

February 13, 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, FEBRUARY 13, 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; Greg Cox, Vice-Chairman; Kristin Gaspar; Nathan Fletcher; also, Andrew Potter, Assistant Clerk of the Board of Supervisors.

ABSENT: Supervisor Jim Desmond

- 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 January 30, 2019.

ACTION:

ON MOTION of Supervisor Gaspar, seconded by Supervisor Fletcher, the Board of Supervisors approved the Statement of Proceedings/Minutes for the meeting of January 30, 2019.

AYES: Cox, Jacob, Gaspar, Fletcher

ABSENT: Desmond

- 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. | ALPINE PARK - ACQUISITION OF APPROXIMATELY 98 ACRES OF LAND (WRIGHT'S FIELD PARTNERSHIP, LLC) - 1/9/2019 SET HEARING; 2/13/2019 HOLD HEARING
[FUNDING SOURCE: AVAILABLE PRIOR YEAR GENERAL FUND FUND BALANCE] |
| 2. | IRON MOUNTAIN - REQUEST FOR APPROVAL OF AN AMENDMENT TO THE OPTION AGREEMENT FOR THE PURCHASE OF 160 ACRES FROM POWAY IRON MOUNTAIN ESTATES, LLC |
| 3. | ADVERTISE AND AWARD A CONSTRUCTION CONTRACT FOR COUNTYWIDE SEWER IMPROVEMENTS FISCAL YEAR 2018-19
[FUNDING SOURCE: SAN DIEGO COUNTY SANITATION DISTRICT FUND AVAILABLE FUND BALANCE] |
| 4. | TRAFFIC ADVISORY COMMITTEE (02/13/19 - ADOPT RECOMMENDATIONS; 02/27/19 - SECOND READING OF AN ORDINANCE) |
| 5. | PUBLIC COMMUNICATION |

1. SUBJECT: 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

On January 9, 2019 (05), the Board of Supervisors set a Hearing for February 13, 2019.

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

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 Gaspar, seconded by Supervisor Fletcher, the Board of Supervisors continued the item to February 27, 2019, on Consent.

AYES: Cox, Jacob, Gaspar, Fletcher

ABSENT: Desmond

2. **SUBJECT: IRON MOUNTAIN - REQUEST FOR APPROVAL OF AN AMENDMENT TO THE OPTION AGREEMENT FOR THE PURCHASE OF 160 ACRES FROM POWAY IRON MOUNTAIN ESTATES, LLC (DISTRICT: 2)**

OVERVIEW

The County of San Diego Department of Parks and Recreation (DPR) has identified an approximately 160-acre property (Property) to expand the corridor of preserved land surrounding Iron Mountain in the unincorporated area east of State Route 67 near Poway Road. The Property will provide a greater area of protected habitat for numerous threatened species. Acquisition of the Property will conserve a linkage outlined within the Multiple Species Conservation Program South County Subarea Plan that will facilitate the movement of deer, mountain lion and other wildlife species such as the coastal California gnatcatcher. The Property features chaparral and coast live oak woodland habitats.

On March 10, 2017 the Director, Department of General Services executed a 24-month Option Agreement, Purchase and Sale Agreement, and Joint Escrow Instructions (Option) for the purchase of the Property, Assessor's Parcel Numbers 322-021-04 and 322-021-05. Pursuant to the terms of the Option, if the seller, Iron Mountain Estates, LLC, requests an updated appraisal, the Option would be extended an additional 180 days, contingent upon approval by the Board of Supervisors (Board).

Today's request is for the Board to approve a First Amendment to the Option Agreement, Purchase and Sale Agreement and Joint Escrow Instructions between the County of San Diego and Poway Iron Mountain Estates, LLC for the purchase of Assessor's Parcel Numbers 322-021-04 and 322-021-05 approving the extension of the Option by an additional 180 days. Staff may return to the Board at a later date to request authority to exercise the Option.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. Find that the proposed action is not subject to the California Environmental Quality Act (CEQA) because it does not approve a project as defined under Sections 15352 and 15378 of the CEQA Guidelines.
2. Approve and authorize the Director, Department of General Services, to execute First Amendment to Option Agreement, Purchase and Sale Agreement and Joint Escrow Instructions for the purchase of Assessor's Parcel Numbers 322-021-04 and 322-021-05 from Poway Iron Mountain Estates, LLC, a California limited liability company.

FISCAL IMPACT

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

BUSINESS IMPACT STATEMENT

N/A

ACTION:

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

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

3. **SUBJECT: ADVERTISE AND AWARD A CONSTRUCTION CONTRACT FOR COUNTYWIDE SEWER IMPROVEMENTS FISCAL YEAR 2018-19 (DISTRICT: 2)**

OVERVIEW

The Department of Public Works (DPW) manages a sewer system maintenance program for communities that are within the jurisdiction of the San Diego County Sanitation District (District). The District sewer system is comprised of approximately 432 miles of sewer lines, 8,200 manholes, 8 pump stations, several pressurized force mains, and 3 wastewater treatment plants. As part of the maintenance program, DPW has identified various locations for rehabilitation and replacement of sewer pipelines in the communities of Spring Valley and Lakeside. The locations are from a priority list of pipelines to be rehabilitated, which is developed from field reviews and condition assessments. Maintenance of sewer pipelines will minimize the chance of sewer spills and will allow for efficient transport of wastewater.

This is a request to approve the advertisement and subsequent award of a construction contract to the lowest responsive and responsible bidder for the Countywide Sewer Improvements Fiscal Year 2018-19 Project. Construction is scheduled to begin in spring 2019 and be complete in summer 2019. The construction cost is estimated at \$2,200,000, including contingency, and the funding source is San Diego County Sanitation District Fund available fund balance.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

Acting as the Board of Supervisors:

1. Find in accordance with Section 15301 of the California Environmental Quality Act (CEQA) that the Countywide Sewer Improvements Fiscal Year 2018-19 Project is categorically exempt from CEQA review because it involves the maintenance of existing public sewer lines 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 contract and to take other action authorized by Section 401 et seq., of the Administrative Code with respect to contracting for the Construction Contract for the Countywide Sewer Improvements Fiscal Year 2018-19 Project.
3. Designate the Director, Department of Public Works, as County Officer responsible for administering the construction contract, in accordance with Board Policy F-41, Public Works Construction Projects.

FISCAL IMPACT

Funds for this request are included in the Fiscal Year 2018-19 Operational Plan in the San Diego County Sanitation District. If approved, construction costs for the Countywide Sewer Improvements Fiscal Year 2018-19 Project are estimated to be \$2,200,000 including contingency. The funding source is San Diego County Sanitation District Fund available fund balance. 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.

ACTION:

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

AYES: Cox, Jacob, Gaspar, Fletcher

ABSENT: Desmond

4. **SUBJECT: TRAFFIC ADVISORY COMMITTEE (02/13/19 - ADOPT RECOMMENDATIONS; 02/27/19 - SECOND READING OF AN ORDINANCE) (DISTRICTS: 1, 2, & 5)**

OVERVIEW

The Board of Supervisors (Board) established the Traffic Advisory Committee (TAC) as an aid in providing uniform traffic regulations throughout the unincorporated areas of the County of San Diego (County). The TAC meets every six weeks to review proposed additions, deletions, or changes to regulatory traffic control devices on County maintained roads. Upon the receipt of a request or recommendation for a traffic regulation in unincorporated areas of the County, the TAC review the item including engineering studies and studies of traffic conditions.

The TAC recommends the Board act on four items from the October 26, 2018, TAC meeting agenda:

Item 1-A would establish a 35 MPH speed limit and certify the speed limit for radar enforcement on Proctor Valley Road from San Miguel Road to the Chula Vista City Limits (near San Miguel Ranch Road) in Bonita.

Item 2-A would reduce the existing 40 MPH speed limit to 35 MPH and certify the speed limit for radar enforcement on Hawley Road from Olde Highway 80 to Creek Hills Road in Blossom Valley.

Item 2-B would establish a temporary road closure due to serious and continued criminal activity on Mast Boulevard from Pinery Grove/Marathon Parkway to the end of the Cul-de-Sac (a distance of 850 feet) in Lakeside.

Item 5-A would reduce the existing 50 MPH and 55 MPH speed limits to 45 MPH and certify the speed limit for radar enforcement on Vesper Road from Valley Center Road to Sunset Road in Valley Center.

The Board action on Items 1-A, 2-A, and 5-A will revise the San Diego County Code of Regulatory Ordinances (County Code) and requires two steps. On February 13, 2019, the Board will consider the TAC items. If the Board takes action on February 13, 2019, then on February 27, 2019, a second reading of an Ordinance adding Section 72.164.57. (Item 1-A) and amending Sections 72.169.57.2. (Item 2-A) and 72.161.25.3. (Item 5-A) of the County Code would be necessary to implement the Board's direction.

RECOMMENDATION(S)
TRAFFIC ADVISORY COMMITTEE

District 1

Item 1-A. Establish a 35 MPH speed limit and certify the speed limit for radar enforcement on Proctor Valley Road from San Miguel Road to the Chula Vista City Limits (near San Miguel Ranch Road) in Bonita.

District 2

Item 2-A. Establish a 35 MPH speed limit and certify the speed limit for radar enforcement on Hawley Road from Olde Highway 80 to Creek Hills Road in Blossom Valley.

Item 2-B. Establish a temporary road closure on Mast Boulevard from Pinery Grove/Marathon Parkway to the end of the Cul-de-Sac (a distance of 850 feet) in Lakeside.

District 5

Item 5-A. Establish a 45 MPH speed limit and certify the speed limit for radar enforcement on Vesper Road from Valley Center Road to Sunset Road in Valley Center.

CHIEF ADMINISTRATIVE OFFICER

1. Find that the proposed project is exempt from the California Environmental Quality Act (CEQA) as specified under Section 15301 of the CEQA Guidelines because the proposed action involves minor alterations of existing public facilities relating to regulatory traffic control issues on County-maintained roads, resulting in negligible or no expansion of use beyond that existing at the time of the Board action.

2. Adopt the Traffic Advisory Committee's recommendations.
3. Adopt the following Resolution:
RESOLUTION AMENDING TRAFFIC RESOLUTION NO. 2663 RELATING TO THE TEMPORARILY CLOSING TO THROUGH TRAFFIC A COUNTY HIGHWAY AS A RESULT OF SERIOUS AND CONTINUAL CRIMINAL ACTIVITY IN THE COUNTY OF SAN DIEGO (Item 2-B).
4. Approve the introduction, read title, and waive further reading of the following Ordinance:
ORDINANCE ADDING SECTION 72.164.57. AND AMENDING SECTIONS 72.169.57.2. AND 72.161.25.3. OF THE SAN DIEGO COUNTY CODE RELATING TO SPEED LIMITS ON COUNTY MAINTAINED ROADS IN SAN DIEGO COUNTY (Items 1-A, 2-A, and 5-A).

If, on February 13, 2019, the Board takes action as recommended, then, on February 27, 2019: Consider and adopt:
ORDINANCE ADDING SECTION 72.164.57. AND AMENDING SECTIONS 72.169.57.2. AND 72.161.25.3. OF THE SAN DIEGO COUNTY CODE RELATING TO SPEED LIMITS ON COUNTY MAINTAINED ROADS IN SAN DIEGO COUNTY (Items 1-A, 2-A, and 5-A).

FISCAL IMPACT

Funds for this request are included in the Fiscal Year 2018-19 Operational Plan for the Department of Public Works Road Fund based on available Road Fund fund balance. 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 Resolution No. 19-012, entitled: RESOLUTION AMENDING TRAFFIC RESOLUTION NO. 2663 RELATING TO THE TEMPORARILY CLOSING TO THROUGH TRAFFIC A COUNTY HIGHWAY AS A RESULT OF SERIOUS AND CONTINUAL CRIMINAL ACTIVITY IN THE COUNTY OF SAN DIEGO (Item 2 B); and, introduced the Ordinance for further Board consideration and adoption on February 27, 2019.

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

5. SUBJECT: PUBLIC COMMUNICATION (DISTRICTS: ALL)

OVERVIEW

Yvonne Slater-Grigas, Sophia T, and Sharon Thunder spoke to the Board regarding objection to the Federal Communications Commission (FCC) Residential Rollout of Small Wireless Facilities for 5G.

ACTION:

Heard, Referred to the Chief Administrative Officer.

There being no further business, the Board adjourned at 9:12 a.m. in memory of Ben Hillebrecht.

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 February 27, 2019.



DIANNE JACOB
Chairwoman

Attest:



DAVID HALL
Clerk of the Board

02/13/19