

**June 5, 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, JUNE 5, 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; Kristin Gaspar; Nathan Fletcher; Jim Desmond; also, Erin Demorest, Assistant Clerk of the Board of Supervisors.

ABSENT: Supervisor Greg Cox, Vice-Chairman

B. Closed Session Report

C. Public Communication: No Speakers

D. Approval of the Statement of Proceedings/Minutes for the meeting of May 22, 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 22, 2019.

AYES: Jacob, Gaspar, Fletcher, Desmond

ABSENT: Cox

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

- | <b>Agenda #</b> | <b>Subject</b>                                                                                                                                                                                                                                                                                                                                                                     |
|-----------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1.              | NOTICED PUBLIC HEARING:<br>SAN LUIS REY RIVER PARK - ACQUISITION OF APPROXIMATELY 8 ACRES FOR INCLUSION IN THE RIVER PARK AS OPEN SPACE AND POTENTIAL TRAIL CONNECTION (OCEAN BREEZE RANCH LLC) (5/1/2019 - SET HEARING; 6/5/2019 HOLD HEARING)<br>[FUNDING SOURCE: AVAILABLE PRIOR YEAR GENERAL FUND FUND BALANCE AND DEPARTMENT OF PARKS AND RECREATION GENERAL PURPOSE REVENUE] |
| 2.              | NOTICED PUBLIC HEARING:<br>RAMONA - ACQUISITION OF APPROXIMATELY 123 ACRES OF OPEN SPACE PRESERVE LAND FOR INCLUSION IN RAMONA GRASSLANDS (CARROLL FAMILY) (5/1/2019 - SET HEARING; 6/5/2019 HOLD HEARING)<br>[FUNDING SOURCE: AVAILABLE PRIOR YEAR GENERAL FUND FUND BALANCE AND DEPARTMENT OF PARKS AND RECREATION GENERAL PURPOSE REVENUE]                                      |
| 3.              | ADMINISTRATIVE ITEM:<br>SECOND CONSIDERATION AND ADOPTION OF ORDINANCE: TRAFFIC ADVISORY COMMITTEE (05/22/2019 - ADOPT RECOMMENDATIONS; 06/05/2019 - SECOND READING OF AN ORDINANCE)                                                                                                                                                                                               |
| 4.              | NOTICED PUBLIC HEARING TO ADOPT RESOLUTIONS AND ORDINANCE FOR FORMATION OF COMMUNITY FACILITIES DISTRICT NO. 2019-03 (PARK CIRCLE MAINTENANCE) AND AUTHORIZE ACTION TO ESTABLISH SPECIAL TAX AND APPROPRIATIONS LIMIT (6/5/2019 - ADOPT RESOLUTIONS AND FIRST READING OF ORDINANCE; 6/26/2019 - SECOND READING OF ORDINANCE)                                                       |
| 5.              | AUTHORIZATION TO ADVERTISE AND AWARD A CONTRACT FOR CONSTRUCTION OF AMMUNITION ROAD SIDEWALK IMPROVEMENTS IN FALLBROOK<br>[FUNDING SOURCE: OPERATING TRANSFER FROM THE DPW GENERAL FUND TO THE ROAD FUND BASED ON AVAILABLE GENERAL FUND FUND BALANCE]                                                                                                                             |
| 6.              | ADVERTISE AND AWARD A CONSTRUCTION CONTRACT FOR GUARDRAIL MAINTENANCE IN VALLEY CENTER, FALLBROOK, PINE VALLEY AND SAN DIEGUITO<br>[FUNDING SOURCE: PRIOR YEAR AVAILABLE ROAD FUND FUND BALANCE]                                                                                                                                                                                   |

7. SET A HEARING FOR 06/26/2019:  
NOTICED PUBLIC HEARING:  
PUBLIC HEARING AND CONFIRMATION OF LEVIES FOR MOSQUITO,  
VECTOR, AND DISEASE CONTROL BENEFIT ASSESSMENT AND MOSQUITO  
ABATEMENT AND VECTOR CONTROL SERVICE CHARGE FOR FISCAL YEAR  
2019-20  
[FUNDING SOURCES: MOSQUITO, VECTOR AND DISEASE CONTROL  
BENEFIT ASSESSMENT, MOSQUITO ABATEMENT AND VECTOR CONTROL  
SERVICE CHARGE, AVAILABLE VECTOR CONTROL DISTRICT TRUST FUND  
FUND BALANCE, AND INCOME FROM INTEREST AND OTHER SERVICE  
CONTRACTS]

**1. SUBJECT: NOTICED PUBLIC HEARING:  
SAN LUIS REY RIVER PARK - ACQUISITION OF APPROXIMATELY  
8 ACRES FOR INCLUSION IN THE RIVER PARK AS OPEN SPACE  
AND POTENTIAL TRAIL CONNECTION (OCEAN BREEZE RANCH  
LLC) (5/1/2019 - SET HEARING; 6/5/2019 HOLD HEARING)  
(DISTRICT: 5)**

**OVERVIEW**

On May 1, 2019 (08), the Board of Supervisors set a Hearing for June 5, 2019.

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. Since 1998, the County of San Diego (County) has acquired approximately 22,000 acres of open space land for the MSCP in three plan areas. In North County, much of the planned 9-mile long San Luis Rey River Park (River Park) lies within the Pre-Approved Mitigation Area (PAMA) which consists of high-quality habitat that can support sensitive species.

The County has identified approximately 8 acres (Property) in the Bonsall area available to add to the River Park. The Property is in the MSCP Draft North County Plan PAMA and is located south of State Route 76 near its intersection with Gird Road. The Property is situated near the northern boundary of two parcels owned by the seller and is approximately 1½ miles long and at least 20 feet wide. It connects existing River Park land located east and west of the Property. Subject to future funding and environmental review, the Property could potentially provide a trail connection to future trails in the River Park.

Today's request requires two steps. On May 1, 2019 it is requested that the Board set a hearing for June 5, 2019 and provide public notice of the hearing. If the Board takes the actions recommended for May 1, 2019, then on June 5, 2019, after making the necessary findings, the Board is requested to approve the purchase of the Property, consisting of a portion of Assessor's Parcel Numbers (APNs) 124-150-34 and 124-150-35, and a trail easement over a portion of APNs 124-150-35 and 125-131-54 from Ocean Breeze Ranch LLC, a Delaware limited liability company, for the total appraised value of \$403,500 based on budgeted appropriations of available prior year General Fund fund balance in the MSCP Acquisition Fund. With staff, transaction and land improvement costs, the total capital project cost is \$484,500.

**RECOMMENDATION(S)**

**CHIEF ADMINISTRATIVE OFFICER**

1. Find that the proposed project is exempt from the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines sections 15317 and 15325.
2. Approve the Purchase and Sale Agreement and Joint Escrow Instructions for the purchase of APNs 124-150-34 (portion) and 124-150-35 (portion) and a 0.05 trail easement over a portion of APNs 124-150-35 and 125-131-54 at the appraised value of \$403,500.

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 124-150-34 (portion) and 124-150-35 (portion) and a trail easement over a portion of APNs 124-150-35 and 125-131-54.

### **FISCAL IMPACT**

Funds for this request are included in the Fiscal Year 2018-19 Operational Plan in the Multiple Species Conservation Program (MSCP) Acquisition Fund. This request will result in current year costs for the Property of \$484,500 itemized as follows: \$403,500 for property acquisition, \$63,000 for staff time and appraisal reports to complete the transaction; \$2,000 for closing and title costs; and \$16,000 in one-time land protection costs, including initial stewardship to provide erosion control measures. The funding source is available prior year General Fund fund balance.

Total annual costs for land monitoring and adaptive management of the Property are estimated at \$5,000. Fixed charge assessments are estimated at \$260. If approved, total annual costs estimated at \$5,260 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 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.

AYES: Jacob, Gaspar, Fletcher, Desmond

ABSENT: Cox

2. **SUBJECT: NOTICED PUBLIC HEARING:  
RAMONA - ACQUISITION OF APPROXIMATELY 123 ACRES OF  
OPEN SPACE PRESERVE LAND FOR INCLUSION IN RAMONA  
GRASSLANDS (CARROLL FAMILY) (5/1/2019 - SET HEARING;  
6/5/2019 HOLD HEARING) (DISTRICT: 2)**

### **OVERVIEW**

On May 1, 2019 (12), the Board of Supervisors set a Hearing for June 5, 2019.

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. 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 three plan areas: South, North and East. From 1998 through 2018, the County has spent a total of \$202 million, of which \$108 million is from County funding and \$94 million from partnering organizations and grants. The MSCP acreage includes the

3,490-acre Ramona Grasslands Preserve, which the County began to acquire in 2004 and is in both the South and North MSCP plan areas.

The County has identified approximately 123 acres in Ramona (Property) available to add to the north side of Ramona Grasslands Preserve. The Property is located north of Old Survey Road No. 97 and east of Bandy Canyon Road. It is within the MSCP South County Plan Pre-Approved Mitigation Area (PAMA) that includes high quality habitat which can support sensitive species. Subject to future funding and environmental review, the Property could potentially provide an extension of Old Survey Road 97 trail or a community trail connection to the regional Coast to Crest Trail located approximately one mile to the north.

Today's request requires two steps. On May 1, 2019 it is requested that the Board set a hearing for June 5, 2019 and provide public notice of the hearing. If the Board takes the actions recommended for May 1, 2019, then on June 5, 2019, after making the necessary findings, the Board is requested to approve the purchase of the Property identified as Assessor's Parcel Number 276-050-29 from the Carroll Family, vested as described in the background below, at the appraised value of \$950,000 based on budgeted appropriations of available prior year General Fund fund balance in the Capital MSCP Acquisition Fund. With staff, transaction and land improvement costs, the total project cost in Fiscal Year 2018-19 is \$1,174,500.

#### **RECOMMENDATION(S)**

##### **CHIEF ADMINISTRATIVE OFFICER**

1. Find that the proposed project is exempt from the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines sections 15303, 15304 and 15325.
2. Approve the Purchase and Sale Agreement and Joint Escrow Instructions for the purchase of APN 276-050-29 from the Carroll Family for the appraised value of \$950,000.
3. Authorize the Director, Department of General Services, or designee, to execute all escrow and related documents necessary to complete the purchase of APN 276-050-29.

#### **FISCAL IMPACT**

Funds for this request are included in the Fiscal Year 2018-19 Operational Plan in the Multiple Species Conservation Program (MSCP) Acquisition Fund. This request will result in current year costs for the Property of \$1,174,500 itemized as follows: \$950,000 for property acquisition, \$41,000 for staff time and appraisal reports to complete the transaction; \$3,500 for closing and title costs; and \$180,000 in one-time land protection costs, including biological and cultural baseline surveys of the property that will be used to determine the extent of biological resources onsite and to update the Ramona Grassland Preserve Resource Management Plan (\$143,000) and initial stewardship consisting of signage, surveying, access control and vegetation management (\$37,000). The funding source is available prior year General Fund fund balance.

Total annual costs for land monitoring and adaptive management of the Property are estimated at \$25,695. Fixed charge assessments are estimated at \$5.00. If approved, total annual costs, estimated at \$25,700 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 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.

AYES: Jacob, Gaspar, Fletcher, Desmond

ABSENT: Cox

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

**OVERVIEW**

On May 22, 2019 (3), the Board of Supervisors introduced the Ordinance for further Board consideration and adoption on June 5, 2019.

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**

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, adopting Ordinance No. 10613 (N.S.), entitled: 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).

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

**4. SUBJECT: NOTICED PUBLIC HEARING TO ADOPT RESOLUTIONS AND ORDINANCE FOR FORMATION OF COMMUNITY FACILITIES DISTRICT NO. 2019-03 (PARK CIRCLE MAINTENANCE) AND AUTHORIZE ACTION TO ESTABLISH SPECIAL TAX AND APPROPRIATIONS LIMIT (6/5/2019 - ADOPT RESOLUTIONS AND FIRST READING OF ORDINANCE; 6/26/2019 - SECOND READING OF ORDINANCE) (DISTRICT: 5)**

**OVERVIEW**

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 ongoing operations and maintenance of a 2.6-acre public park through the levy of a special tax on property owners within the Park Circle Community (Park Circle). Today's hearing is the second step of a three-step CFD formation process. 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 May 1, 2019 (9); and, if today's actions are approved, step three would occur on June 26, 2019.

On October 25, 2017 (1), the Board approved a Tentative Map 5603 (TM) for the Park Circle project to develop 332 single-family residential units and a 2.6-acre public park on 73.9 acres of land located at the northwest intersection of Valley Center Road and Mirar De Valle Road within the South Village of the Valley Center 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 VTL Valley Center Ranch, LLC (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 total effective tax rate in the CFD will be 1.51%. 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 June 26, 2019 hearing then would be for the Board to conduct a second reading of the ordinance to adopt the new special tax if the Board elects to introduce the ordinance at today's hearing.

**RECOMMENDATION(S)**  
**CHIEF ADMINISTRATIVE OFFICER**

On June 5, 2019:

1. Find that the Board of Supervisors (Board) has reviewed and considered the information contained in the County of San Diego (County) General Plan Update (GPU) Program Environmental Impact Report (EIR), dated August 3, 2011, State Clearinghouse Number 2002111067, on file with Planning & Development Services (PDS) as Environmental Review Number 02-ZA-001; the Park Circle Mixed-Use Development Environmental Review and 15183 Checklist, dated October 25, 2017, on file with PDS; and the Park Circle Community Facilities District Environmental Review and 15183 Checklist, dated March 2019, prior to the Board's recommendation on the formation of Park Circle Community Facilities District. The Park Circle Community Facilities District project has been reviewed in compliance with the California Environmental Quality Act (CEQA) and is exempt from additional environmental review pursuant to CEQA Guidelines Section 15183.
2. Find that the currently proposed actions are consistent with the activities contemplated and analyzed in the County GPU Program EIR; that there are no changes in the project or in the circumstances under which it is undertaken that would result in significant environmental impacts beyond those considered in the GPU Program EIR, and that no new information of substantial importance has become available since the EIR was found to be exempt (CEQA Guidelines Section 15183).
3. Adopt a Resolution entitled: RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO FORMING AND ESTABLISHING COMMUNITY FACILITIES DISTRICT NO. 2019-03 (PARK CIRCLE MAINTENANCE) AND AUTHORIZING SUBMITTAL OF THE LEVY OF SPECIAL TAXES TO THE QUALIFIED ELECTORS OF SUCH COMMUNITY FACILITIES DISTRICT (Attachment A, on file with the Clerk of the Board).
4. Adopt a Resolution entitled: RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO CALLING A SPECIAL ELECTION AND SUBMITTING TO THE VOTERS OF COUNTY OF SAN DIEGO COMMUNITY FACILITIES DISTRICT NO. 2019-03 (PARK CIRCLE MAINTENANCE) PROPOSITIONS REGARDING THE ANNUAL LEVY OF SPECIAL TAXES WITHIN THE COMMUNITY FACILITIES DISTRICT TO FINANCE PARK MAINTENANCE AND PARK SERVICES THEREIN AND THE ESTABLISHMENT OF AN APPROPRIATIONS LIMIT (Attachment B, on file with the Clerk of the Board).
5. Adopt a Resolution entitled: RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO DECLARING THE RESULTS OF THE SPECIAL ELECTIONS FOR COUNTY OF SAN DIEGO COMMUNITY FACILITIES DISTRICT NO. 2019-03 (PARK CIRCLE MAINTENANCE) ON THE PROPOSITIONS WITH RESPECT TO (i) THE ANNUAL LEVY OF SPECIAL TAXES, AND (ii) THE ESTABLISHMENT OF AN APPROPRIATIONS LIMIT AND AUTHORIZING THE RECORDATION OF THE NOTICE OF SPECIAL TAX LIEN (Attachment C, on file with the Clerk of the Board).

6. Approve introduction (first reading), read title and waive further reading of 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. 2019-03 (PARK CIRCLE MAINTENANCE) (Attachment D, on file with the Clerk of the Board).

If on June 5, 2019, the Board takes the recommended actions and the Clerk of the Board certifies the election results supporting the imposition of a special tax, then on June 26, 2019, the Board will:

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. 2019-03 (PARK CIRCLE 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 "PARK CIR MAINT CFD 19-03 SPECIAL TAX" for Special Tax collected in Community Facilities District (CFD) No. 2019-03, that is intended to fund overall Community Facilities District administration and maintenance of the facilities in Park Circle by the Department of Parks and Recreation, with interest earnings allocated and distributed to the fund.
3. Establish an initial appropriations limit of \$525,000 in the PARK CIR MAINT CFD 19-03 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 Park Circle Maintenance Community Facilities District (CFD), estimated at \$50,000, will be funded by VTL Valley Center Ranch, LLC (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 \$781.74 per residence per year. The RMA also specifies an Undeveloped Special Tax of \$8,878.08 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, the amount of the CFD special tax is consistent with Board of Supervisors (Board) Policies I-136, *Comprehensive Goals and Policies for Community Facilities Districts*, and B-29, *Fees, Grants, Revenue Contracts - Department Responsibility for Cost Recovery*, and is projected to fully fund ongoing administration costs for the CFD, estimated at \$20,000 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 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 4.1:**

ON MOTION of Supervisor Gaspar, seconded by Supervisor Fletcher, the Board of Supervisors closed the Hearing and took action as recommended, adopting the following:

1. Conducted a public hearing for protest regarding the formation of Community Facilities District No. 2019-03 (Park Circle Maintenance).
2. Directed the Clerk of the Board at the conclusion of the public hearing to tabulate all valid ballots received and certify election results.
3. Found that the Board of Supervisors (Board) has reviewed and considered the information contained in the County of San Diego (County) General Plan Update (GPU) Program Environmental Impact Report (EIR), dated August 3, 2011, State Clearinghouse Number 2002111067, on file with Planning & Development Services (PDS) as Environmental Review Number 02-ZA-001; the Park Circle Mixed-Use Development Environmental Review and 15183 Checklist, dated October 25, 2017, on file with PDS; and the Park Circle Community Facilities District Environmental Review and 15183 Checklist, dated March 2019, prior to the Board's recommendation on the formation of Park Circle Community Facilities District. The Park Circle Community Facilities District project has been reviewed in compliance with the California Environmental Quality Act (CEQA) and is exempt from additional environmental review pursuant to CEQA Guidelines Section 15183.
4. Found that the currently proposed actions are consistent with the activities contemplated and analyzed in the County GPU Program EIR; that there are no changes in the project or in the circumstances under which it is undertaken that would result in significant environmental impacts beyond those considered in the GPU Program EIR, and that no new information of substantial importance has become available since the EIR was found to be exempt (CEQA Guidelines Section 15183).
5. Resolution No. 19-078, entitled: RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO FORMING AND ESTABLISHING COMMUNITY FACILITIES DISTRICT NO. 2019-03 (PARK CIRCLE MAINTENANCE) AND AUTHORIZING SUBMITTAL OF THE LEVY OF SPECIAL TAXES TO THE QUALIFIED ELECTORS OF SUCH COMMUNITY FACILITIES DISTRICT;

6. Resolution No. 19-079 entitled: RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO CALLING A SPECIAL ELECTION AND SUBMITTING TO THE VOTERS OF COUNTY OF SAN DIEGO COMMUNITY FACILITIES DISTRICT NO. 2019-03 (PARK CIRCLE MAINTENANCE) PROPOSITIONS REGARDING THE ANNUAL LEVY OF SPECIAL TAXES WITHIN THE COMMUNITY FACILITIES DISTRICT TO FINANCE PARK MAINTENANCE AND PARK SERVICES THEREIN AND THE ESTABLISHMENT OF AN APPROPRIATIONS LIMIT;

AYES: Jacob, Gaspar, Fletcher, Desmond

ABSENT: Cox

**ACTION 4.2:**

Noting for the record that at the conclusion of the public hearing on June 5, 2019, there was not a majority protest; ON MOTION of Supervisor Gaspar, seconded by Supervisor Fletcher, the Board of Supervisors took action as recommended, adopting the following:

7. Resolution No. 19-080 entitled: RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO DECLARING THE RESULTS OF THE SPECIAL ELECTIONS FOR COUNTY OF SAN DIEGO COMMUNITY FACILITIES DISTRICT NO. 2019-03 (PARK CIRCLE MAINTENANCE) ON THE PROPOSITIONS WITH RESPECT TO (i) THE ANNUAL LEVY OF SPECIAL TAXES, AND (ii) THE ESTABLISHMENT OF AN APPROPRIATIONS LIMIT AND AUTHORIZING THE RECORDATION OF THE NOTICE OF SPECIAL TAX LIEN; and,
8. Introduced the Ordinance for further Board consideration and adoption on June 26, 2019.

AYES: Jacob, Gaspar, Fletcher, Desmond

ABSENT: Cox

5. **SUBJECT: AUTHORIZATION TO ADVERTISE AND AWARD A CONTRACT FOR CONSTRUCTION OF AMMUNITION ROAD SIDEWALK IMPROVEMENTS IN 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. As part of the ATP grant, a Pedestrian Gap Analysis was developed to identify locations where added sidewalk 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 Ammunition Road Sidewalk Improvements 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 Ammunition Road in the unincorporated community of Fallbrook.

This is a request to approve the advertisement and subsequent award of a construction contract to the lowest responsive and responsible bidder for the Ammunition Road Sidewalk Improvements Project. Construction is scheduled to begin fall 2019 and be completed by the end of 2019. The construction cost is estimated at \$225,000, including contingencies and the funding source is an operating transfer from the General Fund to the Road Fund based on available General Fund fund balance.

**RECOMMENDATION(S)**

**CHIEF ADMINISTRATIVE OFFICER**

1. Find that the Ammunition Road Sidewalk Improvements 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 road involving negligible or no expansion of an existing or former use.
2. 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 Ammunition Road Sidewalk Improvements Project.
3. Designate the Director, Department of Public Works, as County Officer responsible for administering the construction contract, in accordance with Board Policy F-41, Public Works Construction Projects.

**FISCAL IMPACT**

Funds for this request are included in the Fiscal Year 2018-19 Operational Plan in the Department of Public Works (DPW) Road Fund Detailed Work Program. If approved, construction project costs are estimated at \$225,000, including contingencies. The funding source is an operating transfer from the DPW General Fund to the Road Fund based on available General Fund fund balance. There will be no additional staff years.

**BUSINESS IMPACT STATEMENT**

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

**ACTION:**

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

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

6. **SUBJECT: ADVERTISE AND AWARD A CONSTRUCTION CONTRACT FOR GUARDRAIL MAINTENANCE IN VALLEY CENTER, FALLBROOK, PINE VALLEY AND SAN DIEGUITO (DISTRICTS: 2, 3 & 5)**

**OVERVIEW**

The County of San Diego (County) Department of Public Works (DPW) maintains a guardrail maintenance program for the nearly 2,000 center line miles of roads, or 4,000 lane miles of roads, in the unincorporated region. Guardrails are installed to enhance safety by preventing

motorists from leaving the roadway. DPW has developed a list of guardrail replacement and repair locations in Valley Center, Fallbrook, Pine Valley, and San Dieguito. Proper maintenance of guardrails enhances the safety of County roads by reducing the severity of a potential crash by preventing motorists from leaving the road. Guardrails are repaired or replaced along roads where guardrails have been identified through field reviews and condition assessments as damaged or where there is a need to upgrade to meet current guardrail design standards.

This is a request to approve the advertisement and subsequent award of a construction contract to the lowest responsive and responsible bidder for repair and replacement of segments of guardrail in Valley Center, Fallbrook, Pine Valley, and San Dieguito. If approved Construction would be scheduled to begin in fall 2019 and be complete by the end of 2019. The construction cost is estimated at \$300,000, including contingency, and the funding source is prior year available Road Fund fund balance.

### **RECOMMENDATION(S)**

#### **CHIEF ADMINISTRATIVE OFFICER**

1. Find that the proposed project is exempt from California Environmental Quality Act (CEQA) as specified under Section 15301 of the State CEQA Guidelines because this project consists of the advertisement and award of a contract to allow for repair and replacement of existing guardrails involving negligible or no expansion of existing uses.
2. Authorize the Director, Department of Purchasing and Contracting, to take any action necessary to advertise and award a contract and to take other actions authorized by Section 401 et seq. of the Administrative Code with respect to contracting for the guardrail in Valley Center, Fallbrook, Pine Valley, and San Dieguito project.
3. Designate the Director, Department of Public Works, as County Officer responsible for administering the construction contract, in accordance with Board Policy F-41, Public Works Construction Projects.

### **FISCAL IMPACT**

Funds for this request are included in the Fiscal Year 2018-19 Operational Plan in the Department of Public Works Detailed Work Program. If approved, construction project costs are estimated at \$300,000 including contingency. The funding source is prior year available Road Fund fund balance (\$300,000). 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.

### **ACTION:**

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

AYES: Jacob, Gaspar, Fletcher, Desmond

ABSENT: Cox

7. **SUBJECT: SET A HEARING FOR 06/26/2019:  
NOTICED PUBLIC HEARING:  
PUBLIC HEARING AND CONFIRMATION OF LEVIES FOR  
MOSQUITO, VECTOR, AND DISEASE CONTROL BENEFIT  
ASSESSMENT AND MOSQUITO ABATEMENT AND VECTOR  
CONTROL SERVICE CHARGE FOR FISCAL YEAR 2019-20  
(DISTRICTS: ALL)**

**OVERVIEW**

The Department of Environmental Health's (DEH) Vector Control Program (VCP) protects residents and visitors from health risks associated with vectors, such as mosquitoes, rodents and ticks that can transmit vector-borne diseases such as West Nile virus, Zika, dengue, plague, hantavirus, Lyme disease and tularemia. Title 6, Chapter 2, San Diego County Code of Regulatory Ordinances defines "vector" to mean an animal capable of transmitting the causative agent of human disease. "Vector" also includes eye gnats. The VCP conducts mosquito abatement throughout the region, performs surveillance and testing of vectors that can cause human disease, and educates the public on actions to prevent vectors, protect themselves from vectors, and report breeding sources.

The introduction and establishment of two invasive mosquitoes *Aedes aegypti* and *Aedes albopictus* (Aedes) in San Diego county, in 2014 and 2015 respectively, has presented an increased risk to public health with unique surveillance and control challenges. Unlike native mosquitoes, Aedes live and breed in urbanized areas, including inside homes and backyards, as well as in underground utility vaults and plant saucers. Their eggs can survive without water for several months. Aedes mosquitoes can transmit tropical diseases, including Zika, chikungunya, dengue and yellow fever. There has not been a local transmission of these tropical diseases in the San Diego region. A local transmission could occur when travelers with these diseases enter the county and are bitten by Aedes mosquitoes. The mosquito can then transmit the disease to another individual through their bite.

Native salt marsh mosquitoes associated with tidal areas, such as lagoons and marshes, may not transmit human disease but can negatively impact the public's quality of life by being aggressive biters. Tidal areas also present mosquito control challenges after high tide events which result in depressions that are normally dry, holding water and becoming sources of mosquito breeding.

Extremely high tides, known as king tides, result in even greater impacts to the community due to expansive areas holding water and breeding mosquitoes which require timely surveillance and treatments. DEH has determined an increase in the Mosquito, Vector, and Disease Control Benefit Assessment is necessary to maintain service level and support program planning, analysis of program data, investigation of unique breeding sources such as underground utility vaults and storm drains, and ensure availability of supplies for monitoring and control activities to provide timely investigations, monitoring, and treatments to reduce the risk to public health.

On June 20, 2018 (3), the Board of Supervisors (Board) approved the levy of assessments for the Mosquito, Vector, and Disease Control Benefit Assessment for Fiscal Year 2018-19. According to Article XIID of the State Constitution (Proposition 218), approved by the California voters in November 1996, property owners may approve a benefit assessment through a mail ballot measure and in subsequent years, the governing body may continue or adjust the levy on properties within the limitations set by the ballot measure.

This is a request to adopt a Resolution to approve the Engineer's Report which establishes the services to be funded and the costs for the services funded by the assessments for the fiscal year, confirm the assessment diagram and assessment, and order the levy of assessments for the Mosquito, Vector, and Disease Control Benefit Assessment for Fiscal Year 2019-20. The proposed single family equivalent dwelling rate is \$8.37 which is a 5.5% increase from the adopted rate of \$7.93 for Fiscal Year 2018-19. The Board is also being asked to approve a Resolution confirming the levy for Mosquito Abatement and Vector Control Service Charge which was adopted by the Board prior to Proposition 218. The existing service charge for Fiscal Year 2018-19 would be levied within the authorized rate structure with no change in the rates of \$3.00 (Coastal Subregion), \$2.28 (Inland Suburban Subregion), and \$2.28 (Inland Rural Subregion).

Today's actions would also correct the unintended deletion of two definitions from the County Code in April of 2018.

Upon adoption, the Mosquito, Vector, and Disease Control Benefit Assessment and the Mosquito Abatement and Vector Control Service Charge will be placed on the tax roll for Fiscal Year 2019-20.

#### **RECOMMENDATION(S)**

#### **CHIEF ADMINISTRATIVE OFFICER**

On June 5, 2019:

1. Find in accordance with Section 21080(b)(8) of the Public Resources Code and Section 15273 of the California Environmental Quality Act (CEQA) Guidelines that this action is exempt from CEQA, because it modifies and approves a charge to meet the operating expenses and necessary financial reserves for an existing program, specifically the County Vector Control Program as described herein and in the Engineer's Report.
2. Adopt a Resolution entitled: RESOLUTION OF THE SAN DIEGO COUNTY BOARD OF SUPERVISORS APPROVING ENGINEER'S REPORT, CONFIRMING ASSESSMENT DIAGRAM AND ASSESSMENT AND ORDERING THE CONTINUATION OF ASSESSMENTS FOR FISCAL YEAR 2019-20 FOR THE SAN DIEGO COUNTY VECTOR CONTROL PROGRAM'S MOSQUITO, VECTOR AND DISEASE CONTROL BENEFIT ASSESSMENT.
3. Adopt a Resolution entitled: RESOLUTION OF THE SAN DIEGO COUNTY BOARD OF SUPERVISORS EXERCISING THE POWERS OF THE MOSQUITO ABATEMENT AND VECTOR CONTROL DISTRICT ADOPTING SERVICE CHARGES AND CONFIRMING REPORTS REGARDING LEVIES TO BE COLLECTED ON THE TAX ROLL FOR FISCAL YEAR 2019-20.

4. Set a hearing for June 26, 2019 for consideration and adoption of an Ordinance correcting a typographical error affecting Section 64.202 of the San Diego County Code of Regulatory Ordinances.
5. Approve the introduction of the Ordinance, (first reading), read title and waive further reading of an Ordinance entitled: ORDINANCE AMENDING SECTION 64.202 OF THE SAN DIEGO COUNTY CODE OF REGULATORY ORDINANCES TO CORRECT A TYPOGRAPHICAL ERROR

If, on June 5, 2019 the Board takes the actions recommended in items 4 and 5 above then, on June 26, 2019:

Consider and adopt the Ordinance correcting the typographical error affecting Section 64.202 of the County Code of Regulatory Ordinances (second reading).

#### **FISCAL IMPACT**

Funds for these recommendations are not included in the Fiscal Year 2018-19 Operational Plan in the Department of Environmental Health. Appropriations, revenue and a proposed increase of 2.00 staff years for these requests are included in the Fiscal Year 2019-20 CAO Recommended Operational Plan in the Department of Environmental Health. If approved, the proposed actions will result in increased costs and revenue totaling \$12.1 million. The funding sources are the Mosquito, Vector and Disease Control Benefit Assessment (\$7.8 million), Mosquito Abatement and Vector Control Service Charge (\$2.5 million), available Vector Control District Trust Fund fund balance (\$1.7 million), and income from interest and other service contracts (\$0.1 million). Subsequent years' assessments will be based on the Vector Control Program budget, approved annually by the Board of Supervisors, and included in future Operational Plans.

#### **BUSINESS IMPACT STATEMENT**

Mosquitoes and other vectors hinder, annoy, and harm residents, businesses, and visitors. A vector-borne disease outbreak and other related public health risks would have a negative effect on agriculture, business, tourism, and residential activities in the county.

#### **ACTION:**

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

Resolution No. 19-081 entitled: RESOLUTION OF THE SAN DIEGO COUNTY BOARD OF SUPERVISORS APPROVING ENGINEER'S REPORT, CONFIRMING ASSESSMENT DIAGRAM AND ASSESSMENT AND ORDERING THE CONTINUATION OF ASSESSMENTS FOR FISCAL YEAR 2019-20 FOR THE SAN DIEGO COUNTY VECTOR CONTROL PROGRAM'S MOSQUITO, VECTOR AND DISEASE CONTROL BENEFIT ASSESSMENT;

Resolution No. 19-082 entitled: RESOLUTION OF THE SAN DIEGO COUNTY BOARD OF SUPERVISORS EXERCISING THE POWERS OF THE MOSQUITO ABATEMENT AND VECTOR CONTROL DISTRICT ADOPTING SERVICE CHARGES AND CONFIRMING REPORTS REGARDING LEVIES TO BE COLLECTED ON THE TAX ROLL FOR FISCAL YEAR 2019-20; and,

Introduced the Ordinance for further Board consideration and adoption on June 26, 2019.

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

There being no further business, the Board adjourned at 9:09 a.m. in memory of Chris Cortez.

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 26, 2019.

  
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DIANNE JACOB  
Chairwoman

Attest:

  
\_\_\_\_\_  
ANDREW POTTER  
Clerk of the Board

06/05/19