

**March 18, 2015**

**STATEMENT OF PROCEEDINGS**

*The Minutes of the*

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

**COUNTY OF SAN DIEGO**

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STATEMENT OF PROCEEDINGS  
COUNTY OF SAN DIEGO BOARD OF SUPERVISORS  
REGULAR MEETING  
MEETING AGENDA  
**WEDNESDAY, MARCH 18, 2015, 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 9:03 a.m.

PRESENT: Supervisors Bill Horn, Chairman; Dave Roberts, Vice Chairman; Greg Cox; Dianne Jacob; Ron Roberts; also David Hall, Clerk.

Approval of Statement of Proceedings/Minutes for the meeting of March 4, 2015.

**ACTION:**

ON MOTION of Supervisor R. Roberts, seconded by Supervisor D. Roberts, the Board of Supervisors approved the Statement of Proceedings/Minutes for the meeting of March 4, 2015.

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

Public Communication: [No Speakers]

**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:  
          SECOND CONSIDERATION AND ADOPTION OF ORDINANCE: REVISIONS TO TITLE 6 OF THE COUNTY CODE OF REGULATORY ORDINANCES RELATED TO UNIFIED PROGRAM FACILITY REPORTING REQUIREMENTS, OBSOLETE FEES AND MEDICAL WASTE CONTAINER LABELING (03/04/2015 – FIRST READING; 03/18/2015 – SECOND READING)
  
2.        BORREGO VALLEY AIRPORT - AMEND AIRPORT ENTERPRISE FUND SPENDING PLAN, ADVERTISE AND AWARD CONSTRUCTION CONTRACT FOR RUNWAY REHABILITATION  
          [FUNDING SOURCE: FEDERAL AVIATION ADMINISTRATION]  
          (4 VOTES)

3. JACUMBA 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 SOURCES: STATE DIVISION OF AERONAUTICS AND PRIOR YEAR AVAILABLE AIRPORT ENTERPRISE FUND FUND BALANCE]  
(4 VOTES)
4. FALLBROOK COMMUNITY AIRPARK – NEW RECREATIONAL GROUND LEASE WITH FALLBROOK SPORTS ASSOCIATION, INC.  
[FUNDING SOURCE: INCREASE IN BASE RENT TO EQUAL APPRAISED FAIR MARKET RENT]  
(4 VOTES)
5. APPROVE COOPERATIVE AGREEMENT BETWEEN THE STATE OF CALIFORNIA AND THE COUNTY OF SAN DIEGO AND ADOPT A RESOLUTION TO DECLARE A PORTION OF COUNTY PROPERTY FOR PUBLIC HIGHWAY
6. APPROVAL OF THIRD AMENDMENT TO AGREEMENTS TO IMPROVE SUBDIVISION FOR PUBLIC AND PRIVATE IMPROVEMENTS FOR RANCHO CIELO ESTATES (FINAL MAP NO. 12905 AND 15587) LOCATED IN SAN DIEGUITO COMMUNITY PLANNING AREA
7. ADOPT A RESOLUTION OF THE BOARD OF SUPERVISORS TO SUMMARILY VACATE AN IRREVOCABLE OFFER OF DEDICATION FOR PUBLIC HIGHWAY PURPOSES ALONG OLD SAN PASQUAL ROAD, IN THE VICINITY OF ESCONDIDO (VACATION NO. 2014-0188)  
[FUNDING SOURCE: DEPOSIT FROM THE APPLICANTS]
8. COUNTY OF SAN DIEGO TRACT NO. 5423-1: APPROVAL OF FINAL MAP AND JOINT SECURED AGREEMENT FOR PUBLIC AND PRIVATE IMPROVEMENTS AND OFFSITE PUBLIC SEWER IMPROVEMENTS FOR JACKSON RIDGE LOCATED IN LAKESIDE COMMUNITY PLAN AREA  
[FUNDING SOURCE: SAN DIEGO COUNTY SANITATION DISTRICT FUND BALANCE]  
  
(RELATES TO SANITATION DISTRICT AGENDA NO. SA1)
9. ADVERTISE AND AWARD A CONTRACT FOR REPAIR, REPLACEMENT AND CONSTRUCTION OF CONCRETE CURBS, GUTTERS, SIDEWALKS FISCAL YEAR 2014-15  
[FUNDING SOURCE: HIGHWAY USER TAX ACCOUNT]

10. AN ORDINANCE AMENDING COUNTY BUILDING CODE TO PROMOTE PHOTOVOLTAIC AND ELECTRIC VEHICLE CHARGING SYSTEMS
11. ANNUAL REPORT OF THE COUNTY MAINTAINED ROAD SYSTEM
12. BOARD OF SUPERVISORS AUTHORIZATION ON BEHALF OF THE UNITED STATES MARINE CORPS TO APPLY FOR AND ACCEPT SANDAG ACTIVE TRANSPORTATION PLANNING GRANT

1. **SUBJECT: NOTICED PUBLIC HEARING:  
SECOND CONSIDERATION AND ADOPTION OF  
ORDINANCE: REVISIONS TO TITLE 6 OF THE COUNTY  
CODE OF REGULATORY ORDINANCES RELATED TO  
UNIFIED PROGRAM FACILITY REPORTING  
REQUIREMENTS, OBSOLETE FEES AND MEDICAL  
WASTE CONTAINER LABELING (03/04/2015 – FIRST  
READING; 03/18/2015 – SECOND READING)  
(DISTRICTS: ALL)**

**OVERVIEW:**

On March 4, 2015 (1), the Board introduced the Ordinance for further consideration and adoption on March 18, 2015.

Recent changes in State law and regulation necessitate revisions to the County Code of Regulatory Ordinances (County Code) in order to conform. Amendments to State law require businesses regulated by local, State-certified Unified Program Agencies (UPAs) to report certain facility information about the types and quantities of under and aboveground tanks, hazardous materials and hazardous waste via the Internet to the California Environmental Reporting System (“CERS”). (Health and Safety Code Section 25508.) Information reported by businesses was previously filed with the local agencies on paper forms, and the County Code still nominally requires those paper reports. Revision to the County Code is needed to conform to this new State law reporting procedure. Simplifying and clarifying amendments are also made to some of the same sections of the County Code.

State legislation passed in 2014 also eliminated reporting for some low risk activities, such as precious metals recovery, and increased reporting thresholds for some lower risk hazardous materials, such as refrigerant gasses, and carbon dioxide. The proposed amendments to County Code reflect these changes and eliminate corresponding local fees.

Today’s request requires two steps. On March 4, 2015, it is requested that the Board set a hearing for March 18, 2015, and provide public notice of the hearing. If the Board takes the actions recommended for March 4, 2015, then on March 18, 2015, after making the necessary findings, the Board is requested to adopt an ordinance to amend Title 6, Divisions 5 and 8 of the County Code of Regulatory Ordinances, relating to Unified Program facility reporting requirements, obsolete fees, and medical waste container labeling.

**FISCAL IMPACT:**

Funds for this request are not included in the Fiscal Year 2014-15 Operational Plan for the Department of Environmental Health. If approved, this request will result in a decrease of costs and revenue in an estimated amount of \$15,000 as changes in state law no longer require inspections and inventory for some customers. There will be no change in net General Fund cost and no additional staff years.

**BUSINESS IMPACT STATEMENT:**

This request will have a positive effect on local businesses. The proposed ordinance eliminates the base fee for remote unmanned chemical storage sites exempted from inspection by recent legislation. Also, inventory fees are eliminated for substances that are no longer reportable. In addition, fees will no longer be collected for limited quantity medical waste haulers due to the elimination of the registration requirement.

**RECOMMENDATION:**

**CHIEF ADMINISTRATIVE OFFICER**

1. In accordance with Section 15061(b)(3) of the State of California Environmental Quality Act (CEQA) Guidelines, find that it can be seen with certainty that there is no possibility this project may have a significant effect on the environment and that it is therefore exempt from CEQA.
  
2. Adopt the Ordinance entitled:  
AN ORDINANCE AMENDING SECTIONS OF TITLE 6 OF THE SAN DIEGO COUNTY CODE OF REGULATORY ORDINANCES RELATED TO UNIFIED PROGRAM FACILITY REPORTING REQUIREMENTS, OBSOLETE FEES AND MEDICAL WASTE CONTAINER LABELING.

**ACTION:**

ON MOTION of Supervisor Jacob, seconded by Supervisor Cox, the Board closed the Hearing and took action as recommended, on Consent, adopting Ordinance No. 10379 (N.S.), entitled: AN ORDINANCE AMENDING SECTIONS OF TITLE 6 OF THE SAN DIEGO COUNTY CODE OF REGULATORY ORDINANCES RELATED TO UNIFIED PROGRAM FACILITY REPORTING REQUIREMENTS, OBSOLETE FEES AND MEDICAL WASTE CONTAINER LABELING.

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

2. **SUBJECT: BORREGO VALLEY AIRPORT - AMEND AIRPORT ENTERPRISE FUND SPENDING PLAN, ADVERTISE AND AWARD CONSTRUCTION CONTRACT FOR RUNWAY REHABILITATION (DISTRICT: 5)**

**OVERVIEW:**

Borrego Valley Airport serves residents of rural East San Diego County and visitors to Borrego Springs (57<sup>th</sup> Edition Thomas Guide, Page 1058-F2). In 2014, 16,459 flights arrived and departed from this airport. The proposed project consists of rehabilitation of the runway, taxiways and ramp pavement surfaces, and construction of blast pads to enhance services to the flying public. This project has been identified by the Federal Aviation Administration (FAA) as a priority and is eligible for funding. The total project cost is estimated at \$3,000,000. The FAA is prepared to offer a grant of \$2,700,000 for this project, with matching funds of \$300,000 coming from the Airport Enterprise Fund.

This is a request to amend the Airport Enterprise Fund current year spending plan for Borrego Valley Airport. Upon Board approval, 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 Borrego Valley Airport. Construction is scheduled to begin in September 2015 and be completed by February 2016. The estimated construction cost for the project will be \$2,400,000, including contingency.

**FISCAL IMPACT:**

Funds for this request are partially included in the Fiscal Year 2014-15 Operational Plan in the Airport Enterprise Fund. The Borrego Valley Airport Runway Rehabilitation project cost is estimated at \$3,000,000. Previous budget approvals appropriated \$300,000 from the Airport Enterprise Fund for preparation of the project design and environmental work. If approved, this request will result in costs and revenue of \$2,700,000 for construction contract including contingency (\$2,400,000) and construction management (\$300,000) in Fiscal Year 2014-15. The funding source is the Federal Aviation Administration. 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 CEQA Guidelines because the proposed actions are all part of a single project to rehabilitate and repair an existing runway.
2. Amend the Fiscal Year 2014-15 Airport Enterprise Fund Spending Plan by \$2,700,000 to provide funds for Borrego Valley Airport Runway Rehabilitation Project based on unanticipated revenue from the Federal Aviation Administration. **(4 VOTES)**
3. Authorize the Director, Department of Purchasing and Contracting, to take any action necessary to advertise and award a contract and to take other action authorized by Section 401, et seq. of the Administrative Code with respect to contracting for subject Public Works project.
4. Designate the Director, Department of Public Works, as 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 Jacob, seconded by Supervisor Cox, the Board took action as recommended, on Consent.

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

3. **SUBJECT: JACUMBA 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:**

The County of San Diego operates Jacumba Airport located in the desert community of Jacumba Hot Springs (57<sup>th</sup> Edition Thomas Guide, page 1322). The airport is mainly used as a glider facility by single-engine aircraft and sailplanes. The existing runway surface at Jacumba Airport consists of compacted decomposed granite. The proposed project involves rehabilitation of the runway which is necessary to correct deteriorating runway infrastructure. The project will also include grading of the ramp and drainage improvements. These improvements will enhance services to the flying public.

The project has been identified by the California Department of Transportation (State) Division of Aeronautics as a priority and is therefore eligible for funding. Total project cost is estimated at \$425,000. The State is now prepared to offer a grant of \$383,000 for this project, with matching funds of \$42,000 coming from the Airport Enterprise Fund.

The State requires adoption of a new form of resolution specifically for the Jacumba 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 \$425,000 for the project. Upon receipt of state grant funds and with this Board authorization and subsequent receipt of the grant funds, the Department of Purchasing and Contracting will advertise and subsequently award a contract to the lowest responsive and responsible bidder for runway rehabilitation at Jacumba Airport. Construction is scheduled to begin in June 2016 and be completed by September 2016.

**FISCAL IMPACT:**

Funds for this request are not included in the Fiscal Year 2014-15 Operational Plan in the Airport Enterprise Fund. The Jacumba Airport Runway Rehabilitation project cost is estimated at \$425,000. If approved, this request will result in costs and revenue of \$425,000 in Fiscal Year 2014-15. The funding sources are State Division of Aeronautics (\$383,000) and prior year available Airport Enterprise Fund fund balance (\$42,000). 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 will 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 JACUMBA 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 \$425,000 to provide funds for Jacumba Airport Runway Rehabilitation Project contingent upon a grant award from the State Division of Aeronautics (\$383,000) and prior year available Airport Enterprise Fund fund balance (\$42,000). **(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 action 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 Jacob, seconded by Supervisor Cox, the Board took action as recommended, on Consent, adopting Resolution No. 15-026, 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 JACUMBA AIRPORT, AND CERTIFYING AVAILABILITY OF THE COUNTY'S SHARE OF MATCHING FUNDS.

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

4. **SUBJECT: FALLBROOK COMMUNITY AIRPARK – NEW RECREATIONAL GROUND LEASE WITH FALLBROOK SPORTS ASSOCIATION, INC. (DISTRICT: 5)**

**OVERVIEW:**

Fallbrook Community Airpark is located two miles south of downtown Fallbrook (57th Edition Thomas Guide Page 1027, G7). The Airpark is equipped with runway lighting, hangars, an aviation fuel island and aircraft tie-down areas. The Airpark is divided into two areas, one designated for aviation use and the other for compatible non-aviation uses, including agricultural and recreational uses.

On August 11, 1998 (43), the Board approved a 20-year ground lease with Fallbrook Sports Association, Inc., a California non-profit public benefits corporation. This lease was amended on July 22, 2009 (17) to revise the rent structure. The lease is scheduled to terminate in 2018 and Fallbrook Sports Association, Inc. has requested a new 20-year ground lease so they can make long-range business plans and continue to operate the Fallbrook Sports Park beyond 2018.

This is a request to approve a new 20-year recreational ground lease agreement with Fallbrook Sports Association, Inc., which would replace the existing agreement. The proposed lease would commence on April 1, 2015 and terminate on March 31, 2035. Rent under the new lease would increase to current market rate based on an independent appraisal. Approval of this action would also provide County with better protections through updated lease language, while ensuring the continued availability of this important community asset.

**FISCAL IMPACT:**

Funds for this request are partially included in the Fiscal Year 2014-15 Operational Plan for the Airport Enterprise Fund. If approved, this request will result in total current year revenue of \$23,627 (in base rent) in Fiscal Year 2014-15, an increase of \$201 over the amount budgeted. The funding source for additional revenue is an increase in base rent to equal appraised fair market rent. 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, in accordance with Section 15301 of the California Environmental Quality Act (CEQA) Guidelines that the proposed new lease is categorically exempt from CEQA review because the proposed action involves approval of a recreational ground lease agreement with no proposed changes in use from what currently exists.
2. Approve and authorize the Clerk of the Board to execute, upon receipt, three copies of the New Recreational Ground Lease with Fallbrook Sports Association, Inc., a California nonprofit public corporation. **(4 VOTES)**

**ACTION:**

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

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

5. **SUBJECT: APPROVE COOPERATIVE AGREEMENT BETWEEN THE STATE OF CALIFORNIA AND THE COUNTY OF SAN DIEGO AND ADOPT A RESOLUTION TO DECLARE A PORTION OF COUNTY PROPERTY FOR PUBLIC HIGHWAY (DISTRICT: 2)**

**OVERVIEW:**

This is a request to approve a cooperative agreement between the State of California and the County of San Diego for the funding of improvements to the intersection of State Route (SR) 67 at Highland Valley Road/Dye Road in the unincorporated community of Ramona (2013 Thomas Guide 58 Edition, Page 1172, B-3). The project will be funded from TransNet and Transportation Impact Fee (TIF) funds. This is also a request to adopt a resolution declaring a portion of the County-owned property along Highland Valley Road as public highway.

**FISCAL IMPACT:**

There is no fiscal impact statement associated with the agreement. Appropriations for the TransNet and Transportation Impact Fee funds will be brought before the Board of Supervisors in future year Operational Plan proposals. There will be no change in net General Fund costs and no additional staff years.

**BUSINESS IMPACT STATEMENT:**

The Transportation Impact Fee (TIF) program was created to assist property owners, businesses and the community by providing a cost-effective means of mitigating cumulative traffic impacts. In this way the TIF program balances the needs of developers and businesses with the needs of communities and the public. The TIF program includes certain state facilities and allows for reimbursement of the state or SANDAG from TIF funds for capacity enhancing improvements completed by these agencies to those facilities. This reimbursement agreement provides the mechanism for contributing funds towards the planned improvements at SR-67 at Highland Valley Road/Dye Road intersection that will benefit current and future East County residents and travelers.

**RECOMMENDATION:**

**CHIEF ADMINISTRATIVE OFFICER**

1. Find that the project is exempt from the California Environmental Quality Act (CEQA) as specified under Sections 15303 and 15304 of the state CEQA Guidelines because it involves the reconstruction of an existing intersection.

2. Approve and authorize the Clerk of the Board of Supervisors to execute two copies of Cooperative Agreement 11-0690 between the State of California and the County of San Diego.
3. Authorize the Director, Department of Public Works, to receive, file and execute any documents necessary to administer Cooperative Agreement 11-0690 between the State of California and the County of San Diego.
4. Adopt a Resolution entitled: DECLARATION OF A PORTION OF COUNTY PROPERTY FOR PUBLIC HIGHWAY.

**ACTION:**

ON MOTION of Supervisor Jacob, seconded by Supervisor Cox, the Board took action as recommended, on Consent, adopting Resolution No. 15-027, entitled: DECLARATION OF A PORTION OF COUNTY PROPERTY FOR PUBLIC HIGHWAY.

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

6. **SUBJECT: APPROVAL OF THIRD AMENDMENT TO AGREEMENTS TO IMPROVE SUBDIVISION FOR PUBLIC AND PRIVATE IMPROVEMENTS FOR RANCHO CIELO ESTATES (FINAL MAP NO. 12905 AND 15587) LOCATED IN SAN DIEGUITO COMMUNITY PLANNING AREA (DISTRICT: 5)**

**OVERVIEW:**

The purpose of this item is for the Board of Supervisors (Board) to execute the Third Amended Agreements to Improve Subdivision (“Agreements”) for public and private improvements for Rancho Cielo Estates (Final Map No. 12905 and Final Map No. 15587, respectively). The amended Agreements are being brought before the Board to provide: 1) a decrease in security for Final Map No. 12905; and 2) an extension of time and decrease in security for Final Map No. 15587 to complete the public and private improvements associated with the two approved final maps. The project is located in the San Dieguito Community Planning area, on the easterly and westerly side of Via Ambiente, 2.5 miles northerly from Calle Ambiente (Thomas Guide, Page 1149, A-2/3, 2009 Edition).

The proposed Third Amended Agreements result from a change in the approved subdivision to reflect the purchase of a portion of the property (167.69 acres) for conservation. The conservation action (the merger of lots within the two final maps and sale to a conservation entity) removed the necessity to build and secure some of the internal private streets and pipelines serving the subdivided lots existing prior to the lot merger. The owner has completed construction of some of the improvements required to serve the remaining development within the time allowed by the secured agreements and is requesting an extension of time to complete the remaining improvements associated with Final Map No. 15587. There is also a corresponding reduction in the security for Final Map No. 12905.

Sufficient work has been completed to allow the Department of Public Works to authorize a partial security reduction in the form of a surety bond decrease rider. The revised security is adequate to guarantee completion of remaining work. The owner has submitted the surety bond decrease rider to guarantee completion of all remaining improvements.

**FISCAL IMPACT:**

N/A

**BUSINESS IMPACT STATEMENT:**

N/A

**RECOMMENDATION:**

**CHIEF ADMINISTRATIVE OFFICER**

1. Find that the proposed action consists of the minor amendment of improvement agreements required as a condition of approval of final maps and is not a project subject to review under the California Environmental Quality Act (CEQA) pursuant to Sections 15060(c)(1) and (2) of the CEQA Guidelines.
2. Approve and authorize Clerk of the Board to execute the Third Amendment Agreement to Improve Subdivision for Final Map No. 12905 (Reduction in Security). This agreement decreases security to complete required improvements (Attachment B).
3. Authorize the Clerk of the Board to accept the Surety Bond Rider from the owner reducing the penal sum of the previously posted Faithful Performance Bond No. 1565360, currently on file with the Clerk of the Board, for Final Map No. 12905 from \$9,010,300 to \$2,165,000 (Attachment C).
4. Approve and authorize Clerk of the Board to execute the Third Amendment Agreement to Improve Subdivision (Extension of Time and Reduction of Security) for Final Map No. 15587. This agreement extends time to complete improvements to July 11, 2016 and decreases security to complete required improvements (Attachment D).
5. Authorize the Clerk of the Board to release from the owner the penal sum of the previously posted Faithful Performance Bond No. 2207024, currently on file with the Clerk of the Board, for Final Map No. 15587 from \$2,995,100 to \$0.
6. Authorize the Clerk of the Board to accept the Surety Bond Rider from the owner reducing the penal sum of the previously posted Faithful Performance Bond No. 1565355, currently on file with the Clerk of the Board, for Final Map No. 15587 from \$3,654,000 to \$3,436,000 (Attachment E)
7. Authorize the Clerk of the Board to accept the Surety Bond Rider from the owner reducing the penal sum of the previously posted Faithful Performance Bond No. 2207025, currently on file with the Clerk of the Board, for Final Map No. 15587 from \$244,859 to \$183,000 (Attachment F)

**ACTION:**

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

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

7. **SUBJECT: ADOPT A RESOLUTION OF THE BOARD OF SUPERVISORS TO SUMMARILY VACATE AN IRREVOCABLE OFFER OF DEDICATION FOR PUBLIC HIGHWAY PURPOSES ALONG OLD SAN PASQUAL ROAD, IN THE VICINITY OF ESCONDIDO (VACATION NO. 2014-0188) (DISTRICT: 3)**

**OVERVIEW:**

The Department of General Services, Real Estate Services Division is processing a request from the owners of APNs 241-190-01, 02, 22, 23, 24, 27 and 39 to summarily vacate an Irrevocable Offer of Dedication (IOD) for public highway purposes, which includes access rights to the adjacent lots, together with the right to extend and maintain drainage facilities and excavation and embankment slopes beyond the limits of the right-of-way. The IOD was offered for dedication and rejected by the County on Map No. 12942, filed in the office of the County Recorder of San Diego County June 3, 1992. The proposed vacation is located in the unincorporated area of the county, in the vicinity of Escondido, along the southwest side of Old San Pasqual Road and west of its intersection with San Pasqual Road. (2010 Thomas Guide Page 1130-G6)

Today's request is to adopt a resolution to summarily vacate an IOD that is excess to the County's needs. The IOD requested for vacation was never accepted by the County and no improvements were made within the IOD by the County. The IOD has not been used for the purpose for which it was dedicated or acquired, and no property owner would be land-locked as a result of the proposed vacation. Pursuant to Streets and Highways Code Section 8334(a), excess right-of-way not required for street or highway purposes may be summarily vacated.

**FISCAL IMPACT:**

Funds for this request are partially included in the Fiscal Year 2014-2015 Operational Plan in the Department of General Services. If approved, this request would result in costs and revenue of \$2,500 to process the proposed vacation. The funding source is a deposit from the applicants. There will be no change in net General Fund cost and no additional staff years.

**BUSINESS IMPACT STATEMENT:**

N/A

**RECOMMENDATION:  
CHIEF ADMINISTRATIVE OFFICER**

1. Find that the proposed action is not subject to review under California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15060 (c)(2) and (3) because it does not have a direct or indirect effect on the environment as it will only result in the vacation of unnecessary easement interests, and the action is not a project as defined in Section 15378 of the CEQA Guidelines.
2. Adopt a Resolution entitled: RESOLUTION OF THE BOARD OF SUPERVISORS TO SUMMARILY VACATE AN IRREVOCABLE OFFER OF DEDICATION FOR PUBLIC HIGHWAY PURPOSES ALONG OLD SAN PASQUAL ROAD, IN THE VICINITY OF ESCONDIDO (VACATION NO. 2014-0188).
3. Direct the Clerk of the Board to record the Resolution for Vacation No. 2014-0188 pursuant to Streets and Highways Code section 8336.

**ACTION:**

ON MOTION of Supervisor Jacob, seconded by Supervisor Cox, the Board took action as recommended, on Consent, adopting Resolution No. 15-028, entitled: RESOLUTION OF THE BOARD OF SUPERVISORS TO SUMMARILY VACATE AN IRREVOCABLE OFFER OF DEDICATION FOR PUBLIC HIGHWAY PURPOSES ALONG OLD SAN PASQUAL ROAD, IN THE VICINITY OF ESCONDIDO (VACATION NO. 2014-0188).

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

8. **SUBJECT: COUNTY OF SAN DIEGO TRACT NO. 5423-1: APPROVAL OF FINAL MAP AND JOINT SECURED AGREEMENT FOR PUBLIC AND PRIVATE IMPROVEMENTS AND OFFSITE PUBLIC SEWER IMPROVEMENTS FOR JACKSON RIDGE LOCATED IN LAKESIDE COMMUNITY PLAN AREA (DISTRICT: 2)**

**OVERVIEW:**

The purpose of this item is for the Board of Supervisors (Board) to review and approve the final map and joint secured agreement for public and private improvements for Jackson Ridge as well as review and approve the wastewater reimbursement agreement for the construction of offsite sewer to serve the project. This project is a subdivision consisting of 52 single family dwellings and 132 duplexes on four lots, on a total of 21.89 acres. County of San Diego Tract No. 5423-1, known as Jackson Ridge was approved at the Planning Commission on February 10, 2012 and is located within the Lakeside Community Planning area, northwesterly of Old Highway 80 and southwesterly of Los Coches Road (2009 Thomas Guide, Page 1232 C-7).

The applicant has satisfied all conditions in the Resolution of Approval and has provided adequate labor and material bonds and performance bonds for the construction of public and private improvements and offsite public sewer. The map has been reviewed and found to be technically correct, and complies with state law and County ordinances.

**FISCAL IMPACT:**

Funds for this request are included in the Fiscal Year 2014-15 Operational Plan for the San Diego County Sanitation District. If approved, this request will result in current year costs estimated to be \$2,404,727 for construction and contingency in Fiscal Year 2014-15. The funding source is the San Diego County Sanitation District fund balance. There will be no change in net General Fund cost and no additional staff years.

**BUSINESS IMPACT STATEMENT:**

N/A

**RECOMMENDATION:**

**CHIEF ADMINISTRATIVE OFFICER**

Acting as the Board of Supervisors:

1. Find that the approval of a final map and associated actions is not a project subject to review under the California Environmental Quality Act (CEQA) pursuant to Sections 15060(c)(1) and (2) of the State CEQA Guidelines.
2. Approve the final map for County of San Diego Tract No. 5423-1.
3. Accept on behalf of the public, subject to improvements, Jackson Ridge Parkway and Wellington Hill Drive for use as streets, together with the rights to extend and maintain drainage facilities and excavation and embankment slopes beyond the limits of the rights of way as dedicated on said map.
4. Accept on behalf of the County, the clear space easements, the drainage easement, and the noise protection easement, all as dedicated or granted and shown on said map.
5. Approve and authorize the Clerk of the Board of Supervisors to execute the Joint Agreement to Improve Major Subdivision, which includes the street improvements, sewer facilities, and water facilities for the onsite improvements (Attachment B).
6. Approve and authorize the Clerk of the Board of Supervisors to execute the Joint Agreement to Improve Major Subdivision, which includes the street improvements, sewer facilities, and water facilities for the offsite improvements (Attachment E).
7. Approve and authorize the Clerk of the Board of Supervisors to execute, the Joint Agreement to Improve Major Subdivision, which includes the construction of offsite Sewer Improvements within Los Coches Road (Attachment H).

Acting as the Board of Directors of the San Diego County Sanitation District:

1. Approve and authorize the Clerk of the Board of Directors to execute the dedication and acceptance certificate for District facilities on the map.
2. Approve and authorize the Clerk of the Board of Directors to execute the Joint Agreement to Improve Major Subdivision, which includes the street improvements, sewer facilities, and water facilities for the onsite improvements (Attachment B).
3. Approve and authorize the Clerk of the Board of Directors to execute the Joint Agreement to Improve Major Subdivision, which includes the street improvements, sewer facilities, and water facilities for the offsite improvements (Attachment E).
4. Approve and authorize the Clerk of the Board of Supervisors to execute the Joint Agreement to Improve Major Subdivision, which includes the construction of offsite Sewer Improvements within Los Coches Road (Attachment H).

(Relates to Sanitation District Agenda No. SA1)

**ACTION:**

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

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

9. **SUBJECT: ADVERTISE AND AWARD A CONTRACT FOR REPAIR, REPLACEMENT AND CONSTRUCTION OF CONCRETE CURBS, GUTTERS, SIDEWALKS FISCAL YEAR 2014-15 (DISTRICT: 1, 2, 3 & 5)**

**OVERVIEW:**

The Department of Public Works has identified various locations for the removal and replacement of damaged concrete curbs, gutters, sidewalks, driveway approaches, curb ramps and cross gutters. At intersections, this work will also include the addition of Americans with Disabilities Act (ADA) compliant curb ramps. The improvements will be performed along various roads in the unincorporated portions of San Diego county and will contribute to the community by enhancing pedestrian safety and street drainage.

This is a request to approve the advertisement and subsequent construction contract award to the lowest responsive and responsible bidder for this project. Bid packages have been structured with a base bid consisting of the minimum number of locations for the work and additive alternates, which are clusters of locations that can be added to the contract if bid prices favor doing so.

The project is scheduled to begin in spring 2015 and be completed by the end of this calendar year. If approved, construction costs are estimated to be \$250,000, including contingencies.

**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 are estimated to be \$250,000, including contingencies. The funding source is Highway User Tax Account. There will be no change in net General Fund costs 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 CEQA Guidelines because this project 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 contract and to take other action authorized by Section 401 et seq., of the Administrative Code with respect to contracting for the subject public works project.
3. Designate the Director, Department of Public Works, as County Officer responsible for administering the construction contract, in accordance with Board Policy F-41, Public Works Construction Projects.

**ACTION:**

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

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

10. **SUBJECT: AN ORDINANCE AMENDING COUNTY BUILDING CODE TO PROMOTE PHOTOVOLTAIC AND ELECTRIC VEHICLE CHARGING SYSTEMS (DISTRICTS: ALL)**

**OVERVIEW:**

On April 16, 2014 (3), Supervisor Dianne Jacob, Second District, and Supervisor Dave Roberts, Third District, recommended that the Board of Supervisors direct the Chief Administrative Officer to research and develop potential updates to the County Building Code that would further promote green building technologies through cost effective measures aimed at reducing energy bills and working toward

energy independence. On August 6, 2014, staff presented possible County Building Code amendments to the Board of Supervisors and the Board directed the Chief Administrative Officer to prepare and return to the Board with amendments to the County Building Code to implement four of the options presented. If adopted, the proposed ordinance would implement the changes directed by the Board on August 6, 2014.

**FISCAL IMPACT:**

There is no fiscal impact associated with these recommendations.

**BUSINESS IMPACT STATEMENT:**

The adoption of the proposed Building Code amendment would benefit the residents of the unincorporated County and renewable energy industry by making new single family homes ready for future installation of photovoltaic or electric vehicle charging systems. The additional cost for new home construction to implement the proposed code amendment is expected to be approximately \$300 - \$400 per single family dwelling. However, if a homeowner elected to install these improvements and retrofit an existing home at a later date, the cost for the retrofit would be greater than the upfront cost at the time of new home construction.

**RECOMMENDATION:**

**CHIEF ADMINISTRATIVE OFFICER**

1. Find the proposed project is exempt from the California Environmental Quality Act (CEQA) as specified in Section 15061(b)(3) of the State CEQA Guidelines for the reasons detailed in the Notice of Exemption dated January 27, 2015 (Attachment A) on file with Planning & Development Services.
2. Approve the express findings, that the County amendments to the California Building Standards Code are reasonably necessary because of local, climatic, geological or topographical conditions, pursuant to Health and Safety Code Section 17958.7 (Attachment B)
3. Approve the introduction of the Ordinance, (first reading), read the title and waive further reading of the Ordinance (Attachment C), entitled: AN ORDINANCE AMENDING CHAPTER 1 OF DIVISION 2 OF TITLE 9 OF THE SAN DIEGO COUNTY CODE RELATED TO SOLAR AND ELECTRIC VEHICLE READY BUILDINGS.

If on March 18, 2015, the Board takes the actions recommended in Items 1, 2 and 3, then, on April 8, 2015:

1. Submit the Ordinance for further Board consideration and adoption (second reading):

AN ORDINANCE AMENDING CHAPTER 1 OF DIVISION 2 OF TITLE 9 OF THE SAN DIEGO COUNTY CODE RELATED TO SOLAR AND ELECTRIC VEHICLE READY BUILDINGS.

2. Direct the Clerk of the Board of Supervisors to provide a certified copy of the adopted ordinance amending the County Building Code to the California Building Standards Commission.

**ACTION:**

ON MOTION of Supervisor Jacob, seconded by Supervisor Cox, the Board took action as recommended, on Consent, introducing the Ordinance for further consideration and adoption on April 8, 2015.

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

NOES: Horn

**11. SUBJECT: ANNUAL REPORT OF THE COUNTY MAINTAINED ROAD SYSTEM (DISTRICTS: ALL)**

**OVERVIEW:**

Section 2121 of the California Streets and Highways Code requires the County to annually submit to the California Department of Transportation (Caltrans) any additions to, or exclusions from, its mileage of maintained County roads. The most recent update was approved by your Board on April 16, 2014 (4), and certified by Caltrans thereafter.

Total mileage of County-maintained roads has increased by 1.77 miles, since the last certification, to 1,940.48 miles. This is a request to adopt a resolution to transmit the County's annual report of mileage to Caltrans. This action will enable Caltrans to certify the new reported road mileage to the State Controller.

**FISCAL IMPACT:**

The Recommended action has no cost in current or subsequent years, and will require no additional staff years. Maintenance costs for County roads are funded using Gas Tax revenues and Transnet funds.

**BUSINESS IMPACT STATEMENT:**

N/A

**RECOMMENDATION:**

**CHIEF ADMINISTRATIVE OFFICER**

1. Find that the proposed action is not a project subject to review under the California Environmental Quality Act (CEQA) pursuant to Section 15060(c)(2) of the state CEQA Guidelines.
2. Adopt a Resolution entitled: RESOLUTION OF THE COUNTY OF SAN DIEGO BOARD OF SUPERVISORS TRANSMITTING THE ANNUAL REPORT TO THE STATE DEPARTMENT OF TRANSPORTATION OF THE COUNTY'S MAINTAINED ROADS – 2015.

**ACTION:**

ON MOTION of Supervisor Jacob, seconded by Supervisor Cox, the Board took action as recommended, on Consent, adopting Resolution No. 15-029, entitled: RESOLUTION OF THE COUNTY OF SAN DIEGO BOARD OF SUPERVISORS TRANSMITTING THE ANNUAL REPORT TO THE STATE DEPARTMENT OF TRANSPORTATION OF THE COUNTY'S MAINTAINED ROADS – 2015.

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

**12. SUBJECT: BOARD OF SUPERVISORS AUTHORIZATION ON BEHALF OF THE UNITED STATES MARINE CORPS TO APPLY FOR AND ACCEPT SANDAG ACTIVE TRANSPORTATION PLANNING GRANT (DISTRICT: 5)**

**OVERVIEW:**

The San Diego Association of Governments (SANDAG) Active Transportation Grant Program (ATGP) funds bicycle and pedestrian-oriented transportation planning efforts. Funds through the Active Transportation Grant Planning Program are only available to SANDAG member agencies. The United States Marine Corps (USMC) has requested grant funding to address safety deficiencies on two segments of the public San Diego Coastal Bike Path route located along Stuart Mesa Road within the boundaries of Marine Corps Base Camp Pendleton.

SANDAG has indicated that in order for the USMC to apply for ATGP grants that a member agency must be the primary grantee with the USMC acting as the sub-grantee. This action would authorize the County to apply for and to accept up to \$440,000 and \$410,000 for two separate grant applications on behalf of the USMC from the SANDAG Active Transportation Grant Program for improvements to address safety deficiencies along the public San Diego Coastal Bike Path route. As part of the grant application, SANDAG requires a resolution from the member agency local governing body that authorizes staff to accept grant funds and execute grant agreements. Should this grant be awarded, the County would serve as grant administrator in coordination with the USMC.

**FISCAL IMPACT:**

There is no fiscal impact associated with the action to authorize the submittal and acceptance of applications for competitive grant funds totaling \$850,000 from the San Diego Association of Governments. If the grants are awarded, this request will result in costs and revenue of up to \$850,000 in Fiscal Years 2015-16 and 2016-17. As the sub-grantee the United States Marine Corps will be able to directly invoice SANDAG without the need for grant funds to pass through the County.

**BUSINESS IMPACT STATEMENT:**

The grant would provide funding for improvements to the public San Diego Coastal Bike Path to address existing safety deficiencies. Funding for these improvements is needed to mitigate two constrictions along the San Diego Coastal

Bike Path route located within Marine Corps Base (MCB) Camp Pendleton. If one or both of these projects are deemed eligible for ATGP funding, it would assist in the rapid correction of identified deficiencies and directly improve safety for cyclists on this highly popular and heavily used public bike path.

**RECOMMENDATION:**

**CHAIRMAN BILL HORN**

1. Adopt the Resolution entitled: RESOLUTION OF THE COUNTY OF SAN DIEGO BOARD OF SUPERVISORS AUTHORIZING THE FILING OF AN APPLICATION FOR ACTIVE TRANSPORTATION GRANT PROGRAM FUNDS THROUGH THE SAN DIEGO ASSOCIATION OF GOVERNMENTS ON BEHALF OF THE UNITED STATES MARINE CORPS FOR THE SAN DIEGO COASTAL BIKE PATH SAFETY IMPROVEMENTS – LAS FLORES CREEK CONSTRICTION AND ACCEPTING THE TERMS OF THE GRANT AGREEMENT (Attachment A).
2. Adopt the Resolution entitled: RESOLUTION OF THE COUNTY OF SAN DIEGO BOARD OF SUPERVISORS AUTHORIZING THE FILING OF AN APPLICATION FOR ACTIVE TRANSPORTATION GRANT PROGRAM FUNDS THROUGH THE SAN DIEGO ASSOCIATION OF GOVERNMENTS ON BEHALF OF THE UNITED STATES MARINE CORPS FOR THE SAN DIEGO COASTAL BIKE PATH SAFETY IMPROVEMENTS – STUART MESA 41 AREA CONSTRICTION AND ACCEPTING THE TERMS OF THE GRANT AGREEMENT (Attachment B).
3. Authorize the Director of Department of Planning & Development Services or his designee, as agent of the County, to conduct all negotiations and submit all documents including, but not limited to, applications, contracts, and payment requests and to execute the grant agreement on behalf of the United States Marine Corps upon award of grant funds, including any extensions or amendments thereof, that do not materially impact or alter the grant program or funding level.
4. Authorize the Director of Planning & Development Services to prepare and execute a Memorandum of Understanding with the USMC specifying the project responsibilities being delegated to the USMC as part of the grant award.

**ACTION:**

Revising the authorized amount the County can apply for and accept for improvement projects for the San Diego Coastal Bike Path Safety - Las Flores Creek Constriction to be up to \$576,240 and for the San Diego Coastal Bike Path Safety – Stuart Mesa 41 Area Constriction to be up to \$477,640; and directing the Chief Administrative Officer to revise the associated resolutions to reflect the revised dollar amounts; ON MOTION of Supervisor Jacob, seconded by Supervisor Cox, the Board took action as recommended, on Consent, adopting Resolution No. 15-030, entitled: RESOLUTION OF THE COUNTY OF SAN DIEGO BOARD OF SUPERVISORS AUTHORIZING THE FILING OF AN APPLICATION FOR ACTIVE TRANSPORTATION GRANT PROGRAM FUNDS THROUGH THE SAN DIEGO ASSOCIATION OF GOVERNMENTS ON BEHALF OF THE UNITED STATES MARINE CORPS FOR THE SAN DIEGO COASTAL BIKE PATH SAFETY IMPROVEMENTS – LAS FLORES CREEK CONSTRICTION AND ACCEPTING THE TERMS OF THE GRANT AGREEMENT; and Resolution No. 15-031, entitled: RESOLUTION OF THE COUNTY OF SAN DIEGO BOARD OF SUPERVISORS AUTHORIZING THE FILING OF AN APPLICATION FOR ACTIVE TRANSPORTATION GRANT PROGRAM FUNDS THROUGH THE SAN DIEGO ASSOCIATION OF GOVERNMENTS ON BEHALF OF THE UNITED STATES MARINE CORPS FOR THE SAN DIEGO COASTAL BIKE PATH SAFETY IMPROVEMENTS – STUART MESA 41 AREA CONSTRICTION AND ACCEPTING THE TERMS OF THE GRANT AGREEMENT.

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

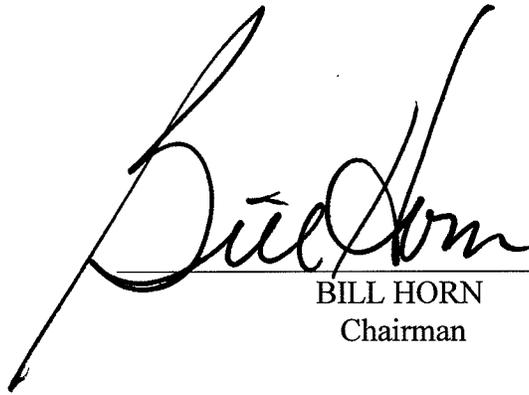
There being no further business, the Board adjourned at 9:19 a.m. in memory of Bob Emery and George Barnard.

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

Consent: Gomez  
Discussion: Miller

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, April 8, 2015.



BILL HORN  
Chairman

Attest:



DAVID HALL  
Clerk of the Board

3/18/15

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