

**December 3, 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, DECEMBER 3, 2014, 9:00 A.M.**  
BOARD OF SUPERVISORS NORTH CHAMBER  
1600 PACIFIC HIGHWAY, ROOM 310, SAN DIEGO, CALIFORNIA

REGULAR SESSION – Regular Meeting was called to order at 9:05 a.m.

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

Approval of Statement of Proceedings/Minutes for the meetings of October 22, 2014 and October 29, 2014.

**ACTION:**

ON MOTION of Supervisor D. Roberts, seconded by Supervisor Horn, the Board of Supervisors approved the Statement of Proceedings/Minutes for the meetings of October 22, 2014 and October 29, 2014.

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.        NOTICED PUBLIC HEARING:  
          AMENDMENT TO ANNUAL FUNDING PLAN;        COMMUNITY  
          DEVELOPMENT BLOCK GRANT REALLOCATION OF FUNDS; ESTABLISH  
          APPROPRIATIONS, ADVERTISE AND AWARD A CONTRACT FOR THE  
          CONSTRUCTION OF JAMACHA BOULEVARD SIDEWALK  
          IMPROVEMENTS IN SPRING VALLEY  
          [FUNDING SOURCE(S): COMMUNITY DEVELOPMENT BLOCK GRANT]  
          (4 VOTES)
  
2.        NOTICED PUBLIC HEARING:  
          ESCONDIDO CREEK – ACQUISITION OF 244 ACRES OF LAND FOR OPEN  
          SPACE (ELFIN ACRES PROPERTIES, LLC) (10/22/2014 – SET HEARING;  
          12/3/2014 – HOLD HEARING)

3. NOTICED PUBLIC HEARING:  
SYCAMORE CANYON/GOODAN RANCH PRESERVE – ACQUISITION OF 101.16 ACRES OF LAND FOR OPEN SPACE (POWAY FTC 142, LLC) (10/22/2014 – SET HEARING; 12/3/2014 – HOLD HEARING)  
[FUNDING SOURCE(S): GRANT FROM THE STATE OF CALIFORNIA HABITAT CONSERVATION FUND AND MATCH FUNDS FROM THE MULTIPLE SPECIES CONSERVATION ACQUISITIONS FUND]  
(4 VOTES)
4. NOTICED PUBLIC HEARING:  
LAND USE AND ENVIRONMENT GROUP 2014 SUNSET REVIEW OF BOARD OF SUPERVISORS POLICIES, CODE OF ADMINISTRATIVE ORDINANCES, AND CODE OF REGULATORY ORDINANCES  
  
(RELATES TO SANITATION DISTRICT AGENDA NO. SA2)
5. AGUA CALIENTE SPRINGS AIRPORT - ADOPT A RESOLUTION AUTHORIZING APPLICATION AND AGREEMENT TO ACCEPT FUNDING FOR STATE GRANT FUNDS, AMEND AIRPORT ENTERPRISE FUND SPENDING PLAN, ADVERTISE AND AWARD CONSTRUCTION CONTRACT FOR RUNWAY REHABILITATION  
[FUNDING SOURCE(S): STATE DIVISION OF AERONAUTICS AND PRIOR YEAR AVAILABLE AIRPORT ENTERPRISE FUND FUND BALANCE]  
(4 VOTES)
6. ESTABLISH APPROPRIATIONS FOR CONSTRUCTION OF LIVE OAK PARK LEASH FREE DOG AREA, ACCEPT FUNDS AND ENTER INTO A MAINTENANCE AGREEMENT WITH THE LIVE OAK PARK COALITION  
[FUNDING SOURCE(S): PARKLAND DEDICATION ORDINANCE AREA 35 FALLBROOK FUND BALANCE AVAILABLE]  
(4 VOTES)
7. ESTABLISH APPROPRIATIONS, ADVERTISE AND AWARD A CONTRACT FOR THE CONSTRUCTION OF LINCOLN ACRES PEDESTRIAN RAMPS  
[FUNDING SOURCE(S): COMMUNITY DEVELOPMENT BLOCK GRANT]  
(4 VOTES)
8. ADVERTISE AND AWARD A CONTRACT FOR CONSTRUCTION OF COUNTYWIDE SLURRY SEAL RESURFACING FISCAL YEAR 2014-2015  
[FUNDING SOURCE(S): ROAD FUND FUND BALANCE, OPERATING TRANSFER FROM THE GENERAL FUND, AND HIGHWAY USER TAX ACCOUNT]
9. SET HEARING FOR 1/7/2015:  
FLINN SPRINGS COUNTY PARK – ACQUISITION OF 40.3 ACRES OF LAND FOR OPEN SPACE (FLINN SPRINGS 72, LLC) (12/3/2014 – SET HEARING; 1/7/2015 – HOLD HEARING)

10. ADMINISTRATIVE ITEM:  
SECOND CONSIDERATION AND ADOPTION OF ORDINANCE: ZONING  
ORDINANCE UPDATE NO. 30, COUNTY CODE AMENDMENTS AND  
STANDARD DEFENSE AND INDEMNIFICATION AGREEMENT REVISIONS;  
POD 13-003 AND PROPERTY ZONING MAP CLEAN-UP 2013; POD 13-014
11. PRESENTATIONS/AWARDS
12. PUBLIC COMMUNICATIONS

1. **SUBJECT: NOTICED PUBLIC HEARING:  
AMENDMENT TO ANNUAL FUNDING PLAN;  
COMMUNITY DEVELOPMENT BLOCK GRANT  
REALLOCATION OF FUNDS; ESTABLISH  
APPROPRIATIONS, ADVERTISE AND AWARD A  
CONTRACT FOR THE CONSTRUCTION OF JAMACHA  
BOULEVARD SIDEWALK IMPROVEMENTS IN SPRING  
VALLEY (DISTRICT: 2)**

**OVERVIEW:**

Today's requested actions will authorize the reallocation of up to \$300,000 in U.S. Department of Housing and Urban Development (HUD) Community Development Block Grant (CDBG) funds to supplement the Fiscal Year 2014-15 Jamacha Boulevard Sidewalk Improvements project. To obtain HUD authority to reallocate and use the CDBG funds, today's requested action will authorize and approve an amendment to the Fiscal Year 2014-15 County of San Diego Consortium Annual Funding Plan. The requested amendment requires a public notice, public hearing and a 30-day public comment period. The public comment period for this amendment ends on December 7, 2014.

Today's requested actions will authorize the construction of the Community Development Block Grant (CDBG)-funded missing sidewalk segments and pedestrian ramp improvement project along Jamacha Boulevard between Concepcion Avenue and La Presa Avenue (57th Edition Thomas Guide Page 1291, B3 thru C3). The project is located in the unincorporated community of Spring Valley bordered by the Sweetwater Reservoir to the south, Sweetwater River to the east, State Route 94 to the north, and State Route 125 to the west. The current project will construct 628-feet of missing sidewalk, construct or reconstruct 11 pedestrian ramps, and three driveway aprons to meet current Americans with Disabilities Act (ADA) standards. The project will benefit the community by enhancing pedestrian safety, accessibility and walkability in this heavily-traveled, mixed-use residential and commercial area.

This is a request to approve advertisement and subsequent contract award to the lowest responsive and responsible bidder, for the Jamacha Boulevard Sidewalk Improvements project. Upon Board approval, the Department of Purchasing and Contracting will advertise and subsequently award a contract for construction. Project construction is scheduled to begin in spring 2015 and be completed by summer 2015. The estimated construction cost for the project will be \$210,000, including contingency.

**FISCAL IMPACT:**

Funds for this request are not included in the Fiscal Year 2014-15 Operational Plan in the Department of Public Works Detailed Work Program. If approved, this request will result in the reallocation of \$300,000 in CDBG funds to the Department of Public Works for the Jamacha Boulevard Sidewalk Improvements project. Current year costs will be \$300,000, for construction and contingency (\$210,000) and construction management (\$90,000). The funding source is Community Development Block Grant. There will be no change in net General Fund costs 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) as specified under Section 15301 of the state CEQA Guidelines because it involves the minor alteration of existing public roadway to better accommodate existing pedestrian uses with no or negligible expansion of existing use.
2. Receive public comment on the reallocation of CDBG funds and amendment to the Fiscal Year 2014-15 County of San Diego Consortium Annual Funding Plan.
3. Cancel appropriations of \$300,000 and related CDBG revenue in the County of San Diego's Department of Housing and Community Development due to a reallocation of currently uncommitted funds.
4. Approve and authorize the reallocation of up to \$300,000 in CDBG Program funds from the CDBG Housing Development Fund to supplement the Fiscal Year 2014-15 Jamacha Boulevard Sidewalk Improvements project.
5. Establish appropriations of \$300,000 in the Department of Public Works Detailed Work Program for construction of the Jamacha Boulevard Sidewalk Improvements based on revenue from the reallocation of CDBG Program funds. **(4 VOTES)**
6. Approve and authorize an amendment to the Fiscal Year 2014-15 County of San Diego Consortium Annual Funding Plan for the reallocation of \$300,000 in CDBG funds for the Fiscal Year 2014-15 Jamacha Boulevard Sidewalk Improvements project.

7. Authorize the Director, Department of Housing and Community Development, in consultation with County Counsel, to, as appropriate, publish notices, execute agreements, execute certification forms, and prepare and execute all necessary documents for the submittal, regulatory processing and implementation, as required by HUD, following the completion of environmental processing and HUD release of funds, if applicable.
8. 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.
9. 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 Cox, seconded by Supervisor R. 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:  
ESCONDIDO CREEK – ACQUISITION OF 244 ACRES OF  
LAND FOR OPEN SPACE (ELFIN ACRES PROPERTIES,  
LLC) (10/22/2014 – SET HEARING; 12/3/2014 – HOLD  
HEARING) (DISTRICT: 5)**

**OVERVIEW:**

On October 22, 2014 (9), the Board of Supervisors set a Hearing for December 3, 2014.

The County has identified approximately 244 acres of land available for inclusion in the Escondido Creek Preserve in the unincorporated area north of Harmony Grove Road and south of Indian Ridge Road (57th Edition Thomas Guide page 1129, A-6). Acquisition of the property preserves a significant block of southern mixed chaparral habitat, preserving an important wildlife corridor in the Escondido Creek watershed. In addition to providing valuable habitat for sensitive species, the property will provide opportunities for needed trail connections for regional trails identified in the County Trails Master Plan, contingent on funding and environmental review. The property is within the Pre-Approved Mitigation Area of the Multiple Species Conservation Program Draft North County Plan. The property, which is owned by Elfin Acres Properties LLC, was appraised at \$4 million.

Today's request requires two steps. On October 22, 2014, it is requested that the Board set a hearing for December 3, 2014, and provide public notice of the hearing. If the Board takes the actions recommended for October 22, 2014, then

on December 3, 2014, after making the necessary findings, the Board is requested to approve the purchase, from Elfin Acres Properties, LLC, of Assessor's Parcel Numbers 222-130-06 (portion), -13 (portion) and -19 for the appraised value of \$4 million.

**FISCAL IMPACT:**

Funds for this request are included in the Fiscal Year 2014-15 Operational Plan for Multiple Species Conservation Program (MSCP) Acquisitions Fund. If approved, this request will result in a current year cost of \$4,326,625 itemized as follows: \$4,000,000 for property acquisition; \$31,800 for staff and due diligence expenses to complete the transaction; \$11,225 for closing and title costs; and \$283,600 in one-time land protection costs to update the Escondido Creek Preserve Resource Management Plan and for boundary surveys, signage, fencing erosion and vegetation management. The property to be acquired includes a telecommunications site lease that will be assigned to the County. The annual lease revenue is approximately \$21,080, which increases 2.5% per year and expires on May 31, 2021. The lessee has an option to extend the lease for two additional five (5) year terms.

Total annual costs for required land monitoring and management of the 244 acres are estimated at \$35,000. In addition, there will be an annual cost of approximately \$11,191 for fixed charge assessments including vector control and water standby charges. These costs will be partially offset by cell tower revenue with the remainder to be managed through an agreement with The Escondido Creek Conservancy and absorbed within the Department of Parks and Recreation existing budget. 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, in accordance with Sections 15325, 15311 (a), 15301, and 15304 of the California Environmental Quality Act (CEQA) Guidelines, that the purchase of APNs 222-130-06 (portion), -13 (portion) and -19 is categorically exempt from the provisions of the CEQA, as it involves the transfer of ownership of land to preserve open space and natural conditions, minor alterations to land and existing facilities, and the lease of an existing facility.
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 222-130-06 (portion), -13 (portion) and -19 from Elfin Acres Properties, LLC for the purchase price of \$4 million.
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 Cox, seconded by Supervisor R. Roberts, the Board closed the Hearing and took action as recommended, on Consent.

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

3. **SUBJECT: NOTICED PUBLIC HEARING:  
SYCAMORE CANYON/GOODAN RANCH PRESERVE –  
ACQUISITION OF 101.16 ACRES OF LAND FOR OPEN  
SPACE (POWAY FTC 142, LLC) (10/22/2014 – SET  
HEARING; 12/3/2014 – HOLD HEARING) (DISTRICT: 2)**

**OVERVIEW:**

On October 22, 2014 (8), the Board of Supervisors set a Hearing for December 3, 2014.

The County has identified 101.16 acres in the unincorporated area near Poway area 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, D-5). The acquisition of this property will help preserve important habitat within the Pre-Approved Mitigation Area of the Multiple Species Conservation Program (MSCP) South County Subarea Plan and may provide a suitable connection for the Trans County Trail and City of Poway trails in the future. The property, which is owned by Poway FTC 142, LLC, was appraised at \$810,000.

Based on the value of habitat, wildlife and trail connectivity, in June 2014, the County was awarded a State of California Habitat Conservation Fund (HCF) grant to acquire this property. The grant will cover \$200,000 of the purchase price of the land. The HCF grant is competitive and requires a dollar-for-dollar funding match.

The acquisition of Assessor's Parcel Numbers 324-011-15 and 324-070-29 requires two steps. On October 22, 2014, it is requested that the Board set a hearing for December 3, 2014 and provide public notice of the hearing. If the Board takes the action recommended on October 22, 2014, then on December 3, 2014, after making the necessary findings the Board is requested to approve the purchase of 101.16 acres from Poway FTC 142, LLC for the appraised value of \$810,000.

**FISCAL IMPACT:**

Funds for this request are partially budgeted in the Fiscal Year 2014-15 Operational Plan for Multiple Species Conservation Program (MSCP) Acquisitions Fund. If approved, this request will result in Fiscal Year 2014-15 cost of \$873,500 itemized as follows: \$810,000 for property acquisition; \$32,000 for staff and due diligence expenses to complete the transaction; \$9,000 for closing and title costs; and \$22,500 in one-time land protection costs for activities including signage and access control measures. The Habitat Conservation Fund is competitive and requires a dollar-for-dollar funding match. The funding sources are a grant from

the State of California Habitat Conservation Fund (\$200,000) and match funds from the Multiple Species Conservation Acquisitions Fund (\$673,500).

Total annual costs for required land monitoring and management of the 101.16 acres are estimated at \$17,000. In addition, there will be an annual cost of \$6 for the fixed charge assessments for mosquito and vector control on the property. These costs will be absorbed within the Department of Parks and Recreation existing budget. 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 Sections 15325 and 15311 (a) as it involves the acquisition of land to preserve natural conditions and open space for park purposes and installation of on-premise signs.
2. Establish appropriations of \$200,000 in the Multiple Species Conservation Program Acquisitions Fund, for the acquisition of 101.16 acres of land for Open Space, based upon grant award from the State of California Habitat Conservation Fund. **(4 VOTES)**
3. 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 324-011-15 and 324-070-29 from Poway FTC 142, LLC for the purchase price of \$810,000.
4. 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 Jacob, seconded by Supervisor D. Roberts, the Board closed the Hearing and took action as recommended.

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

4. **SUBJECT: NOTICED PUBLIC HEARING:  
LAND USE AND ENVIRONMENT GROUP 2014 SUNSET  
REVIEW OF BOARD OF SUPERVISORS POLICIES, CODE  
OF ADMINISTRATIVE ORDINANCES, AND CODE OF  
REGULATORY ORDINANCES (DISTRICTS: ALL)**

**OVERVIEW:**

In accordance with Board of Supervisors Policy A-76, Sunset Review Process, the Land Use and Environment Group periodically reviews Board of Supervisors policies and provisions, as well as ordinances of the County Administrative Code and County Regulatory Code (Code) to ensure obsolete policies and Code provisions are deleted and remaining requirements reflect current Board standards and practices.

The proposed action includes approval of a new sunset review date as well as proposed revisions for policies and ordinances listed in this letter. No revisions are proposed to Board of Supervisor Policy J-10 or County Administrative Code Article XV-A, San Diego County Environmental Health Advisory Board. Revisions are proposed to County Administrative Code Article XXII—Department of Planning & Development Services—and Article XXIV—Department of Parks and Recreation—as well as revisions to Board of Supervisors Policies F-41, I-63, I-103, I-123, I-132, I-135, J-28, J-35 and J-36. County staff recommends the rescission of policies I-107—Policy on Long-Term Availability of Sewer Services to Certain portions of East County—and J-34—Off-Site Circulation Element Road Improvements for Major Subdivisions, Large Scale Projects, and Major Use Permits. This action also requires that the Board acting as the Board of Directors for the San Diego County Sanitation District (District) concur on actions that apply to the District.

**FISCAL IMPACT:**

The requested actions will have no current year or annual cost and will not require any additional staff years.

**BUSINESS IMPACT STATEMENT:**

N/A

**RECOMMENDATION:**

**CHIEF ADMINISTRATIVE OFFICER**

Acting as the Board of Supervisors of the County of San Diego, take the following action on December 3, 2014:

1. Find that the proposed action to amend certain County policies and ordinances is exempt from review under the California Environmental Quality Act (CEQA) by Section 15061(b)(3) of the State CEQA Guidelines.
2. Read the title, waive further reading, and introduce an ordinance for further consideration and adoption on January 7, 2015 to amend portions of Articles XXII and XXIV of the County Administrative Code.

3. Determine no revisions are necessary and approve the sunset review date of December 31, 2021, for Board of Supervisors Policy J-10 and County Administrative Code, Article XV-A.
4. Approve amendments to and establish the sunset review date of December 31, 2021 for Board of Supervisors Policies F-41, I-63, I-103, I-123, I-132, I-135, J-28, J-35 and J-36.
5. Rescind Board of Supervisors Policies I-107 and J-34.

Acting as the Board of Director of the San Diego County Sanitation District on December 3, 2014:

Approve amendments to and establish the sunset review date of December 31, 2021 for Board of Supervisors Policy I-135.

If on December 3, 2014 the Board introduces the ordinance, then on January 7, 2015 acting as the Board of Supervisors of the County of San Diego: Adopt the ordinance and establish a sunset review date of December 31, 2021 for the Articles in the Administrative Code effected by the amendment.

(Relates to Sanitation District Agenda No. SA2)

**ACTION:**

ON MOTION of Supervisor Cox, seconded by Supervisor R. Roberts, the Board closed the Hearing and took action as recommended, on Consent, introducing the Ordinance for further Board consideration and adoption on January 7, 2015.

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

5. **SUBJECT: AGUA CALIENTE SPRINGS AIRPORT - ADOPT A RESOLUTION AUTHORIZING APPLICATION AND AGREEMENT TO ACCEPT FUNDING FOR STATE GRANT FUNDS, AMEND AIRPORT ENTERPRISE FUND SPENDING PLAN, ADVERTISE AND AWARD CONSTRUCTION CONTRACT FOR RUNWAY REHABILITATION (DISTRICT: 2)**

**OVERVIEW:**

Agua Caliente Springs Airport serves residents of rural East San Diego County and visitors to Agua Caliente Hot Springs County Park (57th Edition Thomas Guide, page 1138-B5). The airport is within a short walk of the County Park, which features geothermal springs and pools, hiking trails and panoramic vistas. A single, paved runway, paved tie-down area and vehicular parking are the only facilities on the site.

The airport resides in a harsh desert environment and the existing runway is in poor condition with cracking throughout the pavement. The proposed project consists of rehabilitation of the runway which is necessary to correct deteriorating

runway infrastructure. The project has been identified by the California Department of Transportation (“State”) Division of Aeronautics as a priority and is eligible for funding. Total project cost is estimated at \$956,000. The State is now prepared to offer a grant of \$499,000 for this project, with matching funds of \$457,000 coming from the Airport Enterprise Fund.

The State requires adoption of a new form of resolution specifically for the Agua Caliente Springs Airport Runway Rehabilitation Project. This is a request to adopt a Resolution authorizing the Director, Department of Public Works, or designee, to submit, negotiate and execute all documents necessary to secure grant funding from the State Division of Aeronautics Acquisition and Development Grant Program. This item also requests an amendment to the current year spending plan of \$514,000 for the project. Upon receipt of state grant funds and this Board authorization, the Department of Purchasing and Contracting will advertise and subsequently award, to the lowest responsive and responsible bidder, a contract to rehabilitate the runway at Agua Caliente Springs Airport. Construction is scheduled to begin in fall 2015 and be completed by winter 2016.

**FISCAL IMPACT:**

Funds for this request are partially included in the Fiscal Year 2014-15 Operational Plan in the Airport Enterprise Fund. The Agua Caliente Springs Airport Runway Rehabilitation project cost is estimated at \$956,000. Previous budget approvals appropriated \$442,000 for preparation of the project design and environmental work. If approved, this request will result in costs and revenue of \$514,000 in Fiscal Year 2014-15. The funding sources are State Division of Aeronautics (\$499,000) and prior year available Airport Enterprise Fund fund balance (\$15,000). 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) as specified under Section 15301 of the state CEQA Guidelines because the proposed actions are all part of a single project to rehabilitate and repair an existing runway.
2. Adopt a Resolution entitled: RESOLUTION OF THE BOARD OF SUPERVISORS AUTHORIZING APPLICATION AND AGREEMENT TO ACCEPT FUNDING FROM THE CALIFORNIA DEPARTMENT OF TRANSPORTATION DIVISION OF AERONAUTICS FOR AN ACQUISITION AND DEVELOPMENT GRANT FOR THE AGUA CALIENTE SPRINGS AIRPORT, AND CERTIFYING AVAILABILITY OF THE COUNTY’S SHARE OF MATCHING FUNDS.

3. Amend the Fiscal Year 2014-15 Airport Enterprise Fund Spending Plan by \$514,000 to provide funds for Agua Caliente Springs Airport Runway Rehabilitation Project contingent upon a grant award from the State Division of Aeronautics (\$499,000) and prior year available Airport Enterprise Fund fund balance (\$15,000). **(4 VOTES)**
4. 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.
5. 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.

**ACTION:**

ON MOTION of Supervisor Cox, seconded by Supervisor R. Roberts, the Board took action as recommended, on Consent, adopting Resolution No. 14-172, entitled: RESOLUTION OF THE BOARD OF SUPERVISORS AUTHORIZING APPLICATION AND AGREEMENT TO ACCEPT FUNDING FROM THE CALIFORNIA DEPARTMENT OF TRANSPORTATION DIVISION OF AERONAUTICS FOR AN ACQUISITION AND DEVELOPMENT GRANT FOR THE AGUA CALIENTE SPRINGS AIRPORT, AND CERTIFYING AVAILABILITY OF THE COUNTY'S SHARE OF MATCHING FUNDS.

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

6. **SUBJECT: ESTABLISH APPROPRIATIONS FOR CONSTRUCTION OF LIVE OAK PARK LEASH FREE DOG AREA, ACCEPT FUNDS AND ENTER INTO A MAINTENANCE AGREEMENT WITH THE LIVE OAK PARK COALITION (DISTRICT: 5)**

**OVERVIEW:**

Live Oak County Park is a 27-acre community park located in the unincorporated community of Fallbrook (57th Edition Thomas Guide page 1028, B-5 and C-4/5). This park offers a variety of recreational activities including playgrounds, exercise stations, basketball and volleyball courts, soccer and baseball fields, shade pavilions, picnic areas and an amphitheater.

The community of Fallbrook has a growing population, including dog owners, who do not currently have a designated public area to safely exercise and socialize their dogs off leash. On July 17, 2014, the Community Service Area 81 Fallbrook Local Parks Advisory Committee included the Live Oak Park leash free dog area on their five-year priority list. The Department of Parks and Recreation supports the leash free area project and, if approved by the Board, will manage construction estimated at \$25,000. The proposed project will provide fencing and improve waste receptacles, water dispensers, and table and bench seating. The Live Oak Park

Coalition has raised \$26,043.80 for ongoing maintenance of the Live Oak Park leash free dog area that will be held in trust as security should the Live Oak Park Coalition fail to meet its annual commitments to provide funds for maintenance costs.

This is a request to establish appropriations of \$25,000 in the Parkland Dedication Ordinance Area 35 Fallbrook fund based on fund balance available, accept Live Oak Park Coalition funds of \$26,043.80 to be deposited in an interest earning trust fund. This request will also authorize the Director, Department of Parks and Recreation to negotiate and execute a maintenance funding agreement with the Live Oak Park Coalition for annual maintenance payments to the County of San Diego of approximately \$5,200 to be deposited into the interest earning trust fund.

**FISCAL IMPACT:**

Funds for this request are not included in the Fiscal Year 2014-15 Operational Plan for the Parkland Dedication Ordinance Area 35 Fallbrook fund. If approved, this request will result in current year costs and revenue of \$25,000 in the Parkland Dedication Ordinance Area 35 Fallbrook fund for the construction of the Live Oak Park leash free dog area. The funding source is Parkland Dedication Ordinance Area 35 Fallbrook fund balance available (\$25,000). Construction costs for the proposed improvements are estimated at \$19,000 for gates and fencing, including contingency. Remaining funds of \$6,000 will be used to purchase small amenities such as waste receptacles, water dispensers, and tables and bench seating.

The Live Oak Park Coalition has raised \$26,043.80 for the Live Oak Park leash free dog area that will be held in trust as security should the Live Oak Park Coalition fail to meet its commitments to provide funds for ongoing maintenance costs. The Live Oak Park Coalition will provide approximately \$5,200 per year to the County for additional maintenance costs of the Live Oak Park leash free dog area. The \$26,043.80 and annual \$5,200 will be deposited into an interest earning County trust fund.

Upon project completion, annual operations and maintenance of improvements will be provided by existing Department of Parks and Recreation staff through a maintenance funding agreement with the Live Oak Park Coalition. 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 Live Oak Park leash free area is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Sections 15301 and 15303 as it involves landscaping, installation of fencing, replacement of waste receptacles, benches and tables, and water dispensers.

2. Establish appropriations of \$25,000 in the Parkland Dedication Ordinance Area 35 Fallbrook fund, to provide funds for the Live Oak Park leash free dog area, based on prior year fund balance available. **(4 VOTES)**
3. Authorize the Director, Department of Parks and Recreation to negotiate and, upon approval of County Counsel, execute a maintenance funding agreement with the Live Oak Park Coalition to provide an initial maintenance security amount of \$26,043.80 and approximately \$5,200 per year to the County for additional maintenance costs of the Live Oak Park leash free area.
4. Authorize the Director, Department of Parks and Recreation to accept \$26,043.80 from the Live Oak Park Coalition to the County of San Diego as security to be used if the Coalition fails to meet its maintenance funding obligations.

**ACTION:**

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

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

7. **SUBJECT: ESTABLISH APPROPRIATIONS, ADVERTISE AND AWARD A CONTRACT FOR THE CONSTRUCTION OF LINCOLN ACRES PEDESTRIAN RAMPS (DISTRICT: 1)**

**OVERVIEW:**

This is a request to authorize construction of a Community Development Block Grant (CDBG) funded pedestrian ramps improvement project. The project is located in the unincorporated community of Lincoln Acres within the boundaries of the City of National City, north of State Route 54 at I-805 (57th Edition Thomas Guide Page 1310, B2-B3 and C2-C3). Sixteen pedestrian ramps will be reconstructed to meet current Americans with Disabilities Act (ADA) standards. The project will benefit the community by enhancing pedestrian safety, accessibility and walkability in this heavily-traveled, mixed-use residential and commercial area.

This is a request to approve advertisement and subsequent contract award, to the lowest responsive and responsible bidder, for the Lincoln Acres Pedestrian Ramps project. Upon Board approval, the Department of Purchasing and Contracting will advertise and subsequently award a contract for construction. Project construction is scheduled to begin in early 2015 and be completed by spring 2015. The estimated cost for the project will be \$135,000, including contingency.

**FISCAL IMPACT:**

Funds for this request are partially included in the Fiscal Year 2014-15 Operational Plan in the Department of Public Works Detailed Work Program. If approved, construction costs for the Lincoln Acres Pedestrian Ramps project will be \$135,000, including contingency. The funding source is Community Development



Block Grant (\$60,000 budgeted, \$75,000 to be appropriated). 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) as specified under Section 15301 of the state CEQA Guidelines because it involves the minor alteration of existing public roadway with no or negligible expansion of existing use.
2. Establish appropriations of \$75,000 in the Department of Public Works Detailed Work Program for construction of the Lincoln Acres Pedestrian Ramps project based on unanticipated revenue from the Community Development Block Grant (CDBG) program. **(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 actions 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 Cox, seconded by Supervisor R. Roberts, the Board took action as recommended, on Consent.

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

8. **SUBJECT: ADVERTISE AND AWARD A CONTRACT FOR CONSTRUCTION OF COUNTYWIDE SLURRY SEAL RESURFACING FISCAL YEAR 2014-2015 (DISTRICTS: 1, 2, 3 AND 5)**

**OVERVIEW:**

The Department of Public Works maintains nearly 2,000 centerline miles of roads in the unincorporated area of San Diego county. County road crews inspect all County-maintained roads and prioritize them for preventive maintenance. Through visual inspection and engineering methods, staff determines which roads require repair and resurfacing. Resurfacing provides the traveling public with structurally sound roads and protects the roads from deterioration and costly future repairs.

This is a request to approve advertisement and subsequent contract award to the lowest responsive and responsible bidder for slurry seal resurfacing on County-maintained roads. Project construction is tentatively scheduled to begin in the spring 2015 and be completed by summer 2015. The estimated cost for the project will be \$2,250,000, including contingency.

**FISCAL IMPACT:**

Funds for this request are included in the Fiscal Year 2014-15 Operational Plan in the Department of Public Works Detailed Work Program. If approved, construction costs for Countywide Slurry Seal Resurfacing will be \$2,250,000, including contingency. The funding sources are Road Fund fund balance (\$1,250,000), Operating Transfer from the General Fund (\$500,000), and Highway User Tax Account (\$500,000). There will be no change in net General Fund cost and no additional staff years.

**BUSINESS IMPACT STATEMENT:**

County public works 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) as specified under Section 15301 of the state CEQA Guidelines because it involves the operation, repair, and maintenance of existing public roadway involving no or negligible expansion of existing use.
2. Authorize the Director, Department of Purchasing and Contracting, to take any action necessary to advertise and award a construction 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 the County Officer responsible for administering the construction contract in accordance with Board Policy F-41, Public Works Construction Projects.

**ACTION:**

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

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

9. **SUBJECT: SET HEARING FOR 1/7/2015:  
FLINN SPRINGS COUNTY PARK – ACQUISITION OF 40.3  
ACRES OF LAND FOR OPEN SPACE (FLINN SPRINGS 72,  
LLC) (12/3/2014 – SET HEARING; 1/7/2015 – HOLD  
HEARING) (DISTRICT: 2)**

**OVERVIEW:**

The County has identified 40.3 acres in the Lakeside community south of Old Highway 80 and Marina Springs Lane available for inclusion in the Flinn Springs County Park (58th Edition Thomas Guide page 1232, J-5). Acquisition of the property will help preserve a corridor within the Multiple Species Conservation Program (MSCP) Lakeside linkage for the California gnatcatcher and an existing trail on the property that provides a connection to several community trails on the adopted Lakeside Community Trails and Pathway Plan, which is included in the County Trails Master Plan. The property is within the Pre-Approved Mitigation Area of the MSCP South County Subarea Plan.

The acquisition of the property, identified as Assessor's Parcel Numbers 399-010-09, -10 and -11, requires two steps. On December 3, 2014, it is requested that the Board set a hearing for January 7, 2015 and provide public notice of the hearing. If the Board takes the action recommended on December 3, 2014, then on January 7, 2015, after making the necessary findings the Board is requested to approve the purchase of 40.3 acres from Flinn Springs 72, LLC for the appraised value of \$400,000.

**FISCAL IMPACT:**

Funds for this request are budgeted in the Fiscal Year 2014-15 Operational Plan for Multiple Species Conservation Program (MSCP) Acquisitions Fund. If approved, this request will result in Fiscal Year 2014-15 cost of \$458,200 itemized as follows: \$400,000 for property acquisition; \$30,000 for staff and pre-acquisition expenses to complete the transaction; \$3,200 for closing and title costs; and \$25,000 in one-time land protection costs for activities including signage, boundary survey, vegetation management and access control measures.

Total annual costs for required land monitoring and management of the 40.3 acres are estimated at \$2,300. In addition, there will be an annual cost of \$744 for fixed charge assessments, including water standby charges and mosquito and vector control charges. These costs will be absorbed within the Department of Parks and Recreation existing budget. There will be no change in net General Fund costs and no additional staff years.

**BUSINESS IMPACT STATEMENT:**

N/A

**RECOMMENDATION:  
CHIEF ADMINISTRATIVE OFFICER**

On December 3, 2014:

1. Set a hearing for January 7, 2015, at which time the Board may consider approving the purchase of 40.3 acres of land, consisting of Assessor Parcel Numbers (APN) 399-010-09, -10 and -11, from Flinn Springs 72, LLC for the appraised value of \$400,000.
2. Direct the Clerk of the Board of Supervisors to provide notice of said hearing via publication as required by law.

If, on December 3, 2014, the Board takes the actions recommended in items 1-2 above, then, on January 7, 2015 after public testimony:

1. Find that the proposed project is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Section 15325.
2. Cancel appropriations of \$25,000 and related Operating Transfer from the General Fund in the Multiple Species Conservation Program Acquisitions Fund, for initial stewardship.
3. Transfer appropriations of \$25,000 from the Contributions to Capital Outlay Fund, Operating Transfer Out, to the Department of Parks and Recreation, Services and Supplies, for initial stewardship.
4. 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 399-010-09, -10 and -11 from Flinn Springs 72, LLC for the appraised value of \$400,000.
5. 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 Cox, seconded by Supervisor R. Roberts, the Board took action as recommended, on Consent, setting a Hearing for January 7, 2015.

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

10. **SUBJECT: ADMINISTRATIVE ITEM:  
SECOND CONSIDERATION AND ADOPTION OF  
ORDINANCE: ZONING ORDINANCE UPDATE NO. 30,  
COUNTY CODE AMENDMENTS AND STANDARD  
DEFENSE AND INDEMNIFICATION AGREEMENT  
REVISIONS; POD 13-003 AND PROPERTY ZONING MAP  
CLEAN-UP 2013; POD 13-014 (DISTRICTS: ALL)**

**OVERVIEW:**

On October 29, 2014 (1) the Board introduced the Ordinance for further consideration and adoption on December 3, 2014.

The County of San Diego Zoning Ordinance is the ordinance which specifies the allowable uses and establishes the development standards for properties within unincorporated San Diego County. These regulations are used to implement the goals and policies of the County of San Diego General Plan. The Director of Planning & Development Services (PDS) periodically proposes a series of amendments to the Zoning Ordinance and County Code to support the Department's efforts toward continuous improvement and General Plan implementation. Today's action also proposes revisions to the County's standard "Defense and Indemnification Agreement", which is included as part of this action for purposes of efficiency in processing. In addition, the proposed action includes a change to the Zoning classification for a specific property in Alpine associated with the General Plan Update Property Zoning Map Cleanup 2013. This property was referred back to staff by the Board of Supervisors to allow for staff, the developer and the neighbors to meet and discuss the proposed recommendation. This zoning map change is included as part of this action in order to expedite the completion of the General Plan Update Property Zoning Map Cleanup 2013.

This action requires two steps. On October 29, 2014, the Board of Supervisors (Board) is asked to adopt the Form of Ordinance for the amendment to the Zoning Ordinance, approve the introduction of the Ordinance (first reading), read the title and waive further reading of the Ordinance for the amendments to the County Code, adopt the revised standard "Defense and Indemnification Agreement" (POD 13-003), and adopt the Ordinance to change the zoning classification of a certain property within the County related to the Property Zoning Map Cleanup 2013 (POD 13-014). If the Board takes those actions on October 29, 2014, then, on December 3, 2014, the Board is asked to consider and adopt the Ordinance for the County Code amendments (second reading).

**FISCAL IMPACT:**

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

**BUSINESS IMPACT STATEMENT:**

N/A

**RECOMMENDATION:  
PLANNING COMMISSION**

POD 13-003

Adopt the Ordinance entitled:

AN ORDINANCE AMENDING TITLE 3 DIVISION 6 CHAPTER 4 OF THE SAN DIEGO COUNTY CODE RELATED TO NOISE ABATEMENT AND CONTROL AND AMENDING TITLE 8 DIVISION 6 OF THE SAN DIEGO COUNTY CODE TO ADD CHAPTER 8 RELATED TO REQUESTS FOR REASONABLE ACCOMMODATION UNDER THE FAIR HOUSING ACTS.

**ACTION:**

ON MOTION of Supervisor Cox, seconded by Supervisor R. Roberts, the Board took action as recommended, on Consent, adopting Ordinance No. 10364 (N.S.), entitled: AN ORDINANCE AMENDING TITLE 3 DIVISION 6 CHAPTER 4 OF THE SAN DIEGO COUNTY CODE RELATED TO NOISE ABATEMENT AND CONTROL AND AMENDING TITLE 8 DIVISION 6 OF THE SAN DIEGO COUNTY CODE TO ADD CHAPTER 8 RELATED TO REQUESTS FOR REASONABLE ACCOMMODATION UNDER THE FAIR HOUSING ACTS.

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

**11. SUBJECT: PRESENTATIONS/AWARDS (DISTRICTS: ALL)**

**OVERVIEW:**

Chairwoman Dianne Jacob presented a certificate honoring Volunteer of the Month Christine Miller.

**12. SUBJECT: PUBLIC COMMUNICATIONS (DISTRICTS: ALL)**

**OVERVIEW:**

Michael Schwartz, Mike Taylor, Rob Morse, and Eric Andersen spoke to the Board regarding a lawsuit against Sheriff Bill Gore regarding carrying a concealed weapon.

**ACTION:**

Heard, referred to the Chief Administrative Officer.

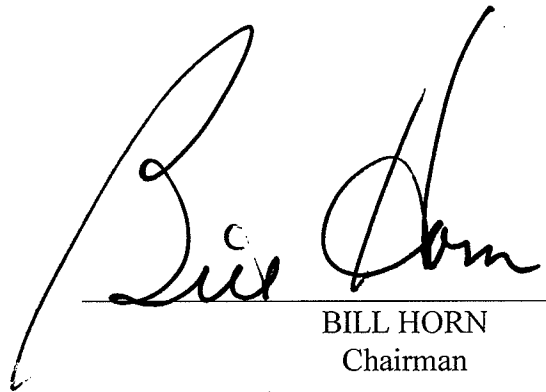
There being no further business, the Board adjourned at 9:33 a.m. in memory of Florence Ungab, James Tom Held, Larry Himmel and Elaine Bailey.

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, January 07, 2015.



BILL HORN  
Chairman

Attest:



DAVID HALL  
Clerk of the Board

12/3/14