

July 24, 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, JULY 24, 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 July 10, 2019.

ACTION:

ON MOTION of Supervisor Desmond, seconded by Supervisor Gaspar, the Board of Supervisors approved the Statement of Proceedings/Minutes for the meeting of July 10, 2019.

AYES: Cox, Jacob, Gaspar, Desmond

ABSENT: Fletcher

E. Formation of Consent Calendar

F. Discussion Items

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

Board of Supervisors' Agenda Items

Agenda #	Subject
1.	ADMINISTRATIVE ITEM: SECOND CONSIDERATION AND ADOPTION OF ORDINANCE: TRAFFIC ADVISORY COMMITTEE (07/10/2019 - ADOPT RECOMMENDATIONS; 07/24/2019 - SECOND READING OF AN ORDINANCE)

2. NOTICED PUBLIC HEARING:
PUBLIC HEARING TO APPROVE FEES AND CHARGES FOR
FISCAL YEAR 2019-20 TAX ROLL OF SAN DIEGO COUNTY
SANITATION DISTRICT AND CAMPO WATER MAINTENANCE
DISTRICT

(RELATES TO SANITATION DISTRICT AGENDA NO. SA1)
3. STREAMLINING THE DISCRETIONARY PERMIT PROCESS
4. CONFIRM FISCAL YEAR 2019-20 LEVIES FOR COMMUNITY
FACILITIES DISTRICTS
[FUNDING SOURCES: SPECIAL TAX LEVIES FROM CFD NO. 04-1,
CFD NO. 09-1, CFD NO. 2008-01, AND CFD NO. 2013-01 PAID BY
PROPERTY OWNERS]
5. ADOPT RESOLUTIONS AUTHORIZING APPLICATIONS AND
AGREEMENTS FOR ACCEPTANCE OF STATE GRANT AND
PAYMENT PROGRAM FUNDS FOR WASTE DIVERSION
[FUNDING SOURCE: STATE DEPARTMENT OF RESOURCES,
RECYCLING, AND RECOVERY (CALRECYCLE)]
6. NOTICED PUBLIC HEARING:
APPEAL OF AT&T EAST WASHINGTON WIRELESS
TELECOMMUNICATION FACILITY MAJOR USE PERMIT
7. AUTHORIZATION TO ADVERTISE AND AWARD A
CONSTRUCTION CONTRACT FOR THE OTAY LAKES COUNTY
PARK RECREATION AMENITIES PROJECT
[FUNDING SOURCE: GENERAL FUND FUND BALANCE
COMMITMENT FOR PARKS EXPANSION & IMPROVEMENT]
8. AUTHORIZATION FOR SINGLE SOURCE PROCUREMENTS OF
MOSQUITO LARVICIDES FOR AERIAL AND LAND APPLICATION
TO PREVENT WEST NILE VIRUS
[FUNDING SOURCE: VECTOR CONTROL BENEFIT ASSESSMENT
PAID ANNUALLY BY RESIDENTS]
9. CONTINUED ITEM FROM 07/23/2019 (09):
NOTICED PUBLIC HEARING:
GENERAL SERVICES - SOUTHEASTERN LIVE WELL CENTER -
HOLD HEARING - PURCHASE OF REAL PROPERTY FROM THE
CITY OF SAN DIEGO - ASSESSOR'S PARCEL NUMBER 548-040-39
[FUNDING SOURCE: OPERATING TRANSFER IN FROM THE
GENERAL FUND]

1. **SUBJECT: ADMINISTRATIVE ITEM:
SECOND CONSIDERATION AND ADOPTION OF ORDINANCE:
TRAFFIC ADVISORY COMMITTEE (07/10/2019 - ADOPT
RECOMMENDATIONS; 07/24/2019 - SECOND READING OF AN
ORDINANCE) (DISTRICTS: 3 & 5)**

OVERVIEW

On July 10, 2019 (06), the Board of Supervisors introduced the Ordinance for further Board consideration and adoption on July 24, 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 two items from the April 26, 2019, TAC meeting agenda:

Item 3-A would establish a 30 MPH speed limit on Lake Drive/Rancho Drive from Via Rancho Parkway to Del Dios Highway in Del Dios and certify the speed limit for radar enforcement.

Item 5-A would recertify the existing 45 MPH speed limit for radar enforcement on Burma Road from Olive Hill Road to Luneta Lane in Fallbrook.

Approval of Items 3-A and 5-A 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 Item 3-A would revise the San Diego County Code of Regulatory Ordinances (County Code) and would require two steps. On July 10, 2019, the Board would consider the TAC items. If the Board takes action to approve the TAC recommendation on July 10, 2019, then on July 24, 2019, a second reading of an ordinance adding Section 72.161.40.5 (Item 3-A) of the County Code would be necessary to implement the Board's direction.

The Board's action on Item 5-A does not require a second hearing and Board direction would be implemented on July 10, 2019.

**RECOMMENDATION(S)
TRAFFIC ADVISORY COMMITTEE**

Adopt the Ordinance entitled:

ORDINANCE ADDING SECTION 72.161.40.5. OF THE SAN DIEGO COUNTY CODE RELATING TO SPEED LIMITS ON COUNTY MAINTAINED ROADS IN SAN DIEGO COUNTY (Item 3-A).

FISCAL IMPACT

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

BUSINESS IMPACT STATEMENT

N/A

ACTION:

ON MOTION of Supervisor Gaspar, seconded by Supervisor Desmond, the Board of Supervisors took action as recommended, on Consent, adopting Ordinance No. 10620 (N.S.), entitled: ORDINANCE ADDING SECTION 72.161.40.5. OF THE SAN DIEGO COUNTY CODE RELATING TO SPEED LIMITS ON COUNTY MAINTAINED ROADS IN SAN DIEGO COUNTY.

AYES: Cox, Jacob, Gaspar, Fletcher, Desmond

2. **SUBJECT: NOTICED PUBLIC HEARING:
PUBLIC HEARING TO APPROVE FEES AND CHARGES FOR FISCAL
YEAR 2019-20 TAX ROLL OF SAN DIEGO COUNTY SANITATION
DISTRICT AND CAMPO WATER MAINTENANCE DISTRICT
(DISTRICTS: 1 & 2)**

OVERVIEW

The San Diego County Sanitation District (Sanitation District) is a special district that is managed by the County of San Diego to construct, operate, and maintain sanitary sewer systems in several unincorporated communities. The County Board of Supervisors serves as the Sanitation District's Board of Directors. The Campo Water Maintenance District contains two zones that provide water service in the Campo area, Campo Hills and Rancho del Campo. The Sanitation District provides sewer service to approximately 36,000 customers, and Campo Hills is a zone within the Campo Water Maintenance District that provides water service to approximately 225 customers.

On April 12, 2017 (SA1), by Ordinance 10475, the Board of Directors of the San Diego County Sanitation District approved a five-year rate package through Fiscal Year (FY) 2021-22. The rate package included a range of rates to achieve full cost recovery by FY 2021-22, an annual \$4.0 million capital program, establishment of a \$3.0 million emergency reserve fund, and an annual pass-through adjustment to recover increases in wastewater treatment and disposal charges from the City of San Diego. The sewer rates for FY 2019-20 for single-family residential customers, will increase from \$410.76 to \$460.65 per EDU. The rate increase includes a \$25.55 pass-through charge from the City of San Diego's Metro Treatment System. There is no change to water rates for customers of the Campo Hills zone of the Campo Water Maintenance District. The FY 2019-20 rate is \$1,320 annually for single family dwellings and non-residential customers as approved by the Board on April 6, 2011(1), by Ordinance No. 10139. A public hearing is required to levy sewer and water service charges on the property tax roll.

This is a request to conduct a public hearing on the San Diego County Sanitation District and Campo Water Maintenance District tax roll reports, and to adopt resolutions approving collection of sewer and water service charges on the Fiscal Year 2019-20 tax rolls.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

Acting as the Board of Supervisors:

1. Find that the proposed action is not subject to the California Environmental Quality Act (CEQA) as specified under Section 15060 (c)(3) of the state CEQA Guidelines because the activity in question is administrative in nature and is not a project as defined in CEQA Guidelines Section 15378.
2. Adopt a Resolution titled: RESOLUTION AUTHORIZING WATER SERVICE CHARGES FOR FISCAL YEAR 2019-20 TO BE COLLECTED ON THE TAX ROLL (Attachment C).

Acting as the Board of Directors of the San Diego County Sanitation District:

Adopt a Resolution titled: RESOLUTION AUTHORIZING SEWER SERVICE CHARGES FOR FISCAL YEAR 2019-20 TO BE COLLECTED ON THE TAX ROLL (Attachment D).

FISCAL IMPACT

Funds for the proposed action are included in the Fiscal Year 2019-20 Operational Plan in the Department of Public Works Sanitation and Campo Water Maintenance Districts. The annual sewer and water service charges from customers will generate approximately \$25.5 million in revenue for the Sanitation District (\$25.1 million) and Campo Water Maintenance Districts (\$0.4 million). Effective July 1, 2019, the sewer rate will reflect the increase approved by the Board of Directors of the San Diego County Sanitation District on April 12, 2017 (SA1). There is no change in the water rate for customers of the Campo Water Maintenance District. There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT

N/A

(RELATES TO SANITATION DISTRICT AGENDA NO. SA1)

ACTION:

ON MOTION of Supervisor Gaspar, seconded by Supervisor Desmond, the Board of Supervisors closed the Hearing and took action as recommended, on Consent, adopting Resolution No. 19-130, entitled: RESOLUTION AUTHORIZING WATER SERVICE CHARGES FOR FISCAL YEAR 2019-20 TO BE COLLECTED ON THE TAX ROLL.

AYES: Cox, Jacob, Gaspar, Fletcher, Desmond

**3. SUBJECT: STREAMLINING THE DISCRETIONARY PERMIT PROCESS
(DISTRICTS: ALL)**

OVERVIEW

There are several major cost factors to develop land in the unincorporated area including land acquisition, infrastructure improvements, construction, financing, and processing discretionary permits. Processing discretionary permits can be a large burden of cost for individuals, businesses, and developers alike. Costs incurred during the discretionary process include staff review time, the California Environmental Quality Act (CEQA) process, engineering and design, and the financing costs of land holding. Ultimately these costs are passed on to renters and home buyers.

In the interest of increasing the amount of attainable homes in the region, the County of San Diego (County) should evaluate its discretionary permit processes and find opportunities to reduce the time and cost required to process a permit. While the County does not control the market price of housing within the region, we have a responsibility to be as effective and efficient as possible in our permitting processes.

Today's action will direct the Chief Administrative Officer to identify ways to reduce discretionary permit processing time and cost, investigate the feasibility of options identified, and return to the Board within 180-days with recommendations for review and approval.

RECOMMENDATION(S)

SUPERVISOR JIM DESMOND

Direct the Chief Administrative Officer to investigate the feasibility of the following items and return to the Board within 180-days with recommendations for:

1. Implementing a self-certification process for engineers;
2. Implementing permit and California Environmental Quality Act evaluation requirements;
3. Increasing final engineering flexibility;
4. Increasing opportunities to expand checklist exemptions to certain permit processes;
5. Implementing a project issue resolution process; and
6. Increasing coordination and accountability between departments.

FISCAL IMPACT

N/A

BUSINESS IMPACT STATEMENT

The proposed actions will help attract additional businesses to the region by reducing permit processing time and cost and increasing housing affordability for employees.

ACTION:

ON MOTION of Supervisor Desmond, seconded by Supervisor Gaspar, the Board of Supervisors took action as recommended adopting the following: Directed the Chief Administrative Officer to investigate the feasibility of the following items and return to the Board within 180-days with recommendations for:

1. Implementing a self-certification process for engineers;
2. Implementing permit and California Environmental Quality Act evaluation requirements;
3. Increasing final engineering flexibility;

4. Increasing opportunities to expand checklist exemptions to certain permit processes;
5. Implementing a project issue resolution process; and
6. Increasing coordination and accountability between departments.
7. Consideration to create a formal working group with industry representatives.

AYES: Cox, Jacob, Gaspar, Fletcher, Desmond

4. SUBJECT: CONFIRM FISCAL YEAR 2019-20 LEVIES FOR COMMUNITY FACILITIES DISTRICTS (DISTRICTS: 1, 2, 5)

OVERVIEW

An annual adoption of a resolution is required to provide for the levies of a special tax for Community Facility Districts (“CFD”). A CFD allows for financing of public improvements and services. The services and improvements CFDs can finance include, but are not limited to, street, sewer system and other basic infrastructure, police protection, fire protection, parks and libraries.

Through today’s actions, levies will be adopted for four CFDs. All proposed levies are within approved maximum rates. The method for calculating the levies is established in each district’s Rate and Method of Apportionment (“RMA”) as adopted by the Board of Supervisors. The RMA provides the methodology to determine the maximum annual assessment allowable for each district. The following is the summary of proposed levies for Fiscal Year 2019-20. The proposed levies are in accordance with the RMAs for each district.

County Service Area (CSA) 135 Community Facilities District 04-1 CFD 04-1 encompasses approximately 4,548 acres of land located in southeast San Diego County. The proposed maximum total annual assessment will increase from \$16,605.10 to \$16,936.94 for Special Tax A and no increase is proposed for Special Tax B, in accordance with the Rate and Method of Apportionment (RMA), adopted January 6, 2004. This increase is needed to fund the increase in cost to provide fire protection and Advance Life Support (ALS) emergency medical services within this CFD.

CSA 135 Community Facilities District 09-1 (East Otay Mesa) CFD 09-1 is comprised of approximately 3,068 acres of land in the southwestern portion of San Diego County. The proposed maximum total annual assessment will decrease from \$164,676.36 to \$164,386.28 for Special Tax A and will increase from \$524,457.94 to \$569,454.08 for Special Tax B, in accordance with the RMA, adopted September 22, 2009. This increase is needed to fund the increase in cost to provide fire protection and Advance Life Support (ALS) emergency medical services within this CFD.

Community Facilities District 2008-01 (Harmony Grove Village) The Harmony Grove Village subdivision is located within the San Dieguito Community Plan area. The proposed maximum annual total assessment will increase from \$735,626.96 to \$1,338,510.12 for Special Tax A, Improvement Area No. 1, from \$431,301.48 to \$795,231.78 for Special Tax A, Improvement Area No. 2 and from \$482,245.60 to \$635,368.80 for Special Tax B, in accordance with the RMA, adopted June 25, 2008 (9). This increase is needed to fund increase costs related to CFD administration, maintenance, and operating costs of storm drain structures, public parks/recreation facilities/open space, street lighting, and emergency response facilities and services provided by Rancho Santa Fe Fire Protection District. In addition, this funds the administration and costs related to construction of public facilities being built by the developer, through a bond series approved by the Board on December 5, 2017 (23).

Community Facilities District 2013-01 (Horse Creek Ridge Maintenance) The Horse Creek Ridge subdivision is located within the Fallbrook Community Plan area. The proposed maximum total annual assessment will increase from \$224,372.70 to \$378,314.44 for Special Tax A, from \$91,577.66 to \$154,413.68 for Special Tax B, and from \$68,965.96 to \$116,291.76 for Special Tax C in accordance with the RMA, adopted January 29, 2014 (1). This increase is needed to fund increase cost to operate and maintain a regional sports park complex, staging area and park trails, onsite and offsite open space, fire services, and detention basins within the CFD.

Today's request is for the Board, acting as the Governing Body of the CFDs, to adopt four resolutions to authorize the Fiscal Year 2019-20 levies for CSA 135-CFD No. 04-1, CSA 135-CFD No. 09-1 (East Otay Mesa), CFD No. 2008-01 (Harmony Grove Village) and CFD No. 2013-01 (Horse Creek Ridge Maintenance). Upon approval, the annual levies will be placed on the tax roll so that the property owners can continue to pay the levy through their property tax bills.

RECOMMENDATION(S)
CHIEF ADMINISTRATIVE OFFICER

1. Find that the adoption of four resolutions to authorize levies during Fiscal Year 2019-20 is exempt from the California Environmental Quality Act (CEQA) pursuant to Sections 15378 and 15273 of the State CEQA Guidelines and incorporate the findings attached hereto as Attachment I.
2. Adopt a Resolution entitled: A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO ACTING AS THE GOVERNING BODY OF COMMUNITY FACILITIES DISTRICT NO. 04-1 AUTHORIZING THE LEVY OF SPECIAL TAXES FOR FISCAL YEAR 2019-20.
3. Adopt a Resolution entitled: A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO ACTING AS THE GOVERNING BODY OF COMMUNITY FACILITIES DISTRICT NO. 09-1 AUTHORIZING THE LEVY OF SPECIAL TAXES FOR FISCAL YEAR 2019-20.
4. Adopt a Resolution entitled: A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO ACTING AS THE GOVERNING BODY OF COMMUNITY FACILITIES DISTRICT NO. 2008-01 (HARMONY GROVE VILLAGE) AUTHORIZING THE LEVY OF SPECIAL TAXES FOR FISCAL YEAR 2019-20.
5. Adopt a Resolution entitled: A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO ACTING AS THE GOVERNING BODY OF COMMUNITY FACILITIES DISTRICT NO. 2013-01 (HORSE CREEK RIDGE MAINTENANCE) AUTHORIZING THE LEVY OF SPECIAL TAXES FOR FISCAL YEAR 2019-20.

FISCAL IMPACT

The proposed assessment levies are included in the Fiscal Year 2019-20 Operational Plan for the Department of Public Works, Department of Parks and Recreation, and County Fire Authority. If approved, the proposed rate increases will result in additional estimated revenue of \$732,693 in the Department of Public Works for CFD No. 2008-01; \$264,103 in the Department of Parks and

Recreation for CFD No. 2013-01; and \$45,038 in the Fire Authority for CFD No. 04-1 (\$332) and CFD 09-1 (\$44,706). The funding sources are special tax levies from CFD No. 04-1, CFD No. 09-1, CFD No. 2008-01, and CFD No. 2013-01 paid by property owners. 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 Desmond, the Board of Supervisors took action as recommended, on Consent, adopting:

Resolution No. 19-131, entitled: A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO ACTING AS THE GOVERNING BODY OF COMMUNITY FACILITIES DISTRICT NO. 04-1 AUTHORIZING THE LEVY OF SPECIAL TAXES FOR FISCAL YEAR 2019-20;

Resolution No. 19-132 entitled: A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO ACTING AS THE GOVERNING BODY OF COMMUNITY FACILITIES DISTRICT NO. 09-1 AUTHORIZING THE LEVY OF SPECIAL TAXES FOR FISCAL YEAR 2019-20;

Resolution No. 19-133 entitled: A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO ACTING AS THE GOVERNING BODY OF COMMUNITY FACILITIES DISTRICT NO. 2008-01 (HARMONY GROVE VILLAGE) AUTHORIZING THE LEVY OF SPECIAL TAXES FOR FISCAL YEAR 2019-20; and,

Resolution No. 19-134 entitled: A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO ACTING AS THE GOVERNING BODY OF COMMUNITY FACILITIES DISTRICT NO. 2013-01 (HORSE CREEK RIDGE MAINTENANCE) AUTHORIZING THE LEVY OF SPECIAL TAXES FOR FISCAL YEAR 2019-20.

AYES: Cox, Jacob, Gaspar, Fletcher, Desmond

5. **SUBJECT: ADOPT RESOLUTIONS AUTHORIZING APPLICATIONS AND AGREEMENTS FOR ACCEPTANCE OF STATE GRANT AND PAYMENT PROGRAM FUNDS FOR WASTE DIVERSION (DISTRICTS: 1, 2, 3, & 5)**

OVERVIEW

The Department of Public Works (DPW) is responsible for meeting state-mandated waste diversion requirements and implementing a comprehensive waste diversion program in the unincorporated area of San Diego county. The Solid Waste Planning and Recycling section manages franchised waste collection service providers and provides technical assistance to residential, commercial, industrial and agricultural facilities to reduce waste and implement recycling programs. Reducing waste provides multiple benefits to the region, including maximizing landfill space, conserving natural resources, decreasing pollution, and strengthening the local economy.

The State Department of Resources, Recycling, and Recovery (CalRecycle) offers waste diversion payment and grant programs to qualifying jurisdictions. The primary difference between the two programs is that grant programs award funding on a competitive basis, whereas payment programs award funding on non-competitive, per-capita basis. On average, DPW receives \$335,000 annually from CalRecycle for both the competitive and per-capita funded activities that help support recycling and waste reduction in the unincorporated region. Funds have been used to start or expand recycling programs at businesses, multifamily complexes, schools, parks, recreation centers, community events and many other sites.

DPW is required to request authorization from the Board of Supervisors (Board) to apply for and receive grant funding from the State of California. CalRecycle's competitive and per-capita programs often provide relatively short timeframes to submit the required applications and resolutions. The Board has historically delegated authority to the Director of DPW to apply for and accept competitive grant funds and non-competitive per-capita program grants for waste diversion which streamlined the grant application process and allowed the department to apply for grants on short notice. The current resolution, approved by the Board on February 5, 2014 (5), authorized DPW to apply for and administer grants from CalRecycle for waste diversion and expired at the end of Fiscal Year (FY) 2018-19. For the competitive grant programs, CalRecycle allows this resolution to provide authority for up to a five-year period. Additionally, on May 4, 2016 (9), the Board authorized DPW to apply for and administer grants from the per-capita program for FY 2016-17 through FY 2020-21. CalRecycle has adjusted its requirements for the per-capita program and will now accept open-ended resolutions with authorization being effective until rescinded by the Board. Therefore, if today's request is approved, DPW will be authorized by the Board to apply for and administer per-capita programs from CalRecycle for waste diversion until such authorization is rescinded by the Board.

Today's request is to adopt resolutions authorizing applications for state funding from CalRecycle will provide authority for DPW to apply for and administer grant funding for recycling, cleanup, and resource management programs in FY 2019-20 through FY 2024-25. In addition, this request provides authority for DPW to apply for and administer funding for recycling and resource management payment programs, until this authority is rescinded by the Board. If adopted, the requested resolutions will streamline the process to apply for and administer grant and program funding and reduce related staff time and administrative costs. Upon grant award notification, DPW will return to the Board to establish the necessary appropriations.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. Find, in accordance with Section 15061(b)(3) of the state of California Environmental Quality Act Guidelines, that it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment and that it is therefore exempt from CEQA review.
2. Adopt a Resolution entitled: RESOLUTION OF THE COUNTY OF SAN DIEGO AUTHORIZING SUBMITTAL OF APPLICATIONS FOR ALL CALRECYCLE GRANTS FOR WHICH THE COUNTY OF SAN DIEGO IS ELIGIBLE, which will authorize submittal and acceptance of grants for the next five years (Multi-Year Resolution).

3. Adopt a Resolution entitled: RESOLUTION AUTHORIZING SUBMITTAL OF APPLICATIONS FOR PAYMENT PROGRAMS AND RELATED AUTHORIZATIONS, which will authorize submittal and acceptance of program payment funds until such authorization is rescinded by the Board of Supervisors (Board).
4. Authorize the Director, Department of Public Works, or his/her designee, as agent of the County of San Diego, to conduct all negotiations, execute and submit all documents including, but not limited to applications, contracts, payment requests, agreements and amendments, which may be necessary to secure and manage the use of program funds.
5. Waive Board Policy B-29, Fees, Grants, Revenue Contracts - Department Responsibility for Cost Recovery, which requires full cost recovery for services provided under grants.

FISCAL IMPACT

There is no fiscal impact associated with the approval of today's resolutions authorizing applications and agreements for state grant and payment program funding through Fiscal Year 2024-25. If grant funds are awarded, the Department of Public Works (DPW) will return to the Board of Supervisors (Board) to establish the necessary appropriations. The funding source is the State Department of Resources, Recycling, and Recovery (CalRecycle). If DPW receives funds from grant programs that require matching funds, the match will be provided by available funds within the DPW Solid Waste and Recycling Fund.

A waiver of Board Policy B-29 is requested because the proposed grant funding may not offset all operating costs. If approved and a grant is awarded, any unrecovered cost per Board Policy B-29 would be funded by available funds within the DPW Solid Waste and Recycling Fund. 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 Desmond, the Board of Supervisors took action as recommended, on Consent, adopting Resolution No. 19-135, entitled: RESOLUTION OF THE COUNTY OF SAN DIEGO AUTHORIZING SUBMITTAL OF APPLICATIONS FOR ALL CALRECYCLE GRANTS FOR WHICH THE COUNTY OF SAN DIEGO IS ELIGIBLE; and,

Resolution No. 19-136 entitled: RESOLUTION AUTHORIZING SUBMITTAL OF APPLICATIONS FOR PAYMENT PROGRAMS AND RELATED AUTHORIZATIONS.

AYES: Cox, Jacob, Gaspar, Fletcher, Desmond

6. **SUBJECT: NOTICED PUBLIC HEARING:
APPEAL OF AT&T EAST WASHINGTON WIRELESS
TELECOMMUNICATION FACILITY MAJOR USE PERMIT
(DISTRICT: 2)**

OVERVIEW

This is a request for the Board of Supervisors to consider an appeal made by the Ramona Community Planning Group regarding the Planning Commission's approval of the proposed AT&T East Washington Wireless Telecommunication Facility Major Use Permit.

The project is for the installation of an unmanned wireless telecommunication facility consisting of a 35-foot tall faux mono-eucalyptus tree with 12 panel antennas, a global positioning system antenna, 24 remote radio units, four surge suppressors that divert surges of power and protect the facility's equipment, and associated equipment within an eight-foot tall concrete masonry unit equipment enclosure. The proposed wireless telecommunication facility is designed to provide increased cellular and internet service to area residents and to provide broader mobile coverage to motorists. The site will also accept wireless data traffic from other sites within the network that are currently at full capacity. The property is currently developed with a single-family residence, an accessory dwelling unit, storage trailers, and a small water tank. The site is located at 374 Washington Street, within the Ramona Community Plan Area.

**RECOMMENDATION(S)
PLANNING COMMISSION**

On April 5, 2019, the Planning Commission considered the application and made the following decisions:

1. Adopt the Environmental Findings, which includes a finding that the project is exempt from the California Environmental Quality Act (Attachment B, on file with the Clerk of the Board).
2. Grant Major Use Permit PDS2018-MUP-18-005, make the findings, and impose the requirements and conditions set forth in the Form of Decision (Attachment C, on file with the Clerk of the Board).

DEPARTMENT OF PLANNING & DEVELOPMENT SERVICES

Planning & Development Services concurs with the decision of the Planning Commission and recommends the Board of Supervisors (Board):

1. Deny the appeal (Attachment D, on file with the Clerk of the Board) for the reasons discussed in this Board Letter.
2. Adopt the Environmental Findings included in Attachment B, which includes a finding that the project is exempt from the California Environmental Quality Act pursuant to State CEQA Guidelines section 15303.
3. Grant Major Use Permit PDS2018-MUP-18-005 and impose the requirements and conditions set forth in the Form of Decision (Attachment C, on file with the Clerk of the Board).
4. Require AT&T Mobility to enter into an agreement to defend and indemnify the County of San Diego (County) 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 project, require AT&T Mobility to provide

security in the amount of \$500,000 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).

FISCAL IMPACT

N/A

BUSINESS IMPACT STATEMENT

N/A

ACTION:

ON MOTION of Supervisor Jacob, seconded by Supervisor Cox, the Board of Supervisors closed the Hearing and took action as recommended, and directed the Chief Administrative Officer to investigate the feasibility of having an independent third party review as a part of the permitting process and report back to the Board in 120 days.

AYES: Cox, Jacob, Gaspar, Fletcher, Desmond

7. **SUBJECT: AUTHORIZATION TO ADVERTISE AND AWARD A CONSTRUCTION CONTRACT FOR THE OTAY LAKES COUNTY PARK RECREATION AMENITIES PROJECT (DISTRICT: 1)**

OVERVIEW

The Department of Parks and Recreation (DPR) operates Otay Lakes County Park (Park) located near Lower Otay Reservoir in Chula Vista. The Park consists of 78 acres, including 11 developed acres with playgrounds, picnic areas, horseshoe pits, lawn areas, and a native plant demonstration garden. The Park overlooks Lower Otay Reservoir and is also used as a wedding and special events venue.

A portion of the developed Park is currently used as an open grass area and has been identified for redevelopment in order to provide new recreational amenities. On February 27, 2019 (8), the Board of Supervisors established \$250,000 in appropriations for the design, environmental analysis and construction of simulated and/or real climbing boulders for a variety of ages and skill levels as well as seating adjacent to the climbing area. This will provide a new recreational opportunity for the neighboring community as well as the region.

Today's requested action will authorize the Director, Department of Purchasing and Contracting, to advertise and award a construction contract for the Otay Lakes County Park Recreation Amenities project for an estimated \$220,000, including contingency. Approximately \$20,000 has been spent to date on project design and environmental analysis. The remaining \$10,000 in project funding will be used for other project related expenses including inspection, construction management and project administration. The total project cost for the Otay Lakes County Park Recreation Amenities project is funded by the General Fund Commitment for Parks Expansion and Improvement. If approved, construction will begin in fall 2019 and be completed this winter.

**RECOMMENDATION(S)
CHIEF ADMINISTRATIVE OFFICER**

1. Find that the Otay Lakes County Park Recreation Amenities project is exempt from the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines sections 15303, 15304 and 15311.
2. Authorize the Director, Department of Purchasing and Contracting, to advertise and award a construction contract and take any other action authorized by Section 401 et seq. of the Administrative Code with respect to contracting for the construction of the Otay Lakes County Park Recreation Amenities project.
3. Designate the Director, Department of Parks and Recreation, or designee, as the County Officer for administering the construction contract for the Otay Lakes County Park Recreation Amenities project, in accordance with Board Policy F-41, Public Works Construction Projects.

FISCAL IMPACT

Funds for this project are included in the Fiscal Year 2019-20 Operational Plan in the Capital Outlay Fund. If approved, this request will result in costs of \$250,000 in Capital Project 1022650 Otay Lakes County Park Recreation Amenities. Construction costs are estimated at \$220,000 including contingency. The remainder of the project funds, \$30,000, has been and will be used for other project related expenses. A portion of these funds was used to complete design and environmental analysis. The rest will be used for inspection, construction management and project administration. The funding source is General Fund fund balance Commitment for Parks Expansion & Improvement.

Upon completion, annual operations and maintenance of improvements will be provided by existing Department of Parks and Recreation staff. There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT

N/A

ACTION:

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

AYES: Cox, Jacob, Gaspar, Fletcher, Desmond

8. **SUBJECT: AUTHORIZATION FOR SINGLE SOURCE PROCUREMENTS OF MOSQUITO LARVICIDES FOR AERIAL AND LAND APPLICATION TO PREVENT WEST NILE VIRUS (DISTRICTS: ALL)**

OVERVIEW

West Nile virus (WNV) is the leading cause of mosquito-borne disease in the continental United States. WNV is a wild bird disease, which is transmitted to people by the bite of an infected mosquito and has been commonly detected in the San Diego region since 2003. Mosquito control measures are a key strategy in minimizing the impacts of WNV to residents and visitors. Mosquito populations and the transmission of WNV can be significantly reduced by applying

larvicides to bodies of water to prevent mosquito larvae from becoming adult mosquitoes. The Department of Environmental Health Vector Control Program (Vector Control) conducts both aerial and ground-based applications of larvicides to over 1,500 mosquito breeding sources in the region to reduce mosquitoes and protect public health. Aerial applications are conducted by helicopter every 3 to 4 weeks beginning in the spring (April/May) through fall (October/November) at up to 51 mosquito breeding sources, consisting of over 1,080 acres, that cannot be treated on the ground due to their size or location. Ground-based applications are also conducted on a four-week rotation or as needed based on the presence of mosquito breeding in the region. Alternating the larvicide products used for mosquito control is part of Vector Control's integrated pest management approach. The use of different larvicides minimizes mosquito larvae from becoming resistant to the larvicide and is in alignment with good resistance management protocols.

This is a request for approval of single source procurements of a variety of mosquito larvicides to conduct aerial and ground-based mosquito control applications. The request includes authorization to enter into an agreement with ADAPCO® for an amount of \$825,000 for Fiscal Year 2019-20 and each subsequent fiscal year through June 30, 2024, and an agreement with Clarke Mosquito Control Products, Inc. for an amount of \$175,000 for Fiscal Year 2019-20 and each subsequent fiscal year through June 30, 2024.

RECOMMENDATION(S)
CHIEF ADMINISTRATIVE OFFICER

1. Find in accordance with Section 15061(b)(3) of the California Environmental Quality Act Guidelines that it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment and is, therefore, not subject to the California Environmental Quality Act.
2. In accordance with Board Policy A-87, *Competitive Procurement*, approve and authorize the Director, Department of Purchasing and Contracting, to enter into negotiations with ADAPCO®, and subject to successful negotiations and determination of a fair and reasonable price, award an agreement for trade mark product brands, VectoMax® FG and VectoBac® GR, for five years through June 30, 2024, and an additional six months if needed, and to amend the contract as needed to reflect changes to services and funding, subject to approval of the Director of Environmental Health. Waive the advertising requirement of Board Policy A-87.
3. In accordance with Board Policy A-87, *Competitive Procurement*, approve and authorize the Director, Department of Purchasing and Contracting, to enter into negotiations with Clarke Mosquito Control Products, Inc., and subject to successful negotiations and determination of a fair and reasonable price, award an agreement for trade mark product brand Natular® products for five years through June 30, 2024, and an additional six months if needed, and to amend the contract as needed to reflect changes to services and funding, subject to approval of the Director of Environmental Health. Waive the advertising requirement of Board Policy A-87.

FISCAL IMPACT

Funds for these recommendations are included in the Fiscal Year (FY) 2019-20 Operational Plan in the Department of Environmental Health. If approved, this request will result in costs and revenue of \$1.0 million in FY 2019-20 and an estimated amount of \$1.0 million in each subsequent year through FY 2023-24. The funding source is the vector control benefit

assessment paid annually by residents. There will be no change in net General Fund cost and no additional staff years. Funding for the subsequent years' costs will be included in future years' Operational Plans based on revenue from the Vector Control Benefit Assessment.

BUSINESS IMPACT STATEMENT

N/A

ACTION:

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

AYES: Cox, Jacob, Gaspar, Fletcher, Desmond

9. **SUBJECT: NOTICED PUBLIC HEARING:
GENERAL SERVICES - SOUTHEASTERN LIVE WELL CENTER -
HOLD HEARING - PURCHASE OF REAL PROPERTY FROM THE
CITY OF SAN DIEGO - ASSESSOR'S PARCEL NUMBER 548-040-39
(DISTRICT: 4)**

OVERVIEW

This item has been continued from July 23, 2019 (9) to July 24, 2019.

On June 25, 2019 (10), the Board of Supervisors set a hearing for July 23, 2019.

On June 19, 2018 (12), the Board approved the purchase of an unimproved 4.06-acre property near the intersection of Euclid Avenue and Market Street in San Diego for use as the site for a new HHSA Southeastern Live Well Center (SELWC) and authorized the advertisement and award of a design-build contract for the design and construction of the facility. The property consists of Assessor's Parcel Numbers 548-040-06 through 548-040-09.

On March 12, 2019 (6), the Board authorized the Director, Department of General Services to negotiate the potential purchase of the 7,000 square-foot Tubman-Chavez Community Center located on 0.63-acre owned by the City of San Diego (Assessor's Parcel Number 548-040-39). The City-owned parcel is located at the southeastern intersection of Euclid Avenue and Market Street and is situated immediately west of the property acquired for the SELWC. Acquiring the City-owned parcel would enhance SELWC services by allowing more efficient design opportunities, creating more visibility for the facility, and providing additional physical access to the County's property. Negotiations with the City were successful, and the City has agreed to sell the City parcel to the County for the appraised fair market value of \$1,465,000.

Today's request is for the Board to make the necessary environmental findings, approve the purchase of the Tubman-Chavez Community Center parcel from the City of San Diego for \$1,465,000, and authorize the Director, Department of General Services to execute all escrow and related documents necessary to complete the purchase.

**RECOMMENDATION(S)
CHIEF ADMINISTRATIVE OFFICER**

1. Find that there are no changes in the project or in the circumstances under which it is undertaken that involve significant new environmental impacts that were not considered in the previously adopted Mitigated Negative Declaration (MND), prepared in May 2018, that there is no substantial increase in the severity of previously identified significant effects, and that no new information of substantial importance has become available since the MND was prepared.
2. Approve the purchase of the Tubman-Chavez Community Center from the City of San Diego [Assessor's Parcel Number 548-040-39] for the appraised value of \$1,465,000.
3. Authorize the Director, Department of General Services to execute the purchase and sale agreement for the property and all escrow and related documents necessary to complete the purchase.

FISCAL IMPACT

Funds for this request are included in the Fiscal Year 2019-20 Operational Plan for the County Health Complex Capital Outlay Fund for Capital Project 1021148, Southeastern San Diego Live Well Center. If approved, this request will result in total acquisition costs of \$1,705,000 (\$1,465,000 for the acquisition of APN 548-040-39 and \$240,000 for escrow and title fees, staff costs to process the purchase, and due diligence costs related to the proposed acquisition). The funding source is an Operating Transfer In from the General Fund. There will be no change in net General Fund cost and no additional staff years.

The total project cost of the Southeastern Live Well Center project is currently estimated to be \$75,705,000.

BUSINESS IMPACT STATEMENT

N/A

ACTION:

ON MOTION of Supervisor Fletcher, seconded by Supervisor Cox, the Board of Supervisors closed the Hearing and took action as recommended.

AYES: Cox, Jacob, Gaspar, Fletcher, Desmond

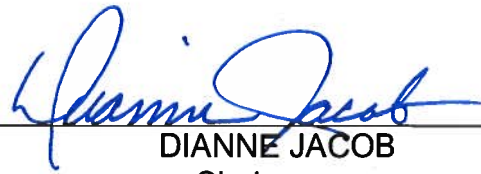
There being no further business, the Board adjourned at 10:20 a.m.

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 August 7, 2019.



DIANNE JACOB
Chairwoman

Attest:



ANDREW POTTER
Clerk of the Board

07/24/19