater Channel Levee System right-of-way. There will be no changes in net General Fund cost and no additional staff years.

**BUSINESS IMPACT STATEMENT:**

N/A

**RECOMMENDATION:**

**CHIEF ADMINISTRATIVE OFFICER**

1. Find that proposed action is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15301 of the State CEQA Guidelines because the project consists of the adoption of an operations and maintenance plan for an existing levee system.
2. Adopt the Sweetwater Channel Levee System Operations and Maintenance Plan.

3. Delegate authority to the Director, Department of Public Works, to approve and adopt future revisions to the Sweetwater Channel Levee System Operations and Maintenance Plan.

**ACTION:**

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

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

**11. SUBJECT: TRAFFIC ADVISORY COMMITTEE (DISTRICTS: 2 & 3)**

**OVERVIEW:**

The Traffic Advisory Committee meets every six weeks to review proposed additions, deletions or changes to regulatory traffic controls. The Committee recommends Board action on four items from the Committee's June 10, 2016 meeting agenda.

**FISCAL IMPACT:**

There is no fiscal impact associated with this action. There will be no change in net General Fund cost and no additional staff years.

**BUSINESS IMPACT STATEMENT:**

N/A

**RECOMMENDATION:**

**TRAFFIC ADVISORY COMMITTEE**

**District 2**

2-A. Jamacha Boulevard/Spring Valley Shopping Center (58th Edition Thomas Guide Page 1291-A3) Spring Valley – Add the western shopping center driveway entrance/exit to the County's Traffic Signal Priority List and implement interim striping and delineator modifications on Jamacha Boulevard.

2-B. La Cresta Road from Greenfield Drive easterly 3,168 feet (58th Edition Thomas Guide Page 1251-H3) Crest – Recertify the existing 45 MPH speed limit for continued radar speed enforcement.

2-C. Riverside Drive from Lakeside Avenue to Riverford Road (58th Edition Thomas Guide Page 1271-F3) Lakeside – Recertify the existing 45 MPH speed limit for continued radar speed enforcement.

**District 3**

3-A. 4S Ranch Parkway/Deer Ridge Road/Prairie Springs Road (58th Edition Thomas Guide Page 1169-E3) 4S Ranch – Establish an all-way stop intersection.

**CHIEF ADMINISTRATIVE OFFICER**

1. Find that the proposed project is exempt from the California Environmental Quality Act (CEQA) as specified under Section 15301 of the CEQA Guidelines because the proposed action involves minor alteration of existing public facilities relating to regulatory traffic control issues on County-maintained roads, resulting in negligible or no expansion of use.
2. Adopt the Traffic Advisory Committee's recommendations.
3. Adopt the following Resolution:  
RESOLUTION AMENDING TRAFFIC RESOLUTION NO. 299  
RELATING TO THE ESTABLISHMENT OF ALL-WAY STOP  
INTERSECTIONS IN SAN DIEGO COUNTY (Item 3-A).

**ACTION:**

ON MOTION of Supervisor Horn, seconded by Supervisor Cox, the Board took action as recommended, on Consent, adopting Resolution No. 16-105, entitled: RESOLUTION AMENDING TRAFFIC RESOLUTION NO. 299 RELATING TO THE ESTABLISHMENT OF ALL-WAY STOP INTERSECTIONS IN SAN DIEGO COUNTY (Item 3-A).

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

12. **SUBJECT: SECOND CONSIDERATION AND ADOPTION OF ORDINANCE: AN ORDINANCE AMENDING COUNTY BUILDING CODE TO STREAMLINE ELECTRICAL VEHICLE CHARGING PERMITS (DISTRICTS: ALL)**

**OVERVIEW:**

On July 20, 2016 (2) the Board of Supervisors introduced the Ordinance for further consideration and adoption on August 3, 2016.

State Assembly Bill (AB) 1236 was signed by the Governor on October 8, 2015 and went into effect on January 1, 2016, amending California Government Code to require all jurisdictions to adopt an ordinance creating an expedited, streamlined permitting process for electrical vehicle (EV) charge stations. This new law requires jurisdictions to have an application completeness checklist and allow customers to submit applications electronically before September 30, 2016.

Planning & Development Services (PDS) has committed to supporting renewable energy by making several innovations and changes. PDS currently utilizes an expedited and streamlined permitting process for EV charging permits and permits are issued within the same-day for walk-in customers. Additionally, PDS has an existing application completeness checklist for EV charging permits. Today's proposed recommendations include adoption of an Ordinance to formally codify AB 1236 requirements that are currently being met.

**FISCAL IMPACT:**

There is no fiscal impact associated with these recommendations. There will be no change in net General Fund cost and no additional staff years.

**BUSINESS IMPACT STATEMENT:**

The adoption of the proposed Ordinance amendment would benefit the residents of the unincorporated county and the renewable energy industry by codifying business practices that ensure the building permit process is streamlined for EV charging permits.

**RECOMMENDATION:**

**CHIEF ADMINISTRATIVE OFFICER**

1. Consider and adopt the Ordinance amending the County Building Code.  
AN ORDINANCE ADDING SECTION 91.1.105.3.1.2 TO THE COUNTY CODE RELATED TO THE EXPEDITED PROCESSING OF ELECTRICAL VEHICLE CHARGING STATION PERMITS (Attachment B).
2. After adoption, direct the Clerk of the Board of Supervisors to provide a certified copy of the adopted ordinance to the California Building Standards Commission.

**ACTION:**

ON MOTION of Supervisor D. Roberts, seconded by Supervisor Cox, the Board took action as recommended, adopting Ordinance No. 10437 (N.S.), entitled: AN ORDINANCE ADDING SECTION 91.1.105.3.1.2 TO THE COUNTY CODE RELATED TO THE EXPEDITED PROCESSING OF ELECTRICAL VEHICLE CHARGING STATION PERMITS.

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

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

**OVERVIEW:**

Lauren Logan spoke to the Board regarding marijuana storefronts.

Martha Welch spoke to the Board regarding elections.

**ACTION:**

Heard, referred to the Chief Administrative Officer.

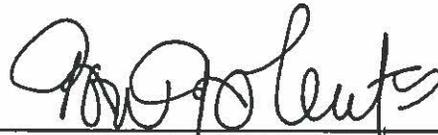
There being no further business, the Board adjourned at 9:40 a.m. in memory of Enrique Mier y Teran, John McLaughlin, Alan Winkelman, and Pauline Foster.

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

Consent: Miller  
Discussion: Zurita

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

Approved by the Board of Supervisors, on Wednesday, September 14, 2016.



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RON ROBERTS  
Chairman

Attest:



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DAVID HALL  
Clerk of the Board

08/03/16