

May 22, 2019

STATEMENT OF PROCEEDINGS

The Minutes of the

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

COUNTY OF SAN DIEGO

STATEMENT OF PROCEEDINGS
COUNTY OF SAN DIEGO BOARD OF SUPERVISORS
REGULAR MEETING
MEETING AGENDA
WEDNESDAY, MAY 22, 2019, 9:00 AM
BOARD OF SUPERVISORS NORTH CHAMBER
1600 PACIFIC HIGHWAY, SAN DIEGO, CALIFORNIA

Order of Business

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

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

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 1, 2019.

ACTION:

ON MOTION of Supervisor Gaspar, seconded by Supervisor Desmond, the Board of Supervisors approved the Statement of Proceedings/Minutes for the meeting of May 1, 2019.

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.	SECOND CONSIDERATION AND ADOPTION OF ORDINANCE: NOTICED PUBLIC HEARING TO ADOPT RESOLUTIONS AND ORDINANCE FOR FORMATION OF COMMUNITY FACILITIES DISTRICT NO. 2019-02 (SWEETWATER PLACE MAINTENANCE) AND AUTHORIZE ACTION TO ESTABLISH SPECIAL TAX AND APPROPRIATIONS LIMIT (5/1/2019 - ADOPT RESOLUTIONS AND FIRST READING OF ORDINANCE; 5/22/2019 - SECOND READING OF ORDINANCE)

2. ESTABLISH APPROPRIATIONS, ADVERTISE AND AWARD A CONSTRUCTION CONTRACT FOR AVIATION ROAD SIDEWALK IMPROVEMENT PROJECT IN THE COMMUNITY OF FALLBROOK
[FUNDING SOURCE: COMMUNITY DEVELOPMENT BLOCK GRANT]
(4 VOTES)
3. TRAFFIC ADVISORY COMMITTEE (05/22/2019 - ADOPT RECOMMENDATIONS;
06/05/2019 - SECOND READING OF AN ORDINANCE)
4. SET A HEARING FOR 06/26/2019:
JAMUL - APPROVE ACQUISITION OF APPROXIMATELY 267 ACRES OF OPEN SPACE PRESERVE LAND (ENDANGERED HABITATS CONSERVANCY)
(5/22/2019 - SET HEARING; 6/26/2019 HOLD HEARING)
[FUNDING SOURCE: AVAILABLE PRIOR YEAR GENERAL FUND FUND BALANCE; DEPARTMENT OF PARKS AND RECREATION GENERAL PURPOSE REVENUE]
5. ADOPT A RESOLUTION AMENDING THE 2018 TRANSNET LOCAL STREET IMPROVEMENT PROGRAM OF PROJECTS FOR FISCAL YEARS 2018-19 THROUGH 2022-23
6. GENERAL SERVICES - ADOPT A RESOLUTION OF THE BOARD OF SUPERVISORS TO SUMMARILY VACATE CALLE VENTNER COURT IN THE EAST OTAY MESA AREA (VACATION NO. 2018-0348)
[FUNDING SOURCE: DEPOSIT FROM THE APPLICANT]
7. CARRIAGE HILL ESTATES OPEN SPACE AND ROAD EASEMENTS VACATION (PDS2019-VAC-19-001) IN THE SWEETWATER COMMUNITY PLAN AREA
8. 2018 MULTIPLE SPECIES CONSERVATION PROGRAM SOUTH COUNTY SUBAREA PLAN ANNUAL REPORT
9. PUBLIC COMMUNICATION

1. **SUBJECT: SECOND CONSIDERATION AND ADOPTION OF ORDINANCE: NOTICED PUBLIC HEARING TO ADOPT RESOLUTIONS AND ORDINANCE FOR FORMATION OF COMMUNITY FACILITIES DISTRICT NO. 2019-02 (SWEETWATER PLACE MAINTENANCE) AND AUTHORIZE ACTION TO ESTABLISH SPECIAL TAX AND APPROPRIATIONS LIMIT (5/1/2019 - ADOPT RESOLUTIONS AND FIRST READING OF ORDINANCE; 5/22/2019 - SECOND READING OF ORDINANCE) (DISTRICT: 2)**

OVERVIEW

On May 1, 2019 (2), the Board of Supervisors introduced the Ordinance for further Board consideration and adoption on May 22, 2019.

This is a request for the Board of Supervisors (Board) to hold a public hearing and take action to form a Community Facilities District (CFD). The proposed CFD will provide funding for community services through the levy of a special tax on property owners within the Sweetwater Place Community (Sweetwater Place). Today's hearing is the second step of a three-step CFD formation process, which is the adoption of a resolution of formation to form the district. The steps of the CFD formation process are: 1) adoption of a resolution of intention to initiate proceedings; 2) adoption of a resolution of formation to form the district; and 3) adoption of an ordinance to impose a special tax, if approved by a two-thirds vote of the qualified electors within the CFD. A qualified elector is either a property owner or registered voter within a proposed CFD; if the proposed community within the CFD boundary is uninhabited and owned by a single person, the State Mello-Roos Act specifies that the qualified elector is the sole property owner. The Board acted on step one on March 13, 2019 (2) and, if today's actions are approved, step three would occur on May 22, 2019.

On December 6, 2017 (3), the Board approved a General Plan Amendment and Tentative Map 5588 for Sweetwater Place (TM) to develop 122 detached residential units and a 2-acre public park on 18 acres of land located north of Jamacha Boulevard at Sweetwater Springs Boulevard, within the Spring Valley Community Plan area. A condition of project approval for the TM requires establishment of a CFD or other funding mechanism to provide funding for ongoing maintenance of the public park which will be constructed by KB Home (Developer).

The proposed CFD has been reviewed by staff and the total effective special tax rate was found to be in compliance with Board Policy I-136, *Comprehensive Goals and Policies for Community Facilities Districts*, which sets a maximum total effective tax rate of 1.86% of the estimated sales price of the residential homes. The Developer has agreed to fund interim maintenance of facilities until CFD funds are available. The Developer, as sole property owner, has submitted a consent and waiver that will allow for the ballots to be returned at today's hearing immediately upon Board adoption of the resolution calling for an election. The May 22, 2019 hearing then would be for the Board to conduct a second reading of the ordinance to adopt the new special tax, if approved by the property owner.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. Adopt (second reading) the ordinance entitled AN ORDINANCE OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO, LEVYING A SPECIAL TAX FOR THE FISCAL YEAR 2019-2020 AND FOLLOWING FISCAL YEARS SOLELY WITHIN AND RELATING TO THE COUNTY OF SAN DIEGO COMMUNITY FACILITIES DISTRICT NO. 2019-02 (SWEETWATER PLACE MAINTENANCE) (Attachment D, on file with the Clerk of the Board).
2. Direct the Auditor and Controller to establish a special revenue fund to be designated "SWEETWTR PL MAINT CFD 19-02 SPECIAL TAX" for Special Tax collected in CFD No. 2019-02, that is intended to fund overall Community Facilities District administration and maintenance of the facilities in Sweetwater Place by the Department of Parks and Recreation, with interest earnings allocated and distributed to the fund.
3. Establish an initial appropriations limit of \$250,000 in the SWEETWTR PL MAINT CFD 19-02 SPECIAL TAX fund.

FISCAL IMPACT

Funds for this request are not included in the Fiscal Year (FY) 2018-19 Operational Plan in Planning & Development Services or the Department of Parks and Recreation. All staff time and consultant costs incurred to establish and form the Sweetwater Place Maintenance Community Facilities District (CFD), estimated at \$50,000, will be funded by KB Home (Developer). The Developer is responsible for all County of San Diego and consultant costs incurred in the establishment and formation of this CFD and will provide additional funds as needed.

The Rate and Method of Apportionment of the Special Tax (RMA) sets forth the annual amount of special tax to be levied on each parcel in an amount sufficient to support the full cost of public services, including operations, maintenance and administrative costs, at the time of CFD formation and in future years. In FY 2019-20, when the special tax is scheduled to begin, the maximum annual special tax levy is projected to be \$983.89 per residence per year. The RMA also specifies an Undeveloped Special Tax of \$8,595 per acre for undeveloped land, levied on the Developer during construction phases, until all residential units are sold and homeowners begin to pay the CFD special tax. Additionally, consistent with Board Policy I-136, *Comprehensive Goals and Policies for Community Facilities Districts*, and B-29, *Fees, Grants, Revenue Contracts - Department Responsibility for Cost Recovery*, the CFD is projected to fully fund ongoing administration costs of the CFD, estimated at \$10,000 annually in 2019 dollars. The special tax will include annual adjustments estimated to fully offset any increases in maintenance services costs and ongoing administration costs of the CFD, including any staff, services, supplies, and the anticipated cost of repair and replacement of equipment for the public park.

Upon approval of this and associated items by the Board of Supervisors and approval of the special taxes by the property owners, the ongoing operations, maintenance and administration costs, and levying of the CFD special taxes are authorized to begin in FY 2019-20 and will be included in future Operational Plans. There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT

N/A

ACTION:

ON MOTION of Supervisor Gaspar, seconded by Supervisor Fletcher, the Board of Supervisors closed the Hearing and took action as recommended, on Consent, adopting Ordinance No. 10611 (N.S.), entitled: AN ORDINANCE OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO, LEVYING A SPECIAL TAX FOR THE FISCAL YEAR 2019-2020 AND FOLLOWING FISCAL YEARS SOLELY WITHIN AND RELATING TO THE COUNTY OF SAN DIEGO COMMUNITY FACILITIES DISTRICT NO. 2019-02 (SWEETWATER PLACE MAINTENANCE).

AYES: Cox, Jacob, Gaspar, Fletcher, Desmond

2. **SUBJECT: ESTABLISH APPROPRIATIONS, ADVERTISE AND AWARD A CONSTRUCTION CONTRACT FOR AVIATION ROAD SIDEWALK IMPROVEMENT PROJECT IN THE COMMUNITY OF FALLBROOK (DISTRICT: 5)**

OVERVIEW

On April 8, 2015 (08) the Board of Supervisors approved a grant for the Active Transportation Program (ATP) from the San Diego Association of Governments (SANDAG). As part of the ATP grant, a Pedestrian Gap Analysis was developed to identify locations where added sidewalks could enhance walkability in areas that attract large numbers of pedestrians. Locations were identified based on several factors including existence of sidewalk, pedestrian access, and community input.

The Aviation Road Sidewalk Improvement project will fill a sidewalk gap at a location identified in the Pedestrian Gap Analysis. The project will also construct new sidewalk and pedestrian ramps to enhance pedestrian safety, accessibility and walkability on Aviation Road, between South Wisconsin Street and South Mission Road. The Department of Public Works routinely looks for opportunities to apply for grant funding for sidewalk projects and was successful in obtaining a federal Community Development Block Grant (CDBG) to fund the project. The project will benefit the unincorporated community of Fallbrook by enhancing pedestrian safety, accessibility and walkability.

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 Aviation Road Sidewalk Improvement Project. Construction is scheduled to begin in fall 2019 and be completed by the end of 2019. The construction cost is estimated at \$125,000 including contingency, and the funding source is CDBG funds.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. Find that the Aviation Road Sidewalk Improvements Project is exempt from review under the California Environmental Quality Act (CEQA) pursuant to Section 15301 of the CEQA Guidelines because it involves the minor alteration of an existing public road involving negligible or no expansion of existing or former use.

2. Establish appropriations of \$125,000 in the Department of Public Works Road Fund Fiscal Year 2018-19 Detailed Work Program for the Aviation Road Sidewalk Improvements Project based on revenue from the Community Development Block Grant (\$125,000). (4 VOTES)
3. Authorize the Director of Purchasing and Contracting to advertise and award a construction contract and to take any action authorized by Section 401, et seq. of the Administrative Code, with respect to contracting for the Aviation Road Sidewalk Improvements 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.

FISCAL IMPACT

Funds for this request are not included in the Fiscal Year 2018-19 Operational Plan in the Department of Public Works Detailed Work Program. If approved, construction project costs are estimated at \$125,000 including contingency. The funding source is a Community Development Block Grant (\$125,000). There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT

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

ACTION:

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

AYES: Cox, Jacob, Gaspar, Fletcher, Desmond

3. **SUBJECT: TRAFFIC ADVISORY COMMITTEE (05/22/2019 - ADOPT RECOMMENDATIONS; 06/05/2019 - SECOND READING OF AN ORDINANCE) (DISTRICT: 2)**

OVERVIEW

As part of the Department of Public Works' 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 provide the residents in the unincorporated communities 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 three items from the March 8, 2019, meeting agenda:

Item 2-A would recertify the existing 45 MPH speed limit for radar enforcement on Los Coches Road from Julian Avenue to Highway 8 Business in Lakeside.

Item 2-B would reduce the existing 45 MPH speed limit to 40 MPH speed limit and certify the speed limit for radar enforcement on Oak Creek Road from Flinn Springs Road to Olde Highway 80 in Lakeside.

Item 2-C would recertify the existing 35 MPH speed limit for radar enforcement on Willow Road from State Route 67 to Wildcat Canyon Road/Ashwood Street in Lakeside.

Approval of Items 2-A, 2-B, and 2-C will support speed enforcement to increase roadway safety and retain 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 Items 2-A and 2-C do not require a second hearing and Board direction would be implemented on May 22, 2019.

The Board's action on Item 2-B would revise the San Diego County Code of Regulatory Ordinances (County Code) and would require two steps. On May 22, 2019, the Board would consider the TAC items. If the Board takes action on May 22, 2019, then on June 5, 2019, a second reading of an Ordinance amending Section 72.161.17.3 (Item 2B) of the County Code would be necessary to implement the Board's direction.

RECOMMENDATION(S)

TRAFFIC ADVISORY COMMITTEE

Item 2-A. Los Coches Road from Julian Avenue to Highway 8 Business in Lakeside - Recertify the existing 45 MPH speed limit for continued radar enforcement.

Item 2-B. Oak Creek Road from Flinn Springs Road to Olde Highway 80 in Lakeside - Reduce the 45 MPH speed limit to 40 MPH and certify the 40 MPH speed limit for radar enforcement.

Item 2-C. Willow Road from State Route 67 to Wildcat Canyon Road/Ashwood Street in Lakeside - Recertify the existing 35 MPH speed limit for continued radar 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 roadways, resulting in negligible or no expansion of existing or former use.
2. Adopt the Traffic Advisory Committee's recommendations.

3. Approve the introduction, read title, and waive further reading of the following Ordinance:
ORDINANCE AMENDING SECTION 72.161.17.3. OF THE SAN DIEGO COUNTY CODE RELATING TO SPEED LIMITS ON COUNTY MAINTAINED ROADS IN SAN DIEGO COUNTY (Item 2-B).

If, on May 22, 2019, the Board takes action as recommended, then, on June 5, 2019:
Consider and adopt the following Ordinance:

ORDINANCE AMENDING SECTION 72.161.17.3. OF THE SAN DIEGO COUNTY CODE RELATING TO SPEED LIMITS ON COUNTY MAINTAINED ROADS IN SAN DIEGO COUNTY (Item 2-B).

FISCAL IMPACT

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

BUSINESS IMPACT STATEMENT

N/A

ACTION:

ON MOTION of Supervisor Gaspar, seconded by Supervisor Fletcher, the Board of Supervisors took action as recommended, on Consent, introducing the Ordinance for further Board consideration and adoption on June 5, 2019.

AYES: Cox, Jacob, Gaspar, Fletcher, Desmond

4. **SUBJECT: SET A HEARING FOR 06/26/2019:
JAMUL - APPROVE ACQUISITION OF APPROXIMATELY 267
ACRES OF OPEN SPACE PRESERVE LAND (ENDANGERED
HABITATS CONSERVANCY) (5/22/2019 - SET HEARING; 6/26/2019
HOLD HEARING) (DISTRICT: 2)**

OVERVIEW

The Multiple Species Conservation Program (MSCP) is a regional conservation planning program initiated in 1998 to balance protection of habitat and species with recreation, development, and agricultural activities by acquiring, managing and monitoring open space lands. The MSCP is split into three major plan areas in the County: South County approved plan; and North County and East County draft plans. Since 1998, the County of San Diego (County) has acquired more than 22,000 acres of open space land for the MSCP in the three areas.

The County has identified an approximately 267-acre property (Property) in Jamul, within the South County MSCP, available for purchase. The Property provides a key wildlife linkage and contains habitat for the Hermes copper butterfly. The purchase of the Property involves two-steps. First, the Endangered Habitats Conservancy (EHC), a California nonprofit corporation, would acquire the Property from the current owner for its appraised value of \$1,068,000 using \$465,920 in grant funds and \$602,080 from the County. This allows the EHC to apply a grant awarded to them by SANDAG towards conservation of the property.

The County's contribution towards the purchase would require a second step that would transfer ownership of the Property to the County per a purchase agreement. EHC would manage the Property and the County would add the 267 acres to the South County MSCP.

Today's request requires two steps. On May 22, 2019, it is requested that the Board of Supervisors (Board) set a hearing for June 26, 2019 and provide public notice of the hearing. If the Board takes the actions recommended for May 22, 2019, then on June 26, 2019, after making the necessary findings, the Board is requested to approve the purchase of the Property, identified as Assessor Parcel Numbers 599-042-06, 599-051-19, 599-100-16, from EHC for \$602,080. The total one-time County cost, including property acquisition, staff time, transaction and land improvement, is \$829,080 in Fiscal Year 2018-19, based on available prior year General Fund fund balance. The Board is also requested to approve a Memorandum of Agreement with EHC to manage the Property using endowment funds of \$317,041 for the Property from a SANDAG grant through the San Diego Foundation.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

On May 22, 2019

1. Set a hearing for June 26, 2019 at which time the Board of Supervisors may consider approving the purchase of Assessor Parcel Numbers (APNs) 599-042-06, 599-051-19, and 599-100-16 from Endangered Habitats Conservancy for a County contribution of \$602,080 toward the appraised value of \$1,068,000.
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 22, 2019, the Board takes the actions recommended in Items 1-2 above, then on June 26, 2019:

1. Find that the proposed project is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines sections 15301, 15303, 15304, 15313, 15316 and 15325.
2. Approve the Purchase and Sale Agreement and Joint Escrow Instructions for the purchase of APNs 599-042-06, 599-051-19, 599-100-16 from the Endangered Habitats Conservancy for a County contribution of \$602,080 towards the appraised value of \$1,068,000.
3. Authorize the Director, Department of General Services, or designee, to execute two originals of the Purchase and Sale Agreement and Joint Escrow Instructions as well as all escrow and related documents necessary to complete the purchase of APNs 599-042-06, 599-051-19, 599-100-16.
4. Approve and authorize the Director, Department of Parks and Recreation, to execute a Memorandum of Agreement with the Endangered Habitats Conservancy for management of the Property and to take any actions necessary to administer the agreement.

FISCAL IMPACT

Funds for this request are included in the Fiscal Year 2018-19 Operational Plan for the Multiple Species Conservation Program (MSCP) Acquisitions Fund. This request will result in current year one-time costs for the Property of \$829,080 itemized as follows: \$602,080 for property acquisition; \$42,000 for staff time to complete the transaction; \$3,000 for closing and title costs; and \$182,000 in one-time land protection costs, including the preparation of a Resource Management Plan including associated biological and cultural surveys and a Vegetation Management Plan (\$145,000) and initial stewardship that includes access control and signage and structure demolition and debris removal (\$37,000). The funding source is available prior year General Fund fund balance.

Total annual costs for land monitoring and adaptive management are estimated at \$8,600. Fixed charge assessments are estimated at \$12 per year. If approved, total annual costs, estimated at \$8,612 will be incurred beginning in Fiscal Year 2019-20 and will be included in future Operational Plans. The funding source will be Department of Parks and Recreation General Purpose Revenue. There will be no additional staff years. In future years, if EHC should ever cease to manage the land, the County would bear this responsibility. The annual cost increase of \$11,000 would be funded by a grant-funded endowment that will benefit the Property.

BUSINESS IMPACT STATEMENT

N/A

ACTION:

ON MOTION of Supervisor Gaspar, seconded by Supervisor Fletcher, the Board of Supervisors took action as recommended, on Consent, setting a hearing for June 26, 2019.

AYES: Cox, Jacob, Gaspar, Fletcher, Desmond

5. **SUBJECT: ADOPT A RESOLUTION AMENDING THE 2018 TRANSNET LOCAL STREET IMPROVEMENT PROGRAM OF PROJECTS FOR FISCAL YEARS 2018-19 THROUGH 2022-23 (DISTRICTS: 1, 2, 3 & 5)**

OVERVIEW

TransNet is a half-cent transportation sales tax that San Diego voters approved to extend in 2004 to fund transportation improvements in the San Diego region. The San Diego Association of Governments (SANDAG) is responsible for administering the funds collected under TransNet and for integrating the TransNet projects, among other projects, into one long term regional transportation plan. SANDAG is also required by federal and state law to develop and approve a Regional Transportation Improvement Program (RTIP) for the region. The RTIP includes a list, or "program", of all transportation projects in the region that will receive federal, state, and local funds over a five-year period, including the special tax revenue from TransNet. A percentage of the funds collected under TransNet are distributed to local agencies through the TransNet Local Streets and Roads Program (LSR Program) based upon population and miles of road maintained within a jurisdiction. The County of San Diego (County) receives funds from the LSR Program and is required to provide SANDAG with a list of County projects to include in the RTIP every two years. Additionally, since the RTIP is a biennial program and because projects schedules and funding needs change over time for several reasons, the RTIP may be amended on a quarterly basis.

On March 14, 2018 (2), the Board of Supervisors adopted the County's biennial five-year TransNet Local Street Improvement Program of Projects for Fiscal Years 2018-19 through 2022-23 (2018 TransNet Program). The 2018 TransNet Program allocated \$98.7 million in County forecasted TransNet funding over the 5-year period for projects that relieve congestion, improve safety, and maintain roads in the unincorporated county. The County needs to amend its 2018 TransNet Program at this time to accommodate changes to project funding and schedules for projects on Bradley Avenue near El Cajon, Camino Del Rey in Bonsall, and Alpine Blvd in Alpine. SANDAG's RTIP schedule requires agencies submit proposed amendments to their RTIP that have been approved by their governing Boards, if changes are needed, by May 31, 2019.

Today's request is for the Board of Supervisors to adopt a resolution to amend the County of San Diego 2018 TransNet Local Street Improvement Program of Projects for Fiscal Years 2018-19 through 2022-23. Upon Board approval, the resolution will be submitted to SANDAG for approval as part of the planned 2018 RTIP amendment.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. Find that the recommended action to approve an amendment to the County 2018 TransNet Local Street Improvement Program of Projects 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 AMENDING THE 2018 TRANSNET LOCAL STREET IMPROVEMENT PROGRAM OF PROJECTS FOR FISCAL YEARS 2018-19 THROUGH 2022-23.
3. Direct that projects in the County 2018 TransNet Local Street Improvement Program of Projects along with road and bridge projects receiving federal and state funds, be integrated into the County element of the Regional Transportation Improvement Program for Fiscal Years 2018-19 through 2022-23.
4. Authorize the Director, Department of Public Works, to submit the amended County 2018 TransNet Local Street Improvement Program of Projects Resolution to SANDAG and the TransNet Independent Taxpayer Oversight Committee.

FISCAL IMPACT

There is no fiscal impact associated with these recommendations. Any necessary Fiscal Year 2018-19 appropriations for individual projects are included in the Department of Public Works, Road Fund, Operational Plan as approved by the Board of Supervisors. Additional appropriations needed for future projects will be brought before the Board of Supervisors 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

ACTION:

ON MOTION of Supervisor Gaspar, seconded by Supervisor Fletcher, the Board of Supervisors took action as recommended, on Consent, adopting Resolution No. 19-066, entitled: RESOLUTION OF THE SAN DIEGO COUNTY BOARD OF SUPERVISORS AMENDING THE 2018 TRANSNET LOCAL STREET IMPROVEMENT PROGRAM OF PROJECTS FOR FISCAL YEARS 2018-19 THROUGH 2022-23.

AYES: Cox, Jacob, Gaspar, Fletcher, Desmond

6. **SUBJECT: GENERAL SERVICES - ADOPT A RESOLUTION OF THE BOARD OF SUPERVISORS TO SUMMARILY VACATE CALLE VENTNER COURT IN THE EAST OTAY MESA AREA (VACATION NO. 2018-0348) (DISTRICT: 1)**

OVERVIEW

The Department of General Services, Real Estate Services Division is processing a request to summarily vacate Calle Ventner Court as dedicated to the public for use as a public street with appurtenant rights, subject to improvement, on Map No. 16280. Calle Ventner Court is an unimproved right-of-way that begins approximately 575 feet south of the intersection of Otay Mesa Road and Alta Road and runs east for approximately 300 feet ending in a cul-de-sac that does not provide through access. The right-of-way is located in the unincorporated East Otay Mesa area of the County within the Otay Community Plan Area.

Today's request is for the Board to approve and adopt a resolution to summarily vacate Calle Ventner Court. The road has not been constructed. It is not a roadway in the General Plan Mobility Element, and the right-of way has not been used for the installation of any facilities by a utility with franchise rights to use public streets. No property owner would be land-locked as a result of the proposed vacation. Therefore, this unimproved right-of-way may be found to be excess and summarily vacated in accordance with California Streets and Highways Code section 8334.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. Find the proposed action is not subject to review under California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines section 15060(c)(2) because the action does not have a direct or indirect effect on the environment as it will only result in the vacation of an unnecessary easement interest.
2. Approve and adopt the attached Resolution entitled: RESOLUTION OF THE BOARD OF SUPERVISORS TO SUMMARILY VACATE CALLE VENTNER COURT IN THE EAST OTAY MESA AREA (VACATION NO. 2018-0348).
3. Direct the Clerk of the Board to record the Resolution pursuant to California Streets and Highways Code section 8336.

FISCAL IMPACT

Funds for this request are included in the Fiscal Year 2018-19 Operational Plan in the Department of General Services. If approved, this request will result in estimated costs and revenue of \$3,000 to process the proposed vacation. The funding source is a deposit from the applicant. There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT

N/A

ACTION:

ON MOTION of Supervisor Gaspar, seconded by Supervisor Fletcher, the Board of Supervisors took action as recommended, on Consent, adopting Resolution No. 19-067, entitled: RESOLUTION OF THE BOARD OF SUPERVISORS TO SUMMARILY VACATE CALLE VENTNER COURT IN THE EAST OTAY MESA AREA (VACATION NO. 2018-0348).

AYES: Cox, Jacob, Gaspar, Fletcher, Desmond

7. **SUBJECT: CARRIAGE HILL ESTATES OPEN SPACE AND ROAD EASEMENTS VACATION (PDS2019-VAC-19-001) IN THE SWEETWATER COMMUNITY PLAN AREA (DISTRICT: 1)**

OVERVIEW

This is a request for the Board of Supervisors (Board) to summarily vacate existing easements and adopt the Environmental Findings for the Carriage Hill Estates Open Space and Road Easements Vacation project located at 5771 Sweetwater Road in Bonita. The easements requested to be vacated are associated with the approved Carriage Hill project (Tentative Map PDS2004-3100-5355, Major Use Permit PDS2004-3300-04-002, Rezone PDS2004-3600-04-021, Administrative Permit PDS2004-3000-04-059, and Environmental Log No. 04-18-001) and are listed on Sheet 9 of the approved Final Map for the Carriage Hill project (Map No. 16137, Attachment B).

The easements include six road easements and three open space easements for biological resources, a historic trash site, and historic landscaping. Five of the road easements will be vacated in their entirety, and one of the road easements will be partially vacated. The road easements are no longer required for street or highway purposes. The road easements are no longer required for street or highway purposes and do not contain existing in-use public facilities. Therefore, these road easements may be summarily vacated pursuant to Streets and Highways Code Section 8334(a). The biological resources open space easement has been superseded and replaced by a newer easement in the same location but with a slightly smaller footprint, and the historic resources easements have been determined to be excess by the easement holder. As there are no other public facilities located within the easements, the open space easements may be summarily vacated pursuant to Streets and Highways Code Section 8333(c). The summary vacation process (Streets and Highways Code Sections 8330 - 8336) allows the Board to vacate the easements without delay by adopting the resolution of vacation.

Attachment C contains the recorded easement documents for a biological resources open space easement and historical building easement that will remain in place on the Carriage Hill project site.

RECOMMENDATION(S)

DEPARTMENT OF PLANNING & DEVELOPMENT SERVICES

1. Adopt the environmental findings included in Attachment D, which refer to findings in accordance with Section 15162 of the California Environmental Quality Act (CEQA) Guidelines.
2. Adopt a Resolution entitled: RESOLUTION OF THE BOARD OF SUPERVISORS TO SUMMARILY VACATE ROAD AND OPEN SPACE EASEMENTS ON MAP NO. 16137, SWEETWATER COMMUNITY PLAN AREA (PDS2019-VAC-19-001) (Attachment E, on file with the Clerk of the Board).
3. Direct the Clerk of the Board to record the Resolution for PDS2019-VAC-19-001 pursuant to Streets and Highways Code Section 8336.

FISCAL IMPACT

N/A

BUSINESS IMPACT STATEMENT

N/A

ACTION:

ON MOTION of Supervisor Gaspar, seconded by Supervisor Fletcher, the Board of Supervisors took action as recommended, on Consent, adopting Resolution No. 19-068, entitled: RESOLUTION OF THE BOARD OF SUPERVISORS TO SUMMARILY VACATE ROAD AND OPEN SPACE EASEMENTS ON MAP NO. 16137, SWEETWATER COMMUNITY PLAN AREA (PDS2019-VAC-19-001).

AYES: Cox, Jacob, Gaspar, Fletcher, Desmond

8. **SUBJECT: 2018 MULTIPLE SPECIES CONSERVATION PROGRAM SOUTH COUNTY SUBAREA PLAN ANNUAL REPORT (DISTRICTS: ALL)**

OVERVIEW

The Multiple Species Conservation Program (MSCP) is a regional conservation planning program initiated in 1998 to balance protection of habitat and species with recreation, development, and agricultural activities within the San Diego region. The MSCP protects habitat and species through acquisition, management and monitoring of dedicated open space lands. Since 1998, the County of San Diego (County) has acquired approximately 22,000 acres of open space land for the MSCP in the approved South County Subarea, draft North County, and future East County Plan Areas. From 1998 through calendar year 2018, the County has spent a total of \$202 million, of which \$108 million is from County funding and \$94 million is from partnering organizations and grants.

On October 22, 1997 (1), the Board of Supervisors adopted the 50-year MSCP South County Subarea Plan (Subarea Plan), which includes unincorporated areas in the southwestern portion of the county. The associated Subarea Plan Implementing Agreement (IA) between the County, the California Department of Fish and Wildlife, and the United States Fish and Wildlife Service, collectively known as the Wildlife Agencies, became effective on March 17, 1998. Per the IA, the County prepares an annual report that includes information about habitat gained through acquisitions or dedications of open space, habitat lost as a result of development, and management and monitoring efforts performed to ensure success of the MSCP.

The 2018 MSCP South County Subarea Plan Annual Report (Annual Report) summarizes habitat gains and losses within the Subarea Plan boundaries for the period of January 1, 2018 through December 31, 2018. The Annual Report also includes a discussion of management and monitoring programs and funding sources used by the County.

In 2018, 705 acres of habitat were added to the Subarea Plan Preserve, increasing the Subarea Plan Preserve total to 78,565 acres. The 2018 habitat gains include 349 acres of County acquisitions, 89 acres of federal and state acquisitions, and 267 acres of land dedicated through mitigation from private development projects. In addition to land stewardship activities, the County also conducted monitoring for sensitive plant and animal species within the Subarea Plan boundaries.

Today's requested action is to receive the 2018 Annual Report.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. Find that the proposed Board action is exempt from provisions of the California Environmental Quality Act (CEQA) as it is not a project defined by CEQA Section 21065 and CEQA Guidelines Section 15378.
2. Receive the 2018 Multiple Species Conservation Program South County Subarea Plan Annual Report (Year 21) (Attachment A).

FISCAL IMPACT

There is no fiscal impact associated with the Board's acceptance of the 2018 MSCP South County Subarea Plan Annual Report. There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT

N/A

ACTION:

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

AYES: Cox, Jacob, Gaspar, Fletcher, Desmond

9. SUBJECT: PUBLIC COMMUNICATION (DISTRICTS: ALL)

OVERVIEW

Robert Germann spoke to the Board regarding Gillespie Field.

ACTION:

Heard, Referred to the Chief Administrative Officer.

There being no further business, the Board adjourned at 9:53 a.m. in memory of Elisabeth Ecke.

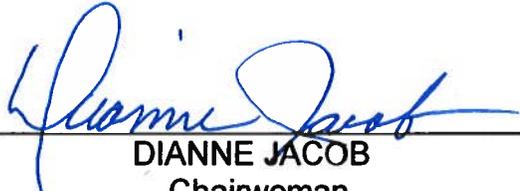
ANDREW POTTER
Clerk of the Board of Supervisors
County of San Diego, State of California

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 5, 2019.



DIANNE JACOB
Chairwoman

Attest:



ANDREW POTTER
Clerk of the Board

05/22/19