

May 20, 2020

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 20, 2020, 9:00 AM
BOARD OF SUPERVISORS NORTH CHAMBER
1600 PACIFIC HIGHWAY ROOM 310,
SAN DIEGO, CALIFORNIA

Order of Business

- A. **REGULAR SESSION:** Meeting was called to order at 9:00 a.m.

PRESENT: Supervisors Greg Cox, Chairman; Jim Desmond, Vice-Chairman; Dianne Jacob; Kristin Gaspar; Nathan Fletcher; also, Andrew Potter, Clerk of the Board of Supervisors.

(Please note, California Governor Gavin Newsom issued Executive Order N-29-20 on March 17, 2020, relating to the convening of public meetings in response to the COVID-19 pandemic. Pursuant to the Executive Order, and to maintain the orderly conduct of the meeting, all members of the Board of Supervisors attended the meeting via teleconference and participated in the meeting to the same extent as if they were present.)

- B. Closed Session Report
- C. Public Communication: Opportunity for members of the public to speak to the Board on any subject matter within the Board's jurisdiction but not an item on today's agenda.
- D. Approval of the Statement of Proceedings/Minutes for the meeting of May 6, 2020.

ACTION:

ON MOTION of Supervisor Jacob, seconded by Supervisor Desmond, the Board of Supervisors approved the Statement of Proceedings/Minutes for the meeting of May 6, 2020.

AYES: Cox, Jacob, Gaspar, Fletcher, Desmond

- E. Formation of Consent Calendar
- F. Discussion Items

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

Board of Supervisors' Agenda Items

- | Agenda # | Subject |
|-----------------|---|
| 1. | ADMINISTRATIVE ITEM:
SECOND CONSIDERATION AND ADOPTION OF ORDINANCE:
TRAFFIC ADVISORY COMMITTEE (05/06/2020 - ADOPT
RECOMMENDATIONS; 05/20/2020 - SECOND READING OF AN
ORDINANCE) |
| 2. | ANNUAL REPORT OF THE COUNTY-MAINTAINED ROAD
SYSTEM |
| 3. | CLOSED SESSION (CARRYOVER FROM 05/19/20 AGENDA NO. 30) |
| 4. | PUBLIC COMMUNICATION |

**1. SUBJECT: ADMINISTRATIVE ITEM:
SECOND CONSIDERATION AND ADOPTION OF ORDINANCE;
TRAFFIC ADVISORY COMMITTEE (05/06/2020 - ADOPT
RECOMMENDATIONS; 05/20/2020 - SECOND READING OF AN
ORDINANCE) (DISTRICT: 5)**

OVERVIEW

On May 6, 2020 (2), the Board of Supervisors introduced the Ordinance for further Board consideration and adoption on May 20, 2020.

As part of the Department of Public Works (DPW) traffic engineering program, the Board of Supervisors (Board) established the Traffic Advisory Committee (TAC) as an aid in providing uniform traffic regulations throughout the unincorporated areas of the county. The goal of the TAC is to make recommendations to the Board on traffic matters to provide the communities in the unincorporated region with a safe and efficient road system. To accomplish this, it is necessary that traffic policies be established and used to provide persons using the road system with consistent and uniform regulations that are effective and can be legally enforced. The TAC meets every six weeks to review proposed additions, deletions, or changes to regulatory traffic control devices such as speed limits, stop signs, traffic signals, and parking regulations on County-maintained roads. Upon receipt of a request or recommendation for a traffic regulation in unincorporated areas of the county, the TAC reviews and investigates the requested item including engineering studies and studies of traffic conditions.

The TAC recommends the Board act on two items from the January 24, 2020, meeting agenda:

- Item 5-B is a review to establish an all-way stop intersection or a traffic control signal at Rancho Santa Fe Farms Road and Rancho Santa Fe Lakes Drive in the community of Fairbanks Ranch and was requested by an area resident based on concerns for pedestrian crossing. The California Manual on Uniform Traffic Control Devices (CA MUTCD) provides guidelines for installation of an all-way stop and nine warrants for consideration of a traffic signal based on intersection operating conditions (i.e. traffic volumes or recent collision history). None of the criteria used to determine the need for all-way stop or signalization are met. The TAC discussed that marking a crosswalk at Rancho Santa Fe Lakes Drive may leave pedestrians with a false sense of security at a marked crosswalk when they would still have the burden to properly stop and assess for a safe opportunity to cross, as they do today. The TAC recommended that no changes be made to the existing intersection controls.
- Item 5-C is a periodic review that is required every seven years and was requested by DPW staff to comply with state law. This will recertify the use of radar for speed enforcement on Monte Vista Drive from the Vista City Limit (near Giddings Ranch Road) to Buena Creek Road in Vista. The roadway is currently posted with a 45 MPH speed limit and measured speeds averaged 46.2 MPH. State law allows rounding measured speeds down to the nearest 5 MPH increment. Further, state law allows an additional 5 MPH reduction based on roadway operating conditions. Based on measured speeds and recent collision history, the TAC recommends decreasing the existing 45 MPH posted speed limit to 40 MPH and certifying the decreased speed limit for radar enforcement.

Approval of Item 5-C would support speed enforcement, which increases roadway safety and retains mobility. Properly posted speed limits provide feedback to drivers to improve traffic safety, reduce the number and severity of collisions, and allow for fair enforcement. The Board's action on Item 5-B does not require a second hearing and Board direction on May 6, 2020 would allow implementation by DPW. The Board's action on Item 5-C would decrease a speed limit, revise the San Diego County Code of Regulatory Ordinances (County Code), and would require two steps. On May 6, 2020, the Board would consider the TAC item. If the Board acts on May 6, 2020, then on May 20, 2020, a second reading of an ordinance amending County Code would be necessary to implement the Board's direction.

**RECOMMENDATION(S)
TRAFFIC ADVISORY COMMITTEE**

District 5:

Item 5-B. Rancho Santa Fe Farms Road and Rancho Santa Fe Lakes Drive in Fairbanks Ranch - Do not establish an all-way stop or traffic signal.

Item 5-C. Monte Vista Drive from the Vista City Limit (near Giddings Ranch Road) to Buena Creek Road in Vista - Reduce the 45 MPH speed limit to 40 MPH and certify the speed limit for radar enforcement.

CHIEF ADMINISTRATIVE OFFICER

Consider and adopt the following Ordinance:

ORDINANCE AMENDING SECTION 72.161.43. OF THE SAN DIEGO COUNTY CODE RELATING TO SPEED LIMITS ON COUNTY MAINTAINED ROADS IN SAN DIEGO COUNTY (Item 5-C).

FISCAL IMPACT

Funds for this request are included in the Fiscal Year 2019-20 Operational Plan for the Department of Public Works Road Fund. If approved, there will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT

N/A

ACTION:

ON MOTION of Supervisor Desmond, seconded by Supervisor Jacob, the Board of Supervisors took action as recommended, adopting Ordinance No. 10670 (N.S.), entitled: ORDINANCE AMENDING SECTION 72.161.43. OF THE SAN DIEGO COUNTY CODE RELATING TO SPEED LIMITS ON COUNTY MAINTAINED ROADS IN SAN DIEGO COUNTY.

AYES: Cox, Jacob, Gaspar, Fletcher, Desmond

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

OVERVIEW

The County of San Diego (County) Department of Public Works (DPW) is responsible for ensuring the nearly 2,000 centerline miles of public roads in the unincorporated region are safe, reliable, and well-maintained to serve the public and help ensure safe and thriving communities.

Section 2121 of the California Streets and Highways Code requires the County to annually submit to the California Department of Transportation (Caltrans) any additions to, or exclusions from, mileage of County-maintained roads. The most recent update was approved by the Board of Supervisors (Board) on March 27, 2019 (7) and certified by Caltrans shortly thereafter. The total mileage of County-maintained roads increased by 1.66 centerline miles since the last certification and is now 1,944.25 centerline miles. Total road mileage is used by the State to calculate annual distribution of gas tax funds to cities and counties statewide.

Today's request is to adopt a resolution to transmit the County's annual report of road mileage to Caltrans. Upon Board approval, the resolution will be submitted to Caltrans to certify the new reported road mileage to the State Controller.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. Find that the proposed action is not subject to review under the California Environmental Quality Act (CEQA) pursuant to Section 15060(c)(2) of the state CEQA Guidelines, since the proposed action has no direct or reasonably foreseeable indirect physical change in the environment.
2. Adopt a Resolution entitled: RESOLUTION OF THE COUNTY OF SAN DIEGO BOARD OF SUPERVISORS TRANSMITTING THE ANNUAL REPORT TO THE STATE DEPARTMENT OF TRANSPORTATION OF THE COUNTY'S MAINTAINED ROADS – 2020.

FISCAL IMPACT

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

BUSINESS IMPACT STATEMENT

N/A

ACTION:

ON MOTION of Supervisor Jacob, seconded by Supervisor Gaspar, the Board of Supervisors took action as recommended, on Consent, adopting Resolution No. 20-055, entitled: RESOLUTION OF THE COUNTY OF SAN DIEGO BOARD OF SUPERVISORS TRANSMITTING THE ANNUAL REPORT TO THE STATE DEPARTMENT OF TRANSPORTATION OF THE COUNTY'S MAINTAINED ROADS – 2020.

AYES: Cox, Jacob, Gaspar, Fletcher, Desmond

3. **SUBJECT: CLOSED SESSION (CARRYOVER FROM 05/19/20 AGENDA NO. 30)
(DISTRICTS: ALL)**

OVERVIEW

- A. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
(Paragraph (1) of subdivision (d) of Section 54956.9)
Michael Hartsell v. County of San Diego, et al.; United States District Court,
Southern District, No. 16-cv-1094-LAB-LL

B. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
(Paragraph (1) of subdivision (d) of Section 54956.9)
County of San Diego v. George Robert Sims; San Diego County Superior Court
No. 37-2019-00019184-CU-PA-CTL

ACTION:

County Counsel reported that for Closed Session on Wednesday, May 20, 2020, the Board of Supervisors took the following action:

Item 30B: County of San Diego v. George Robert Sims (Subrogation), with all five Board members voting "AYE," authorized County Counsel to accept \$50,000 to settle this lawsuit involving an automobile accident between Mr. Sims and a Deputy Sheriff.

4. SUBJECT: PUBLIC COMMUNICATION (DISTRICTS: ALL)

OVERVIEW

Due to the COVID-19 emergency, public comments on non-agenda items were received electronically and read into the record. The following individuals submitted comments:

Forest Smith provided comments to the Board regarding canceling rent.

Jason Hammes provided comments to the Board regarding reopening San Diego.

Michael Daniels provided comments to the Board regarding active COVID-19 cases in La Jolla.

William Gomez, Celine Lefevre, Li liu and Mike Donahue provided comments to the Board regarding reopening tennis courts.

ACTION:

Heard, Referred to the Chief Administrative Officer.

There being no further business, the Board adjourned at 9:29 a.m. in memory of Raul Carranza, Paul Jablonski, Dennis Pugh, and everyone in San Diego County who has passed due to COVID-19.

ANDREW POTTER
Clerk of the Board of Supervisors
County of San Diego, State of California

Consent: Santiago

Discussion: Zurita

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

Approved by the Board of Supervisors, on Wednesday June 3, 2020.



GREG COX
Chairman

Attest:



ANDREW POTTER
Clerk of the Board

05/20/2020