

November 18, 2015

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, NOVEMBER 18, 2015, 9:00 A.M.
BOARD OF SUPERVISORS NORTH CHAMBER
1600 PACIFIC HIGHWAY, ROOM 310, SAN DIEGO, CALIFORNIA

REGULAR SESSION – Called to order at 9:04 a.m.

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

Approval of the Statement of Proceedings/Minutes for the meeting of October 28, 2015.

ACTION:

ON MOTION of Supervisor D. Roberts, seconded by Supervisor Cox, the Board of Supervisors approved the Statement of Proceedings for the meeting of October 28, 2015.

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:
SAN LUIS REY RIVER PARK – ACQUISITION OF 60.31 ACRES FOR INCLUSION IN THE RIVER PARK (SAN LUIS REY DOWNS ENTERPRISES, LLC
[FUNDING SOURCES: OPERATING TRANSFER IN FROM THE GENERAL FUND AND UNANTICIPATED REVENUE FROM THE PARKS AND RECREATION TRUST FUND BASED ON FUNDS FROM STATE ROUTE 76, CALTRANS WIDENING PROJECT; GENERAL PURPOSE REVENUE]
(4 VOTES)

2. NOTICED PUBLIC HEARING:
SYCAMORE CANYON/GOODAN RANCH PRESERVE – ACQUISITION OF 39.25 ACRES FOR OPEN SPACE (CIELO 182, LLC) (10/14/2015 – SET HEARING; 11/18/2015 – HOLD HEARING)

3. NOTICED PUBLIC HEARING:
2015 GENERAL PLAN CLEAN-UP GENERAL PLAN AMENDMENT AND
REZONE; GPA 14-001; REZ 14-001
4. ESTABLISHING URBAN AGRICULTURE INCENTIVE ZONES IN SAN DIEGO
COUNTY
5. ESTABLISH APPROPRIATIONS, AMEND EXISTING GRANT AGREEMENT,
ACCEPT GRANT FUNDS FROM THE SAN DIEGO RIVER CONSERVANCY
TO CONSTRUCT THE HELIX FLUME TRAIL, AND ADOPT A MITIGATED
NEGATIVE DECLARATION FOR THE PROJECT
[FUNDING SOURCE: GRANT FROM THE SAN DIEGO RIVER
CONSERVANCY]
(4 VOTES)
6. ADVERTISE AND AWARD A CONSTRUCTION CONTRACT FOR
GUARDRAIL MAINTENANCE FISCAL YEAR 2015-16
[FUNDING SOURCE: HIGHWAY USER TAX ACCOUNT]
7. PUBLIC COMMUNICATION

1. **SUBJECT: NOTICED PUBLIC HEARING:
SAN LUIS REY RIVER PARK – ACQUISITION OF 60.31
ACRES FOR INCLUSION IN THE RIVER PARK (SAN LUIS
REY DOWNS ENTERPRISES, LLC) (DISTRICT: 5)**

OVERVIEW:

On September 16, 2015 (2) the Board of Supervisors continued the item to November 18, 2015 at 9:00 a.m.

The County has identified approximately 60.31 acres in the Bonsall area available for acquisition to add to the planned San Luis Rey River Park. The property is located north of Camino del Rey and east of State Route 76 (57th Edition Thomas Guide page 1068, A-1) within the approved San Luis Rey River Park Master Plan core study area. As planned, the park as a whole will help preserve the sensitive habitat along the river and offer both active and passive recreational opportunities, including non-motorized, multi-use trails and sports fields. The 60.31-acre property and an adjacent 1.61-acre property under separate ownership will be considered for future, as yet unplanned, recreational facilities. Pursuant to Government Code Section 25350.60 and County Administrative Code Section 73, the acquisition of the 1.61-acre parcel will be completed administratively as its assessed value is expected to be less than \$250,000.

On July 22, 2015, the Board set a hearing for September 16, 2015. On September 16, 2015 the Board continued the item to November 18, 2015 to provide time for further research into future road improvements that could affect a small portion of the property under consideration. If the road improvements are funded, DPW will evaluate purchasing necessary road right of way from DPR. DPR will take into consideration the location of the road improvements in future planning of the river park. Today, after making the necessary findings, the Board is requested to approve the purchase of Assessor's Parcel Numbers 126-230-14, -67 and 126-060-43 from San Luis Rey Downs Enterprises, LLC at the appraised value of \$3,166,275.

FISCAL IMPACT:

Funds for this request are partially included in the Fiscal Year 2015-2016 Operational Plan for the Capital Outlay Fund. If approved, this request will result in costs of \$3,423,575 for Capital Project 1007108, San Luis Rey River Park Acquisition itemized as follows: \$3,166,275 for 60.31-acre property acquisition; \$53,800 for staff, appraisal and ancillary costs to complete the transaction; \$3,500 for closing and title costs; and \$200,000 for the purchase of 1.61 acres (including the property acquisition, staff, appraisal, ancillary, closing, and title costs). The funding sources are an Operating Transfer In from the General Fund (\$3,310,579.19) and unanticipated revenue from the Parks and Recreation Trust Fund based on funds from State Route 76, Caltrans widening project (\$112,995.81), associated Board action June 29, 2011 (05).

If approved, this request will also result in costs of \$181,000 for Capital Project 1019796, San Luis Rey Land Improvements. The one-time land protection costs of \$181,000 include vegetation management and installation of or rehabilitation of existing fencing, gates, signage, lighting, and removal of a structure on site due to unsafe conditions. The funding source is unanticipated revenue from the Parks and Recreation Trust Fund based on funds from State Route 76, Caltrans widening project (\$181,000).

Funds for this request are not included in the Fiscal Year 2015-16 Operational Plan for the Department of Parks and Recreation. If approved, this request will result in costs and revenue of \$69,000 for maintenance of the existing water well, septic system, and a building on the property. The funding source is unanticipated revenue from the Parks and Recreation Trust Fund based on funds from State Route 76, Caltrans widening project (\$69,000).

Beginning in Fiscal Year 2017-18, it is anticipated that the total annual management costs for the San Luis Rey River Park will be \$135,000. In addition, there will be an estimated annual cost of \$2,139 for fixed charge assessment including vector control and water standby charges. The funding source will be General Purpose Revenue and will be provided for in future Operational Plans in the Department of Parks and Recreation.

There will be no change in current year net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT:

N/A

RECOMMENDATION:

CHIEF ADMINISTRATIVE OFFICER

1. Find that the Final Program Environmental Impact Report (FPEIR) on file in the Department of Parks and Recreation for the San Luis Rey River Park Master Plan, dated September 24, 2008, State Clearinghouse #2006051074, was completed in compliance with the California Environmental Quality Act (CEQA) and State and County CEQA Guidelines, that the Board of Supervisors has reviewed and considered the information contained therein before approving the project, that the FPEIR reflects the independent judgment and analysis of the Board of Supervisors and:

Find that there are no changes in the project or in the circumstances under which the project is undertaken that involve significant new environmental impacts which were not considered in the previously certified FPEIR, dated September 24, 2008, 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 said FPEIR was certified as explained in the Environmental Review Update Checklist dated June 17, 2015.

2. Cancel appropriations of \$210,000 and related Operating Transfer from the General Fund in the Multiple Species Conservation Program Acquisition Fund, to provide funding for San Luis Rey Downs Enterprises, LLC Acquisition.
3. Establish appropriations of \$322,995.81 in the Capital Outlay Fund for Capital Project 1007108, San Luis Rey River Park Acquisition based on an Operating Transfer In from the General Fund (\$210,000) and unanticipated revenue from the Parks and Recreation trust fund (\$112,995.81). (4 VOTES)
4. Establish appropriations of \$181,000 in the Capital Outlay Fund for Capital Project 1019796, San Luis Rey Land Improvements based on unanticipated revenue from the Parks and Recreation trust fund. (4 VOTES)
5. Establish appropriations of \$69,000 in the Department of Parks and Recreation, Services and Supplies for maintenance costs related to San Luis Rey Downs Enterprises, LLC property based on unanticipated revenue from the Parks and Recreation trust fund. (4 VOTES)
6. 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 126-230-14, -67 and 126-060-43 from San Luis Rey Downs Enterprises, LLC for the appraised value of \$3,166,275.
7. Authorize the Director, Department of General Services, or designee, to execute all escrow related documents necessary to complete the purchase of the property.

ACTION:

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

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

2. **SUBJECT: NOTICED PUBLIC HEARING:
SYCAMORE CANYON/GOODAN RANCH PRESERVE –
ACQUISITION OF 39.25 ACRES FOR OPEN SPACE (CIELO
182, LLC) (10/14/2015 – SET HEARING; 11/18/2015 – HOLD
HEARING) (DISTRICT: 2)**

OVERVIEW:

On October 14, 2015 (5), the Board of Supervisors set a Hearing for November 18, 2015.

The County has identified 39.25 acres in the unincorporated area near Poway west of State Route 67 and south of Scripps Poway Parkway available for inclusion in the Sycamore Canyon/Goodan Ranch Preserve (57th Edition Thomas Guide page 1191, E-6). The proposed acquisition of this property will preserve very high quality chaparral and coastal sage scrub habitat within the Pre-Approved

Mitigation Area (PAMA) of the Multiple Species Conservation Program (MSCP) South County Subarea Plan. Subject to future funding and environmental review, the property may also provide a suitable connection for the Trans County Trail. The property, which is owned by Cielo 182, LLC, was appraised at \$541,000.

Today's request requires two steps. On October 14, 2015, it is requested that the Board set a hearing for November 18, 2015, and direct the Clerk of the Board to provide public notice of the hearing. If the Board takes the actions recommended for October 14, 2015, then on November 18, 2015, after making the necessary findings, the Board is requested to approve the purchase of the 39.25-acre parcel identified as Assessor Parcel Number 324-040-07 and -08 from Cielo 182, LLC for the appraised value of \$541,000.

FISCAL IMPACT:

Funds for this request are included in the Fiscal Year 2015-16 Operational Plan for the Multiple Species Conservation Program (MSCP) Acquisitions Fund. If approved, this request will result in current year costs of \$854,500 itemized as follows: \$541,000 for property acquisition; \$29,000 for staff, appraisal and ancillary costs to complete the transaction; \$2,500 for closing and title costs; and a total of \$282,000 in one-time land protection costs that includes signage and vegetation management (\$3,000), and an update of the Resource Management Plan (\$279,000). The update of the Resource Management plan will include the associated Public Access Plan for this acquisition as well as recent additions to the Sycamore Canyon/Goodan Ranch Preserve.

Total annual cost for land monitoring and management of the 39.25 acres are estimated at \$6,930. In addition, there will be an estimated annual cost of \$502 for fixed charge assessments including vector control. These costs will be absorbed within the Department of Parks and Recreation's existing budget. There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT:

N/A

RECOMMENDATION:

CHIEF ADMINISTRATIVE OFFICER

1. Find that the proposed project is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Section 15325 because it involves the acquisition of land to preserve open space.
2. Approve the Purchase and Sale Agreement and Joint Escrow Instructions for the purchase of Assessor Parcel Numbers (APNs) 324-040-07 and -08 from Cielo 182, LLC for the appraised value of \$541,000.
3. Authorize the Director, Department of General Services, or designee, to execute two originals of the Purchase and Sale Agreement and Joint Escrow Instructions and all escrow and related documents necessary to complete the purchase of APNs 324-040-07 and -08.

ACTION:

ON MOTION of Supervisor Jacob, seconded by Supervisor Cox, the Board closed the Hearing and took action as recommended.

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

3.

SUBJECT: NOTICED PUBLIC HEARING:

2015 GENERAL PLAN CLEAN-UP GENERAL PLAN AMENDMENT AND REZONE; GPA 14-001; REZ 14-001 (DISTRICTS: ALL)

OVERVIEW:

This is a Board of Supervisors (Board) directed effort to address inconsistencies, omissions and other issues discovered during the implementation of the General Plan. This is the second clean-up cycle since the General Plan Update was approved in 2011. This General Plan Clean-Up General Plan Amendment (GPA) and Rezone includes proposed changes to the Land Use Element, Conservation and Open Space Element, Implementation Plan, Mobility Element Network Appendix, community/subregional plans, Land Use Map, and certain zoning and Regional Category Map changes when necessary for consistency.

FISCAL IMPACT:

There is no fiscal impact associated with today's requested actions on the 2015 General Plan Clean-Up GPA and Rezone. There will be no change in net General Fund costs and no additional staff years.

BUSINESS IMPACT STATEMENT:

N/A

RECOMMENDATION:

PLANNING COMMISSION

On September 18, 2015, the Planning Commission considered the GPA and Rezone and recommended that the Board:

1. Review and consider the information contained in the General Plan Environmental Impact Report (EIR), dated August 3, 2011, on file with Planning & Development Services (PDS) as Environmental Review Number 02-ZA-001, and the Draft Addendum thereto dated September 18, 2015, on file with PDS under Environmental Review Log Number 14-00-001, prior to making its decision on the GPA and Rezone. Adopt the Environmental Findings included in Attachment D.
2. Adopt the attached Resolution entitled: A RESOLUTION OF THE SAN DIEGO COUNTY BOARD OF SUPERVISORS ADOPTING THE 2015 GENERAL PLAN CLEAN-UP GENERAL PLAN AMEMENDMENT; GPA 14-001 (Planning Commission and Valley Center Community Planning Group [CPG] Recommended Resolution for Item VC201 – Attachment A-2, on file with the Clerk of the Board).

3. Adopt the attached Resolution entitled: A RESOLUTION OF THE SAN DIEGO COUNTY BOARD OF SUPERVISORS ADOPTING THE 2015 GENERAL PLAN CLEAN-UP GENERAL PLAN AMEMENDMENT; GPA 14-001 – ITEM SD201, which will become operative only after final approval of the detachment by the San Diego Local Agency Formation Commission (LAFCO) (Contingent Resolution – Attachment A-1, on file with the Clerk of the Board).
4. Adopt the attached Form of Ordinance entitled: AN ORDINANCE CHANGING THE ZONING CLASSIFICATION OF CERTAIN PROPERTY WITHIN THE COUNTY OF SAN DIEGO RELATED TO THE 2015 GENERAL PLAN CLEAN-UP GENERAL PLAN AMENDMENT AND REZONE (GPA 14-001; REZ 14-001) (Planning Commission and Valley Center CPG Recommended Ordinance for Item VC201 – Attachment C-2, on file with the Clerk of the Board).
5. Adopt the attached Form of Ordinance entitled: AN ORDINANCE CHANGING THE ZONING CLASSIFICATION OF CERTAIN PROPERTY WITHIN THE COUNTY OF SAN DIEGO RELATED TO THE 2015 GENERAL PLAN CLEAN-UP GENERAL PLAN AMENDMENT AND REZONE – ITEM SD201 (GPA 14-001; REZ 14-001), which will become operative only after final approval of the detachment by LAFCO (Contingent Ordinance – Attachment C-1, on file with the Clerk of the Board).

PLANNING & DEVELOPMENT SERVICES

1. Review and consider the information contained in the General Plan EIR, dated August 3, 2011, on file with PDS as Environmental Review Number 02-ZA-001, and the Draft Addendum thereto dated September 18, 2015, on file with PDS under Environmental Review Log Number 14-00-001, prior to making its decision on the GPA and Rezone. Adopt the Environmental Findings included in Attachment D.
2. Adopt the attached Resolution entitled: A RESOLUTION OF THE SAN DIEGO COUNTY BOARD OF SUPERVISORS ADOPTING THE 2015 GENERAL PLAN CLEAN-UP GENERAL PLAN AMENDMENT; GPA 14-001 (Staff Recommended Resolution – Attachment A, on file with the Clerk of the Board).
3. Adopt the attached Resolution entitled: A RESOLUTION OF THE SAN DIEGO COUNTY BOARD OF SUPERVISORS ADOPTING THE 2015 GENERAL PLAN CLEAN-UP GENERAL PLAN AMENDMENT; GPA 14-001 – ITEM SD201, which will become operative only after final approval of the detachment by LAFCO (Contingent Resolution – Attachment A-1, on file with the Clerk of the Board).

4. Adopt the attached Form of Ordinance entitled: AN ORDINANCE CHANGING THE ZONING CLASSIFICATION OF CERTAIN PROPERTY WITHIN THE COUNTY OF SAN DIEGO RELATED TO THE 2015 GENERAL PLAN CLEAN-UP GENERAL PLAN AMENDMENT AND REZONE (GPA 14-001; REZ 14-001) (Staff Recommended Ordinance – Attachment C, on file with the Clerk of the Board).
5. Adopt the attached Form of Ordinance entitled: AN ORDINANCE CHANGING THE ZONING CLASSIFICATION OF CERTAIN PROPERTY WITHIN THE COUNTY OF SAN DIEGO RELATED TO THE 2015 GENERAL PLAN CLEAN-UP GENERAL PLAN AMENDMENT AND REZONE – ITEM SD201 (GPA 14-001; REZ 14-001), which will become operative only after final approval of the detachment by LAFCO (Contingent Ordinance – Attachment C-1, on file with the Clerk of the Board).

ACTION:

Noting for the record that an Errata sheet has been submitted; ON MOTION of Supervisor Horn, seconded by Supervisor Jacob, the Board closed the Hearing and took action as recommended, adopting the Planning Commission's recommendations as follows:

Resolution No. 15-150, entitled: A RESOLUTION OF THE SAN DIEGO COUNTY BOARD OF SUPERVISORS ADOPTING THE 2015 GENERAL PLAN CLEAN-UP GENERAL PLAN AMEMENDMENT; GPA 14-001 (Planning Commission and Valley Center Community Planning Group [CPG] Recommended Resolution for Item VC201 – Attachment A-2, on file with the Clerk of the Board);

Resolution No. 15-151, entitled: A RESOLUTION OF THE SAN DIEGO COUNTY BOARD OF SUPERVISORS ADOPTING THE 2015 GENERAL PLAN CLEAN-UP GENERAL PLAN AMEMENDMENT; GPA 14-001 – ITEM SD201, which will become operative only after final approval of the detachment by the San Diego Local Agency Formation Commission (LAFCO) (Contingent Resolution – Attachment A-1, on file with the Clerk of the Board);

Ordinance No. 10396 (N.S.), entitled: AN ORDINANCE CHANGING THE ZONING CLASSIFICATION OF CERTAIN PROPERTY WITHIN THE COUNTY OF SAN DIEGO RELATED TO THE 2015 GENERAL PLAN CLEAN-UP GENERAL PLAN AMENDMENT AND REZONE (GPA 14-001; REZ 14-001) (Planning Commission and Valley Center CPG Recommended Ordinance for Item VC201 – Attachment C-2, on file with the Clerk of the Board);

Ordinance No. 10397 (N.S.), entitled: AN ORDINANCE CHANGING THE ZONING CLASSIFICATION OF CERTAIN PROPERTY WITHIN THE COUNTY OF SAN DIEGO RELATED TO THE 2015 GENERAL PLAN CLEAN-UP GENERAL PLAN AMENDMENT AND REZONE – ITEM SD201 (GPA 14-001; REZ 14-001), which will become operative only after final approval of the detachment by LAFCO (Contingent Ordinance – Attachment C-1, on file with the Clerk of the Board).

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

4. SUBJECT: ESTABLISHING URBAN AGRICULTURE INCENTIVE ZONES IN SAN DIEGO COUNTY (DISTRICTS: ALL)

OVERVIEW:

On September 28, 2013, Governor Brown signed into law Assembly Bill No. 551 (AB 551), the Urban Agriculture Incentive Zones Act. Similar to the Williamson Act, this bill authorizes counties and/or cities to establish Urban Agriculture Incentive Zones (UAIzs) whereby the county or city and a landowner can enter into a contract to restrict the use of vacant, unimproved or blighted lands for small-scale production of agricultural crops in exchange for a property tax benefit. The owner's land would be assessed at a lower rate, based on the average per-acre land value of irrigated cropland in California. This provides tangible financial incentive for a landowner who may not be interested in immediately developing vacant land.

Today's action will direct the Chief Administrative Officer to create framework criteria for evaluating proposals to establish UAIzs within the unincorporated County as well as in other jurisdictions in San Diego County. This framework should include, but is not limited to, criteria related to the identification of eligible parcels, providing notice to potentially affected taxing entities, and a fiscal impact analysis of the proposal to establish a UAIz. The action would also direct the CAO to report the criteria to all incorporated cities in San Diego County and the Board of Supervisors within 90 days.

In addition, today's action will direct the Chief Administrative Officer to determine the feasibility of establishing a UAIz in unincorporated San Diego County using the newly created framework criteria, and report back to the Board with options within 180 days.

FISCAL IMPACT:

There is no fiscal impact associated with this action.

Should the Board of Supervisors adopt the ordinance in the future, or adopt a resolution of approval to establish a UAIZ in an incorporated city, there would be the potential for a reduction in property tax revenue to the County of San Diego, participating incorporated cities and other districts in the tax rate area where the property under the UAIZ contract exists. The extent to which property tax revenue would decrease would depend on the number of property owners that enter into contract with the County or cities and the original assessed value of the parcels under contract.

BUSINESS IMPACT STATEMENT:

N/A

RECOMMENDATION:

SUPERVISOR RON ROBERTS AND SUPERVISOR JACOB

1. Direct the Chief Administrative Officer to create framework criteria for evaluating proposals to establish UAIZs within the unincorporated County as well as in other jurisdictions in San Diego County. This framework should include, but is not limited to, criteria related to the identification of eligible parcels, providing notice to potentially affected taxing entities, and a fiscal impact analysis of the proposal to establish a UAIZ. The Chief Administrative Officer is further directed to report the criteria to all incorporated cities in San Diego County and the Board of Supervisors within 90 days.
2. Direct the Chief Administrative Officer to determine the feasibility of establishing a UAIZ in unincorporated San Diego County using the newly created framework criteria, and report back to the Board with options within 180 days.

ACTION:

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

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

5. **SUBJECT: ESTABLISH APPROPRIATIONS, AMEND EXISTING GRANT AGREEMENT, ACCEPT GRANT FUNDS FROM THE SAN DIEGO RIVER CONSERVANCY TO CONSTRUCT THE HELIX FLUME TRAIL, AND ADOPT A MITIGATED NEGATIVE DECLARATION FOR THE PROJECT (DISTRICT: 2)**

OVERVIEW:

The San Diego River Conservancy (SDRC) obtained funding from the California Natural Resources Agency as part of the Proposition 40 California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Act of 2002. The San

Diego River Conservancy administers a grant program using the Proposition 40 funds for trail development and habitat restoration projects in the vicinity of the San Diego River. The grants are not competitive and do not require a funding match.

The Department of Parks and Recreation (DPR) applied for and was awarded an initial grant of \$214,627 in October 2014 from the SDRC to construct a two-mile segment of trail between El Monte Road and the Lake Jennings Campground trails on Helix Water District lands, known as the Helix Flume Trail (57th Edition Thomas Guide Page 1232, E-2). In September 2015, DPR was made aware of additional funding of \$110,373 from SDRC for this project. Board approval is required for this grant because the new total grant amount of \$325,000 now exceeds the \$250,000 threshold of County Administrative Code Section 123 for Revenue Contracts Not Exceeding \$250,000 Section (a)(1).

This is a request to amend the existing grant agreement with SDRC, establish appropriations, and authorize the Director, Department of Parks and Recreation, or designee, as agent of the County, to conduct all negotiations and execute and submit all documents that may be necessary to accept the grant funds from the SDRC. If approved, construction of the two-mile Helix Flume Trail is anticipated to begin in fall 2015 and be completed in spring 2016.

FISCAL IMPACT:

Funds for this project are partially included in the Fiscal Year 2015-2016 Operational Plan for the Department of Parks and Recreation. If approved, this request will result in costs and revenue of \$325,000 for the Helix Flume Trail project. Construction costs are estimated to be \$250,000, with the remaining funds of \$75,000 to be used for construction management, project administration, and contingency. The funding source is a grant from the San Diego River Conservancy. No funding match is required for this grant.

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 on the basis of the whole record, that there is no substantial evidence that the proposed project will have a significant effect on the environment. Consider the Mitigated Negative Declaration dated September 14, 2015 and revised November 2, 2015, State Clearinghouse #2015091033 on file with the Department of Parks and Recreation, together with the comments received during public review, 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 for the project and direct the Director, Department of Parks and Recreation, to implement the mitigation measures identified.

3. Approve and authorize an amendment to the existing San Diego River Conservancy grant agreement for an additional \$110,373 for a new grant total of \$325,000.
4. Establish appropriations of \$110,373 in the Department of Parks and Recreation for Helix Flume Trail, contingent upon a grant award from the San Diego River Conservancy. (4 VOTES)
5. Authorize the Director, Department of Parks and Recreation, or designee, as agent of the County, to conduct all negotiations and submit all documents including, but not limited to: applications, contracts, payment requests and, if funds are awarded, to execute the grant agreements, including any extensions or amendments thereof that do not materially impact or alter the grant programs or funding levels.

ACTION:

Noting for the record that an Errata sheet has been submitted; ON MOTION of Supervisor Jacob, seconded by Supervisor Cox, the Board took action as recommended, on Consent.

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

6. **SUBJECT: ADVERTISE AND AWARD A CONSTRUCTION CONTRACT FOR GUARDRAIL MAINTENANCE FISCAL YEAR 2015-16 (DISTRICTS: 2 & 5)**

OVERVIEW:

The Department of Public Works has identified various locations for replacement of guardrail-end sections and installation of new guardrail segments as part of its annual Guardrail Maintenance Program. Guardrails and the associated end sections are typically repaired or replaced along roadways where guardrails have been damaged or where it is determined there is a need to upgrade existing guardrails to meet current design standards.

This is a request to approve advertisement and subsequent construction contract award to the lowest responsive and responsible bidder for guardrails in Pine Valley and Valley Center. The estimated cost of the project is \$300,000 including contingency. Project construction is scheduled to begin in spring 2016 and be completed by summer 2016.

FISCAL IMPACT:

Funds for this request are included in the Fiscal Year 2015-16 Operational Plan in the Department of Public Works Detailed Work Program. If approved, construction project costs are estimated at \$300,000 including contingencies. The funding source is Highway User Tax Account (\$300,000). 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 California Environmental Quality Act (CEQA) as specified under Section 15301 of the State CEQA Guidelines because this project consists of the advertisement and award of a contract to allow for repair and replacement of existing guardrails involving negligible or no expansion of existing uses.
2. Authorize the Director, Department of Purchasing and Contracting, to take any action necessary to advertise and award a contract and to take other actions authorized by Section 401 et seq, of the Administrative Code with respect to contracting for subject public works project.
3. Designate the Director, Department of Public Works, as County Officer responsible for administering the construction contract, in accordance with Board Policy F-41, Public Works Construction Projects.

ACTION:

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

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

7. SUBJECT: PUBLIC COMMUNICATION (DISTRICTS: ALL)

OVERVIEW:

Martha Welch spoke to the Board regarding water.

Robert Germann spoke to the Board regarding Gillespie Field.

Peter Comiskey spoke to the Board regarding Balboa Park Community Access Passes.

Susan Batt spoke to the Board regarding Balboa Park Community Access Passes.

ACTION:

Heard, referred to the Chief Administrative Officer.

There being no further business, the Board adjourned at 10:08 a.m.

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

Consent: Miller
Discussion: Zurita

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

Approved by the Board of Supervisors, on Wednesday, December 16, 2015.



BILL HORN
Chairman

Attest:



DAVID HALL
Clerk of the Board

11/18/15