

June 26, 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 26, 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 9:01 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: No Speakers

- D. Approval of the Statement of Proceedings/Minutes for the meeting of June 5, 2019.

ACTION:

ON MOTION of Supervisor Gaspar, seconded by Supervisor Fletcher, the Board of Supervisors approved the Statement of Proceedings/Minutes for the meeting of June 5, 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. 2019-03 (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)

2. NOTICED PUBLIC HEARING:
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]
3. NOTICED PUBLIC HEARING:
CHINESE BIBLE CHURCH, SPECIFIC PLAN AMENDMENT, OPEN
SPACE VACATION, MAJOR USE PERMIT, FLOWAGE EASEMENT
VACATION LOCATED IN THE SAN DIEGUITO COMMUNITY PLAN
AREA (06/26/2019 - HOLD HEARING)
[FUNDING SOURCE: DEPOSIT FROM THE OWNER/APPLICANT]

(RELATES TO FLOOD CONTROL DISTRICT AGENDA NO. FL1)
4. ADMINISTRATIVE ITEM:
SECOND CONSIDERATION AND ADOPTION OF ORDINANCE:
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]
5. NOTICED PUBLIC HEARING:
ADOPTION OF THE IMPLEMENTATION PLAN COMPONENT OF
THE LOCAL COASTAL PROGRAM; AND RELATED
AMENDMENTS TO THE ZONING ORDINANCE
6. EXTENSION OF PERFORMANCE COMPLETION DATES ON
VARIOUS BONDED AGREEMENTS TO COMPLETE SUBDIVISION
IMPROVEMENTS
7. NOTICED PUBLIC HEARING:
OTAY RANCH VILLAGE 14 AND PLANNING AREAS 16/19
GENERAL PLAN AMENDMENT, SPECIFIC PLAN, ZONE
RECLASSIFICATION, TENTATIVE MAP, AND ENVIRONMENTAL
DOCUMENT, LOCATED IN THE JAMUL/DULZURA SUBREGIONAL
PLAN AREA

8. ESTABLISH APPROPRIATIONS FOR THE RENOVATION OF THE 4S RANCH OUTDOOR HOCKEY RINK
[FUNDING SOURCES: GENERAL PURPOSE REVENUE BUDGETED IN THE DEPARTMENT OF PARKS AND RECREATION, AVAILABLE FUND BALANCE IN THE PARKS AND RECREATION NAMING RIGHTS TRUST FUND BASED ON PAST FINANCIAL CONTRIBUTIONS TO THE COUNTY FOR THE NAMING OF PARK AMENITIES AND AVAILABLE FUND BALANCE IN THE PARK LANDS DEDICATION ORDINANCE AREA 31 SAN DIEGUITO FUND BASED ON PARK LAND DEDICATION FEES FROM DEVELOPERS]
(4 VOTES)
9. SET HEARING FOR 07/10/2019:
PUBLIC HEARING TO CONFIRM FISCAL YEAR 2019-20 LEVIES IN THE SAN DIEGO COUNTY STREET LIGHTING DISTRICT AND LANDSCAPE MAINTENANCE DISTRICT ZONES NO. 1 - RANCHO SAN DIEGO AND NO. 2 - JESS MARTIN PARK
10. RECEIVE TRANSPORTATION IMPACT FEE AND REGIONAL TRANSPORTATION CONGESTION IMPROVEMENT PROGRAM FISCAL YEAR 2017-18 COMPREHENSIVE ANNUAL AND FIVE-YEAR MITIGATION REPORT
11. RECEIVE INTERSECTION IMPROVEMENT FEE PROGRAM (BOARD POLICY J-25) FISCAL YEAR 2017-18 COMPREHENSIVE ANNUAL AND FIVE-YEAR MITIGATION REPORT

1. **SUBJECT: SECOND CONSIDERATION AND ADOPTION OF ORDINANCE: 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

On June 5, 2019 (4), the Board of Supervisors introduced the Ordinance for further Board consideration and adoption on June 26, 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 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

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:

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. 10615 (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. 2019-03 (PARK CIRCLE MAINTENANCE).

AYES: Cox, Jacob, Gaspar, Fletcher, Desmond

2. **SUBJECT: NOTICED PUBLIC HEARING:
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

On May 22, 2019 (4), the Board of Supervisors set a Hearing for June 26, 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. 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

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 closed the Hearing and took action as recommended, on Consent.

AYES: Cox, Jacob, Gaspar, Fletcher, Desmond

3. **SUBJECT: NOTICED PUBLIC HEARING:
CHINESE BIBLE CHURCH, SPECIFIC PLAN AMENDMENT, OPEN
SPACE VACATION, MAJOR USE PERMIT, FLOWAGE EASEMENT
VACATION LOCATED IN THE SAN DIEGUITO COMMUNITY PLAN
AREA (06/26/2019 - HOLD HEARING) (DISTRICT: 5)**

OVERVIEW

On May 1, 2019 (10), the Board of Supervisors set a hearing for June 26, 2019.

This is a request is for the Board of Supervisors (Board) to consider a Specific Plan Amendment (SPA), a Major Use Permit (MUP), and an Open Space Easement Vacation (VAC), for the proposed Chinese Bible Church (Project). Board Policy I-103 (Open Space Easement Vacation) and the California Streets and Highways Code requires the Board take two actions for the VAC. On May 1, 2019 (Item No. 10), the Board took action to set a public hearing on June 26, 2019 and provide public notice of that hearing.

Today's proposed action is also for the Board, as the governing body of the San Diego County Flood Control District, to adopt a resolution to summarily vacate a portion of the flowage easement that is excess property that is not part of the active flood area.

The Project is located on a nine acre site along the east side of Four Gee Road, north of Camino Del Norte, in the San Dieguito Community Plan Area. The proposed Project will consist of five buildings totaling 89,234 square feet. It will include a sanctuary/administration building, an education building, a meeting building, a fellowship hall, a learning center, 417 parking spaces and an overflow parking area. The proposed Project site currently has two residences and an entry road.

**RECOMMENDATION(S)
PLANNING COMMISSION**

On November 16, 2018, the Planning Commission considered the Chinese Bible Church (Project), and recommended that the Board of Supervisors deny the proposed Project, including the Specific Plan Amendment, Major Use Permit, and Open Space Vacation due to concerns regarding building height, the number of special events, and specific plan consistency.

DEPARTMENT OF PLANNING & DEVELOPMENT SERVICES

Planning & Development Services (PDS) does not concur with the recommendations made by the Planning Commission and recommends the Board of Supervisors (Board):

1. Adopt the Environmental Findings, which include the certification of the Supplemental Environmental Impact Report (SEIR), REF: PDS2014-3910-95-08-007L pursuant to California Environmental Quality Act (CEQA) guidelines (Attachment A, on file with the Clerk of the Board).

2. Adopt the Resolution entitled: RESOLUTION OF THE SAN DIEGO COUNTY BOARD OF SUPERVISORS APPROVING SPECIFIC PLAN AMENDMENT PDS2014-SPA-14-001 THE SANTA FE VALLEY SPECIFIC PLAN for the reasons stated therein and discussed in the report (Attachment B, on file with the Clerk of the Board).
3. Adopt the Resolution entitled: A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO VACATING OPEN SPACE EASEMENT PDS2012-3940-12-002 (Attachment C, on file with the Clerk of the Board), and direct the Clerk of the Board to record the Resolution pursuant to the California Streets and Highways Code Section 8325.
4. Grant FORM OF DECISION MAJOR USE PERMIT PDS2010-3300-10-037, make the findings, and impose the requirements and conditions as set forth in the Form of Decision (Attachment D, on file with the Clerk of the Board).
5. Require the Chinese Bible Church of San Diego to enter into a Defense and Indemnification Agreement in accordance with County Code Section 86.201 et. Seq. and authorize the Director of Planning & Development Services to execute the Agreement. If litigation is filed challenging the Board's action on this proposed Project, require the Chinese Bible Church of San Diego to provide security in the amount of \$350,000 in the form of an irrevocable letter of credit or bond, in a form acceptable to County Counsel within 10 days of litigation being filed (Attachment E, on file with the Clerk of the Board).

CHIEF ADMINISTRATIVE OFFICER

Acting as Board of Directors of the San Diego County Flood Control District:

1. Find that the proposed action to vacate the flowage easement is not subject to review under CEQA pursuant to CEQA Guidelines Section 15060 (c)(2) and (3) because it does not have a direct or indirect effect on the environment as it will only result in the vacation of unnecessary easement interests, and the action is not a project as defined in Section 15378 of the CEQA Guidelines.
2. Adopt a Resolution entitled: A RESOLUTION OF THE SAN DIEGO COUNTY FLOOD CONTROL DISTRICT BOARD OF DIRECTORS TO SUMMARILY VACATE A PORTION OF A FLOWAGE EASEMENT IN THE VICINITY OF SAN DIEGUITO (Vacation No. 2018-0301) (Attachment F, on file with the Clerk of the Board), and direct the Clerk of the Board to record the Resolution pursuant to the California Streets and Highways Code Section 8336.

FISCAL IMPACT

There is no fiscal impact associated with the proposed Specific Plan Amendment, Open Space Vacation, and Major Use Permit. There will be no change in net General Fund cost and no additional staff years. Funds for the proposed flowage easement vacation 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 \$4,000 to process the proposed vacation. The funding source is a deposit from the owner/applicant.

BUSINESS IMPACT STATEMENT

N/A

(RELATES TO FLOOD CONTROL DISTRICT AGENDA NO. FL1)

ACTION 3.1:

A MOTION was made by Supervisor Gaspar to take action as recommended.

(This motion failed due to lack of a second)

ACTION 3.2:

ON MOTION of Supervisor Desmond, seconded by Supervisor Cox, the Board of Supervisors took the following actions:

1. Adopted the Environmental Findings, which include the certification of the Supplemental Environmental Impact Report (SEIR), REF: PDS2014-3910-95-08-007L pursuant to California Environmental Quality Act (CEQA) guidelines (Attachment A, on file with the Clerk of the Board).
2. Adopted the Resolution No. 19-093 entitled: RESOLUTION OF THE SAN DIEGO COUNTY BOARD OF SUPERVISORS APPROVING SPECIFIC PLAN AMENDMENT PDS2014-SPA-14-001 THE SANTA FE VALLEY SPECIFIC PLAN for the reasons stated therein and discussed in the report (Attachment B, on file with the Clerk of the Board).
3. Adopted the Resolution No. 19-094 entitled: A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO VACATING OPEN SPACE EASEMENT PDS2012-3940-12-002 (Attachment C, on file with the Clerk of the Board), and directed the Clerk of the Board to record the Resolution pursuant to the California Streets and Highways Code Section 8325.
4. Granted FORM OF DECISION MAJOR USE PERMIT PDS2010-3300-10-037, made the findings, and imposed the requirements and conditions as set forth in the Form of Decision (Attachment D, on file with the Clerk of the Board) with the following amendments to the Major Use Permit:
 - a. Hours of operation for public and congregational worship services shall be 8 a.m. to 8 p.m., seven days per week;
 - b. Outdoor events must end by 8 p.m., seven days per week;
 - c. Prohibit any outdoor amplified noise;
 - d. Remove Major Use Permit Condition 54 which allowed amplified noise;
 - e. Turn off all outdoor lighting by 10 p.m., with all outdoor security lighting to be motion-activated after 10 p.m.

5. Required the Chinese Bible Church of San Diego to enter into a Defense and Indemnification Agreement in accordance with County Code Section 86.201 et. Seq. and authorize the Director of Planning & Development Services to execute the Agreement. If litigation is filed challenging the Board's action on this proposed Project, require the Chinese Bible Church of San Diego to provide security in the amount of \$350,000 in the form of an irrevocable letter of credit or bond, in a form acceptable to County Counsel within 10 days of litigation being filed (Attachment E, on file with the Clerk of the Board).

AYES: Cox, Jacob, Gaspar, Fletcher, Desmond

4. **SUBJECT: ADMINISTRATIVE ITEM:
SECOND CONSIDERATION AND ADOPTION OF ORDINANCE:
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

On June 5, 2019 (7), the Board of Supervisors introduced the Ordinance for further Board consideration and adoption on June 26, 2019.

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

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 Ordinance No. 10616 (N.S.), entitled: ORDINANCE AMENDING SECTION 64.202 OF THE SAN DIEGO COUNTY CODE OF REGULATORY ORDINANCES TO CORRECT A TYPOGRAPHICAL ERROR.

AYES: Cox, Jacob, Gaspar, Fletcher, Desmond

5. **SUBJECT: NOTICED PUBLIC HEARING:
ADOPTION OF THE IMPLEMENTATION PLAN COMPONENT OF
THE LOCAL COASTAL PROGRAM; AND RELATED AMENDMENTS
TO THE ZONING ORDINANCE (DISTRICT: 5)**

OVERVIEW

This is a request for the Board of Supervisors (Board) to approve the Local Coastal Program Implementation Plan (Implementation Plan) and related Zoning Ordinance amendment. The proposed Implementation Plan will satisfy State requirements to adopt a Local Coastal Program to regulate development within the County of San Diego's (County) Coastal Zone and transfer coastal permitting authority from the California Coastal Commission (Coastal Commission) to the County.

A Local Coastal Program is comprised of a Land Use Plan (LUP) and an Implementation Plan (Attachments B and C, respectively). The County LUP was adopted by the Board on September 12, 2018 (3) and certified by the Coastal Commission on December 13, 2018. The LUP establishes land use policies for development within the Coastal Zone, similar to a General Plan. The Implementation Plan establishes development regulations that implement the LUP land use policies for development within the County Coastal Zone area, which are incorporated into the County's Zoning Ordinance.

This is a request for the Board to evaluate and consider the proposed Implementation Plan and Zoning Ordinance amendments that establish a new section (Part Nine) to regulate the Coastal Zone and implement the policies approved in the LUP. The Zoning Ordinance amendment includes: 1) removing or amending language pertaining to the Coastal Zone; 2) consolidating all land use regulations within the Coastal Zone to the new Part Nine; 3) specifying permitted uses and removing incompatible uses within the Coastal Zone; and 4) establishing Coastal Administrative and Coastal Development Permits for uses within the Coastal Zone.

**RECOMMENDATION(S)
PLANNING COMMISSION**

On May 31, 2019, the Planning Commission considered the Local Coastal Program Implementation Plan and amendments to the Zoning Ordinance. The Planning Commission made the following recommendations.

1. Find that the preparation and adoption of the Local Coastal Program Implementation Plan is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15265 of the State CEQA Guidelines.
2. That the Board of Supervisors adopt the Resolution entitled: A RESOLUTION OF THE COUNTY OF SAN DIEGO APPROVING THE IMPLEMENTATION PLAN COMPONENT OF THE LOCAL COASTAL PROGRAM (POD 13-009) (Attachment D, on file with the Clerk of the Board).
3. That the Board of Supervisors adopt the attached Form of Ordinance entitled: AN ORDINANCE AMENDING THE COUNTY OF SAN DIEGO ZONING ORDINANCE RELATED TO THE LOCAL COASTAL PROGRAM – IMPLEMENTATION PLAN (REZ-16-007) (Attachments E and F, on file with the Clerk of the Board).

DEPARTMENT OF PLANNING & DEVELOPMENT SERVICES

Planning & Development Services agrees with the Planning Commission recommendation.

FISCAL IMPACT

N/A

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 Resolution No. 19-095, entitled: A RESOLUTION OF THE COUNTY OF SAN DIEGO APPROVING THE IMPLEMENTATION PLAN COMPONENT OF THE LOCAL COASTAL PROGRAM (POD-13-009); and,

Ordinance No. 10617 (N.S.), entitled: AN ORDINANCE AMENDING THE COUNTY OF SAN DIEGO ZONING ORDINANCE RELATED TO THE LOCAL COASTAL PROGRAM IMPLEMENTATION PLAN (REZ-16-007).

AYES: Cox, Jacob, Gaspar, Fletcher, Desmond

6. **SUBJECT: EXTENSION OF PERFORMANCE COMPLETION DATES ON
VARIOUS BONDED AGREEMENTS TO COMPLETE SUBDIVISION
IMPROVEMENTS (DISTRICT: 5)**

OVERVIEW

San Diego County Code of Regulatory Ordinances (County Code) establishes the requirements for time extensions for completion of required improvements on major private development subdivisions. Subdivision developers, as conditions of their permits, are often required to construct specific improvements, such as roads and storm drainage systems, to benefit the public. In many cases, these improvements are accepted into the County-maintained system to be owned, operated, and maintained by the County Department of Public Works in perpetuity. Subdivision Improvement Agreements and their bonding requirements protect the County by ensuring any required improvements are constructed for approved and mapped subdivisions. In the event of a default by the applicant, this bonding can be used to finance completion of the required improvements. However, under certain circumstances, the County is able to grant a time extension that allows the applicant more time to complete construction while preserving the County's rights to have the public improvements constructed by the developer.

This is a request for the Board of Supervisors to approve two-year extensions of performance completion dates for the following subdivisions in District 5:

1. TM 5069-4, The Lakes, located in the San Dieguito area. This project has 124 residential lots, 9 private street lots, 4 open space lots and the overall acreage is 358.5 acres.
2. TM 5060-1, Pauma Heights North, located in the Valley Center area. This project has 16 residential lots and the overall area is 41.75 acres.
3. TM 4744-1, Rimrock, located in the North County Metro area. This project has 70 residential lots and the overall area is 196.6 acres.

Staff has determined that the two-year extensions to complete improvements are warranted due to on-going construction activities, requests from the developers to extend the time for completion, and the County's interest in receiving the improvements. Therefore, the County is willing to accept the delayed completion of the public improvements. Staff has also determined that there is adequate improvement security (capacity through a bond or other financial instrument) for each of the subdivision maps to guarantee completion of remaining work for each agreement recommended for extension, should that become necessary in the future.

Today's request is for the Board to approve the extension of the performance completion dates in subdivision agreements for developments referenced by Tentative Map No. 5069-4, Tentative Map No. 5060-1, and Tentative Map No. 4744-1 to June 26, 2021.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. Find, in accordance with Section 15060(c)(3) of the California Environmental Quality Act (CEQA) Guidelines that extension of the performance completion dates in subdivision agreements to complete subdivision improvements is not a "project" as defined in Section 15378 of the state CEQA Guidelines.

2. Extend, to June 26, 2021, the performance completion dates in subdivision agreements for developments referenced by Tentative Map No. 5069-4, Tentative Map No. 5060-1, and Tentative Map No. 4744-1.

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

AYES: Cox, Jacob, Gaspar, Fletcher, Desmond

7. **SUBJECT: NOTICED PUBLIC HEARING:
OTAY RANCH VILLAGE 14 AND PLANNING AREAS 16/19
GENERAL PLAN AMENDMENT, SPECIFIC PLAN, ZONE
RECLASSIFICATION, TENTATIVE MAP, AND ENVIRONMENTAL
DOCUMENT, LOCATED IN THE JAMUL/DULZURA SUBREGIONAL
PLAN AREA (DISTRICTS: 1 AND 2)**

OVERVIEW

This is a request for the Board of Supervisors (Board) to consider amending the San Diego County General Plan Land Use Element, Mobility Element, the combined Otay Ranch General Development Plan/Otay Subregional Plan, and associated implementing actions, such as a Specific Plan, a Zone Reclassification, Tentative Map, and environmental documents. The amendment to the Land Use Element and Zone Reclassification are required to correct mapping errors and inconsistencies in the Regional Categories and Land Use Designations.

The Otay Ranch Village 14 and Planning Areas 16/19 project, also referred to as Adara, is a mixed-use community located on a 1,284-acre site that consists of 1,119 residential units, 10,000 square feet of commercial uses, a 9.7-acre school site, 24.7 total acres of parks and 11.99 acres eligible for Parkland Dedication Ordinance of public and private parks, a 2.3-acre joint use site for fire station and sheriff storefront, 17.2 miles of multi-use community trails and pathways, 776.8 acres of preserve land, and 72.4 acres of biological open space. The site is located east of State Route 125 (SR-125) and west of State Route 94 (SR-94), approximately 0.25 mile northeast of the City of Chula Vista and 0.5 mile southwest of the community of Jamul within the Otay Subregional Plan Area and Jamul/Dulzura Subregional Plan Area.

This request represents the first such amendment of the Land Use Element and first such amendment of the Mobility Element to be considered by the Board in 2019. Government Code Section 65358(b) allows each mandatory element of a General Plan to be amended up to four times during a calendar year. Subject to that limitation, an amendment may be made at any time and each amendment may include more than one change to the General Plan.

RECOMMENDATION(S)
PLANNING COMMISSION

On October 19, 2018 the Planning Commission considered the Otay Ranch Village 14 and Planning Areas 16/19 project and made the following recommendations to the Board of Supervisors:

1. Adopt the California Environmental Quality Act (CEQA) Findings, which include the certification and findings regarding significant effects of the project, the mitigation and monitoring program, the Statement of Overriding Considerations; and certify the Environmental Impact Report (EIR), REF: PDS2016-ER-16-19-006 for the reasons stated therein and discussed in this report (Attachment A, on file with the Clerk of the Board).
2. Adopt the Resolution entitled: A RESOLUTION OF THE SAN DIEGO COUNTY BOARD OF SUPERVISORS ADOPTING GENERAL PLAN AMENDMENT (GPA) PDS2016-GPA-16-008 for the reasons stated therein and discussed in this report (Attachment B, on file with the Clerk of the Board).
3. Adopt the Resolution entitled: RESOLUTION OF THE SAN DIEGO COUNTY BOARD OF SUPERVISORS APPROVING SPECIFIC PLAN SP-16-002 for the reasons stated therein and discussed in this report (Attachment C, on file with the Clerk of the Board--).
4. Adopt the attached Form of Ordinance (Attachment D, on file with the Clerk of the Board). An Ordinance Changing the Zoning Classification of Certain Property Within THE OTAY RANCH GENERAL DEVELOPMENT PLAN/OTAY SUBREGIONAL PLAN AND THE JAMUL/DULZURA SUBREGIONAL PLAN AREA, REF: PDS2016-REZ-16-006.
5. Adopt the Resolution entitled: RESOLUTION OF SAN DIEGO COUNTY BOARD OF SUPERVISORS CONDITIONALLY APPROVING TENTATIVE MAP NO. PDS2016-TM-5616. This Resolution makes the required findings and imposes the requirements and conditions of approval necessary to ensure that the project is implemented in a manner consistent with State law and County of San Diego regulations (Attachment E, on file with the Clerk of the Board).
6. Adopt the Biological Mitigation Ordinance Findings for PV1, PV2 and PV3 Located in Otay Ranch Village 14 and Planning Areas 16/19 (Attachment F, on file with the Clerk of the Board).

After hearing public testimony, the Planning Commission made the following modifications and additions to the staff recommendations:

7. Remove the staff requirement to construct the perimeter trail in the South Phase of Village 14.
8. Require the applicant to improve Proctor Valley Road (north segment) by widening the road to 64-feet within the applicant's ownership and 48-feet within the State's ownership with a five-foot bike lane in each direction (Option 2).

9. At the request of the Sycuan Tribe, modify and add the following conditions:
 - a. Contract with a Kumeyaay Native American to perform Native American monitoring for the project.
 - b. Replace a requirement to curate cultural artifacts with a requirement to repatriate all cultural artifacts to the culturally affiliated tribe.
 - c. Do not issue any building permits in Planning Areas 16/19 until January 1, 2022.

DEPARTMENT OF PLANNING & DEVELOPMENT SERVICES

Planning & Development Services (PDS) concurs with all the Planning Commission's recommendations, except for recommendation seven. Instead, PDS makes the following alternative recommendation (recommendation 10) and makes two additional recommendations to the Board:

10. Require the applicant to construct the perimeter trail within the South Phase of Village 14.
11. Require the applicant to enter into a standard Defense and Indemnification Agreement with the County of San Diego (County) in accordance with County Code Section 86.201 et seq. and authorize the Director of PDS to execute the Agreement. If litigation is filed challenging the Board's action on this project, require Jackson Pendo Company and GDCI Proctor Valley, L.P., to provide security in the amount of \$1,000,000 in the form of an irrevocable letter of credit or bond, in the form acceptable to County Counsel, within 10 days of litigation being filed (Attachment G).
12. Authorize County Counsel to execute the Dispute Resolution Agreement by and among the California Department of Fish and Wildlife, the County, the United States Fish and Wildlife Service, and the applicant (Attachment M).

FISCAL IMPACT

N/A

BUSINESS IMPACT STATEMENT

N/A

ACTION:

ON MOTION of Supervisor Cox, seconded by Supervisor Desmond, the Board of Supervisors took the following actions:

1. Adopted the California Environmental Quality Act (CEQA) Findings, which include the certification and findings regarding significant effects of the project, the mitigation and monitoring program, the Statement of Overriding Considerations; and certify the Environmental Impact Report (EIR), REF: PDS2016-ER-16-19-006 for the reasons stated therein and discussed in this report (Attachment A, on file with the Clerk of the Board).
2. Adopted Resolution No. 19-096 entitled: A RESOLUTION OF THE SAN DIEGO COUNTY BOARD OF SUPERVISORS ADOPTING GENERAL PLAN AMENDMENT (GPA) PDS2016-GPA-16-008 for the reasons stated therein and discussed in this report (Attachment B, on file with the Clerk of the Board).

3. Adopted Resolution No. 19-097 entitled: RESOLUTION OF THE SAN DIEGO COUNTY BOARD OF SUPERVISORS APPROVING SPECIFIC PLAN SP-16-002 for the reasons stated therein and discussed in this report (Attachment C, on file with the Clerk of the Board).
4. Adopted Ordinance No. 10618 (N.S.) entitled: AN ORDINANCE CHANGING THE ZONING CLASSIFICATION OF CERTAIN PROPERTY WITHIN THE OTAY RANCH GENERAL DEVELOPMENT PLAN/OTAY SUBREGIONAL PLAN AND THE JAMUL/DULZURA SUBREGIONAL PLAN AREA, REF: PDS2016-REZ-16-006.
5. Adopted Resolution No. 19-098 entitled: RESOLUTION OF SAN DIEGO COUNTY BOARD OF SUPERVISORS CONDITIONALLY APPROVING TENTATIVE MAP NO. PDS2016-TM-5616. This Resolution makes the required findings and imposes the requirements and conditions of approval necessary to ensure that the project is implemented in a manner consistent with State law and County of San Diego regulations (Attachment E, on file with the Clerk of the Board).
6. Adopted the Biological Mitigation Ordinance Findings for PV1, PV2 and PV3 Located in Otay Ranch Village 14 and Planning Areas 16/19 (Attachment F, on file with the Clerk of the Board).
7. Required the applicant to improve Proctor Valley Road (north segment) by widening the road to 64-feet within the applicant's ownership and 48-feet within the State's ownership with a five-foot bike lane in each direction (Option 2).
8. At the request of the Sycuan Tribe, modified and added the following conditions:
 - a. Contract with a Kumeyaay Native American to perform Native American monitoring for the project.
 - b. Replace a requirement to curate cultural artifacts with a requirement to repatriate all cultural artifacts to the culturally affiliated tribe.
 - c. Do not issue any building permits in Planning Areas 16/19 until January 1, 2022.
9. Required the applicant to construct the perimeter trail within the South Phase of Village 14.
10. Required the applicant to enter into a standard Defense and Indemnification Agreement with the County of San Diego (County) in accordance with County Code Section 86.201 et seq. and authorized the Director of PDS to execute the Agreement. If litigation is filed challenging the Board's action on this project, require Jackson Pendo Company and GDCI Proctor Valley, L.P., to provide security in the amount of \$1,000,000 in the form of an irrevocable letter of credit or bond, in the form acceptable to County Counsel, within 10 days of litigation being filed (Attachment G).

11. Authorized County Counsel to execute the Dispute Resolution Agreement by and among the California Department of Fish and Wildlife, the County, the United States Fish and Wildlife Service, and the applicant (Attachment M).

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

8. SUBJECT: ESTABLISH APPROPRIATIONS FOR THE RENOVATION OF THE 4S RANCH OUTDOOR HOCKEY RINK (DISTRICT: 3)

OVERVIEW

The 4S Ranch Sports Park is a 25-acre park in the southeastern portion of the San Dieguito community plan area. This sports park features six baseball/softball fields, six soccer/multipurpose fields, two tennis courts, two basketball courts, a gymnasium, and an outdoor roller-hockey rink. The outdoor hockey rink is used by 28 schools and athletic groups throughout San Diego county including youth, adults, and athletes with physical challenges. At 15 years old, the rink is beyond its useful life and needs renovations to remove and replace existing dasher board walls (barrier wall), plexiglass, and benches, and enhance accessibility to the rink.

Today's proposed action will establish appropriations of \$204,000 in the Department of Parks and Recreation for renovations to the 4S Ranch Hockey Rink from the Parks and Recreation Naming Rights Trust Fund (\$91,500) and the Park Lands Dedication Ordinance Area 31 San Dieguito Fund (\$112,500). Additional project funding is budgeted in the Department of Parks and Recreation (\$171,000) based on existing Major Maintenance Improvement Plan General Purpose Revenue. Project funding will be used for design, construction, and related project expenses to replace existing hockey rink elements using materials that meet current accessibility and Americans with Disabilities Act requirements. Total construction costs are estimated at \$375,000. If approved, project construction will start in late fall 2019 and be completed in winter 2019-2020.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. Find that the 4S Ranch Hockey Rink Renovation project is exempt from the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines sections 15301 and 15302.
2. Establish appropriations of \$91,500 in the Department of Parks and Recreation, Services & Supplies, to fund improvements to the 4S Ranch Hockey Arena, from the Parks and Recreation Naming Rights Trust Fund. **(4 VOTES)**
3. Establish appropriations of \$112,500 in the Park Lands Dedication Ordinance Area 31 San Dieguito Fund, Operating Transfer Out, to provide funding for improvements to the 4S Ranch Hockey Arena, based on available fund balance. **(4 VOTES)**
4. Establish appropriations of \$112,500 in the Department of Parks and Recreation, based on an Operating Transfer In from the Park Lands Dedication Ordinance 31 San Dieguito Fund. **(4 VOTES)**

FISCAL IMPACT

Funds for this request are partially included in the Fiscal Year 2018-19 Operational Plan in the Department of Parks and Recreation (\$171,000). If approved, this request would establish additional appropriations of \$204,000 from the Park Lands Dedication Ordinance Area 31 San Dieguito Fund (\$112,500) and the Parks and Recreation Naming Rights Trust Fund (\$91,500). Construction costs are estimated at \$375,000, including contingency, project design, inspection, and administration. The funding sources are General Purpose Revenue budgeted in the Department of Parks and Recreation (\$171,000), available fund balance in the Parks and Recreation Naming Rights Trust Fund (\$91,500) based on past financial contributions to the County for the naming of park amenities and available fund balance in the Park Lands Dedication Ordinance Area 31 San Dieguito Fund (\$112,500) based on park land dedication fees from developers.

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: SET HEARING FOR 07/10/2019:
PUBLIC HEARING TO CONFIRM FISCAL YEAR 2019-20 LEVIES IN
THE SAN DIEGO COUNTY STREET LIGHTING DISTRICT AND
LANDSCAPE MAINTENANCE DISTRICT ZONES NO. 1 - RANCHO
SAN DIEGO AND NO. 2 - JESS MARTIN PARK (DISTRICTS: ALL)**

OVERVIEW

The County of San Diego uses special districts to provide property owners a mechanism to pay for specific services in a geographically defined area. The assessments that fund special districts are approved by voters within the district boundary and are set forth in ordinances adopted by the Board of Supervisors when the districts are formed. To levy the assessments on the tax bills a public hearing is required to approve each district's Engineer's Report that describes the budget, assessment rate, apportionment method, and parcel assessment amount. This item is to confirm Fiscal Year 2019-20 assessments for San Diego County Street Lighting District and Landscape Maintenance District Zones No. 1 - Rancho San Diego and No. 2 - Jess Martin Park.

All rates have been previously approved by property owner ballots or registered district voter elections in accordance with Articles XIII A-D of the California Constitution. All proposed rates are within approved maximum rates. The following is the summary of the proposed levies for Fiscal Year 2019-20:

San Diego County Street Lighting District

The San Diego County Street Lighting District operates and maintains approximately 10,400 public street lights in the unincorporated region and is dedicated to providing quality streetlight service at a low cost to property owners. Funding for the district is used to install, operate, and maintain the streetlights and comes from a portion of the 1% property tax allocated to the County of San Diego and property owner assessments. Funding for the Street Lighting District is sufficient to operate and maintain the street lights for the next fiscal year without a rate increase. The proposed annual assessment rate will remain at the current assessment rate of \$13.50 per benefit unit and is within the voter-approved maximum rates for all land use types.

Landscape Maintenance District Zone No. 1 - Rancho San Diego

Landscape Maintenance District Zone No. 1 - Rancho San Diego was established to supplement revenue assessed by County Service Area No. 26 - Rancho San Diego for park operation, maintenance, and improvements within the Rancho San Diego boundary. The proposed maximum annual assessment rate will increase by 3.00%, from \$34.00 to \$35.02, per benefit unit in accordance with a voter-approved annual increase.

Landscape Maintenance District Zone No. 2 - Jess Martin Park

Landscape Maintenance District Zone No. 2 - Jess Martin Park was established to fund ongoing maintenance of amenities and construction of minor capital improvements at Jess Martin Park in the community of Julian. The voters did not approve an annual rate inflator at the time of the district's formation; therefore the assessment rate will remain at the current amount of \$47.82 per single family home per year.

This action requires two steps. To become effective, the proposed assessments must be confirmed by the Board of Supervisors (Board) at an annual public hearing. On June 26, 2019, the actions requested are to approve the Engineer's Reports for the San Diego County Street Lighting District; Landscape Maintenance District Zone No. 1 - Rancho San Diego; and Landscape Maintenance District Zone No. 2 - Jess Martin Park, and to set a public hearing date of July 10, 2019. If the Board takes these actions on June 26, 2019, then at the hearing on July 10, 2019, after hearing public testimony, the Board will be asked to consider adopting resolutions confirming the assessments. Upon approval, the assessments will be placed on the tax roll, so property owners can continue to pay the benefit assessment through their property tax bills. These actions are discretionary after consideration of public testimony.

RECOMMENDATION(S)**CHIEF ADMINISTRATIVE OFFICER**

On June 26, 2019:

1. Find that the proposed project is exempt from the California Environmental Quality Act (CEQA) as specified under Section 15301 of the State CEQA Guidelines because the activity in question addresses funding mechanisms for maintenance of existing streetlight and landscape facilities and services.
2. Accept and approve the Engineers' Reports for the San Diego County Street Lighting District and Landscape Maintenance District Zones No. 1 - Rancho San Diego and No. 2 - Jess Martin Park.

3. Adopt a Resolution entitled: RESOLUTION OF INTENTION TO ORDER IMPROVEMENTS FOR THE SAN DIEGO COUNTY STREET LIGHTING DISTRICT, and set a hearing for July 10, 2019.
4. Adopt a Resolution entitled: RESOLUTION OF INTENTION TO ORDER OPERATION, MAINTENANCE AND IMPROVEMENTS FOR LANDSCAPE MAINTENANCE DISTRICT ZONE NO. 1 and set a hearing for July 10, 2019.
5. Adopt a Resolution entitled: RESOLUTION OF INTENTION TO ORDER OPERATION, MAINTENANCE AND IMPROVEMENTS FOR LANDSCAPE MAINTENANCE DISTRICT ZONE NO. 2 and set a hearing for July 10, 2019.

If, on June 26, 2019 the Board takes the actions recommended in Items 1-5, then on July 10, 2019 a public hearing will be conducted and the following recommendations will be considered:

1. Adopt a resolution entitled: RESOLUTION CONFIRMING DIAGRAM AND ASSESSMENTS IN THE SAN DIEGO COUNTY STREET LIGHTING DISTRICT.
2. Adopt a resolution entitled: RESOLUTION CONFIRMING DIAGRAM AND ASSESSMENTS IN LANDSCAPE MAINTENANCE DISTRICT ZONE NO. 1.
3. Adopt a resolution entitled: RESOLUTION CONFIRMING DIAGRAM AND ASSESSMENTS IN LANDSCAPE MAINTENANCE DISTRICT ZONE NO. 2.

FISCAL IMPACT

The proposed assessment levies are included in the Fiscal Year 2019-20 Operational Plan in the Departments of Public Works and Parks and Recreation. There is no proposed increase in assessment for the San Diego County Street Lighting District and Landscape Maintenance District Zone No. 2 - Jess Martin Park for Fiscal Year 2019-20. The proposed increase in revenue for Landscape Maintenance District Zone No. 1 - Rancho San Diego from property owner assessments will be \$4,828 in Fiscal Year 2019-20. 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. 19-099, entitled: RESOLUTION OF INTENTION TO ORDER IMPROVEMENTS FOR THE SAN DIEGO COUNTY STREET LIGHTING DISTRICT;

Resolution No. 19-100, entitled: RESOLUTION OF INTENTION TO ORDER OPERATION, MAINTENANCE AND IMPROVEMENTS FOR LANDSCAPE MAINTENANCE DISTRICT ZONE NO. 1;

Resolution No. 19-101, entitled: RESOLUTION OF INTENTION TO ORDER OPERATION, MAINTENANCE AND IMPROVEMENTS FOR LANDSCAPE MAINTENANCE DISTRICT ZONE NO. 2; and, set a Hearing for July 10, 2019.

AYES: Cox, Jacob, Gaspar, Fletcher, Desmond

10. SUBJECT: RECEIVE TRANSPORTATION IMPACT FEE AND REGIONAL TRANSPORTATION CONGESTION IMPROVEMENT PROGRAM FISCAL YEAR 2017-18 COMPREHENSIVE ANNUAL AND FIVE-YEAR MITIGATION REPORT (DISTRICTS: ALL)

OVERVIEW

The County of San Diego's Transportation Impact Fees (TIF) program allows developers to mitigate cumulative traffic impacts in accordance with the California Environmental Quality Act guidelines. Developers of large and small development projects can mitigate cumulative traffic impacts by paying into the TIF program instead of constructing physical road improvements. The TIF program includes the collection of the Regional Transportation Congestion Improvement Program (RTCIP) fee to ensure future development contributes its proportional share of funding needed for RTCIP roads as required under the TransNet Extension Ordinance, administered by the San Diego Association of Governments. TIF funds are collected on a regional and community basis to ensure road improvements will serve the development project for which fees are paid and the funds can only be used in unincorporated communities based on an approved list of roads.

The State Mitigation Fee Act requires the agency collecting the fee to annually review and make available to the public a report accounting for the development fees held by the agency. The Mitigation Fee Act also requires that the agency find that fees that were collected more than five years ago are still needed for the improvements for which the fees were collected. The annual report and five-year findings are required to be combined into a single report.

Today's request is for the Board of Supervisors to receive the Fiscal Year 2017-18 Transportation Impact Fee and Regional Transportation Congestion Improvement Program Comprehensive Annual and Five-Year Mitigation Fees Report, which contains the Mitigation Fee Act annual report and five-year findings.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. Find that the acceptance of this report is exempt from the California Environmental Quality Act (CEQA), as specified under Section 15061(b)(3) of the CEQA guidelines.
2. Receive the Fiscal Year 2017-18 Transportation Impact Fee (TIF) and Regional Transportation Congestion Improvement Program (RTCIP) Comprehensive Annual and Five-Year Mitigation Fees Report and adopt the findings included therein.

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

AYES: Cox, Jacob, Gaspar, Fletcher, Desmond

11. **SUBJECT: RECEIVE INTERSECTION IMPROVEMENT FEE PROGRAM
(BOARD POLICY J-25) FISCAL YEAR 2017-18 COMPREHENSIVE
ANNUAL AND FIVE-YEAR MITIGATION REPORT
(DISTRICTS: ALL)**

OVERVIEW

On June 19, 1973 (94), the Board of Supervisors (Board) adopted Board Policy J-25, Participation by Individuals, Organizations, Private Developers, or other Jurisdictions in the Implementation of Intersection Betterments. The policy created a program to collect and allocate funds for intersection improvements, including traffic signals, roundabouts, additional traffic lanes, turn lanes, striping, or drainage. Fees imposed in accordance with Board Policy J-25 to pay for improvements needed to mitigate for project-related traffic impacts. The County of San Diego (County) distributes the funds to transportation agencies that are impacted by development in the unincorporated region, including Caltrans and cities when impacts are outside of the County's jurisdiction. For infrastructure improvements within the County's jurisdiction, to offset traffic impacts of development.

The Mitigation Fee Act requires the agency collecting the fee annually review and make available to the public a report accounting for the development fees held by the agency. The Mitigation Fee Act also requires that the agency find that fees collected more than five years ago are still needed for the improvements for which the fees were collected. The annual report and five-year findings are required to be included in a single report.

Today's request is for the Board to receive the Fiscal Year 2017-18 Intersection Improvement Fee Program (Board Policy J-25) Comprehensive Annual and Five-Year Mitigation Report which contains the Mitigation Fee Act annual report and five-year findings.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. Find that the acceptance of this report is exempt from the California Environmental Quality Act (CEQA), as specified under 15061(b)(3) of the CEQA guidelines.
2. Receive the Fiscal Year 2017-18 Intersection Improvement Fee Program (Board Policy J-25) Comprehensive Annual and Five-Year Mitigation Fees Report and adopt the findings included therein.

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

AYES: Cox, Jacob, Gaspar, Fletcher, Desmond

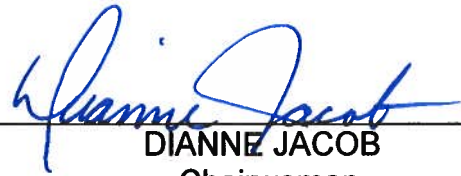
There being no further business, the Board adjourned at 5:16 p.m.

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 July 10, 2019.



DIANNE JACOB
Chairwoman

Attest:



ANDREW POTTER
Clerk of the Board

06/26/19