

May 3, 2017

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, MAY 03, 2017, 9:00 A.M.
BOARD OF SUPERVISORS NORTH CHAMBER
1600 PACIFIC HIGHWAY, ROOM 310, SAN DIEGO, CALIFORNIA

REGULAR SESSION: Meeting was called to order at 9:02 a.m.

PRESENT: Supervisors Dianne Jacob, Chairwoman; Kristin Gaspar, Vice-Chairwoman; Greg Cox; Ron Roberts; also, Andrew Potter, Assistant Clerk of the Board.

ABSENT: Supervisor Bill Horn.

NOTICE: THE BOARD OF SUPERVISORS MAY TAKE ANY ACTION WITH RESPECT TO THE ITEMS INCLUDED ON THIS AGENDA. RECOMMENDATIONS MADE BY COUNTY STAFF DO NOT LIMIT ACTIONS THAT THE BOARD OF SUPERVISORS MAY TAKE. MEMBERS OF THE PUBLIC SHOULD NOT RELY UPON THE RECOMMENDATIONS IN THE BOARD LETTER AS DETERMINATIVE OF THE ACTION THE BOARD OF SUPERVISORS MAY TAKE ON A PARTICULAR MATTER.

Board of Supervisors' Agenda Items

Agenda # Subject

1. ADMINISTRATIVE ITEM:
 SECOND CONSIDERATION AND ADOPTION OF ORDINANCES: APPROVAL OF THE AMENDED COST RECOVERY PROPOSAL OF THE DEPARTMENT OF AGRICULTURE, WEIGHTS AND MEASURES EFFECTIVE FISCAL YEAR 2017-18 AND ASSOCIATED ORDINANCE
 [FUNDING SOURCE: FEES PAID BY CUSTOMERS]

2. ADMINISTRATIVE ITEM:
 SECOND CONSIDERATION AND ADOPTION OF ORDINANCES: CONSIDERATION AND ADOPTION OF FEE ADJUSTMENTS FOR THE SMALL DRINKING WATER SYSTEM AND COTTAGE FOOD PROGRAMS IN THE DEPARTMENT OF ENVIRONMENTAL HEALTH EFFECTIVE FISCAL YEAR 2017-18 AND ASSOCIATED ORDINANCE REVISIONS
 [FUNDING SOURCE: FEES PAID BY CUSTOMERS]

3. CALL A SPECIAL ELECTION TO LEVY SPECIAL TAX IN PERMANENT ROAD DIVISION NO. 1000, ZONE NO. 117 - LEGEND ROCK IN HIDDEN MEADOWS

4. ESTABLISH APPROPRIATIONS AND AUTHORIZATION TO ADVERTISE AND AWARD A CONSTRUCTION CONTRACT FOR THE SAN DIEGUITO WEDDING PAVILION PROJECT
[FUNDING SOURCE: GENERAL PURPOSE REVENUE IN THE DEPARTMENT OF PARKS AND RECREATION (GENERAL FUND)]
(4 VOTES)
5. ESTABLISH APPROPRIATIONS AND AUTHORIZATION TO ADVERTISE AND AWARD A CONSTRUCTION CONTRACT FOR THE GLEN ABBEY TRAIL PROJECT
[FUNDING SOURCE: UNANTICIPATED REVENUE FROM THE PARKS AND RECREATION TRUST FUND BASED ON FUNDS FROM STATE ROUTE 125, CALTRANS SETTLEMENT FUNDS]
(4 VOTES)
6. ADOPT A RESOLUTION AMENDING THE 2016 TRANSNET LOCAL STREET IMPROVEMENT PROGRAM OF PROJECTS FOR FISCAL YEARS 2016-17 THROUGH 2020-21
7. COUNTY AIRPORTS – ADOPT A RESOLUTION AUTHORIZING APPLICATIONS AND AGREEMENTS FOR ACCEPTANCE OF FEDERAL AND STATE GRANT FUNDS
8. TRAFFIC ADVISORY COMMITTEE RECOMMENDATIONS (5/3/17)
9. ESTABLISH APPROPRIATIONS AND ADVERTISE AND AWARD A CONSTRUCTION CONTRACT FOR THE FALLBROOK STREET FROM MISSION ROAD TO MAIN STREET AND MORRO ROAD TO MARGARIAN ROAD IMPROVEMENTS PROJECT IN THE COMMUNITY OF FALLBROOK
[FUNDING SOURCE: REVENUE FROM THE TRANSPORTATION IMPACT FEE (TIF) PROGRAM]
(4 VOTES)
10. GILLESPIE FIELD – APPROVE TWO INDUSTRIAL GROUND LEASES WITH DENTT DEVELOPMENT LLC
[FUNDING SOURCE: RENT DUE FROM THE LESSEE UNDER THE TERMS OF THE NEW LEASES AND WILL BE INCLUDED IN FUTURE YEARS OPERATIONAL PLANS]
(4 VOTES)

11. SET A HEARING FOR 06/21/2017:
SAN VICENTE CONNECTION – ACQUISITION OF 69.49 ACRES OF OPEN SPACE EAST OF STATE ROUTE 67 FOR INCLUSION IN A NETWORK OF PRESERVED LAND (MOORE FAMILY REVOCABLE LIVING TRUST, THE MOFFETT FAMILY TRUST, MOORE-ALLEN REVOCABLE TRUST, AND THE MOORE FAMILY TRUST) (5/3/2017 – SET HEARING; 6/21/2017 - HOLD HEARING)
[FUNDING SOURCES: MSCP ACQUISITIONS FUND AND DEPARTMENT OF PARKS AND RECREATION GENERAL PURPOSE REVENUE]
12. ESTABLISH APPROPRIATIONS AND ADVERTISE AND AWARD A CONSTRUCTION CONTRACT FOR THE WILLOWS ROAD BRIDGE SCOUR MITIGATION IMPROVEMENTS PROJECT IN THE COMMUNITY OF ALPINE
[FUNDING SOURCE: REVENUE FROM FEDERAL HIGHWAY ADMINISTRATION (FHWA)]
(4 VOTES)
13. AUTHORIZATION TO ADVERTISE AND AWARD A DESIGN BUILD CONTRACT AND ADOPT MITIGATED NEGATIVE DECLARATION FOR THE SANTA YSABEL NATURE CENTER
[FUNDING SOURCE: DISTRICT TWO NEIGHBORHOOD REINVESTMENT PROGRAM FUNDS AND PRIOR YEAR AVAILABLE GENERAL FUND FUND BALANCE AS INCLUDED IN THE FISCAL YEAR 2015-16 ADOPTED OPERATIONAL PLAN]
14. APPROVE A REIMBURSEMENT AGREEMENT FOR PAYMENT OF COSTS TO THE CITY OF CHULA VISTA FOR CONSTRUCTION OF BIKE LANE IMPROVEMENTS WITHIN COUNTY OF SAN DIEGO ROAD EASEMENT AND A MAINTENANCE AGREEMENT FOR THE WILLOW STREET BRIDGE REPLACEMENT PROJECT BETWEEN THE COUNTY OF SAN DIEGO AND THE CITY OF CHULA VISTA
[FUNDING SOURCE: *TRANSNET* LOCAL STREET IMPROVEMENT PROGRAM AND HIGHWAY USER TAX ACCOUNT (HUTA)]
15. NOTICED PUBLIC HEARING:
APPOINTMENT OF THE SAN DIEGO COUNTY CITRUS PEST CONTROL DISTRICT’S FIVE-MEMBER BOARD OF DIRECTORS

**1. SUBJECT: ADMINISTRATIVE ITEM:
SECOND CONSIDERATION AND ADOPTION OF
ORDINANCES: APPROVAL OF THE AMENDED COST
RECOVERY PROPOSAL OF THE DEPARTMENT OF
AGRICULTURE, WEIGHTS AND MEASURES EFFECTIVE
FISCAL YEAR 2017-18 AND ASSOCIATED ORDINANCE
(DISTRICTS: ALL)**

OVERVIEW:

On April 25, 2017 (29), the Board of Supervisors introduced the Ordinances for further consideration and adoption on May 3, 2017.

This is a request for the Board of Supervisors (Board) to consider the amended Cost Recovery Proposal relating to Pest Exclusion and Direct Marketing Programs in the Department of Agriculture, Weights and Measures' (AWM). On March 22, 2017 (1), the Board directed staff to reexamine and identify the necessity of services related to the proposed fee and rate increases, to reevaluate the costs for services, and to return with additional options for further consideration and adoption.

The amended fee and hourly rates to be considered are: (1) proposed adjustments to the Pest Exclusion Specialized Field and After Hours Inspections hourly rates, Direct Marketing's Certified Producer and Farmers' Market Inspections hourly rates, and Agricultural Hazardous Materials Inventory Program fees; and (2) proposed adjustments to the Pest Exclusion's International Counter Service Certification fee.

Since it has been from 8 to 14 years since the last cost recovery proposal, staff conducted a comprehensive analysis and used a standardized fiscal methodology that complied with existing cost policies and procedures across the County of San Diego (County) enterprise. Staff have also implemented process improvement and cost containment measures to streamline operations and improve customer service. However, these measures can no longer keep up with the cost increases. For the next fiscal year, it will be necessary to adjust fees to address these increases and to ensure compliance with recent statutory changes and with Board Policy B-29: Fees, Grants, Revenue Contracts – Department Responsibility for Cost Recovery (Board Policy B-29).

For amended fee and hourly rates, items 1 and 2 above, State laws delegate all work activities to AWM except Hazardous Material inspections. All activities are mandatory, except for one discretionary service and one inspection: the Pest Exclusion's International Counter Service Certification and the Direct Marketing's existing Certified Producers' growing site visits.

Options are provided for each of the fee and hourly rates amendments and discretionary activities for the Board's consideration.

Pursuant to the Board's direction on March 22, 2017 (1), AWM retains the Agricultural Hazardous Materials Inventory Program. Pursuant to the Board's discussion and intent in the same hearing, AWM proposes this Program's fees at full cost recovery.

This is a request to approve Options 3, and 8 for fee implementation selected on April 25, 2017 and adopt the corresponding ordinance to amend Section 364.3 of the County Administrative Code relating to Pest Exclusion and Direct Marketing Hourly Rates, Hazardous Materials Inventory Program Fees, and the International Counter Service Certification fees, effective Fiscal Year 2017-18; and to waive Board Policy B-29. In addition, on April 25th, the Board already approved and provided direction on Option 12 for Direct Marketing's discretionary inspections.

FISCAL IMPACT:

The proposed adjustments to the standard hourly rates and fees are not included in the budget in Agriculture, Weights and Measures. If approved, funds for this request will be included in the Fiscal Year (FY) 2017-18 CAO Recommended Operational Plan and future CAO Recommended Operational Plans.

Option 1 will result in additional costs of \$272,676 and projected additional revenue of \$272,676 in FY 2017-18. The funding source is fees paid by customers. There will be no change in net General Fund cost and no additional staff years. In accordance with Board Policy B-29, AWM will return to the Board when adopted fees no longer achieve full cost recovery.

Option 2 will result in projected additional costs of \$272,676 and projected additional revenue of \$232,151 in FY 2017-18. The funding source is fees paid by customers. A waiver of Board Policy B-29: Fees, Grants, Revenue Contracts - Department Responsibility for Cost Recovery (Board Policy B-29) would be required under Option 2 since the proposed fees do not cover all the operating costs. The total unrecovered cost per Board Policy B-29 is approximately \$40,525 for FY 2017-18 and would be funded with Land Use and Environment Group (LUEG) General Fund fund balance. There will be no additional staff years. Unrecovered cost in FY 18-19 would be funded with General Purpose Revenue and cost projections do not include increases for expenditures such as salaries, retirement, health insurance, and overhead. In accordance with Board Policy B-29, AWM will return to the Board when adopted fees no longer achieve full cost recovery.

Option 3 will result in projected additional costs of \$272,676 and projected additional revenue of \$217,545 in FY 2017-18. The funding source is fees paid by customers. A waiver of Board Policy B-29 would be required under Option 3 since the proposed fees do not cover all the operating costs. The total unrecovered cost per Board Policy B-29 is approximately \$55,131 for FY 2017-18 and would be funded with LUEG General Fund fund balance. There will be no additional staff years. Unrecovered costs for FY 18-19 are projected to be a minimum of \$27,987

and would be funded with General Purpose Revenue. Unrecovered cost projections do not include increases for expenditures such as salaries, retirement, health insurance, and overhead. In accordance with Board Policy B-29, AWM will return to the Board when adopted fees no longer achieve full cost recovery.

Option 4 will result in projected additional costs of \$272,676 and projected additional revenue of \$210,665 in FY 2017-18. The funding source is fees paid by customers. A waiver of Board Policy B-29 would be required under Option 4 since the proposed fees do not cover all the operating costs. The total unrecovered cost per Board Policy B-29 is approximately \$62,011 for FY 2017-18 and would be funded with LUEG General Fund fund balance. There will be no additional staff years. Unrecovered costs for FY 18-19 and FY 19-20 are projected to be a minimum of \$41,749 and \$21,486, respectively, and would be funded with General Purpose Revenue. Unrecovered cost projections do not include increases for expenditures such as salaries, retirement, health insurance, and overhead. In accordance with Board Policy B-29, AWM will return to the Board when adopted fees no longer achieve full cost recovery.

Option 5 will result in projected additional costs of \$272,676 and projected additional revenue of \$190,402 in FY 2017-18. The funding source is fees paid by customers. A waiver of Board Policy B-29 would be required under Option 5 since the proposed fees do not cover all the operating costs. The total unrecovered cost per Board Policy B-29 is approximately \$82,274 for FY 2017-18 and would be funded with LUEG General Fund fund balance. There will be no additional staff years. Unrecovered costs for FY 18-19 is projected to be a minimum of \$82,274 and would be funded with General Purpose Revenue. This unrecovered cost projection does not include increases for expenditures such as salaries, retirement, health insurance, and overhead. In accordance with Board Policy B-29, AWM will return to the Board when adopted fees no longer achieve full cost recovery.

Option 6 will result in projected additional costs of \$7,900 and projected additional revenue of \$1,100. The funding source is fees paid by customers. A waiver of Board Policy B-29 would be required under Option 6 since the proposed fee does not cover all the operating costs. The total unrecovered cost per Board Policy B-29 is approximately \$6,800 for FY 2017-18 and would be funded with LUEG General Fund fund balance. There will be no additional staff years. Unrecovered costs would be funded with General Purpose Revenue and cost projections do not include increases for expenditures such as salaries, retirement, health insurance, and overhead. In accordance with Board Policy B-29, AWM will return to the Board when adopted fees no longer achieve full cost recovery.

Option 7 will result in projected additional costs of \$7,900 and projected additional revenue of \$600. The funding source is fees paid by customers. A waiver of Board Policy B-29 would be required under Option 7 since the proposed fee does not cover all the operating costs. The total unrecovered cost per Board Policy B-29 is approximately \$7,300 for FY 2017-18 and would be funded with LUEG General Fund fund balance. There will be no additional staff years. Unrecovered costs would be funded with General Purpose Revenue and cost projections do not include increases for expenditures such as salaries, retirement, health insurance,

and overhead. In accordance with Board Policy B-29, AWM will return to the Board when adopted fees no longer achieve full cost recovery.

Option 8 will result in projected additional costs of \$7,900 and projected additional revenue of \$400. The funding source is fees paid by customers. A waiver of Board Policy B-29 would be required under Option 8 since the proposed fee does not cover all the operating costs. The total unrecovered cost per Board Policy B-29 is approximately \$7,500 for FY 2017-18 and would be funded with LUEG General Fund fund balance. There will be no additional staff years. Unrecovered costs for FY 18-19 is projected to be a minimum of \$7,100 and would be funded with General Purpose Revenue. FY 18-19 unrecovered cost projections do not include increases for expenditures such as salaries, retirement, health insurance, and overhead. In accordance with Board Policy B-29, AWM will return to the Board when adopted fees no longer achieve full cost recovery.

Option 9 will result in projected additional costs of \$7,900 and projected additional revenue of \$300. The funding source is fees paid by customers. A waiver of Board Policy B-29 would be required under Option 9 since the proposed fee does not cover all the operating costs. The total unrecovered costs per Board Policy B-29 is approximately \$7,600 for FY 2017-18 and would be funded with LUEG General Fund fund balance. There will be no additional staff years. Unrecovered costs for FY 18-19 and FY 19-20 are projected to be a minimum of \$7,300 and \$7,000 respectively, and would be funded with General Purpose Revenue. Unrecovered cost projections do not include increases for expenditures such as salaries, retirement, health insurance, and overhead. In accordance with Board Policy B-29, AWM will return to the Board when adopted fees no longer achieve full cost recovery.

Option 10 will result in projected additional costs of \$7,900 and no projected additional revenue. The funding source is fees paid by customers. A waiver of Board Policy B-29 would be required under Option 10 since the proposed fee does not cover all the operating costs. The total unrecovered cost per Board Policy B-29 is approximately \$7,900 for FY 2017-18 and would be funded with LUEG General Fund fund balance. There will be no additional staff years. Unrecovered costs for FY 18-19 is projected to be a minimum of \$7,900 and would be funded with General Purpose Revenue. Unrecovered cost projections do not include increases for expenditures such as salaries, retirement, health insurance, and overhead. In accordance with Board Policy B-29, AWM will return to the Board when adopted fees no longer achieve full cost recovery.

Option 11 will result in projected additional costs of \$5,200 and projected additional revenue of \$3,000. The funding source is fees paid by customers. A waiver of Board Policy B-29 would be required under Option 11 since the proposed fee does not cover all the operating costs. The total unrecovered cost per Board Policy B-29 is approximately \$2,200 for FY 2017-18 and would be funded with LUEG General Fund fund balance. There will be no additional staff years. Unrecovered costs for FY 18-19 is projected to be a minimum of \$2,200 and would be funded with General Purpose Revenue. Unrecovered cost projections do not include increases for expenditures such as salaries, retirement, health

insurance, and overhead. In accordance with Board Policy B-29, AWM will return to the Board when adopted fees no longer achieve full cost recovery.

Option 12 would result in no additional fiscal impact since it will be based on the Board's selection of one of the options 1-5. There will be no change in net General Fund cost and no additional staff years as a result of Option 12. In accordance with Board Policy B-29, AWM will return to the Board when adopted fees no longer achieve full cost recovery.

Option 13 will result in a projected decrease in revenue of \$12,075. The total additional unrecovered cost is approximately \$12,075 for FY 2017-18 and would be funded with LUEG General Fund fund balance. Any unrecovered costs would be funded by General Purpose Revenue. Unrecovered cost projections do not include increases for expenditures such as salaries, retirement, health insurance, and overhead. In accordance with Board Policy B-29, AWM will return to the Board when adopted fees no longer achieve full cost recovery.

BUSINESS IMPACT STATEMENT:

N/A

RECOMMENDATION:

CHIEF ADMINISTRATIVE OFFICER

1. Find in accordance with Section 15273(a) of the California Environmental Quality Act (CEQA) Guidelines that the proposed changes to existing fees are exempt from CEQA. Find that the fees are based on Department of Agriculture, Weights and Measures' (AWM) calculations for the purpose of meeting the operating expenses and the fees do not exceed the reasonable costs of providing the respective services and programs.
2. Waive Board Policy B-29: Fees, Grants, Revenue Contracts - Department Responsibility for Cost Recovery (Board Policy B-29), for fee and hourly rates relating to the Pest Exclusion, Direct Marketing Programs, and for Pest Exclusion International Counter Service Certification depending on the option the Board selects.
3. Adopt one of the following options and direct AWM to implement the selected option:

Option 1:

Implement the fee structure for Pest Exclusion and Direct Marketing as initially proposed on March 22, 2017 (1) and the full cost recovery fee structure for Agricultural Hazardous Materials Inventory Program (HazMat) fees. In accordance with Board Policy B-29, AWM will return to the Board when adopted fees no longer achieve full cost recovery.

Option 2:

Implement a two-year phase-in fee structure for Pest Exclusion and Direct Marketing and the full cost recovery fee structure for HazMat fees. Waiver of Board Policy B-29 would be required under Option 2 since the proposed fees do not cover all the operating costs. For FY 2017-18, the total

unrecovered cost would be funded with Land Use and Environment Group (LUEG) General Fund fund balance. Costs in FY 18-19 do not include increases for expenditures such as salaries, retirement, health insurance, and overhead and may not achieve cost recovery at the FY 2017-18 rates, and would need to be funded with General Purpose Revenue (GPR). There will be no additional staff years. In accordance with Board Policy B-29, AWM will return to the Board when adopted fees no longer achieve full cost recovery.

Option 3:

Implement a three-year phase-in fee structure for Pest Exclusion and Direct Marketing and the full cost recovery fee structure for HazMat fees. Waiver of Board Policy B-29 would be required under Option 3 since the proposed fees do not cover all the operating costs. For the FY 2017-18, the total unrecovered cost would be funded with Land Use and Environment Group (LUEG) General Fund fund balance. Costs in FY 18-19 and FY 19-20, do not include increases for expenditures such as salaries, retirement, health insurance, and overhead and may not achieve cost recovery at the FY 2017-18 rates, and would need to be funded with General Purpose Revenue (GPR). There will be no additional staff years. In accordance with Board Policy B-29, AWM will return to the Board when adopted fees no longer achieve full cost recovery.

Option 4:

Implement a four-year phase-in fee structure for Pest Exclusion and Direct Marketing and the full cost recovery fee structure for HazMat fees. Waiver of Board Policy B-29 would be required under Option 4 since the proposed fees do not cover all the operating costs. For FY 2017-18, the total unrecovered cost would be funded with Land Use and Environment Group (LUEG) General Fund fund balance. Costs in FY 18-19, FY 19-20 and FY 21-22 do not include increases for expenditures such as salaries, retirement, health insurance, and overhead and may not achieve cost recovery at the FY 2017-18 rates, and would need to be funded with General Purpose Revenue (GPR). There will be no additional staff years. In accordance with Board Policy B-29, AWM will return to the Board when adopted fees no longer achieve full cost recovery.

Option 5:

No increases for Pest Exclusion and Direct Marketing and the full cost recovery fee structure for HazMat fees. Waiver of Board Policy B-29 would be required under Option 5 since the Pest Exclusion and Direct Marketing proposed fees do not cover all the operating costs. If there are no fee adjustments for the two programs in FY 2017-18, the total unrecovered cost would be funded with Land Use and Environment Group (LUEG) General Fund fund balance. HazMat fees are proposed at full cost recovery. There will be no additional staff years. In accordance with Board Policy B-29, AWM will return to the Board when adopted fees no longer achieve full cost recovery.

4. Adopt one of the following options relating to discretionary counter service for International Export Certification and direct AWM to implement the selected option.

Option 6:

Direct staff to continue providing the counter service for International Export Certifications and implement the fee structure as initially proposed on March 22, 2017 (1). Waiver of Board Policy B-29 would be required under Option 6 since the proposed fee does not cover all the operating costs. For FY 2017-18, the total unrecovered cost would be funded with Land Use and Environment Group (LUEG) General Fund fund balance. Costs in FY 18-19 do not include increases for expenditures such as salaries, retirement, health insurance, and overhead and may not achieve cost recovery at the FY 2017-18 rates, and would need to be funded with General Purpose Revenue (GPR). There will be no additional staff years. In accordance with Board Policy B-29, AWM will return to the Board when adopted fees no longer achieve full cost recovery.

Option 7:

Direct staff to continue providing the counter service for International Export Certifications and implement a two-year phase-in fee structure. Waiver of Board Policy B-29 would be required under Option 7 since the proposed fee does not cover all the operating costs. For FY 2017-18, the total unrecovered cost would be funded with Land Use and Environment Group (LUEG) General Fund fund balance. Costs in FY 18-19 do not include increases for expenditures such as salaries, retirement, health insurance, and overhead and may not achieve cost recovery at the FY 2017-18 rates, and would need to be funded with General Purpose Revenue (GPR). There will be no additional staff years. In accordance with Board Policy B-29, AWM will return to the Board when adopted fees no longer achieve full cost recovery.

Option 8:

Direct staff to continue providing the counter service for International Export Certifications and implement a three-year phase-in fee structure. Waiver of Board Policy B-29 would be required under Option 8 since the proposed fee does not cover all the operating costs. For FY 2017-18, the total unrecovered cost would be funded with Land Use and Environment Group (LUEG) General Fund fund balance. Costs in FY 18-19 and FY 19-20 do not include increases for expenditures such as salaries, retirement, health insurance, and overhead and may not achieve cost recovery at the FY 2017-18 rates, and would need to be funded with General Purpose Revenue (GPR). There will be no additional staff years. In accordance with Board Policy B-29, AWM will return to the Board when adopted fees no longer achieve full cost recovery.

Option 9:

Direct staff to continue providing the counter service for International Export Certifications and implement a four-year phase-in fee structure. Waiver of Board Policy B-29 would be required under Option 9 since the proposed fee does not cover all the operating costs. For FY 2017-18, the total unrecovered cost would be funded with Land Use and Environment Group (LUEG) General Fund fund balance. Costs in FY 18-19, FY 19-20 and FY 20-21 do not include increases for expenditures such as salaries, retirement, health insurance, and overhead and may not achieve cost recovery at the FY 2017-18 rates, and would need to be funded with General Purpose Revenue (GPR). There will be no additional staff years. In accordance with Board Policy B-29, AWM will return to the Board when adopted fees no longer achieve full cost recovery.

Option 10:

Direct staff to continue providing the counter service for International Export Certifications with no fee increase. Waiver of Board Policy B-29 would be required under Option 10 since the counter service for International Export Certifications proposed fee does not cover all the operating costs. For FY 2017-18, the total unrecovered cost would be funded with Land Use and Environment Group (LUEG) General Fund fund balance. There will be no additional staff years. In accordance with Board Policy B-29, AWM will return to the Board when adopted fees no longer achieve full cost recovery.

Option 11:

Direct staff to discontinue providing the counter service for International Export Certifications.

5. Adopt one of the following options relating to discretionary Direct Marketing existing Certified Producer site inspections and direct AWM to implement the selected option.

Option 12:

Direct staff to continue the discretionary Direct Marketing existing Certified Producer site inspections at the current variable inspection frequency.

Option 13:

Direct staff to continue the discretionary Direct Marketing existing Certified Producer site inspections at the state minimum level.

6. Approve the introduction of the Ordinance (first reading), read title and waive further reading of the Ordinance:

AN ORDINANCE AMENDING SECTION 364.3 OF THE SAN DIEGO COUNTY ADMINISTRATIVE CODE, RELATING TO PEST EXCLUSION AND DIRECT MARKETING HOURLY RATES, HAZARDOUS MATERIALS INVENTORY PROGRAM FEES, AND INTERNATIONAL COUNTER SERVICE CERTIFICATION FEE CHARGED BY THE DEPARTMENT OF AGRICULTURE, WEIGHTS AND MEASURES.

If on April 25, 2017, the Board takes action as requested in Recommendations 1 through 6 above, then on May 3, 2017:

Consider and adopt the Ordinance amending Section 364.3 of the San Diego County Administrative Code, relating to Pest Exclusion and Direct Marketing hourly rates, Hazardous Materials Inventory Program fees, and International Counter Service fee charged by AWM (second reading).

ACTION:

ON MOTION of Supervisor Roberts, seconded by Supervisor Cox, the Board took action as recommended, on Consent, adopting Ordinance No. 10486 (N.S.), entitled: AN ORDINANCE AMENDING SECTION 364.3 OF THE SAN DIEGO COUNTY ADMINISTRATIVE CODE, RELATING TO PEST EXCLUSION AND DIRECT MARKETING HOURLY RATES, HAZARDOUS MATERIALS INVENTORY PROGRAM FEES, AND INTERNATIONAL COUNTER SERVICE CERTIFICATION FEE CHARGED BY THE DEPARTMENT OF AGRICULTURE, WEIGHTS AND MEASURES.

AYES: Cox, Jacob, Gaspar, Roberts

ABSENT: Horn

2. **SUBJECT: ADMINISTRATIVE ITEM:
SECOND CONSIDERATION AND ADOPTION OF ORDINANCES: CONSIDERATION AND ADOPTION OF FEE ADJUSTMENTS FOR THE SMALL DRINKING WATER SYSTEM AND COTTAGE FOOD PROGRAMS IN THE DEPARTMENT OF ENVIRONMENTAL HEALTH EFFECTIVE FISCAL YEAR 2017-18 AND ASSOCIATED ORDINANCE REVISIONS (DISTRICTS: ALL)**

OVERVIEW:

On April 25, 2017 (30), the Board of Supervisors introduced the Ordinances for further consideration and adoption on May 3, 2017.

On March 15, 2017 (1) and March 22, 2017 (5), the Board of Supervisors (Board) approved fee and ordinance adjustments in DEH effective Fiscal Year (FY) 2017-18, with the exception of proposed fees and charges related to small drinking

water systems and cottage food operators (16 fees in total). For those two programs, the Board directed the Chief Administrative Officer to return to the Board with proposed fee adjustments after further consideration of alternatives.

Since the Board last approved a small drinking water system program fee adjustment for DEH seven years ago (July 14, 2010 (7)), DEH's small drinking water system program has experienced increased state mandates, reporting requirements, and additional regulatory requirements. Despite leveraging operational improvements and one-time California Department of Public Health Funding Agreement No. SRFLPA67 (CDPH) grant funds, beginning in FY 2017-18, DEH cannot continue to provide its current level of service, and achieve full cost recovery, unless fees are increased. There are two program and thirteen fee options presented today for policy consideration for small drinking water systems. The small drinking water system program is not required to be implemented at the local level.

Effective January 1, 2013, State law allowed for individuals to prepare and/or package certain non-potentially hazardous foods in private-home kitchens referred to as "cottage food operations" (CFOs). DEH established a cottage food program based on State law and incorporated industry best management and protection of public health practices. Since the implementation of the CFO program, refinements were made to the program reducing operational time by 50%. After three years of program implementation, the initial fees do not cover the full costs of operating the program. Therefore, either fee increases or a reduction in service levels is required. There are four program and fee options presented for policy consideration today for cottage food operators. In accordance with State law, DEH is the local agency required to implement the California Retail Food Code and regulate the cottage food program.

With one exception, the fee increases or service level reductions proposed today are consistent with and necessary to comply with Board Policy B-29: Fees, Grants, Revenue Contracts – Department Responsibility for Cost Recovery. If the Board elects to base the County small drinking water system fees on State fee rates, DEH will not achieve full cost recovery and a waiver of Board Policy B-29 will be needed, and supplemental non-fee revenues will need to be identified to fund that program.

This is a request to select one of the program and fee options for small drinking water systems and cottage food operators, and to adopt the corresponding ordinances to amend Section 65.107 of the County Administrative Code relating to fees effective FY 2017-18; and, if relevant to the option the Board selects, a waiver of Board Policy B-29 and supplemental non-fee revenues will need to be identified to fund that program.

FISCAL IMPACT:

The staff recommended increase to the standard hourly rate and fees are not included in the budget in the Department of Environmental Health. Depending on which option is approved by the Board, funds for that option will be included in a future Quarterly Operational Plan Status Report and Budget Adjustment Board letter in FY 2017-18 and/or future CAO Recommended Operational Plans as needed, in the Department of Environmental Health (DEH).

Projected costs in all future years do not include increases for expenditures such as salaries, retirement, health insurance, and overhead and may not achieve full cost recovery at the FY 2017-18 rates. DEH will continue its practice to seek ways to contain future cost increases through implementing program efficiencies and continuous improvement and in accordance with Board Policy B-29 will return to the Board when adopted fees no longer achieve full cost recovery.

Small Drinking Water Systems

For all proposed options that include a grant offset from approximately \$188,000 in CDPH grant funds, rates are based on FY 2017-18 costs and do not account for future cost increases such as salaries and benefits, facilities and utilities, retirement, medical, and overhead. There will be no additional staff years.

If the Board selects Option 12 which is not full cost recovery in FY 2017-18, a waiver of Board Policy B-29 is requested. Unrecovered cost in all future years under Option 12 would be funded with General Purpose Revenue.

March 15, 2017 (1) FY 2017-18 Full Cost Recovery Proposal

Option 1 would result in additional estimated costs and revenue of \$56,696 in FY 2017-18. The funding source is fees paid by customers. There will be no change in net General Fund cost. In accordance with Board Policy B-29, DEH will return to the Board when adopted fees no longer achieve full cost recovery.

Option 2 would result in additional estimated costs of \$56,696 and no additional estimated revenue in FY 2017-18. Customers initially would pay 2010 permit rates, with a 100% offset of the variance between 2010 and 2017 permit rates funded by a one-time grant from the California Department of Public Health, Funding Agreement No. SRFLPA67 (CDPH grant funds). The CDPH grant funds would be used in FY 2017-18 and future years until expended, at which point the fee will revert to Option 1. A waiver of Board Policy B-29 would be required under Option 2 since the proposed fees do not cover all the operating costs. The total unrecovered cost per Board Policy B-29 is approximately \$56,696 for FY 2017-18 and would be funded with CDPH grant funds until expended. There will be no change in net General Fund cost. In accordance with Board Policy B-29, DEH will return to the Board when adopted fees no longer achieve full cost recovery.

Option 3 would result in additional estimated costs of \$56,696 and additional estimated revenue of \$49,130 in FY 2017-18. The funding source is fees paid by customers. Customers would pay 2017 permit rates less 2% of the total permit rates, which would be funded by a one-time CDPH grant. The grant would be used

in FY 2017-18 and future years until expended, at which point the fee will revert to Option 1. A waiver of Board Policy B-29 would be required under Option 3 since the proposed fees do not cover all the operating costs. The total unrecovered cost per Board Policy B-29 is approximately \$7,566 in FY 2017-18 and would be funded with CDPH grant funds. There will be no change in net General Fund cost. In accordance with Board Policy B-29, DEH will return to the Board when adopted fees no longer achieve full cost recovery.

Option 4 would result in additional estimated costs of \$56,696 and additional estimated revenue of \$37,780 in FY 2017-18. The funding source is fees paid by customers. Customers would pay 2017 permit rates less 5% of the total permit rates, which would be funded by a one-time CDPH grant. The CDPH grant funds would be used in FY 2017-18 and future years until expended, at which point the fee will revert to Option 1. A waiver of Board Policy B-29 would be required under Option 4 since the proposed fees do not cover all the operating costs. The total unrecovered cost per Board Policy B-29 is approximately \$18,916 in FY 2017-18 and would be funded with CDPH grant funds. There will be no change in net General Fund cost. In accordance with Board Policy B-29, DEH will return to the Board when adopted fees no longer achieve full cost recovery.

Option 5 would result in additional estimated costs of \$56,696 and additional estimated revenue of \$8,055 in FY 2017-18. The funding source is fees paid by customers. Customers initially would pay 2010 permit rates, with an incremental 2.5% annual increase until each fee category is at the 2017 permit rates, using one-time CDPH grant funds to cover the variance. The CDPH grant funds would be used in FY 2017-18 and future years until expended at which point the fee will revert to Option 1. A waiver of Board Policy B-29 would be required under Option 5 since the proposed fees do not cover all the operating costs. The total unrecovered cost per Board Policy B-29 is approximately \$48,641 in FY 2017-18 and would be funded with CDPH grant funds. There will be no change in net General Fund cost. In accordance with Board Policy B-29, DEH will return to the Board when adopted fees no longer achieve full cost recovery.

State-Mandated Minimum Program

Option 6 is full cost recovery in FY 2017-18 would result in additional estimated costs and revenue of \$27,110. The funding source is fees paid by customers. There will be no change in net General Fund cost. In accordance with Board Policy B-29, DEH will return to the Board when adopted fees no longer achieve full cost recovery.

Option 7 would result in additional estimated costs of \$27,110 and no additional estimated revenue in FY 2017-18. The funding source is fees paid by customers. Customers initially would pay 2010 permit rates, with a 100% of the variance between 2010 and 2017 permit rates funded by a one-time CDPH grant. The CDPH grant funds would be used in FY 2017-18 and future years until expended at which point the fee will revert to Option 6. A waiver of Board Policy B-29 would be required under Option 7 since the proposed fees do not cover all the operating costs. The total unrecovered cost per Board Policy B-29 is approximately \$27,110 in FY 2017-18 and would be funded with CDPH grant funds. There will

be no change in net General Fund cost. In accordance with Board Policy B-29, DEH will return to the Board when adopted fees no longer achieve full cost recovery.

Option 8 would result in additional estimated costs of \$27,110 and additional estimated revenue of \$20,135 in FY 2017-18. The funding source is fees paid by customers. Customers initially would pay 2017 permit rates, with 2% of the 2017 permit rates funded by a one-time CDPH grant. The CDPH grant funds would be used in FY 2017-18 and future years until expended at which point the fee will revert to Option 6. A waiver of Board Policy B-29 would be required under Option 8 since the proposed fees do not cover all the operating costs. The total unrecovered cost per Board Policy B-29 is approximately \$6,975 in FY 2017-18 and would be funded with CDPH grant funds. There will be no change in net General Fund cost. In accordance with Board Policy B-29, DEH will return to the Board when adopted fees no longer achieve full cost recovery.

Option 9 would result in additional estimated costs of \$27,110 and additional estimated revenue of \$9,673 in FY 2017-18. The funding source is fees paid by customers. Customers initially would pay 2017 permit rates, with 5% of the 2017 permit rates funded by a one-time CDPH grant. The CDPH grant funds would be used in FY 2017-18 and future years until expended at which point the fee will revert to Option 6. A waiver of Board Policy B-29 would be required under Option 9 since the proposed fees do not cover all the operating costs. The total unrecovered cost per Board Policy B-29 is approximately \$17,437 in FY 2017-18 and would be funded with CDPH grant funds. There will be no change in net General Fund cost. In accordance with Board Policy B-29, DEH will return to the Board when adopted fees no longer achieve full cost recovery.

Option 10 would result in additional estimated costs of \$27,110 and additional estimated revenue of \$7,328 in FY 2017-18. The funding source is fees paid by customers. Customers initially would pay 2010 permit rates, with an incremental 2.5% annual increase until each fee category is at the 2017 permit rates, using one-time CDPH grant funds to cover the variance. The CDPH grant funds would be used in FY 2017-18 and future years until expended at which point the fee will revert to Option 6. A waiver of Board Policy B-29 would be required under Option 10 since the proposed fees do not cover all the operating costs. The total unrecovered cost per Board Policy B-29 is approximately \$19,782 in FY 2017-18 and would be funded with CDPH grant funds. There will be no change in net General Fund cost. In accordance with Board Policy B-29, DEH will return to the Board when adopted fees no longer achieve full cost recovery.

Alternative Fee Models

Option 11 is a per connection fee model and is full cost recovery and would result in additional estimated costs and revenue of \$56,696 in FY 2017-18. The funding source is fees paid by customers. There will be no change in net General Fund cost. Customer fees under Option 11 would not correlate with the staff time associated with each individual permit, which is inconsistent with how fees are calculated in the County enterprise. In accordance with Board Policy B-29, DEH will return to the Board when adopted fees no longer achieve full cost recovery.

Option 12 would result in estimated costs of \$378,314 and additional estimated revenue of \$114,800 in FY 2017-18. The funding source is fees paid by customers. Customers would pay fees as determined by the State. A waiver of Board Policy B-29 would be required under Option 12, since the proposed fees do not cover all the operating costs. The total unrecovered cost per Board Policy B-29 is approximately \$263,514 in FY 2017-18 and would be funded with CDPH grant funds (\$188,000) and Land Use and Environment Group General Fund fund balance (\$75,514). Unrecovered costs in FY 2018-19 and future years are projected to be a minimum of \$263,514 and would be funded with General Purpose Revenue. FY 2018-19 projected costs do not include increases for expenditures such as salaries, retirement, health insurance, or overhead. In accordance with Board Policy B-29, DEH will return to the Board when adopted fees no longer achieve full cost recovery.

Return to State

Option 13 would result in a decrease in estimated costs and revenue of \$378,314 in FY 2017-18. Under Option 13, the program would be returned to the State. Additionally, under Option 13, the County would return the remaining one-time CDPH grant funds of approximately \$188,000 to the State Water Resources Control Board. There will be no change in net General Fund cost.

Cottage Food Operations

March 15, 2017 (1) Proposal with 20 labels

Option 14 would result in additional estimated costs and revenue of \$2,869 in FY 2017-18. The funding source is fees paid by customers. There will be no change in net General Fund cost. In accordance with Board Policy B-29, DEH will return to the Board when adopted fees no longer achieve full cost recovery.

March 15, 2017 (1) Proposal with 10 labels

Option 15 would result in additional estimated costs and revenue of \$79 in FY 2017-18. The funding source is fees paid by customers. There will be no change in net General Fund cost. In accordance with Board Policy B-29, DEH will return to the Board when adopted fees no longer achieve full cost recovery.

March 15, 2017 (1) Proposal with 5 labels

Option 16 would result in decreased estimated costs and revenue of \$1,346 in FY 2017-18 due to reduced levels of service. The funding source is fees paid by customers. There will be no change in net General Fund cost. In accordance with Board Policy B-29, DEH will return to the Board when adopted fees no longer achieve full cost recovery.

State-Mandated Minimum Program with one label

Option 17 would result in decreased estimated costs and revenue of \$21,471 in FY 2017-18 due to reduced levels of service. The funding source is fees paid by customers. There will be no change in net General Fund cost. In accordance with Board Policy B-29, DEH will return to the Board when adopted fees no longer achieve full cost recovery.

BUSINESS IMPACT STATEMENT:

N/A

RECOMMENDATION:

CHIEF ADMINISTRATIVE OFFICER

Adopt the Ordinances entitled:

AN ORDINANCE AMENDING PORTIONS OF THE SAN DIEGO COUNTY CODE OF REGULATORY ORDINANCES RELATING TO FEES FOR THE SMALL DRINKING WATER SYSTEM PROGRAM IN THE DEPARTMENT OF ENVIRONMENTAL HEALTH FOR FISCAL YEAR 2017-18.

AN ORDINANCE AMENDING PORTIONS OF THE SAN DIEGO COUNTY CODE OF REGULATORY ORDINANCES RELATING TO FEES FOR THE COTTAGE FOOD PROGRAM IN THE DEPARTMENT OF ENVIRONMENTAL HEALTH FOR FISCAL YEAR 2017-18.

ACTION:

ON MOTION of Supervisor Roberts, seconded by Supervisor Cox, the Board took action as recommended, on Consent, adopting Ordinance No. 10487, entitled: AN ORDINANCE AMENDING PORTIONS OF THE SAN DIEGO COUNTY CODE OF REGULATORY ORDINANCES RELATING TO FEES FOR THE SMALL DRINKING WATER SYSTEM PROGRAM IN THE DEPARTMENT OF ENVIRONMENTAL HEALTH FOR FISCAL YEAR 2017-18; and Ordinance No. 10488, entitled: AN ORDINANCE AMENDING PORTIONS OF THE SAN DIEGO COUNTY CODE OF REGULATORY ORDINANCES RELATING TO FEES FOR THE COTTAGE FOOD PROGRAM IN THE DEPARTMENT OF ENVIRONMENTAL HEALTH FOR FISCAL YEAR 2017-18.

AYES: Cox, Jacob, Gaspar, Roberts

ABSENT: Horn

3. **SUBJECT: CALL A SPECIAL ELECTION TO LEVY SPECIAL TAX IN PERMANENT ROAD DIVISION NO. 1000, ZONE NO. 117 - LEGEND ROCK IN HIDDEN MEADOWS (DISTRICT: 5)**

OVERVIEW:

A Permanent Road Division Zone (PRD Zone) is a district which provides property owners a mechanism to pay for private road maintenance in a geographically defined area. There are currently 68 PRD Zones within the unincorporated county which provide maintenance of approximately 94 miles of roads. Permanent Road Division Zone No. 117 - Legend Rock is one of the 68 and it is located within the Hidden Meadows community of the North County Metro Sub Region (2016 Thomas Guide Page 1089-D4, D5, E4, and E5).

The roads within Legend Rock have deteriorated and property owners have filed a petition requesting a special tax election because the existing assessment is

insufficient to fund needed road maintenance. The road maintenance will provide the residents with structurally sound roads and protect the road from costly future repairs. The special tax would fully fund ongoing road maintenance and add Tall Oak Lane, Tall Oak Road and portions of High Vista Drive to the roads maintained by the PRD Zone. In the absence of an adequate funding mechanism, Legend Rock will be dissolved and road maintenance responsibility will revert to the property owners. Department of Public Works staff have reviewed the petition and determined that it meets the requirements established by State law for a valid petition. Upon the receipt of a valid petition for a special tax, the Board of Supervisors (Board) is required to call an election. Today's requested action is to accept the petition and Preliminary Special Tax Report and order a special tax election in Legend Rock. The special tax will not be implemented unless 67% of the votes cast by the registered voters within the boundary of Legend Rock vote "yes" on the special tax.

If the special tax is approved by the voters, the Board will be asked at subsequent Board hearings to adopt a resolution declaring Tall Oak Lane, Tall Oak Road public roads so that they can be maintained as part of the PRD Zone without adding them to the County-maintained road system, approve the Special Tax Report and adopt an ordinance imposing the special tax requested by the property owners. If the special tax is not approved by the voters, the Board will be asked to dissolve Legend Rock. Whether the special tax passes or not, the Board will be asked to take action to certify the results of the election and repeal the ordinance establishing assessments for Legend Rock.

FISCAL IMPACT:

Funds for this request are included in the Fiscal Year 2016-17 Operational Plan in the Department of Public Works Road Fund Special Districts budget. If approved, this request will result in a current year processing cost charged to the formation expense for Permanent Road Division No. 1000, Zone No. 117 – Legend Rock of approximately \$30,000. If the special tax passes, this expense will be reimbursed by special taxes collected from the property owners within Legend Rock. If the special tax fails to pass, this expense will be funded by General Purpose Revenue in the Department of Public Works. If approved, the costs of road maintenance and administration in future fiscal years will be funded through special taxes collected within Legend Rock. There will be no change in General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT:

N/A

RECOMMENDATION:

CHIEF ADMINISTRATIVE OFFICER

On May 3, 2017:

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 activity involves establishment of a funding mechanism for the purpose of maintaining existing roads, involving negligible or no expansion of use.

2. Accept the petition, on file in the Department of Public Works, requesting authorization to proceed with a Special Tax Election that could result in a Special Tax being placed on Permanent Road Division 1000, Zone No. 117--Legend Rock property owners' tax bills for road maintenance.
3. Accept the Preliminary Special Tax Report for San Diego County Countywide Permanent Road Division No. 1000, Zone No. 117 – Legend Rock, on file in the Department of Public Works and available online at http://www.sandiegocounty.gov/dpw/specialdistricts/permroad/PRD_1000_Special_Tax.html.
4. Adopt the resolution entitled: RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO CALLING FOR A SPECIAL MAIL BALLOT ELECTION WITHIN PERMANENT ROAD DIVISION NO. 1000, ZONE NO. 117 - LEGEND ROCK, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA FOR THE PURPOSE OF IMPOSITION OF A SPECIAL TAX FOR ROAD MAINTENANCE SERVICES, which sets June 30, 2017, as the date of the election.
5. Direct the Registrar of Voters to proceed with the mail ballot election, tabulate all valid ballots received, and certify election results at the continued public meeting on July 19, 2017.
6. Approve the introduction of the Ordinance (first reading), read title and waive further reading of an Ordinance entitled: AN ORDINANCE TO REPEAL ORDINANCE NO. 9216 (NEW SERIES) PROVIDING A PROCEDURE FOR FIXING AND COLLECTING CHARGES ON THE TAX ROLL FOR SERVICES AND CONTINUING IN EFFECT THE PREVIOUSLY APPROVED MAXIMUM CHARGE WITHIN SAN DIEGO COUNTYWIDE PERMANENT ROAD DIVISION NO. 1000, ZONE NO. 117 - LEGEND ROCK.
7. Approve the introduction of the Ordinance (first reading), read title and waive further reading of an Ordinance entitled: AN ORDINANCE OF THE SAN DIEGO COUNTY BOARD OF SUPERVISORS APPROVING SPECIAL TAX REPORT AND LEVYING OF SPECIAL TAXES WITHIN PERMANENT ROAD DIVISION NO. 1000, ZONE NO. 117 – LEGEND ROCK FOR FISCAL YEAR 2017-18, COUNTY OF SAN DIEGO STATE OF CALIFORNIA.

If on May 3, 2017, the Board takes the actions recommended in Items 1-7, then on July 19, 2017 the following recommendations will be considered:

1. Receive the election certification from the Registrar of Voters for the Special Tax Election within the boundaries of Permanent Road Division No. 1000, Zone No. 117 - Legend Rock.

2. Adopt a resolution entitled: RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO DECLARING RESULTS OF SPECIAL MAIL-BALLOT ELECTION WITHIN PERMANENT ROAD DIVISION NO. 1000, ZONE NO. 117 – LEGEND ROCK, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA.
3. Adopt Ordinance to repeal the existing ordinance to collect assessments within Permanent Road Division No. 1000, Zone No. 117 – Legend Rock entitled: AN ORDINANCE TO REPEAL ORDINANCE NO. 9216 (NEW SERIES) PROVIDING A PROCEDURE FOR FIXING AND COLLECTING CHARGES ON THE TAX ROLL FOR SERVICES AND CONTINUING IN EFFECT THE PREVIOUSLY APPROVED MAXIMUM CHARGE WITHIN SAN DIEGO COUNTYWIDE PERMANENT ROAD DIVISION NO. 1000, ZONE NO. 117 – LEGEND ROCK.

If the special tax vote passes:

4. Adopt a resolution entitled: RESOLUTION DECLARING TALL OAK DRIVE AND TALL OAK LANE TO BE PUBLIC ROADS.
5. Approve Special Tax Report for San Diego County Countywide Permanent Road Division No. 1000, Zone No. 117 – Legend Rock , on file in the Special Districts office of the Department of Public Works and available online at http://www.sandiegocounty.gov/dpw/specialdistricts/permroad/PRD_1000_Special_Tax.html.
6. Adopt the Ordinance entitled: AN ORDINANCE OF THE SAN DIEGO COUNTY BOARD OF SUPERVISORS APPROVING SPECIAL TAX REPORT AND LEVYING OF SPECIAL TAXES WITHIN PERMANENT ROAD DIVISION NO. 1000, ZONE NO. 117 – LEGEND ROCK FOR FISCAL YEAR 2017-18, COUNTY OF SAN DIEGO STATE OF CALIFORNIA.

If the special tax vote fails:

7. Adopt a Resolution entitled: RESOLUTION OF THE BOARD OF SUPERVISORS ORDERING DISSOLUTION OF SAN DIEGO COUNTYWIDE PERMANENT ROAD DIVISION NO. 1000, ZONE NO. 117 - LEGEND ROCK WITHOUT AN ELECTION.
8. Authorize the Director, Department of Public Works and the Auditor & Controller, and their designees, to take any action necessary to fully dissolve Permanent Road Division No. 1000, Zone No. 117 - Legend Rock; including, without limitation, closing out all residual funds and transferring funds to the General Fund as authorized by applicable law.

ACTION:

ON MOTION of Supervisor Roberts, seconded by Supervisor Cox, the Board took action as recommended, on Consent, adopting Resolution No. 17-059, entitled: RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO CALLING FOR A SPECIAL MAIL BALLOT ELECTION WITHIN PERMANENT ROAD DIVISION NO. 1000, ZONE NO. 117 - LEGEND ROCK, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA FOR THE PURPOSE OF IMPOSITION OF A SPECIAL TAX FOR ROAD MAINTENANCE SERVICES, and introducing the Ordinances for further Board consideration and adoption on July 19, 2017.

AYES: Cox, Jacob, Gaspar, Roberts

ABSENT: Horn

4. **SUBJECT: ESTABLISH APPROPRIATIONS AND AUTHORIZATION TO ADVERTISE AND AWARD A CONSTRUCTION CONTRACT FOR THE SAN DIEGUITO WEDDING PAVILION PROJECT (DISTRICT: 5)**

OVERVIEW:

San Dieguito Park is a 125-acre park in the unincorporated community of Rancho Santa Fe (57th Edition Thomas Guide page 1168, A-6). The park offers a wide variety of recreational activities including hiking trails, playgrounds, exercise stations, a basketball court, pavilions, large open lawn areas and picnic areas lined with mature trees, and a tranquil pond. It is a popular location for weddings and other special events. One of the open lawn areas features a small, white pavilion that is beyond its useful life. The San Dieguito Wedding Pavilion project will remove the old pavilion and construct a new, larger wedding pavilion in the same open lawn area. This project will provide an enhanced facility for events in the park including weddings and other celebrations.

This is a request to establish appropriations of \$150,000 in Capital Project 1021154, San Dieguito Wedding Pavilion project based on an Operating Transfer In from the Department of Parks and Recreation (General Fund). This request will also authorize the Director, Department of Purchasing and Contracting to advertise and award a construction contract to the lowest responsible and responsive bidder for the San Dieguito Wedding Pavilion project for an estimated \$135,000 including contingency. Remaining project funds of \$15,000 will be used for materials testing, design, inspection, construction management, and project administration for a total project cost of \$150,000. If approved, construction is expected to begin in fall 2017 and to be completed in winter 2018.

FISCAL IMPACT:

Funds for this project are included in the Fiscal Year 2016-17 Operational Plan in the Department of Parks and Recreation. If approved, this request will result in costs of \$150,000 for Capital Project 1021154, San Dieguito Wedding Pavilion project. Construction costs are estimated at \$135,000, including contingency. Remaining project funds of \$15,000 will be used for materials testing, design,

inspection, construction management, and project administration. The funding source is General Purpose Revenue in the Department of Parks and Recreation (General Fund).

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

RECOMMENDATION:

CHIEF ADMINISTRATIVE OFFICER

1. Find, on the basis of the whole record, that there is no substantial evidence that the project will have a significant effect on the environment. Consider that the project is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines section 15303 because the project consists of the construction of a small new structure.
2. Transfer appropriations of \$150,000 from the Department of Parks and Recreation Services and Supplies, to the Contributions to Capital Outlay Fund, Operating Transfer Out, to fund the San Dieguito Wedding Pavilion project. **(4 VOTES)**
3. Establish appropriations of \$150,000 in the Capital Outlay Fund for Capital Project 1021154, San Dieguito Wedding Pavilion project, based on an Operating Transfer In from the General Fund. **(4 VOTES)**
4. Authorize the Director, Department of Purchasing and Contracting, to advertise and award a construction contract and take any other action authorized by Section 401 et seq. of the Administrative Code with respect to contracting for the construction of the San Dieguito Wedding Pavilion project.
5. Designate the Director, Department of Parks and Recreation, as the County of San Diego Officer responsible for administering the construction contract for the San Dieguito Wedding Pavilion project, in accordance with Board Policy F-41, Public Works Construction Projects.

ACTION:

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

AYES: Cox, Jacob, Gaspar, Roberts

ABSENT: Horn

5. SUBJECT: ESTABLISH APPROPRIATIONS AND AUTHORIZATION TO ADVERTISE AND AWARD A CONSTRUCTION CONTRACT FOR THE GLEN ABBEY TRAIL PROJECT (DISTRICT: 1)

OVERVIEW:

The Department of Parks and Recreation is proposing to construct a 0.6-mile trail in the community of Bonita (57th Edition Thomas Guide page 1310, F-4). The trail will be constructed from Bonita Road south to the City of Chula Vista Rice Canyon Loop trail. This link will provide community residents and visitors enhanced access and opportunities to hike, bike, and ride horses on community trails. Preliminary design of the Glen Abbey Trail has been completed.

The requested action will establish appropriations of \$560,000 in Capital Project 1021182, Glen Abbey Trail, based on unanticipated revenue from the Parks and Recreation trust fund. The requested action will also authorize the Director, Department of Purchasing and Contracting to advertise and award a construction contract to the lowest responsive and responsible bidder for the Glen Abbey Trail project. The estimated construction cost is \$525,000, including contingency. Remaining project funds of \$35,000 will be used for related project costs including design, inspection services, construction management, monitoring, environmental permits, and project administration. If approved, construction is expected to begin in fall 2017 and be completed in spring 2018.

FISCAL IMPACT:

Funds for this request are not included in the Fiscal Year 2016-17 Operational Plan in the Capital Outlay Fund. If approved, this request will result in costs and revenue of \$560,000 for Capital Project 1021182, Glen Abbey Trail project. The funding source is unanticipated revenue from the Parks and Recreation trust fund based on funds from State Route 125, Caltrans settlement funds. These settlement funds were designated for future park and recreation use in the Sweetwater area. Construction costs are estimated at \$525,000, including contingency. Remaining project funds of \$35,000 will be used for related project costs including design, inspection services, construction management, monitoring, environmental permits, and project administration. 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 Mitigated Negative Declaration (MND), dated August 19, 2004, on file with Planning and Development Services under Log No. 78-18-029A and the addendum dated January 3, 2005 was adopted in compliance with the California Environmental Quality Act (CEQA) and the State and County of San Diego (County) CEQA Guidelines and that the Board of Supervisors has reviewed and considered the information contained therein prior to approving the project; and

2. Find that there are no substantial changes in the project (MUP-52-008W3) or in the circumstances under which it is undertaken, which involve significant new environmental impacts which were not considered in the previously adopted MND and that there is no substantial increase in the severity of previously identified significant effects and that no new information of substantial importance has become available since the MND was adopted as explained in the Environmental Review Update Checklist dated April 6, 2017.
3. Establish appropriations of \$560,000 in the Capital Outlay Fund for Capital Project 1021182, Glen Abbey trail based on unanticipated revenue from the Parks and Recreation Trust Fund. **(4 VOTES)**
4. Authorize the Director, Department of Purchasing and Contracting, to advertise and award a construction contract and take any other action authorized by Section 401 et seq. of the Administrative Code with respect to contracting for the construction of the Glen Abbey Trail.
5. Designate the Director, Department of Parks and Recreation, as the County Officer responsible for administering the construction contract, in accordance with Board Policy F-41, Public Works Construction Contracts.

ACTION:

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

AYES: Cox, Jacob, Gaspar, Roberts

ABSENT: Horn

6. **SUBJECT: ADOPT A RESOLUTION AMENDING THE 2016 TRANSNET LOCAL STREET IMPROVEMENT PROGRAM OF PROJECTS FOR FISCAL YEARS 2016-17 THROUGH 2020-21 (DISTRICTS: 1, 2, 3 & 5)**

OVERVIEW:

TransNet Local Street Improvement Program is a voter-approved half-cent transportation sales tax that San Diego voters approved to extend in 2004. *TransNet* is administered by the San Diego Association of Governments (SANDAG) as an element of the Regional Transportation Improvement Program (RTIP). The County updates its portion of the RTIP program bi-annually, and subsequently amends it, as needed, on a quarterly basis. This funding source is essential for the County's infrastructure, as there are limited funding sources available for local road improvements. Transportation funding ensures resources are available to develop, preserve, and enhance reliable and sustainable infrastructure.

On March 2, 2016 (3), the Board of Supervisors adopted the County of San Diego five-year 2016 *TransNet* Local Street Improvement Program of Projects for Fiscal Years 2016-17 through 2020-21 (2016 *TransNet* Program). The 2016 *TransNet*

Program allocated \$98.8 million in forecasted *TransNet* funding over the 5-year period and was updated on December 14, 2016 (11) to reprogram savings and add two new projects.

On February 24, 2017, SANDAG approved a revised 5-Year *TransNet* Funding Forecast that included a total reduction of \$1,794,000 in the forecast for the County of San Diego. On February 28, 2017, SANDAG provided updated available *TransNet* carryover funds of \$511,000 for the County of San Diego. The revised forecast and available carryover necessitate re-programming available *TransNet* revenue in a new amendment and adoption of a resolution. SANDAG requires agencies to submit amended 2016 Programs of Projects for action by June 9, 2017.

The Board of Supervisors is requested to adopt a resolution to amend the County of San Diego 2016 *TransNet* Local Street Improvement Program of Projects for Fiscal Years 2016-17 through 2020-21. Upon Board approval, the resolution will be submitted to SANDAG for approval as part of the planned 2016 RTIP amendment.

FISCAL IMPACT:

There is no fiscal impact associated with these recommendations. Any necessary appropriations for individual projects will be brought before the Board for consideration as part of future year Operational Plans. 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 recommended action to approve an amendment to the County 2016 *TransNet* Local Street Improvement Program is exempt from review under the California Environmental Quality Act (CEQA) pursuant to Sections 15060(c)(3) and 15276 of the CEQA Guidelines because it relates to the development or adoption of a regional transportation improvement program and involves the identification of potential projects to establish funding without a commitment to a specific project.
2. Adopt a Resolution entitled: RESOLUTION OF THE SAN DIEGO COUNTY BOARD OF SUPERVISORS ADOPTING AN AMENDMENT TO THE TRANSNET LOCAL STREET IMPROVEMENT PROGRAM OF PROJECTS FOR FISCAL YEARS 2016-17 THROUGH 2020-21.
3. Direct that projects in the 2016 *TransNet* Local Street Improvement Program of Projects be integrated into the County element of the Regional Transportation Improvement Program for Fiscal Years 2016-17 through 2020-21.

4. Authorize the Director, Department of Public Works, to submit the County's *TransNet* Local Street Improvement Program of Projects Resolution to SANDAG and SANDAG's Independent Taxpayer Oversight Committee.

ACTION:

ON MOTION of Supervisor Roberts, seconded by Supervisor Cox, the Board took action as recommended, on Consent, adopting Resolution No. 17-060, entitled: RESOLUTION OF THE SAN DIEGO COUNTY BOARD OF SUPERVISORS ADOPTING AN AMENDMENT TO THE TRANSNET LOCAL STREET IMPROVEMENT PROGRAM OF PROJECTS FOR FISCAL YEARS 2016-17 THROUGH 2020-21.

AYES: Cox, Jacob, Gaspar, Roberts

ABSENT: Horn

7. **SUBJECT: COUNTY AIRPORTS – ADOPT A RESOLUTION AUTHORIZING APPLICATIONS AND AGREEMENTS FOR ACCEPTANCE OF FEDERAL AND STATE GRANT FUNDS (DISTRICTS: 2 & 5)**

OVERVIEW:

The County of San Diego operates eight airports: Agua Caliente Springs Airport, Borrego Valley Airport, Fallbrook Community Airpark, Gillespie Field, Jacumba Airport, McClellan-Palomar Airport, Ocotillo Wells Airport and Ramona Airport. County Airports provide valuable services for the aviation industry as well as commercial leasing opportunities that contribute to San Diego's employment and economic vitality.

Grant funding is a critical component of airport capital improvement and maintenance projects. Periodically, discretionary grant funds become available toward the end of the federal and state fiscal years. These funds are only available for a short period of time. Streamlining the grant application process by delegating authority to accept available grant funds enables County Airports to capture this additional grant funding on short notice.

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 Federal Aviation Administration (FAA), the State Airport Improvement Program for Matching Grants and the State Division of Aeronautics Acquisition and Development Grant Program during Fiscal Year 2017-18. The FAA and the State of California require County Airports to adopt a Resolution annually providing authorization to capture grant funding, in the event it becomes available.

FISCAL IMPACT:

There is no fiscal impact associated with the approval of today's Resolution authorizing applications and agreements for federal and state funding. The Department of Public Works will return to the Board at a later date to appropriate any grant funds received, as they become available. 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 15061(b)(3) of the California Environmental Quality Act (CEQA) Guidelines that delegating authority to allow application for and acceptance of possible grant funding is exempt from CEQA review because it can be seen with certainty that there is no possibility the activity may have a significant effect on the environment.
2. Adopt a Resolution entitled: RESOLUTION OF THE BOARD OF SUPERVISORS AUTHORIZING APPLICATIONS AND AGREEMENTS TO ACCEPT FEDERAL AND STATE FUNDING FOR FISCAL YEAR 2017-18 AT AGUA CALIENTE SPRINGS AIRPORT, BORREGO VALLEY AIRPORT, FALLBROOK COMMUNITY AIRPARK, GILLESPIE FIELD, JACUMBA AIRPORT MCCLELLAN-PALOMAR AIRPORT, OCOTILLO WELLS AIRPORT AND RAMONA AIRPORT.
3. Authorize the Director, Department of Public Works, or designee, to submit, negotiate and execute all documents necessary to secure and spend federal and State grant funds for County Airport projects during Fiscal Year 2017-18.

ACTION:

ON MOTION of Supervisor Cox, seconded by Supervisor Gasper, the Board took action as recommended, adopting Resolution No. 17-061, entitled: RESOLUTION OF THE BOARD OF SUPERVISORS AUTHORIZING APPLICATIONS AND AGREEMENTS TO ACCEPT FEDERAL AND STATE FUNDING FOR FISCAL YEAR 2017-18 AT AGUA CALIENTE SPRINGS AIRPORT, BORREGO VALLEY AIRPORT, FALLBROOK COMMUNITY AIRPARK, GILLESPIE FIELD, JACUMBA AIRPORT MCCLELLAN-PALOMAR AIRPORT, OCOTILLO WELLS AIRPORT AND RAMONA AIRPORT.

AYES: Cox, Jacob, Gaspar, Roberts

ABSENT: Horn

**8. SUBJECT: TRAFFIC ADVISORY COMMITTEE
RECOMMENDATIONS (5/3/17); (DISTRICTS: 2 & 5)**

OVERVIEW:

The Traffic Advisory Committee meets every six weeks to review proposed additions, deletions, or changes to regulatory traffic controls on County-maintained roads. The Committee recommends action on three items from the March 10, 2017 meeting agenda.

Two items (2-A and 5-C) would recertify speed limits for radar enforcement on County-maintained road segments. These items establish a tool for speed enforcement that increases road safety and retains mobility.

Item (5-B) would add two intersections (San Dieguito Road at Circa del Sur West and at Via dos Valles in Fairbanks Ranch) to the Traffic Signal Priority List. The Fairbanks Ranch Association funded a consultant study, which demonstrated that signal warrants are met, and has committed to the funding, design, and construction of these signals. If approved by the Board of Supervisors, the County can review private design plans prior to installation and can accept the signals for maintenance after installation. These traffic signals will provide a higher level of safety for all drivers when motorists access San Dieguito Road.

FISCAL IMPACT:

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

BUSINESS IMPACT STATEMENT:

N/A

RECOMMENDATION:

TRAFFIC ADVISORY COMMITTEE

District 2

2-A. Mapleview Street from Maine Avenue to 1,570 feet east of Ashwood Street (58th Edition Thomas Guide Page 1232 B-3) Lakeside – Recertify the existing 40 MPH speed limit for continued radar speed enforcement.

District 5

5-B. San Dieguito Road at Circa del Sur West and at Via dos Valles (58th Edition Thomas Guide Page 1168 F-2) Fairbanks Ranch – Place two intersections on the Traffic Signal Priority List.

5-C. El Camino Real/La Noria from La Bajada to La Orilla (58th Edition Thomas Guide Page 1167 J-3) Rancho Santa Fe – Recertify the existing 40 MPH speed limit for continued radar speed enforcement.

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.

ACTION:

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

AYES: Cox, Jacob, Gaspar, Roberts

ABSENT: Horn

9. **SUBJECT: ESTABLISH APPROPRIATIONS AND ADVERTISE AND AWARD A CONSTRUCTION CONTRACT FOR THE FALLBROOK STREET FROM MISSION ROAD TO MAIN STREET AND MORRO ROAD TO MARGARIAN ROAD IMPROVEMENTS PROJECT IN THE COMMUNITY OF FALLBROOK (DISTRICT: 5)**

OVERVIEW:

The County of San Diego, Department of Public Works is committed to enhancing public safety, accessibility, and walkability through development and maintenance of reliable infrastructure improvements.

The Fallbrook Street from Mission Road to Main Street and Morro Road to Margarian Road Improvements Project is located in the unincorporated community of Fallbrook (57th Edition Thomas Guide Page 1027, F3). The proposed project includes widening Fallbrook Street east of the intersection with Mission Road and construction of curb, gutter and sidewalk along the southern side of Fallbrook Street for the entire project. The project involves modifying the traffic signal at the intersection of Fallbrook Street and Mission Road and reconstruction of all pedestrian ramps and other impacted ramps to meet current Americans with Disabilities Act (ADA) requirements.

This is a request to establish appropriations and approve the advertisement and subsequent award of a construction contract to the lowest responsive and responsible bidder for the Fallbrook Street from Mission Road to Main Street and Morro Road to Margarian Road Improvements Project. Construction is scheduled to begin late summer 2017 and be completed by spring 2018. The construction cost is estimated at \$550,000, including contingencies.

FISCAL IMPACT:

Funds for this request are not included in the Fiscal Year 2016-17 Operational Plan in the Department of Public Works Road Fund Detailed Work Program. If approved, total estimated construction project costs will be \$550,000, including contingencies. The funding source is revenue from the Transportation Impact Fee (TIF) program (\$550,000). There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT:

County construction contracts are competitively bid and help stimulate the local economy.

RECOMMENDATION:

CHIEF ADMINISTRATIVE OFFICER

1. Find that the proposed project is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15301 of the CEQA Guidelines because it involves the minor alteration of existing public roadway involving no or negligible expansion of existing use.
2. Establish appropriations of \$550,000 in the Department of Public Works Road Fund Detailed Work Program for construction of the Fallbrook Street from Mission Road to Main Street and Morro Road to Margarian Road Improvements Project based on revenue from the Transportation Impact Fee (TIF) program. **(4 VOTES)**
3. Authorize the Director, Department of Purchasing and Contracting, to take any action necessary to advertise and award a contract and to take other 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 County Officer responsible for administering the construction contract, in accordance with Board Policy F-41, Public Works Construction Projects.

ACTION:

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

AYES: Cox, Jacob, Gaspar, Roberts

ABSENT: Horn

10. SUBJECT: GILLESPIE FIELD – APPROVE TWO INDUSTRIAL GROUND LEASES WITH DENTT DEVELOPMENT LLC (DISTRICT: 2)

OVERVIEW:

Gillespie Field is a general aviation airport owned and operated by the County of San Diego and located within the municipal limits of the City of El Cajon and the City of Santee (57th Edition Thomas Guide page 1251, D-1). Gillespie Field currently includes three industrial parks. The County leases land at these industrial parks at market rate to multiple businesses providing goods and services to the general public. The revenues generated from leases provide monies that support proper maintenance and safe operation of all County airports for the public to use.

In 2012, the County conducted a Request for Proposals to lease and develop an undeveloped 8.68 acre property adjacent to the existing industrial park, located alongside Marshall Avenue. Dentt Development LLC was selected as the successful proposer. On December 5, 2012 (15), the Board of Supervisors approved a two-year Preliminary Agreement Concerning Development and Disposition of Land with Dentt Development LLC, to facilitate a potential lease and development, contingent upon completion of the City of El Cajon’s environmental review and approval of the project. On October 29, 2014 (6), the Board of Supervisors approved the First Amendment to that agreement, extending its term for up to an additional three years. Dentt Development LLC has now completed the required reviews, and the City of El Cajon approved the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program for the proposed Dentt Industrial Project on March 21, 2017.

This is a request to approve two 55-year ground leases with Dentt Development LLC commencing on June 1, 2017, to provide for industrial development and use of the vacant site and to authorize the Director of the Department of Public Works to execute any approvals, applications, and other documents required to be executed by the property owner in connection with the proposed project.

FISCAL IMPACT:

Funds for this request are not included in the Fiscal Year 2016-17 Operational Plan for the Airport Enterprise Fund. Although the leases will commence in Fiscal Year 2016-17, additional estimated revenue of \$45,752 would not be received until Fiscal Year 2018-19, because the leases provide for a rent abatement period and a rent credit. Annual rent will be a total of \$372,000 for both leases once full rent is achieved by Fiscal Year 2022-23. The funding source for additional revenue will be rent due from the lessee under the terms of the new leases and will be included in future years Operational Plans. There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT:

If the Board approves the proposed ground leases with Dentt Development LLC, upon completion, the development is estimated to generate approximately 184 new permanent jobs in light industrial, manufacturing and commercial sectors in the East County area. In addition, the construction of the project would create a total of approximately 150 construction and engineering jobs during both phases of the project.

RECOMMENDATION:

CHIEF ADMINISTRATIVE OFFICER

1. Find that there are no changes in the project or in the circumstances under which it is undertaken which involve significant new environmental impacts which were not considered in the City of El Cajon's previously approved Mitigated Negative Declaration (MND) dated March 21, 2017, that there is no substantial increase in the severity of previously identified significant effects, and that no new information of substantial importance has become available since the MND was prepared.
2. Approve and authorize the Clerk of the Board to execute, upon receipt, three copies each of the two Industrial Ground Leases with Dentt Development LLC (County Contract Numbers 317030 and 317032). **(4 VOTES)**
3. Authorize the Director, Department of Public Works, to execute any approvals, applications, or related documents required by the City of El Cajon and other governmental agencies to be executed by the owner of the property in connection with the leasing and development of the vacant industrial site located alongside Marshall Avenue by Dentt Development LLC.

ACTION:

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

AYES: Cox, Jacob, Gaspar, Roberts

ABSENT: Horn

11. **SUBJECT: SET A HEARING FOR 06/21/2017:
SAN VICENTE CONNECTION – ACQUISITION OF 69.49
ACRES OF OPEN SPACE EAST OF STATE ROUTE 67 FOR
INCLUSION IN A NETWORK OF PRESERVED LAND
(MOORE FAMILY REVOCABLE LIVING TRUST, THE
MOFFETT FAMILY TRUST, MOORE-ALLEN
REVOCABLE TRUST, AND THE MOORE FAMILY TRUST)
(5/3/2017 – SET HEARING; 6/21/2017 - HOLD HEARING)
(DISTRICT: 2)**

OVERVIEW:

Since 1998, the County of San Diego (County) has been acquiring open space land for the County's Multiple Species Conservation Program (MSCP) in order to ensure the long-term survival of sensitive plant and animal species balanced with public needs. More than 19,000 acres of land has been purchased to date for the existing South County MSCP and future MSCP plans.

The County has identified 69.49 acres available for acquisition in the northern Lakeside area for the MSCP. The property is a portion of Assessor's Parcel Number (APN) 326-020-03 and is located east of State Route 67 (SR-67) and south of Scripps-Poway Parkway (57th Edition Thomas Guide page 1191, G-7). The acquisition would add to a network of land in the immediate vicinity already preserved by the County and other partners. The property is within the MSCP South County Plan Pre-Approved Mitigation Area, an area in which land is considered to be important for sensitive species and where conservation efforts are focused. This acquisition will create a larger block of preserved habitat and a portion of the Trans County Trail could be sited through the property, subject to future environmental analysis and funding.

Today's request requires two steps. On May 3, 2017, it is requested that the Board set a hearing for June 21, 2017 to consider the purchase and direct the Clerk of the Board of Supervisors to provide public notice of the hearing. If the Board takes the actions recommended for May 3, 2017, then on June 21, 2017, after making the necessary findings, the Board is requested to approve the purchase of APN 326-020-03 (portion) from the trustees of the Moore Family Revocable Living Trust, The Moffett Family Trust, Moore-Allen Revocable Trust, and The Moore Family Trust at the appraised value of \$627,670.

FISCAL IMPACT:

Funds for this request are included in the Fiscal Year 2016-17 Operational Plan for the Multiple Species Conservation Program (MSCP) Acquisitions Fund. If approved, this request will result in current year costs of \$929,670 itemized as follows: \$627,670 for property acquisition; \$30,000 for staff, appraisal and ancillary costs to complete the transaction; \$3,000 for closing and title costs; and \$269,000 in one-time land protection costs which include initial stewardship featuring a boundary survey, signage, vegetation management and stormwater/erosion protection measures (\$17,000) and the production of a Resource Management Plan for the proposed 69.49-acre acquisition, 122 acres of existing preserve in the area and a 22-acre acquisition scheduled for summer 2017 (\$252,000). The funding source is the MSCP Acquisitions Fund.

Future total annual costs for land monitoring and management of the 69.49 acres are estimated at \$3,750. In addition, there will be an estimated future annual cost of \$103 for fixed charge assessments including a fire district special tax and vector control. The funding source for these costs 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

RECOMMENDATION:

CHIEF ADMINISTRATIVE OFFICER

On May 3, 2017

1. Set a hearing for June 21, 2017, at which time the Board may authorize the Director of the Department of General Services to exercise the option to purchase Assessor's Parcel Number (APN) 326-020-03 (portion).
2. Direct the Clerk of the Board of Supervisors to provide notice of said hearing via publication and posting as required by law.

If, on May 3, 2017, the Board takes the actions recommended in Items 1-2 above then, on June 21, 2017:

1. Find that the proposed project is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Sections 15325 and 15304 because it involves the acquisition of land to preserve open space or lands for park purposes and existing natural conditions, and involves vegetation management and stormwater/erosion protection measures.
2. Authorize the Director of the Department of General Services to exercise the option to purchase from the trustees of the Moore Family Revocable Living Trust, The Moffett Family Trust, Moore-Allen Revocable Trust, and The Moore Family Trust 69.49 acres of APN 326-020-03 for the appraised value of \$627,670.
3. Authorize the Director of the Department of General Services, or designee, to execute all escrow and related documents necessary to complete the purchase.

ACTION:

ON MOTION of Supervisor Roberts, seconded by Supervisor Cox, the Board took action as recommended, on Consent, setting a Hearing for June 21, 2017.

AYES: Cox, Jacob, Gaspar, Roberts

ABSENT: Horn

12. SUBJECT: ESTABLISH APPROPRIATIONS AND ADVERTISE AND AWARD A CONSTRUCTION CONTRACT FOR THE WILLOWS ROAD BRIDGE SCOUR MITIGATION IMPROVEMENTS PROJECT IN THE COMMUNITY OF ALPINE (DISTRICT: 2)

OVERVIEW:

The Federal Highway Bridge Program (HBP) facilitates the repair and replacement of public highway bridges over uneven topography, waterways, highways, or railroads when the bridge is determined to be significantly important and is unsafe because of structural deficiencies, physical deterioration, or functional obsolescence.

The Willows Road Bridge Scour Mitigation Improvements project is located at the crossing of Viejas Creek in the unincorporated community of Alpine (57th Edition Thomas Guide Page 1234, H5). The HBP identified the 84-year old Willows Road Bridge at Viejas Creek as eligible for grant funds to design and implement improvements to prevent scour from occurring that threatens to undermine footings of the bridge. The project includes construction of improvements around the perimeter of each footing to deepen and strengthen the foundation of the bridge supports. The proposed project will contribute to a safe and reliable roadway network in the community of Alpine.

This is a request to establish appropriations and approve the advertisement and subsequent award of a construction contract to the lowest responsive and responsible bidder for the Willows Road Bridge Scour Mitigation Improvements project. Construction is scheduled to begin late summer 2017 and be completed by spring 2018. The construction cost is estimated at \$3,150,000, including contingencies.

FISCAL IMPACT:

Funds for this request are not included in the Fiscal Year 2016-17 Operational Plan in the Department of Public Works Road Fund Detailed Work Program. If approved, total estimated construction costs will be \$3,150,000, including contingencies. The funding source is revenue from Federal Highway Administration (FHWA) (\$3,150,000). There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT:

County construction contracts are competitively bid and help stimulate the local economy.

RECOMMENDATION:

CHIEF ADMINISTRATIVE OFFICER

1. Find that the Mitigated Negative Declaration (MND) on file in the Department of Public Works for the Willows Road Bridge Scour Mitigation Improvements project, dated September 3, 2015, State Clearinghouse # 2015091006, was adopted in compliance with the California Environmental Quality Act (CEQA) and State and County CEQA guidelines, that the Board of Supervisors has

reviewed and considered the information contained therein prior to approving the project; and

Find that there are no substantial changes in the project or in the circumstances under which it is undertaken which involve significant new environmental impacts which were not considered in the previously adopted MND, that there is no substantial increase in the severity of previously identified significant effects, and that no new information of substantial importance has become available since the MND was adopted; therefore, no additional environmental review or findings are necessary.

2. Establish appropriations of \$3,150,000 in the Department of Public Works Road Fund Detailed Work Program for construction of the Willows Road Bridge Scour Mitigation Improvements project based on revenue from the Federal Highway Administration (FHWA). **(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 County Officer responsible for administering the construction contract, in accordance with Board Policy F-41, Public Works Construction Projects.

ACTION:

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

AYES: Cox, Jacob, Gaspar, Roberts

ABSENT: Horn

13. **SUBJECT: AUTHORIZATION TO ADVERTISE AND AWARD A DESIGN-BUILD CONTRACT AND ADOPT MITIGATED NEGATIVE DECLARATION FOR THE SANTA YSABEL NATURE CENTER (DISTRICT: 2)**

OVERVIEW:

The Department of Parks and Recreation (DPR) owns and manages the 5,400 acre Santa Ysabel Preserve near the intersection of State Route 78 and State Route 79 (57th Edition Thomas Guide, page 1135, B-2). DPR is seeking to design and construct a 6,000-square-foot Nature Center in the preserve with educational exhibits showcasing the unique ecology and history of the surrounding environment. The project will include exhibits that will provide an opportunity for visitors to learn about the backcountry and surrounding area. It will provide a unique modern facility for public education and interpretation using sustainable green technology.

Today's proposed action will adopt the Santa Ysabel Nature Center Mitigated Negative Declaration and the Mitigation, Monitoring and Reporting Program in accordance with the California Environmental Quality Act for the construction of the Santa Ysabel Nature Center. It will also authorize the Director, Department of Purchasing and Contracting to advertise the Request for Proposals and award a design-build contract for approximately \$5,700,000, including contingency, for the construction of the proposed Santa Ysabel Nature Center. Remaining project funds of \$1,549,000 will be used for related project costs including environmental documentation, permitting, inspection, construction management, and project administration for a total project cost of \$7,249,000. If approved, project design would start in summer 2018 with construction completion in fall 2019. Today's proposed action will also authorize the Director, Department of Parks and Recreation, to administer the construction contract.

FISCAL IMPACT:

Funds for the Santa Ysabel Nature Center project are included in the Fiscal Year 2016-17 Operational Plan for the Capital Outlay Fund. If approved, this request will result in costs of \$7,249,000 in Capital Project 1014142, Santa Ysabel Nature Center project. Design and construction costs are estimated at \$5,700,000, including contingency. Remaining project funds of \$1,549,000 will be used for related project costs including environmental documentation, permitting, inspection, construction management, and project administration for a total project cost of \$7,249,000. The funding source is District Two Neighborhood Reinvestment Program funds (\$125,000) and prior year available General Fund fund balance (\$7,124,000) as included in the Fiscal Year 2015-16 Adopted Operational Plan. There will be no additional staff years.

Construction of the Santa Ysabel Nature Center will result in an increase in annual operational costs in the Department of Parks and Recreation, Services and Supplies estimated at \$110,000 and the addition of 2.00 full-time Park Ranger staff estimated at \$146,000, and 2.00 seasonal staff estimated at \$67,000, for a total of \$323,000 beginning in Fiscal Year 2019-20. In addition one-time costs of approximately \$60,500 will also be included for initial start-up costs consisting of the purchase of a vehicle and equipment for park maintenance. If approved, the Department of Parks and Recreation will include a request for additional funding from General Purpose Revenue and available one-time funds, and additional staff years in future CAO Recommended Operational Plans.

BUSINESS IMPACT STATEMENT:

This public works contract would be competitively procured and help stimulate the local economy.

RECOMMENDATION:

CHIEF ADMINISTRATIVE OFFICER

1. Find, on the basis of the whole record, that there is no substantial evidence that the project will have a significant effect on the environment. Consider the Mitigated Negative Declaration on file with the Department of Parks and Recreation dated April 10, 2017, State Clearinghouse # 2017031019, together with comments received during public review, and adopt it, finding that it reflects the independent judgment and analysis of the Board of Supervisors.

2. Adopt the Mitigation Monitoring and Reporting Program prepared pursuant to Public Resources Code section 21081.6 and CEQA Guidelines section 15074(d), and authorize the Director, Department of Parks and Recreation to implement the mitigation measures identified.
3. Authorize the Director, Department of Purchasing and Contracting to advertise and award a design-build contract for the proposed facility, and take any action authorized by Section 401, et seq. of the Administrative Code and Public Contract Code section 22160-22169, with respect to contracting for the design-build of the Santa Ysabel Nature Center project.
4. Designate the Director, Department of Parks and Recreation, as the County of San Diego Officer responsible for the administration of all contracts associated with the construction of the Santa Ysabel Nature Center project.

ACTION:

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

AYES: Cox, Jacob, Gaspar, Roberts

ABSENT: Horn

14. **SUBJECT: APPROVE A REIMBURSEMENT AGREEMENT FOR PAYMENT OF COSTS TO THE CITY OF CHULA VISTA FOR CONSTRUCTION OF BIKE LANE IMPROVEMENTS WITHIN COUNTY OF SAN DIEGO ROAD EASEMENT AND A MAINTENANCE AGREEMENT FOR THE WILLOW STREET BRIDGE REPLACEMENT PROJECT BETWEEN THE COUNTY OF SAN DIEGO AND THE CITY OF CHULA VISTA (DISTRICT: 1)**

OVERVIEW:

Bike lane facility improvements in the County of San Diego are an important part of the public infrastructure that provide for and encourage the use of alternative modes of transportation for the traveling public. In addition, clearly-defined ownership, operation, and maintenance responsibilities between jurisdictions ensure that public infrastructure is properly maintained for the safety of the public.

The City of Chula Vista, using Federal Highway Administration (FHWA) funding, is replacing the Willow Street Bridge. As part of the replacement project, the City is constructing Class II bike lanes within the eight-foot shoulders of the new bridge, replacing existing Class III bike routes. Class II bike lanes will also be extended beyond the bridge to meet existing Class II bike lanes on both segments of Sweetwater Road, within a County road easement, to create a continuous corridor of travel for bicyclists. Class II bike lanes provide a safer riding experience for bicyclists because they provide a striped lane for one-way bike travel adjacent to vehicle travel lanes. Class III bike routes provide a shared use lane with pedestrian or motor vehicle travel lanes.

The improvements needed to meet the existing Class II bike lanes within the County's jurisdiction require funding from the County so that these improvements can be constructed in conjunction with the proposed City of Chula Vista project. Today's request is to authorize the Director, Department of Public Works to sign a reimbursement agreement between the County of San Diego and the City of Chula Vista to provide fair share funding for the portion of the improvements within the jurisdiction of the County of San Diego. The contractor bid costs for the improvements within the County road easement total \$39,778 including contingency.

Furthermore, the City of Chula Vista's Willow Street Bridge Replacement project includes numerous improvements to various public facilities that traverse both the jurisdictions of the County of San Diego and the City of Chula Vista. These improvements include traffic signal systems, storm drain systems, a multi-use trail segment, landscape and irrigation areas, porous pavement, traffic signs, pavement striping, markings and legends located near the Willow Street bridge. An agreement is required to clearly define maintenance responsibilities for each facility and today's request includes approval and authorization to sign the maintenance agreement.

FISCAL IMPACT:

Funds for the County's portion of the Reimbursement Agreement are included in the Fiscal Year 2016-17 Operational Plan in the Department of Public Works Road Fund Detailed Work Program. The funding source is *TransNet* Local Street Improvement Program (\$36,000) and Highway User Tax Account (HUTA) (\$3,778). There will be no change in net General Fund cost and no additional staff years as a result of the Reimbursement Agreement.

Funds for the future maintenance of the multi-use trail improvement in the Maintenance Agreement are included in the Fiscal Year 2017-18 CAO Recommended Operational Plan in the Department of Parks and Recreation. Annual trail maintenance costs are estimated at less than \$500 and will be funded by General Purpose Revenue in the Department of Parks and Recreation. Funds for future maintenance costs within the road easement in the Maintenance Agreement are estimated at less than \$750 annually and are included in the Department of Public Works Road Fund Transportation Division funded by HUTA in the Fiscal Year 2017-18 CAO Recommended Operational Plan. There will be no change in net General Fund cost and no additional staff years as a result of the Maintenance Agreement.

BUSINESS IMPACT STATEMENT:

N/A

RECOMMENDATION:

CHIEF ADMINISTRATIVE OFFICER

1. Find that the Mitigated Negative Declaration (MND) on file with the City of Chula Vista for the Willow Street Bridge Replacement Project, approved on November 14, 2011, State Clearinghouse #2011081074, was adopted in compliance with State CEQA guidelines, that the decision-making body has

reviewed and considered the information contained therein prior to approving the project; and:

Find that there are no substantial changes in the project or in the circumstances under which it is undertaken which involve significant new environmental impacts which were not considered in the previously adopted MND, that there is no substantial increase in the severity of previously identified significant effects, and that no new information of substantial importance has become available since the MND was adopted.

2. Authorize the Director, Department of Public Works, to enter into a Reimbursement Agreement between the County of San Diego and the City of Chula Vista for payment of approximately \$39,778 in costs to the City of Chula Vista for the construction of bike lane improvements within the County of San Diego road easement associated with the City's Willow Street Bridge Replacement project.
3. Approve and authorize the Clerk of the Board to execute the Maintenance Agreement for the ownership, operation, and maintenance between the County of San Diego and the City of Chula Vista for the Willow Street Bridge Replacement Project.

ACTION:

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

AYES: Cox, Jacob, Gaspar, Roberts

ABSENT: Horn

**15. SUBJECT: NOTICED PUBLIC HEARING:
APPOINTMENT OF THE SAN DIEGO COUNTY CITRUS
PEST CONTROL DISTRICT'S FIVE-MEMBER BOARD OF
DIRECTORS (DISTRICTS: 2, 3 & 5)**

OVERVIEW:

On April 12, 2017 (2), the Board of Supervisors set a Hearing for May 3, 2017.

The Asian Citrus Psyllid (ACP) is the insect that transmits the world's most destructive disease of citrus, Huanglongbing (HLB) that shortens the life of trees and causes the fruit to be inedible. This disease threatens the livelihood of San Diego county's citrus growers who contribute a \$126 million crop to California's \$2.5 billion citrus industry, and the tree health of all residential citrus. Although HLB is not present in the county, the entire county is currently under quarantine for ACP.

One of the ongoing pest control measures is the suppression of the ACP population to reduce the risk of HLB transmission. To enhance this control measure's effectiveness, the property owners of commercial citrus groves in the designated

areas of Pauma Valley, San Pasqual Valley and Borrego have requested the formation of the San Diego County Citrus Pest Control District (District) for the purpose of eradication and control of citrus pests, in accordance with California Food and Agricultural Code (FAC) Section 8451 et seq.

On March 15, 2017 (12), the Board of Supervisors (Board) set the petition hearing date of April 12, 2017, directed the Clerk of the Board to give notice of the hearing, and referred the petition to the Agricultural Commissioner for investigation and report.

On April 12, 2017 (2), the Board heard the petition; determined that the District's formation is feasible and in the interest of the citrus growers of the county; and directed the Clerk of the Board to give notice of the May 3, 2017 meeting and to accept letters of application for the District's Board of Directors.

This is a request for the Board to appoint the District's five-member Board of Directors to complete the formation of the District.

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

RECOMMENDATION:

CHIEF ADMINISTRATIVE OFFICER

1. Find the proposed actions are not a project under the California Environmental Quality Act (CEQA) pursuant to an in accordance with Sections 15060(c)(3) and 15378(b)(5) of the CEQA Guidelines that the proposed actions are organizational and administrative activities that do not cause any change to the environment.
2. Appoint the five members of the San Diego County Citrus Pest Control District Board of Directors to complete the formation of the District.

ACTION:

ON MOTION of Supervisor Roberts, seconded by Supervisor Cox, the Board closed the Hearing and took action as recommended, on Consent, appointing Nicholas I. Bozick, Warren C. Lyall, Gregory B. Kamin, Laurie Kariya, and Timothy P. Lyall to the San Diego County Citrus Pest Control District.

AYES: Cox, Jacob, Gaspar, Roberts

ABSENT: Horn

There being no further business, the Board adjourned at 9:24 a.m.

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

Consent: Miller
Discussion: Zurita

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

Approved by the Board of Supervisors, on Wednesday, June 21, 2017.



DIANNE JACOB
Chairwoman

Attest:



DAVID HALL
Clerk of the Board

05/03/17