

**January 9, 2019**

**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, JANUARY 9, 2019, 9:00 AM**  
BOARD OF SUPERVISORS NORTH CHAMBER  
1600 PACIFIC HIGHWAY, SAN DIEGO, CALIFORNIA

**Order of Business**

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

PRESENT: Supervisors Dianne Jacob, Chairwoman; Kristin Gaspar; Nathan Fletcher; Jim Desmond; also, Andrew Potter, Assistant Clerk of the Board of Supervisors.

ABSENT: Supervisor Greg Cox, Vice-Chairman

B. Closed Session Report

C. Public Communication: Opportunity for members of the public to speak to the Board on any subject matter within the Board's jurisdiction but not an item on today's agenda.

D. Approval of the Statement of Proceedings/Minutes for the meeting of December 12, 2018.

**ACTION:**

ON MOTION of Supervisor Gaspar, seconded by Supervisor Desmond, the Board of Supervisors approved the Statement of Proceedings/Minutes for the meeting of December 12, 2018.

AYES: Jacob, Gaspar, Fletcher, Desmond

ABSENT: Cox

E. Formation of Consent Calendar

F. Discussion Items

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.       | <p>NOTICED PUBLIC HEARING:<br/>HELLHOLE CANYON PRESERVE - ACQUISITION OF OPEN SPACE PRESERVE LAND, 251 ACRES (JP BIRDLAND, LLC AND PARADISE MOUNTAIN RANCH LLC) AND 320 ACRES (FRIENDS OF CHABAD LUBAVITCH SAN DIEGO) (12/12/2018 - SET HEARING; 1/9/2019 - HOLD HEARING)<br/>[FUNDING SOURCES: SIERRA VERDE ROAD PROPERTY: AVAILABLE PRIOR YEAR GENERAL FUND FUND BALANCE AND THE STATE OF CALIFORNIA HABITAT CONSERVATION FUND GRANT; HELL CREEK ROAD PROPERTY: AVAILABLE PRIOR YEAR GENERAL FUND FUND BALANCE; ANNUAL COSTS: DEPARTMENT OF PARKS AND RECREATION GENERAL PURPOSE REVENUE]<br/>(4 VOTES)</p> |
| 2.       | <p>ADMINISTRATIVE ITEM:<br/>SECOND CONSIDERATION AND ADOPTION OF ORDINANCE: TRAFFIC ADVISORY COMMITTEE (12/12/18 - ADOPT RECOMMENDATIONS; 01/09/19 - SECOND READING OF AN ORDINANCE)</p>  |
| 3.       | <p>NOTICED PUBLIC HEARING:<br/>LINCOLN ACRES - ACQUISITION OF 0.74 ACRES FOR PARK EXPANSION (HAROLD AND LUCILLE DUNKIN BYPASS TRUST)<br/>[FUNDING SOURCES: GENERAL FUND FUND BALANCE COMPONENT DECREASE-PARKS EXPANSION AND IMPROVEMENT COMMITMENT AND PARK LANDS DEDICATION ORDINANCE AREA 4 LINCOLN ACRES FUND AVAILABLE PRIOR YEAR FUND BALANCE, AND DEPARTMENT OF PARKS AND RECREATION GENERAL PURPOSE REVENUE]<br/>(4 VOTES)</p>   |
| 4.       | <p>ADMINISTRATIVE ITEM:<br/>SECOND CONSIDERATION AND ADOPTION OF ORDINANCE: SUNSET REVIEW OF ARTICLE XL OF THE ADMINISTRATIVE CODE REGARDING THE SAN DIEGO COUNTY PALOMAR AIRPORT ADVISORY COMMITTEE</p>  |
| 5.       | <p>SET A HEARING FOR 02/13/2019:<br/>ALPINE PARK - ACQUISITION OF APPROXIMATELY 98 ACRES OF LAND (WRIGHT'S FIELD PARTNERSHIP, LLC) - 1/9/2019 SET HEARING; 2/13/2019 HOLD HEARING)<br/>[FUNDING SOURCE: AVAILABLE PRIOR YEAR GENERAL FUND FUND BALANCE]</p>   |

6. AUTHORIZATION TO ESTABLISH APPROPRIATIONS FOR DON  
DUSSAULT PARK PHASE II IMPROVEMENTS  
[FUNDING SOURCE: FISCAL YEAR 2018-19 COMMUNITY  
DEVELOPMENT BLOCK GRANT]  
(4 VOTES)
  
7. GILLESPIE FIELD - AVIATION LEASE WITH WESTWAYS  
AVIATION, INC.  
[FUNDING SOURCE: ONE-TIME EQUITY PAYMENT FROM THE  
LESSEE UNDER THE NEW TERMS OF THE PROPOSED LEASE]  
(4 VOTES)
  
8. NOTICED PUBLIC HEARING:  
WAIVER OF DEVELOPMENT IMPACT AND PERMIT FEES FOR  
ACCESSORY DWELLING UNITS (1/9/2019 - FIRST READING;  
1/30/2019 - SECOND READING)  
[FUNDING SOURCE: AVAILABLE FROM PRIOR YEAR GENERAL  
FUND FUND BALANCE]  
(4 VOTES)  
  
(RELATES TO FLOOD CONTROL DISTRICT AGENDA NO. FL1)
  
9. PUBLIC COMMUNICATION

- SUBJECT: NOTICED PUBLIC HEARING:  
HELLHOLE CANYON PRESERVE - ACQUISITION OF OPEN SPACE  
PRESERVE LAND, 251 ACRES (JP BIRDLAND, LLC AND PARADISE  
MOUNTAIN RANCH LLC) AND 320 ACRES (FRIENDS OF CHABAD  
LUBAVITCH SAN DIEGO) (12/12/2018 - SET HEARING; 1/9/2019 -  
HOLD HEARING) (DISTRICT: 5)**

### **OVERVIEW**

On December 12, 2018 (08), the Board of Supervisors set a hearing for January 9, 2019.

Since 1998, the County of San Diego (County) has acquired more than 21,000 acres of open space land for the County's Multiple Species Conservation Program (MSCP) to ensure the long-term survival of sensitive plant and animal species and balance the public need for development, open space, and passive recreation. The County identified two properties available in Valley Center east of the County's Hellhole Canyon Preserve within the MSCP Draft North County Plan Pre-Approved Mitigation Area (PAMA), an area important to conserve for sensitive species. One property, located at the end of Sierra Verde Road southeast of the preserve, is approximately 251 acres. The other property, located at the northeast end of Hell Creek Road, is approximately 320 acres. In June 2018, the County was awarded a State of California Habitat Conservation Fund (HCF) grant to acquire the Sierra Verde Road 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.

Today's request requires two steps. On December 12, 2018, the Board is requested to set a hearing for January 9, 2019, to consider the two purchases and to direct the Clerk of the Board of Supervisors to provide public notice of the hearing. If the Board takes the actions recommended for December 12, 2018, then on January 9, 2019, after making the necessary findings, the Board is requested to authorize the purchase of the Sierra Verde Road property, Assessor Parcel Numbers 191-180-05, -07 and -08 from JP Birdland, LLC and Paradise Mountain Ranch LLC. The property would be acquired at the appraised value of \$3,000,000. With staff, transaction and land improvement costs, the total project cost in Fiscal Year 2018-19 is \$3,353,000, based on budgeted appropriations of available prior year General Fund fund balance in the Capital MSCP Acquisition Fund. The Board would also be requested to authorize the purchase of the Hell Creek Road property, Assessor Parcel Numbers 191-060-01, -02 and -06 from Friends of Chabad Lubavitch San Diego at the appraised value of \$1,000,000 based on budgeted appropriations of available prior year General Fund fund balance in the Capital MSCP Acquisition Fund. With staff, transaction and land improvement costs, the total project cost in Fiscal Year 2018-19 is \$1,163,000.

### **RECOMMENDATION(S)**

#### **CHIEF ADMINISTRATIVE OFFICER**

1. Find that the proposed project is exempt for the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Sections 15301, 15304 and 15325.
2. Establish appropriations of \$200,000 in the Multiple Species Conservation Program Acquisitions Fund for the acquisition of 251 acres of land for Open Space (Sierra Verde property), based upon a grant award from the State of California Habitat Conservation Fund. **(4 VOTES)**

3. Authorize the Director, Department of General Services, to exercise the option to purchase Assessor Parcel Numbers 191-180-05, 191-180-07 and 191-180-08 from JP Birdland, LLC and Paradise Mountain Ranch LLC for the appraised value of \$3,000,000.
4. Authorize the Director, Department of General Services, to exercise the option to purchase Assessor Parcel Numbers 191-060-01, 191-060-02 and 191-060-06 from Friends of Chabad Lubavitch San Diego at the appraised value of \$1,000,000.
5. Authorize the Director, Department of General Services to execute all escrow and related documents necessary to complete the purchases.

## **FISCAL IMPACT**

### **Sierra Verde Road Property**

Funds for this request are partially included in the Fiscal Year 2018-19 Operational Plan of the Multiple Species Conservation Program (MSCP) Acquisition Fund. If approved, this request will result in current year costs for the Sierra Verde Road property of \$3,353,000 itemized as follows: \$3,000,000 for property acquisition; \$20,000 for staff time and appraisal reports to complete the transaction; \$5,000 for closing and title costs; \$328,000 in one-time land protection costs, including initial stewardship that features signage, boundary survey, access, vegetation and erosion control measures (\$213,000), and the update of the Hellhole Canyon Preserve Resource Management Plan and preparation of a Vegetation Management Plan for the entire Hellhole Canyon Preserve complex (\$115,000). The funding source is available prior year General Fund fund balance (\$3,153,000) and the State of California Habitat Conservation Fund grant (\$200,000).

### **Hell Creek Road Property**

Funds for this request are included in the Fiscal Year 2018-19 Operational Plan of the Multiple Species Conservation Program (MSCP) Acquisition Fund. This request will result in current year costs for the Hell Creek Road property of \$1,163,000 itemized as follows: \$1,000,000 for property acquisition, \$20,000 for staff time and appraisal reports to complete the transaction; \$3,000 for closing and title costs; and \$140,000 in one-time land protection costs, including initial stewardship that features signage and a boundary survey (\$15,000), and the update of the Hellhole Canyon Preserve Resource Management Plan (\$125,000). The funding source is available prior year General Fund fund balance.

### **Annual Costs**

Total annual costs for land monitoring and adaptive management of the Sierra Verde Property are estimated at \$39,000 and \$4,300 for the Hell Creek Road property. In addition, there will be an estimated annual cost of \$8,590 for Sierra Verde fixed charge assessments and \$360 for Hell Creek Road, including vector control and water standby charges. If approved, total annual costs, estimated at \$52,250 will be incurred beginning in Fiscal Year 2019-20 and will be included in future Operational Plans. The funding source will be Department of Parks and Recreation General Purpose Revenue. There will be no change in net General Fund cost and no additional staff years.

## **BUSINESS IMPACT STATEMENT**

N/A

**ACTION:**

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

AYES: Jacob, Gaspar, Fletcher, Desmond

ABSENT: Cox

2. **SUBJECT: ADMINISTRATIVE ITEM:  
SECOND CONSIDERATION AND ADOPTION OF ORDINANCE:  
TRAFFIC ADVISORY COMMITTEE (12/12/18 - ADOPT  
RECOMMENDATIONS; 01/09/19 - SECOND READING OF AN  
ORDINANCE) (DISTRICTS: 2 & 5)**

**OVERVIEW**

On December 12, 2018 (04), the Board of Supervisors introduced the Ordinance for further Board consideration and adoption on January 9, 2019.

The Traffic Advisory Committee (TAC) meets every six weeks to review proposed additions, deletions, or changes to regulatory traffic control devices on County of San Diego (County) -maintained roads. The TAC recommends the Board of Supervisors (Board) act on seven items from the September 14, 2018, meeting agenda:

Item 2-A would extend for an additional 18-month temporary road closure originally established to eliminate serious and continued criminal activity on Camino Monte Sombra from 275 feet east of Calle de la Sierra to the end of county maintenance in El Cajon.

Item 2-B recommends against establishing a posted speed limit on West Noakes Street due to low volumes, insufficient length, and absence of documented collisions.

Item 2-C would recertify the existing 50 MPH speed limit for radar enforcement on Willows Road from Viejas Grade Road to a point 2,770 feet west of mile post 2 and from a point 850 feet west of mile post 2 to Alpine Boulevard in Alpine.

Item 2-D would establish a 35 MPH speed limit and certify the speed limit for radar enforcement on Maya Street between Jamacha Boulevard and 530 feet east of Luther Drive in Spring Valley.

Item 2-E would establish an all-way stop at the intersection of Julian Avenue and Channel Road in Lakeside.

Item 5-A would establish a 30 MPH speed limit and certify the speed limit for radar enforcement on South Grade Road from State Route (SR) 76 to East Grade Road in Palomar Mountain.

Item 5-B would establish a 40 MPH speed limit and certify the speed limit for radar enforcement on East Grade Road from State Route (SR) 76 to South Grade Road in Palomar Mountain.

Approval of Item 2-A would extend a temporary road closure on Camino Monte Sombra for an additional 18-months that was originally established in 2001 and re-established on April 12, 2017, to eliminate serious and continual criminal activities on the road at the request of the California Highway Patrol and the Sheriff. This item will allow a gate to remain installed to assist in preventing the reoccurrence of loitering and crime in that area. The three adjacent property owners, Crest-Dehesa Community Planning Group and all utility companies in the area were notified of this proposed re-establishment and none expressed opposition.

Approval of Item 2-B would not establish a posted speed limit on West Noakes Street in Harbison Canyon based on the absence of documented collisions, low traffic volumes, and insufficient roadway length for speed enforcement.

Approval of Items 2-C, 2-D, 5-A, and 5-B would establish tools for speed enforcement that increase road safety and retain mobility. Properly posted speed limits provide feedback to safe and reasonable drivers to improve traffic safety, reduce the number and severity of collisions, and allow for fair enforcement.

Approval of Item 2-E would provide a safety enhancement measure for pedestrians, bicyclists, and all other road users by assigning a full stop to all approaches at the intersection. Properly posted stop controls at intersections reduce the number and severity of collisions by assuring that reasonable drivers enter the intersection at a low speed and have more time to take heed of the traffic situation.

The Board action on Items 2-D, 5-A, and 5-B would revise the San Diego County Code of Regulatory Ordinances (County Code) and would require two steps. On November 14, 2018, the Board would consider the TAC items. If the Board takes action on November 14, 2018, then on December 12, 2018, a second reading of an Ordinance adding Sections 72.161.24.2. (Item 5-A) and 72.161.24.3. (Item 5-B) and amending Section 72.163.55.1. (Item 2-D) of the County Code would be necessary to implement the Board's direction.

**RECOMMENDATION(S)**  
**TRAFFIC ADVISORY COMMITTEE**  
**District 2**

Item 2-A. Camino Monte Sombra, from 275 feet east of Calle de la Sierra to the end of county maintenance in El Cajon (58th Edition Thomas Guide Page 1252-E4) - Continue the existing temporary road closure established as a result of criminal activity for an additional 18 months.

Item 2-B. West Noakes Street from Harbison Canyon Road to Editha Drive in Harbison Canyon (58th Edition Thomas Guide Page 1253-D1) - Do not establish a posted speed limit and initiate a review for curve advisory signs.

Item 2-C. Willows Road from the Viejas Grade Road to a point 2,770 feet west of mile post 2.0 and from a point 850 feet west of mile post 2.0 to Alpine Boulevard in Alpine (58th Edition Thomas Guide Page 1234-G5) - Recertify the existing 50 MPH speed limit for continued radar enforcement.

Item 2-D. Maya Street between Jamacha Boulevard and 530 feet east of Luther Drive in Spring Valley (58th Edition Thomas Guide Page 1291-C3) - Establish a 35 MPH speed limit and certify the speed limit for radar enforcement.

Item 2-E. Julian Avenue at Channel Road in Lakeside (58th Edition Thomas Guide Page 1232-A4) - Establish an all-way stop intersection.

**District 5**

Item 5-A. South Grade Road from State Route 76 to East Grade Road in Palomar Mountain (58th Edition Thomas Guide Page 1052-B6) - Establish a 30 MPH speed limit and certify the speed limit for radar enforcement.

Item 5-B. East Grade Road from State Route 76 to South Grade Road in Palomar Mountain (58th Edition Thomas Guide Page 1073-J6) - Establish a 40 MPH speed limit and certify the speed limit for radar enforcement.

**CHIEF ADMINISTRATIVE OFFICER**

Consider and adopt:

ORDINANCE ADDING SECTIONS 72.161.24.2. AND 72.161.24.3. AND AMENDING SECTION 72.163.55.1. OF THE SAN DIEGO COUNTY CODE RELATING TO SPEED LIMITS ON COUNTY MAINTAINED ROADS IN SAN DIEGO COUNTY.

**FISCAL IMPACT**

Funds for this request are included in the Fiscal Year 2018-19 Operational Plan for the Department of Public Works Road Fund. If approved, there will be no change in net General Fund cost and no additional staff years.

**BUSINESS IMPACT STATEMENT**

N/A

**ACTION:**

ON MOTION of Supervisor Gaspar, seconded by Supervisor Fletcher, the Board of Supervisors took action as recommended, on Consent, adopting Ordinance No. 10588 (N.S.), entitled: ORDINANCE ADDING SECTIONS 72.161.24.2. AND 72.161.24.3. AND AMENDING SECTION 72.163.55.1. OF THE SAN DIEGO COUNTY CODE RELATING TO SPEED LIMITS ON COUNTY MAINTAINED ROADS IN SAN DIEGO COUNTY.

AYES: Jacob, Gaspar, Fletcher, Desmond

ABSENT: Cox

3. **SUBJECT: NOTICED PUBLIC HEARING:  
LINCOLN ACRES - ACQUISITION OF 0.74 ACRES FOR PARK  
EXPANSION (HAROLD AND LUCILLE DUNKIN BYPASS TRUST)  
(DISTRICT: 1)**

**OVERVIEW**

On December 12, 2018 (11), the Board of Supervisors set a hearing for January 9, 2019.

The County of San Diego (County) builds facilities that help create healthy communities, reduce crime and vandalism, and foster civic engagement. The Lincoln Acres Park, Community Center, and Library facilities have been a vital gathering spot since 1947 when the library opened in the unincorporated area west of National City. In 2013, the County completed renovations at Lincoln Acres Library and the adjacent Lincoln Acres Park.

Renovations included adding a children's playground, basketball courts, picnic tables and a community room. The existing Lincoln Acres Park is the only public park in the community and is less than half an acre in size. As a result, Lincoln Acres has 0.13 park acres per 1,000 residents, less than the County's General Plan Goal of 10 acres of local parks per 1,000 residents. More park land is needed to provide additional recreational space for this densely populated community, as demonstrated by high usage of the community room and park amenities.

On June 9, 2015 (10), the Board of Supervisors (Board) provided the authority to search for available properties to increase the size of the Lincoln Acres Park. Staff identified a 0.74-acre parcel and on December 12, 2018 (11), the Board voted to hold today's hearing to approve the purchase of the property. The property is located on Alta Drive, and abuts the Department of Parks and Recreation (DPR's) existing Lincoln Acres Park and the existing Lincoln Acres Library. Acquisition of additional land for expansion of Lincoln Acres Park could allow for new recreational amenities for the community. Future amenities to be constructed will be determined after holding public meetings in Lincoln Acres to solicit park input and feedback from the community. In accordance with DPR Policy C-35, Donation and Recognition Plaque Policy, DPR will name a bench on the property after the seller. In accordance with Board Policy F-52, Naming of County Park and Recreation Amenities, DPR will also dedicate a plaque to the seller.

Today, the Board is requested to: 1) establish appropriations of \$700,000 in Capital Project 1022612, Lincoln Acres Park Expansion and 2) authorize the purchase of Assessor Parcel Number 564-061-14 from the Harold and Lucille Dunkin Bypass Trust. The total project cost of \$700,000 includes \$512,000 for acquisition; \$11,000 for transaction costs; \$4,000 for closing and title costs; and \$173,000 for environmental and concept design for future park improvements.

**RECOMMENDATION(S)**  
**CHIEF ADMINISTRATIVE OFFICER**

1. Require that any future use of Assessor Parcel Number 564-061-14 be contingent upon compliance with CEQA.
2. Authorize the Auditor & Controller to reduce the Fund Balance Commitment for Parks Expansion & Improvement by \$655,000 to provide funding for Capital Project 1022612, Lincoln Acres Park Expansion. **(4 VOTES)**
3. Establish appropriations of \$655,000 in the Contributions to Capital Outlay Fund, Operating Transfer Out, for Capital Project 1022612, Lincoln Acres Park Expansion, based on General Fund fund balance component decrease - Park Expansion & Improvement Commitment. **(4 VOTES)**
4. Establish appropriations of \$655,000 in the Capital Outlay Fund for Capital Project 1022612, Lincoln Acres Park Expansion, based on an Operating Transfer In from the General Fund. **(4 VOTES)**
5. Establish appropriations of \$45,000 in the Park Lands Dedication Ordinance Area 4 Lincoln Acres Fund, Operating Transfer Out, to provide funding for Capital Project 1022612, Lincoln Acres Park Expansion, based on available prior year fund balance. **(4 VOTES)**

6. Establish appropriations of \$45,000 in the Capital Outlay Fund for Capital Project 1022612, Lincoln Acres Park Expansion, based on an Operating Transfer In from the Park Lands Dedication Ordinance Area 4 Lincoln Acres Fund. (4 VOTES)
7. 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 Assessor Parcel Number 564-061-14 from the Harold and Lucille Dunkin Bypass Trust for the appraised value of \$512,000.
8. Authorize the Director, Department of General Services to execute all escrow and related documents necessary to complete the purchase.

**FISCAL IMPACT**

Funds for this request are not included in the Fiscal Year 2018-19 Operational Plan in the Capital Outlay Fund. If approved, this request will result in costs of \$700,000 for Capital Project 1022612, Lincoln Acres Park Expansion, itemized as follows: \$512,000 for property acquisition; \$11,000 for staff time and appraisal review to complete the transaction; \$4,000 for closing and title costs; and \$173,000 for environmental and concept design for future park improvements. The funding sources are General Fund fund balance component decrease - Parks Expansion and Improvement Commitment (\$655,000) and Park Lands Dedication Ordinance Area 4 Lincoln Acres Fund available prior year fund balance (\$45,000). There will be no additional staff years in Fiscal Year 2018-19.

Beginning in FY 2018-19, the annual cost for management of the approximately 0.74 acre is estimated at \$1,030. In addition, there will be an estimated annual cost of \$470 for fixed charge assessments including vector control and water standby charges, for a total annual estimated cost of \$1,500. The FY 2018-19 funding source will be Department of Parks and Recreation General Purpose Revenue. Ongoing costs for park operations and maintenance and staffing needs for the future expansion will be determined based on the type of improvements that will be planned and constructed, subject to the approval of the Board. Ongoing costs will be included in future years' Operational Plans in the Department of Parks and Recreation.

**BUSINESS IMPACT STATEMENT**

N/A

**ACTION:**

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

AYES: Jacob, Gaspar, Fletcher, Desmond  
 ABSENT: Cox

**4. SUBJECT: ADMINISTRATIVE ITEM:  
SECOND CONSIDERATION AND ADOPTION OF ORDINANCE:  
SUNSET REVIEW OF ARTICLE XL OF THE ADMINISTRATIVE  
CODE REGARDING THE SAN DIEGO COUNTY PALOMAR  
AIRPORT ADVISORY COMMITTEE (DISTRICT: 5)**

**OVERVIEW**

On December 12, 2018 (02), the Board of Supervisors introduced the Ordinance for further Board consideration and adoption on January 9, 2019. McClellan-Palomar Airport (Palomar Airport) is owned and operated by the County of San Diego (County) and located in the City of Carlsbad. The airport provides general aviation, corporate and commercial services; serves as a gateway to resorts and tourist attractions; and is utilized by local businesses and residents. On January 5, 1988 (43), the Board of Supervisors (Board) added Article XL to the County Administrative Code to formalize the duties, responsibilities, membership and selection of the San Diego County Palomar Airport Advisory Committee (PAAC). The PAAC advises the County on airport-related activities at Palomar Airport including aircraft noise, land use, development, and operations. In accordance with Board Policy A-76, Sunset Review Process, the Department of Public Works reviewed Article XL to ensure obsolete code provisions are deleted and remaining requirements reflect current Board standards and practices. The proposed action will amend Section 731 - Membership and Selection, of Article XL to add a provision that the cities of Carlsbad, Oceanside, San Marcos and Vista may nominate one qualified candidate each to be considered for appointment by the County to the PAAC. The proposed amendment also clarifies and defines that employees or members of governing bodies of either the County of San Diego or the cities of Carlsbad, Oceanside, San Marcos and Vista, shall not be appointed to, or maintain a seat on, the PAAC. The proposed action also includes deletion of language that is no longer needed with the addition of language giving nominating authority to area cities and approval of a new sunset review date for Article XL, of the Administrative Code.

**RECOMMENDATION(S)**

**CHIEF ADMINISTRATIVE OFFICER**

Adopt the Ordinance entitled: AN ORDINANCE AMENDING SECTION 731, ARTICLE XL, OF THE ADMINISTRATIVE CODE REGARDING MEMBERSHIP AND SELECTION OF THE SAN DIEGO COUNTY PALOMAR AIRPORT ADVISORY COMMITTEE.

**FISCAL IMPACT**

There is no fiscal impact associated with amending Section 731, Article XL, of the County Administrative Code. There will be no change in net General Fund cost and no additional staff years.

**BUSINESS IMPACT STATEMENT**

N/A

**ACTION:**

ON MOTION of Supervisor Gaspar, seconded by Supervisor Fletcher, the Board of Supervisors took action as recommended, on Consent, adopting Ordinance No. 10589 (N.S.), entitled: AN ORDINANCE AMENDING SECTION 731, ARTICLE XL, OF THE ADMINISTRATIVE CODE REGARDING MEMBERSHIP AND SELECTION OF THE SAN DIEGO COUNTY PALOMAR AIRPORT ADVISORY COMMITTEE.

AYES: Jacob, Gaspar, Fletcher, Desmond

ABSENT: Cox

5. **SUBJECT: SET A HEARING FOR 02/13/2019:  
ALPINE PARK - ACQUISITION OF APPROXIMATELY 98 ACRES OF  
LAND (WRIGHT'S FIELD PARTNERSHIP, LLC) - 1/9/2019 SET  
HEARING; 2/13/2019 HOLD HEARING (DISTRICT: 2)**

**OVERVIEW**

Parks and recreation facilities help create healthy communities and foster civic engagement. The Alpine community currently has no County of San Diego (County) park and only 1.83 acres of parkland per 1,000 residents, which is less than the County General Plan goal of 10 acres of parkland per 1,000 residents. Alpine does not have sufficient parkland to meet the recreational needs of the community and there is a significant shortage of sports fields and other recreational amenities. The Department of Parks and Recreation (DPR) has been working to identify new parkland for Alpine for over a decade; the topography of Alpine, however, has made finding suitable land very challenging. The County has identified approximately 98 acres of vacant land available for purchase in Alpine. The property, adjacent to and north of South Grade Road and east of Tavern Road, will be acquired to develop a portion as an active park and to conserve a substantial portion of the property as open space. Once the property has been acquired, DPR will work with the community to determine what new recreational amenities may be constructed on the land.

Today's request requires two steps. On January 9, 2019, the Board of Supervisors (Board) is requested to set a hearing for February 13, 2019, to consider the purchase and to direct the Clerk of the Board to provide public notice of the hearing. If the Board accepts the recommended actions for January 9, 2019, then on February 13, 2019, after making the necessary findings, the Board is requested to authorize the purchase of Assessor's Parcel Numbers 404-171-12 and 404-170-61 (portion) from Wright's Field Partnership, LLC at the appraised value of \$1,370,000. The total project cost in Fiscal Year 2018-19 of \$1,621,500 would include \$1,370,000 for property acquisition; \$45,000 for transaction costs; \$6,500 for closing and title costs; and \$200,000 in one-time land protection costs.

**RECOMMENDATION(S)**

**CHIEF ADMINISTRATIVE OFFICER**

On January 9, 2019

1. Set a hearing for February 13, 2019, at which time the Board of Supervisors may consider authorizing the Director, Department of General Services, to exercise the option to purchase Assessor's Parcel Numbers 404-171-12 and 404-170-61 (portion) from Wright's Field Partnership, LLC for the appraised value of \$1,370,000.

2. Direct the Clerk of the Board of Supervisors to publish the required Notice of Intention to Purchase in accordance with Government Code sections 25350 and 6063.

If, on January 9, 2019, the Board takes the actions recommended in Items 1-2 above, then on February 13, 2019:

1. Find that the proposed project is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines sections 15316, 15301 and 15304.
2. Authorize the Director, Department of General Services, to exercise the option to purchase Assessor's Parcel Numbers 404-171-12 and 404-170-61 (portion) from Wright's Field Partnership, LLC for the appraised value of \$1,370,000.
3. Authorize the Director, Department of General Services, to execute all escrow and related documents to complete the purchase.

### **FISCAL IMPACT**

Funds for this request are included in the Fiscal Year 2018-19 Operational Plan in the Capital Outlay Fund. If approved, this request will result in current year one-time costs of \$1,621,500 for Capital Project 1021897 Alpine Local Park Acquisition, itemized as follows: \$1,370,000 for property acquisition; \$45,000 for staff time and appraisal review to complete the transaction; \$6,500 for closing and title costs; and \$200,000 in one-time land protection costs, including initial stewardship that features fencing, signage, access control measures and vegetation management. The funding source is available prior year General Fund fund balance. There will be no additional staff years in Fiscal Year 2018-19.

There will be an estimated annual cost of \$2,500 for fixed charge assessments including vector control and water standby charges. Ongoing operational costs for managing the portion of the property that will be preserved are estimated at \$73,000 annually beginning in Fiscal Year 2019-20. These costs would be incurred by DPR if a suitable partner to manage the preserved land is not identified. Funds for the total estimated annual ongoing cost of \$75,500 would be included in future Operational Plans.

### **BUSINESS IMPACT STATEMENT**

N/A

### **ACTION:**

ON MOTION of Supervisor Jacob, seconded by Supervisor Desmond, the Board of Supervisors took action as recommended, setting a hearing for February 13, 2019.

AYES: Jacob, Gaspar, Fletcher, Desmond  
ABSENT: Cox

**6. SUBJECT: AUTHORIZATION TO ESTABLISH APPROPRIATIONS FOR DON DUSSAULT PARK PHASE II IMPROVEMENTS (DISTRICT: 5)**

**OVERVIEW**

Don Dussault Park is a 0.75-acre park that is partially developed. It is situated in the unincorporated community of Fallbrook and surrounded by multi-family and single family homes. The Department of Parks and Recreation (DPR) plan to design and construct recreational improvements at Don Dussault Park.

The U.S. Department of Housing and Urban Development (HUD) provides grant funding annually for housing and community development projects through the Community Development Block Grant (CDBG) Program. On April 17, 2018 (5), the Board of Supervisors approved the Final Proposed Fiscal Year 2018-19 County of San Diego Annual Funding Plan that included CDBG funding for the design and construction of Don Dussault Park Phase II Improvements. Don Dussault Park Phase I Improvements, included a tot lot play structure, picnic shade pavilion, ADA parking stall, walkways, landscape, and irrigation were constructed utilizing Fiscal Year 2013-14 CDBG funds. The proposed Phase II Improvements are speculative at this point because the actual improvements and locations to be constructed have not yet been designed, but are anticipated to include an exercise area, picnic areas, walkways, security lighting and landscaping. The anticipated improvements represent a new recreational opportunity for the Fallbrook community. Creating new park amenities supports Live Well San Diego, the County of San Diego's vision for a region that is Building Better Health, Living Safely, and Thriving, by expanding the use of civic space for public recreation.

Today's proposed action will establish appropriations of \$285,000 in Capital Project 1022585, Don Dussault Park Phase II Improvements based on the CDBG funding received for Fiscal Year 2018-19. Approximately \$19,500 of this funding will be used for project design. The department will return to the Board after design completion and environmental analysis pursuant to CEQA and NEPA to request authorization to advertise and award a construction contract for the Don Dussault Park Phase II Improvements for an estimated cost of \$265,500, including contingency. The establishment of appropriations is needed for project design; however today's action does not commit CDBG funding to the construction phase.

**RECOMMENDATION(S)**

**CHIEF ADMINISTRATIVE OFFICER**

1. Find that establishing appropriations for Don Dussault Park Phase II Improvements is exempt from review under the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) of the CEQA Guidelines because there is no possibility for this action to cause a significant effect on the environment.
2. Establish appropriations of \$285,000 in the Capital Outlay Fund for Capital Project 1022585, Don Dussault Park Phase II Improvements, based on unanticipated revenue from Fiscal Year 2018-19 Community Development Block Grant. **(4 VOTES)**

## **FISCAL IMPACT**

Funds for this request are not included in the Fiscal Year 2018-19 Operational Plan in the Capital Outlay Fund. If approved, this request will result in costs and revenue of \$285,000 for Capital Project 1022585, Don Dussault Park Phase II Improvements. Approximately \$19,500 will be used for project design. Construction costs are estimated at \$265,500 including contingency. The funding source is a Fiscal Year 2018-19 Community Development Block Grant. Upon project completion, annual operations and maintenance of improvements will be provided by existing Department of Parks and Recreation staff. There will be no change in net General Fund cost and no additional staff years.

## **BUSINESS IMPACT STATEMENT**

N/A

### **ACTION:**

ON MOTION of Supervisor Gaspar, seconded by Supervisor Fletcher, the Board of Supervisors took action as recommended, on Consent.

AYES: Jacob, Gaspar, Fletcher, Desmond  
ABSENT: Cox

## **7. SUBJECT: GILLESPIE FIELD - AVIATION LEASE WITH WESTWAYS AVIATION, INC. (DISTRICT: 2)**

### **OVERVIEW**

Gillespie Field is a general aviation airport owned and operated by the County of San Diego (County) and located within the municipal limits of the City of El Cajon and the City of Santee. The airport is a gateway to and from San Diego's east county providing aircraft storage, maintenance, and services to corporate and general aviation communities. There are also three industrial parks located on airport property. Approval of leases of airport property ensures adequate funding is provided for the use of the property and allows the Department of Public Works to use the revenue to make certain all County airports are properly maintained and safe for the users of the airports.

On November 4, 1997 (21), the Board of Supervisors approved a new 30-year aviation ground lease with Wayne E. Breise, a Sole Proprietorship. This lease was amended on: July 30, 2003 (13), to adjust the premises, rent, extend term, and update lease language; October 24, 2007 (23), to adjust the premises, rent, extend term, and update lease language; February 24, 2010 (12), to adjust rent and update lease language; September 12, 2012 (8), to reduce the premises and adjust rent; and May 21, 2014 (6), to update lease language and adjust the premises size. The lease was subsequently assigned to Westways Aviation, Inc. (Westways) who has requested a new 30-year Aviation Ground Lease with the County to allow time to amortize the cost of its planned improvements.

This is a request to approve a new 30-year Aviation Ground Lease with Westways that would commence on February 1, 2019 and terminate on January 31, 2049. When a new lease is granted that postpones County ownership of existing improvements, the lessee pays an equity payment to the County for the improvements. If the proposed action is adopted, the current fiscal year revenue would increase by \$302,693 due to the one-time equity payment under the terms of the new lease.

**RECOMMENDATION(S)**

**CHIEF ADMINISTRATIVE OFFICER**

1. Find in accordance with Section 15302 of the California Environmental Quality Act (CEQA) Guidelines that the proposed new lease is categorically exempt from CEQA review as it consists of replacement or reconstruction of existing structures and facilities having substantially the same purpose and capacity.
2. Approve and authorize the Clerk of the Board to execute, upon receipt, three copies of the new Aviation Ground Lease with Westways Aviation, Inc. **(4 VOTES)**

**FISCAL IMPACT**

Base monthly rent will remain the same, and there will be no changes to lease costs based on today's recommendations. Funds for this request are included in the Fiscal Year (FY) 2018-19 Operational Plan in the Airport Enterprise Fund. If approved, this request will result in additional revenue of \$302,693 for a total revenue of \$401,712 in the Airport Enterprise Fund for FY 2018-19. The funding source for the FY 2018-19 additional revenue is a one-time equity payment from the lessee under the new terms of the proposed lease. There would be no change in net General Fund cost and no additional staff years.

**BUSINESS IMPACT STATEMENT**

N/A

**ACTION:**

ON MOTION of Supervisor Jacob, seconded by Supervisor Fletcher, the Board of Supervisors took action as recommended.

AYES: Jacob, Gaspar, Fletcher, Desmond

ABSENT: Cox

- 8. SUBJECT: NOTICED PUBLIC HEARING:  
WAIVER OF DEVELOPMENT IMPACT AND PERMIT FEES FOR  
ACCESSORY DWELLING UNITS (1/9/2019 - FIRST READING;  
1/30/2019 - SECOND READING) (DISTRICTS: ALL)**

**OVERVIEW**

In response to the housing shortage in California, on April 18, 2018 (5), the Board of Supervisors (Board) directed the Chief Administrative Officer to investigate options that would further promote the expedient building of homes and close the housing affordability gap in the County of San Diego's (County) unincorporated area. On October 10, 2018 (2), the Board received the report "Options to Improve Housing Affordability in the Unincorporated Area," and directed staff to implement several actions under the following five categories: Process Streamlining, Regulatory Reform, Participation and Incentives (PI), General Plan and Community Plans, and Land Development Code. Under the PI category, the Board directed staff to develop a program to waive development impact and permit fees for Accessory Dwelling Units (ADUs) located on a lot with an existing single family dwelling for a five-year trial period. The Board also directed staff to return in year five of the trial period to report on the status of this program.

Today's request is for the Board to adopt ordinances that will authorize the waiver of development impact fees (Transportation Impact, Park Lands Dedication Ordinance, and Drainage) and permit fees (building and onsite wastewater system) for ADUs located on lots with existing single family dwellings for the five-year trial period commencing January 9, 2019 until January 9, 2024. Additionally, the request is to establish appropriations from fund balance to offset the loss in fee revenue.

**RECOMMENDATION(S)**

**CHIEF ADMINISTRATIVE OFFICER**

Acting as the San Diego County Board of Supervisors:

On January 09, 2019:

1. Find that the proposed project is exempt from the California Environmental Quality Act (CEQA) as specified in Section 15273 of the State CEQA Guidelines for the reasons detailed in the Notice of Exemption dated January 30, 2019, on file with the Department of Planning & Development Services (PDS), and approve the findings in Attachment A (on file with the Clerk of the Board) pursuant to the CEQA Guidelines Section 15273(c).
2. Waive Board Policy B-29, Fees, Grants, Revenue Contracts - Department Responsibility for Cost Recovery, for the waiver of plan check and building permit fees, onsite wastewater system permit fees, special drainage area fees, Park Lands Dedication Ordinance (PLDO) fees and Transportation Impact fees (TIF) for Accessory Dwelling Units (ADU) for a five-year trial period commencing January 9, 2019 until January 9, 2024.
3. Establish appropriations of \$930,000 in the Department of Planning & Development Services, Services & Supplies for plan check review, building permit, PLDO, TIF and drainage fees for ADUs based on available prior year General Fund fund balance. **(4 VOTES)**
4. Establish appropriations of \$170,000 in the Department of Environmental Health, Salaries & Benefits, for new construction layout/percolation tests and onsite wastewater system inspections permit fee waivers for ADUs based on available prior year General Fund fund balance. **(4 VOTES)**
5. Approve the introduction of the Ordinance, (first reading), read title and waive further reading of the Ordinance (Attachment B, on file with the Clerk of the Board):  
AN ORDINANCE AMENDING THE COUNTY CODE RELATED TO THE WAIVER OF DEVELOPMENT IMPACT AND PERMIT FEES FOR ACCESSORY DWELLING UNITS.

If, on January 09, 2019, the Board takes action as recommended, then on January 30, 2019:

Consider and adopt the Ordinance (second reading):

AN ORDINANCE AMENDING THE COUNTY CODE RELATED TO THE WAIVER OF DEVELOPMENT IMPACT AND PERMIT FEES FOR ACCESSORY DWELLING UNITS.

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

On January 09, 2019:

1. Find that the proposed project is exempt from CEQA as specified in Section 15273 of the State CEQA Guidelines for the reasons detailed in the Notice of Exemption dated January 30, 2019, on file with PDS, and approve the findings in Attachment A (on file with the Clerk of the Board) pursuant to the CEQA Guidelines Section 15273(c).
2. Approve the introduction of the Ordinance (first reading), read title and waive further reading of the Ordinance (Attachment C, on file with the Clerk of the Board):  
AN ORDINANCE AMENDING FLOOD CONTROL DISTRICT ORDINANCE NUMBERS 6 AND 7 TO WAIVE THE PAYMENT OF SPECIAL DRAINAGE AREA FEES.

If on January 09, 2019, the Board takes action as recommended, then on January 30, 2019:

Consider and adopt the Ordinance (second reading):

AN ORDINANCE AMENDING FLOOD CONTROL DISTRICT ORDINANCE NUMBERS 6 AND 7 TO WAIVE THE PAYMENT OF SPECIAL DRAINAGE AREA FEES.

### **FISCAL IMPACT**

Funds for this request are not included in the Fiscal Year (FY) 2018-19 Operational Plan in the Department of Planning & Development Services (PDS) and the Department of Environmental Health (DEH). If approved, this request will result in costs of \$1,100,000 in PDS (\$930,000) and DEH (\$170,000) in FY 2018-19 to offset the waiver of development impact and permit fees for Accessory Dwelling Units (ADUs). The funding source is available from prior year General Fund fund balance. Future costs for the fee waivers, currently estimated at \$2,200,000 annually, will be included in future Operational Plans in PDS and DEH throughout the proposed five-year trial period ending in FY 2023-24.

A waiver of Board Policy B-29: Fees, Grants, Revenue Contracts - Department Responsibility for Cost Recovery (Board Policy B-29) is requested since the proposed waiver of fees will not recover full operating costs for services provided. The total unrecovered cost per Board Policy B-29 is approximately \$1,100,000 for Fiscal Year 2018-19 and will be funded with available prior year General Fund fund balance. There will be no additional staff years.

### **BUSINESS IMPACT STATEMENT**

The waiver of impact and permit fees for Accessory Dwelling Units (ADUs) supports the local economy by creating new incentives for increasing the supply of housing in the unincorporated area. These types of programs remove financial barriers and create incentives for improved affordability of smaller housing types available to households that may include young people, couples, students, professionals, and seniors. New development of ADUs will also create local job growth and support the local economy.

(RELATES TO FLOOD CONTROL DISTRICT AGENDA NO. FL1)

**ACTION:**

ON MOTION of Supervisor Gaspar, seconded by Supervisor Fletcher, the Board of Supervisors closed the Hearing and took action as recommended, on Consent, introducing the Ordinance for further Board consideration and adoption on January 30, 2019.

AYES: Jacob, Gaspar, Fletcher, Desmond

ABSENT: Cox

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

**OVERVIEW**

Robert Germann spoke to the Board regarding comments on San Diego County.

Joe Naiman spoke to the Board regarding coverage of County government.

**ACTION:**

Heard, Referred to the Chief Administrative Officer.

There being no further business, the Board adjourned at 9:35 a.m.

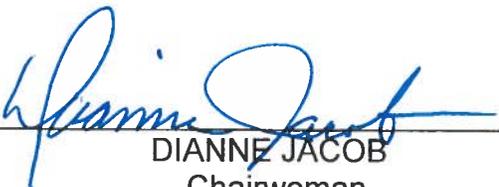
DAVID HALL  
Clerk of the Board of Supervisors  
County of San Diego, State of California

Consent: Santiago

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 January 30, 2019.

  
\_\_\_\_\_  
DIANNE JACOB  
Chairwoman

Attest:

  
\_\_\_\_\_  
DAVID HALL  
Clerk of the Board

01/09/19