

**September 13, 2017**

**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, SEPTEMBER 13, 2017, 9:00 AM**  
BOARD OF SUPERVISORS NORTH CHAMBER  
1600 PACIFIC HIGHWAY, SAN DIEGO, CALIFORNIA

**Order of Business**

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

PRESENT: Supervisors Dianne Jacob, Chairwoman; Kristin Gaspar, Vice-Chairwoman; Greg Cox; Ron Roberts; Bill Horn; also Andrew Potter, Assistant Clerk of the Board.

B. Closed Session Report

C. Public Communication: Opportunity for members of the public to speak to the Board on any subject matter within the Board's jurisdiction but not an item on today's agenda.

D. Approval of the Statement of Proceedings/Minutes for the meeting of August 2, 2017

**ACTION:**

ON MOTION of Supervisor Gaspar, seconded by Supervisor Cox, the Board of Supervisors approved the Statement of Proceedings/Minutes for the meeting of August 2, 2017.

AYES: Cox, Jacob, Gaspar, Roberts, Horn

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:<br>SECOND CONSIDERATION AND ADOPTION OF ORDINANCE:<br>TRAFFIC ADVISORY COMMITTEE RECOMMENDATIONS (8/2/17 -<br>ADOPT RECOMMENDATIONS; 9/13/17 - SECOND READING OF AN<br>ORDINANCE)<br>[FUNDING SOURCE: HIGHWAY USER TAX ACCOUNT]   |
| 2.       | ADOPT A RESOLUTION OF THE BOARD OF SUPERVISORS TO<br>SUMMARILY VACATE A NON-MOTORIZED MULTI-USE TRAIL<br>EASEMENT, VALLEY CENTER (VACATION NO. 2016-0274)<br>[FUNDING SOURCE: BUDGETED APPROPRIATIONS WITHIN THE<br>FACILITIES MANAGEMENT INTERNAL SERVICE FUND BASED<br>ON CONTRIBUTIONS FROM VARIOUS COUNTY OF SAN DIEGO<br>DEPARTMENTS] |
| 3.       | AUTHORIZATION TO EXECUTE AN AMENDMENT TO<br>REIMBURSEMENT AGREEMENT FOR ROAD IMPROVEMENTS TO<br>STATE ROUTE 76 - FALLBROOK BETWEEN THE COUNTY OF<br>SAN DIEGO AND GRANITE CONSTRUCTION COMPANY   |
| 4.       | ACCEPTANCE OF DONATION OF WINDOW SHADES TO THE<br>DEPARTMENT OF PARKS AND RECREATION FOR FALLBROOK<br>COMMUNITY CENTER   |
| 5.       | ESTABLISH APPROPRIATIONS AND ADVERTISE AND AWARD A<br>CONTRACT FOR CONSTRUCTION OF RECHE ROAD AT LIVE<br>OAK ELEMENTARY SCHOOL AND POTTER JUNIOR HIGH<br>SCHOOL ROAD IMPROVEMENTS PROJECT<br>[FUNDING SOURCE: REVENUE FROM THE FEDERAL ACTIVE<br>TRANSPORTATION PROGRAM]<br>(4 VOTES)  |
| 6.       | ADVERTISE AND AWARD A CONSTRUCTION CONTRACT FOR<br>STAGE COACH LANE AT RECHE ROAD INTERSECTION<br>IMPROVEMENTS PROJECT<br>[FUNDING SOURCE: REVENUE FROM TRANSNET]  |
| 7.       | FALLBROOK COMMUNITY AIRPARK - PROPOSED FIRST<br>AMENDMENT TO LEASE WITH MURRAY INVESTMENT<br>COMPANY, LLC<br>[FUNDING SOURCE: RENTAL PAYMENTS FROM THE LESSEE<br>UNDER THE TERMS OF THE AMENDED AGREEMENT]<br>(4 VOTES)  |

8. ADOPT RESOLUTIONS TO APPLY FOR AND ACCEPT GRANT FUNDS FROM HABITAT CONSERVATION FUND FOR THE SIERRA VERDE CONNECTION LAND ACQUISITION AND THE PEUTZ CREEK LAND ACQUISITION
9. PUBLIC COMMUNICATION

**1. SUBJECT: ADMINISTRATIVE ITEM:  
SECOND CONSIDERATION AND ADOPTION OF ORDINANCE:  
TRAFFIC ADVISORY COMMITTEE RECOMMENDATIONS (8/2/17 -  
ADOPT RECOMMENDATIONS; 9/13/17 - SECOND READING OF AN  
ORDINANCE) (DISTRICTS: 2 & 5)**

**OVERVIEW**

On August 2, 2017 (2), the Board of Supervisors introduced the Ordinance for further consideration and adoption on September 13, 2017.

The Traffic Advisory Committee meets every six weeks to review proposed additions, deletions, or changes to regulatory traffic control devices on County-maintained roads. The Committee recommends the Board of Supervisors act on four items from the June 9, 2017 meeting agenda.

Item 2-A would add the intersection of Lyons Valley Road and Jamul Drive in Jamul to the Traffic Signal Priority List and add an interim all-way stop at the intersection. This item will provide a safety enhancement measure for pedestrians, bicyclists, and all other road users by providing a greater level of right-of-way assignment at the intersection. Warranted traffic signals at intersections reduce the number and severity of collisions by controlling intersection access and properly posted all-way stop controls assure that reasonable drivers enter the intersection at a low speed and have more time to take heed of the traffic situation.

Item 2-B would support installation of a marked crosswalk with a pedestrian hybrid beacon on Brabham Street between Avenida Apolinaria and Via Rancho San Diego in Rancho San Diego. This item will provide a traffic control device to warn and control traffic at an unsignalized location to assist school zone and residential pedestrians in crossing Brabham Street at a presently unmarked crosswalk. A marked crosswalk with a pedestrian hybrid beacon provides a red signal for vehicles when crossing demand is present; and brings a higher rate of compliance on stopping traffic so pedestrians can cross much more safely.

Item 5-A would repeal a weight restriction on a culvert bridge on Live Oak Park Road over a San Luis Rey River tributary (County Bridge No. 57C-0709) in Fallbrook. Repairs made to the bridge have resulted in a higher structural rating. This item will provide shorter travel times and distances for large commercial vehicles moving goods on County-maintained roads in the area who currently have to choose separate routes.

Item 5-B would relocate a mid-block equestrian trail crossing on Lomas Santa Fe Drive near La Floresta (private) to the intersection of Lomas Santa Fe Drive and Sun Valley Road in Sun Valley and would provide a marked crosswalk. This item is expected to provide a multi-use trail crossing at a location with superior lines-of-sight and enhanced notification to the motoring public.

The Board of Supervisors (Board) action on Item 5-A will revise the San Diego County Code of Regulatory Ordinances (County Code) and requires two steps. On August 2, 2017, the Board will consider the TAC items. If the Board takes action on August 2, 2017, then on September 13, 2017, a second reading of an Ordinance repealing Section 72.215.7 of the County Code would be necessary to implement the Board's direction for Item 5-A.

**RECOMMENDATION(S)**  
**TRAFFIC ADVISORY COMMITTEE**

**District 2**

2-A. Lyons Valley Road/Jamul Drive in Jamul (58th Edition Thomas Guide Page 1272 H-7) - Add intersection to the Traffic Signal Priority List and establish an all-way stop intersection.

2-B. Brabham Street between Avenida Apolinaria and Via Rancho San Diego in Rancho San Diego (58th Edition Thomas Guide Page 1272 A-4) - Support installation of a marked crosswalk with a pedestrian hybrid beacon.

**District 5**

5-A. Live Oak Park Road in Fallbrook (58th Edition Thomas Guide Page 1028 B-2) - Repeal a weight restriction for County Bridge No. 57C-0709 over the San Luis Rey River Tributary.

5-B. Lomas Santa Fe Drive in Sun Valley (58th Edition Thomas Guide Page 1167 J-6) - Support the relocation of a mid-block trail crossing near La Floresta to the intersection of Lomas Santa Fe Drive and Sun Valley Road and provide a marked crosswalk.

**CHIEF ADMINISTRATIVE OFFICER**

Consider and adopt the ordinance entitled:

AN ORDINANCE REPEALING SECTION 72.215.7. OF THE SAN DIEGO COUNTY CODE RELATING TO WEIGHT AND SPEED LIMITS ON BRIDGES IN THE COUNTY OF SAN DIEGO (Item 5-A).

**FISCAL IMPACT**

Funds for this request are included in the Fiscal Year 2017-18 Operational Plan in the Department of Public Works Road Fund. Costs for the identified improvements are estimated at \$50,000. The funding source is Highway User Tax Account. 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 Roberts, seconded by Supervisor Horn, the Board of Supervisors took action as recommended, on Consent, adopting Ordinance No. 10493 (N.S.) entitled: AN ORDINANCE REPEALING SECTION 72.215.7. OF THE SAN DIEGO COUNTY CODE RELATING TO WEIGHT AND SPEED LIMITS ON BRIDGES IN THE COUNTY OF SAN DIEGO (Item 5-A).

AYES: Cox, Jacob, Gaspar, Roberts, Horn

2. **SUBJECT: ADOPT A RESOLUTION OF THE BOARD OF SUPERVISORS TO SUMMARILY VACATE A NON-MOTORIZED MULTI-USE TRAIL EASEMENT, VALLEY CENTER (VACATION NO. 2016-0274) (DISTRICT: 5)**

### **OVERVIEW**

The Department of General Services, Real Estate Services Division is processing a summary vacation of the Non-Motorized Multi-Use Trail public service easement granted and accepted by the document recorded in the Office of the County Recorder of San Diego County on June 8, 2011 as document number 2011-0292065 of Official Records. The proposed vacation is a public service trail easement on private property located in the unincorporated area of the county, within the Valley Center Community Plan Area, in the vicinity of Valley Center, near the intersection of Spearhead Trail and Andreen Road, identified as County Parcel No. 2016-0274. For the five years preceding this request, the public service trail easement has not been used for the purpose for which it was acquired. The public service easement has also been determined to be excess by the easement holder and there are no other public facilities located within the easement.

Today's request is to adopt a resolution to summarily vacate the public service trail easement, which for the five years prior to this request has not been used for the purpose for which it was acquired and is determined excess to the County's needs. The public service trail easement is over a portion of a privately-owned property and is not part of the Community Trails Master Plan. There are no in-place public utility facilities that are in use that would be affected by the vacation, there are no other public facilities located within the easement, and no property owner would be land-locked as a result of the proposed vacation. Therefore the public service easement may be summarily vacated pursuant to Streets and Highways Code Section 8333(a) and 8333(c).

### **RECOMMENDATION(S)**

#### **CHIEF ADMINISTRATIVE OFFICER**

1. Find that the proposed action is not subject to review under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Sections 15060(c)(2) and (3) because the action 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: RESOLUTION OF THE BOARD OF SUPERVISORS TO SUMMARILY VACATE A NON-MOTORIZED MULTI-USE TRAIL EASEMENT, VALLEY CENTER (VACATION NO. 2016-0274).
2. Direct the Clerk of the Board to record the Resolution for Vacation No. 2016-0274 pursuant to Streets and Highways Code Section 8336.

### **FISCAL IMPACT**

Funds for this request are included in the Fiscal Year 2017-18 Operational Plan in the Department of General Services. If approved, this request would result in costs of \$2,085 to process the proposed vacation. The funding source is budgeted appropriations within the Facilities Management Internal Service Fund based on contributions from various County of San Diego departments. 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 Roberts, seconded by Supervisor Horn, the Board of Supervisors took action as recommended, on Consent, adopting Resolution No. 17-133 entitled: RESOLUTION OF THE BOARD OF SUPERVISORS TO SUMMARILY VACATE A NON - MOTORIZED MULTI- USE TRAIL EASEMENT, VALLEY CENTER (VACATION NO. 2016-0274).

AYES: Cox, Jacob, Gaspar, Roberts, Horn

3. **SUBJECT: AUTHORIZATION TO EXECUTE AN AMENDMENT TO REIMBURSEMENT AGREEMENT FOR ROAD IMPROVEMENTS TO STATE ROUTE 76 - FALLBROOK BETWEEN THE COUNTY OF SAN DIEGO AND GRANITE CONSTRUCTION COMPANY (DISTRICT: 5)**

### **OVERVIEW**

On April 20, 2005 (10), the Board of Supervisors adopted the Transportation Impact Fee (TIF) Ordinance that provides a mechanism for cumulative impact mitigation and funding for the construction of transportation facilities necessary to accommodate future development within the unincorporated county. The 2005 TIF Ordinance allowed for reimbursement from TIF revenues to developers who advanced funding and constructed road improvements to roads that were on the approved list of TIF facilities. State Route 76 between I-15 and Couser Canyon Road is one such example. Specifically, on October 18, 2006 (7), the Board of Supervisors approved a TIF reimbursement agreement with Granite Construction Company for proposed improvements to a segment of State Route 76 east of Interstate 15. In 2009 Granite Construction Company completed road improvements to State Route 76 which provided highway capacity enhancements that benefitted the north county region. This segment of State Route 76 is important to the region and would likely not have been improved for some time due to limited state transportation funding.

The County has made quarterly reimbursement payments to Granite Construction Company from North TIF Region revenues the County receives from projects required to pay TIF as a condition of development. There is a remaining unpaid balance of approximately \$16 million owed Granite under the reimbursement agreement. Based on the current rate of TIF collections, it is unlikely Granite Construction Company would be fully reimbursed within the agreement's 25-year term. The agreement provides Granite Construction Company the option of transferring credits to other North County developers within the same TIF Region, but does not specify the conditions under which credits may be transferred. To allow Granite Construction Company a better opportunity to recover the costs it incurred to improve State Route 76 and to provide more clarity regarding the transfer of credits, an amendment to the TIF reimbursement agreement with Granite Construction Company is proposed.

Today's request is to authorize the Director of the Department of Public Works, or designee, to execute an amendment to the Reimbursement Agreement for Road Improvements to State Route 76 - Fallbrook, between the County and Granite Construction Company to extend the timeframe of the agreement by 25 years and to establish a detailed process for the transfer of credits.

**RECOMMENDATION(S)**

**CHIEF ADMINISTRATIVE OFFICER**

1. Find in accordance with Section 15061(b) (3) of the California Environmental Quality Act (CEQA) Guidelines that approval of the proposed amendment to Reimbursement Agreement for Road Improvements to State Route 76 - Fallbrook and delegation of authority to execute said amendment are exempt from CEQA review because it can be seen with certainty that there is no possibility the activity may have a significant effect on the environment.
2. Approve and authorize the Director of the Department of Public Works, or his designee, to execute the First Amendment to Reimbursement Agreement for Road Improvements to State Route 76 - Fallbrook between the County and Granite Construction Company.

**FISCAL IMPACT**

There is no fiscal impact associated with today's proposed actions. There will be no change in net General Fund cost and no additional staff years as a result of the amendment to the agreement.

**BUSINESS IMPACT STATEMENT**

N/A

**ACTION:**

ON MOTION of Supervisor Roberts, seconded by Supervisor Horn, the Board of Supervisors took action as recommended and directed the Chief Administrative Officer to review additional Transportation Impact Fee (TIF) reimbursement options.

AYES: Cox, Jacob, Gaspar, Roberts, Horn

4. **SUBJECT: ACCEPTANCE OF DONATION OF WINDOW SHADES TO THE DEPARTMENT OF PARKS AND RECREATION FOR FALLBROOK COMMUNITY CENTER (DISTRICT: 5)**

**OVERVIEW**

Fallbrook Community Center and Park is an 8.5-acre facility located in the unincorporated community of Fallbrook (57th Edition Thomas Guide page 1027, H3). The facility features picnic areas, an open turf area, playgrounds, sports courts and a community center building with an auditorium. The auditorium serves as an important meeting place for Fallbrook where weddings, ceremonies, public special events, community meetings, recreational programs, and classes are frequently held.

The Friends of Fallbrook Community Center, a non-profit organization committed to promoting the Fallbrook community and assisting in the support of its programs, proposes to donate six window shades for use at the Fallbrook Community Center. The shades will be installed in the auditorium to better control light and regulate temperature. The total value of the donation is estimated at \$6,200 including installation. If approved, the shades will be donated and installed in summer 2017.

## **RECOMMENDATION(S)**

### **CHIEF ADMINISTRATIVE OFFICER**

1. Find that this project is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines, Section 15301 because the shades will replace existing window coverings in the auditorium and there is no expansion of use beyond that which already exists.
2. In accordance with Administrative Code Section 66, Acceptance of Gifts and Board Policy A-112, Acceptance and Use of Gifts and Donations, accept a donation of six window shades valued at \$6,200 from the Friends of Fallbrook Community Center to the Department of Parks and Recreation for use at the Fallbrook Community Center.
3. Authorize the Chair of the Board of Supervisors to sign a letter of appreciation on behalf of the County of San Diego to the Friends of Fallbrook Community Center.

### **FISCAL IMPACT**

There is no fiscal impact associated with accepting the donation of window shades valued at \$6,200 from the Friends of Fallbrook Community Center. The Director, Department of Parks and Recreation (DPR), or his designee, shall oversee the delivery, installation, and use of the shades at Fallbrook Community Center. Ongoing maintenance of the shades will be provided by existing DPR 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 Roberts, seconded by Supervisor Horn, the Board of Supervisors took action as recommended, on Consent. '

AYES: Cox, Jacob, Gaspar, Roberts, Horn

5. **SUBJECT: ESTABLISH APPROPRIATIONS AND ADVERTISE AND AWARD A CONTRACT FOR CONSTRUCTION OF RECHE ROAD AT LIVE OAK ELEMENTARY SCHOOL AND POTTER JUNIOR HIGH SCHOOL ROAD IMPROVEMENTS PROJECT (DISTRICT: 5)**

### **OVERVIEW**

The Reche Road at Live Oak Elementary School and Potter Junior High School Road Improvements project in Fallbrook will benefit the community by enhancing safety for local residents, motorists, bicyclists, and pedestrians on this heavily-traveled roadway. Traffic congestion occurs on Reche Road in the vicinity of Live Oak Elementary School and Potter Junior High School in the mornings and afternoons as numerous vehicles attempt to access both schools to drop off or pick up children. The parking lots cannot accommodate the volume of cars during peak hours, and traffic on Reche Road is affected as parents wait along the road's shoulder and within the travel way to enter the school. The proposed project will widen portions of Reche Road to add a left turn pocket at Live Oak Elementary School. This project will also construct sidewalks and improve crosswalks and overall pedestrian access to the area. These improvements will reduce congestion on Reche Road during morning drop off and

afternoon pick up times, and will enhance overall pedestrian and vehicular safety and access at both schools.

There are two construction projects on Reche Road being considered today. This is a request to establish appropriations and approve the advertisement and subsequent award of a construction contract to the lowest responsive and responsible bidder. Construction is scheduled to begin late winter 2017 and be completed by summer 2018. The construction cost is estimated at \$1,520,000, including contingencies and federal Active Transportation Program revenue is funding the project.

### **RECOMMENDATION(S)**

#### **CHIEF ADMINISTRATIVE OFFICER**

1. Find that the Negative Declaration on file in the Department of Public Works for the Reche Road at Live Oak Elementary School and Potter Junior High School Road Improvement Project, dated October 21, 2015, State Clearinghouse # 201501065, was adopted in compliance with CEQA and state and County CEQA guidelines, that the decision-making body has reviewed and considered the information contained therein prior to approving the project; and:

Find that there are no substantial changes in the project or in the circumstances under which it is undertaken which involve significant new environmental impacts which were not considered in the previously adopted Negative Declaration (ND), dated October 21, 2015, 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 ND was adopted.

2. Establish appropriations of \$1,520,000 in the Department of Public Works Fiscal Year 2017-18 Road Fund Detailed Work Program for the Reche Road at Live Oak Elementary School and Potter Junior High School Road Improvements project based on revenue from the federal Active Transportation Program (\$1,520,000). **(4 VOTES)**
3. Authorize the Director of Purchasing and Contracting to advertise and award a construction contract and to take any action authorized by Section 401, et seq. of the Administrative Code, with respect to contracting for the Reche Road at Live Oak Elementary School and Potter Junior High School Road Improvements project.
4. Designate the Director, Department of Public Works, as County Officer responsible for administering the construction contract, in accordance with Board Policy F-41, Public Works Construction Projects.

#### **FISCAL IMPACT**

Funds for this request are not included in the Fiscal Year 2017-18 Operational Plan in the Department of Public Works Road Fund Detailed Work Program. If approved, total construction project costs for the Reche Road at Live Oak Elementary School and Potter Junior High School Road Improvements Project are estimated at \$1,520,000, including contingencies. The funding source is revenue from the federal Active Transportation Program (\$1,520,000). There will be no change in net General Fund cost and no additional staff years.

#### **BUSINESS IMPACT STATEMENT**

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

**ACTION:**

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

AYES: Cox, Jacob, Gaspar, Roberts, Horn

**6. SUBJECT: ADVERTISE AND AWARD A CONSTRUCTION CONTRACT FOR STAGE COACH LANE AT RECHE ROAD INTERSECTION IMPROVEMENTS PROJECT (DISTRICT: 5)**

**OVERVIEW**

The Stage Coach Lane at Reche Road Intersection Improvements project will alleviate traffic congestion within the unincorporated community of Fallbrook. Traffic congestion occurs at this location as vehicles wait for traffic to clear before turning from Stage Coach Lane onto Reche Road. New dedicated left turn, right turn, and through lanes will be added to Stage Coach Lane as it approaches Reche Road to alleviate congestion. Traffic signals and pedestrian ramps also will be installed at all four corners of the intersection. The proposed improvements benefit the community by enhancing safety for motorists, bicyclists, and pedestrians.

There are two construction projects on Reche Road being considered today. This is a request to approve the advertisement and subsequent award of a construction contract to the lowest responsive and responsible bidder. Construction is scheduled to begin late winter 2017 and be completed by summer 2018. The construction cost is estimated at \$1,000,000, including contingencies, with TransNet revenue funding the project.

**RECOMMENDATION(S)**

**CHIEF ADMINISTRATIVE OFFICER**

1. Find in accordance with Section 15301 of the California Environmental Quality Act (CEQA) Guidelines that the proposed intersection improvements are categorically exempt from CEQA review because it involves the minor alteration of existing County maintained public roadways involving no or negligible expansion of existing use.
2. Authorize the Director of Purchasing and Contracting to advertise and award a construction contract and to take any action authorized by Section 401, et seq. of the Administrative Code, with respect to contracting for the Stage Coach Lane at Reche Road Intersection improvements project.
3. Designate the Director, Department of Public Works, as County Officer responsible for administering the construction contract, in accordance with Board Policy F-41, Public Works Construction Projects.

**FISCAL IMPACT**

Funds for this request are included in the Fiscal Year 2017-18 Operational Plan in the Department of Public Works Road Fund Detailed Work Program. If approved, total estimated construction project costs will be \$1,000,000, including contingencies. The funding source is revenue from TransNet. There will be no change in net General Fund cost and no additional staff years.

## **BUSINESS IMPACT STATEMENT**

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

### **ACTION:**

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

AYES: Cox, Jacob, Gaspar, Roberts, Horn

7. **SUBJECT: FALLBROOK COMMUNITY AIRPARK - PROPOSED FIRST AMENDMENT TO LEASE WITH MURRAY INVESTMENT COMPANY, LLC (DISTRICT: 5)**

### **OVERVIEW**

The County of San Diego operates a general aviation airport in the unincorporated community of Fallbrook (57th Edition Thomas Brother's Guide Page 1027, G 7). Fallbrook Community Airpark is equipped with runway lighting, hangars, an aviation fuel island, and aircraft tie-down areas. Along with aviation related facilities and services, the Airpark accommodates compatible non-aviation uses. Approval of revenue leases of airport property ensures adequate funding is provided for the use of the property and allows the Department of Public Works to use the revenue to make certain all the airports are properly maintained and safe for the users of the airports.

On October 14, 2015 (3), the Board of Supervisors approved a new 30-year aviation ground lease for Murray Investment Company, LLC. The lease replaced the previous lease to Fallbrook Flyers, LLC. The lease provided the rent would be renegotiated to market rate effective November 1, 2017.

This is a request to approve the proposed First Amendment to Aviation Lease with Murray Investment Company, LLC. The amendment would increase monthly base rent, effective November 1, 2017, to reflect current market rates. If the proposed action is adopted, the current fiscal year base rent will increase by \$73.52. The amendment will also update contact information and lease language to current standards for accessibility disclosures and stormwater and non-stormwater discharges.

### **RECOMMENDATIONS)**

#### **CHIEF ADMINISTRATIVE OFFICER**

1. Find, in accordance with Section 15301 of the California Environmental Quality Act (CEQA) Guidelines, that the proposed lease amendment is categorically exempt from CEQA review as it consists of the leasing of existing facilities involving negligible or no expansion of existing use.
2. Approve and authorize the Clerk of the Board to execute, upon receipt, three copies of the First Amendment to Aviation Lease with Murray Investment Company, LLC, County Contract Number 316001. **(4 VOTES)**

### **FISCAL IMPACT**

Funds for this request are partially included in the Fiscal Year 2017-18 Operational Plan for the Airport Enterprise Fund. If approved this request would result in total annual revenue of

\$5,123.24 in the Fiscal Year 2017-18 Airport Enterprise Fund spending plan, an increase of \$73.52 over the budgeted amount. The funding source for the Fiscal Year 2017-18 additional revenue is rental payments from the lessee under the terms of the amended agreement. 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 Roberts, seconded by Supervisor Horn, the Board of Supervisors took action as recommended, on Consent.

AYES: Cox, Jacob, Gaspar, Roberts, Horn

8. **SUBJECT: ADOPT RESOLUTIONS TO APPLY FOR AND ACCEPT GRANT FUNDS FROM HABITAT CONSERVATION FUND FOR THE SIERRA VERDE CONNECTION LAND ACQUISITION AND THE PEUTZ CREEK LAND ACQUISITION (DISTRICTS: 2 AND 5)**

### **OVERVIEW**

The State of California, through the Habitat Conservation Fund (HCF) grant program, provides funds to local governments in order to purchase land to protect wildlife corridors, develop trails, and create nature education programs to bring urban residents into park and wildlife areas. The grant program is competitive and requires matching funds from grant applicants. If awarded, matching funds will be provided by available funds in the Multiple Species Conservation Program Acquisitions Fund. The grant application must include a resolution from the governing body that identifies the project that is to be pursued with grant funds.

The Department of Parks and Recreation (DPR) proposes to apply for up to \$400,000 of HCF grant funds in two separate grant applications. One application is for the acquisition of approximately 250 acres of land for a wildlife corridor southeast of Hellhole Canyon Preserve off of Sierra Verde Road (57th Edition Thomas Guide page 1091, J-5). The other application is for the acquisition of approximately 240 acres of gnatcatcher habitat adjacent to preserved land south of the El Capitan Reservoir at Peutz Creek (57th Edition Thomas Guide page 1233, H-2).

Today's proposed action will authorize DPR to apply for and accept grant funds from the HCF grant program. It will also authorize the Director, Department of Parks and Recreation, to conduct all negotiations and to execute and submit all documents that may be necessary to apply for and accept these grants. If grant funds are awarded, DPR will return to the Board of Supervisors to request appropriations as needed.

### **RECOMMENDATION(S)**

#### **CHIEF ADMINISTRATIVE OFFICER**

1. Find that the proposed Sierra Verde Connection land acquisition and the Peutz Creek land acquisition are categorically exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15325, as the actions involves the transfer of ownership of land to preserve open space.

2. Adopt the Resolution entitled: RESOLUTION OF THE SAN DIEGO COUNTY BOARD OF SUPERVISORS AUTHORIZING THE APPLICATION AND ACCEPTANCE OF GRANT FUNDS FROM THE HABITAT CONSERVATION FUND (HCF) PROGRAM FOR THE SIERRA VERDE CONNECTION LAND ACQUISITION.
3. Adopt the Resolution entitled: RESOLUTION OF THE SAN DIEGO COUNTY BOARD OF SUPERVISORS AUTHORIZING THE APPLICATION AND ACCEPTANCE OF GRANT FUNDS FROM THE HABITAT CONSERVATION FUND (HCF) PROGRAM FOR THE PUETZ CREEK LAND ACQUISITION.
4. Authorize the Director, Department of Parks and Recreation, or designee, as agent of the County of San Diego, to conduct all negotiations and submit all documents necessary to apply for and accept grant funds, if awarded, including but not limited to, applications, grant contracts, payment requests and, if funds are awarded, to execute the grant agreements, including any extensions or amendments thereof that do not materially impact or alter the grant programs or funding levels.

**FISCAL IMPACT**

There is no fiscal impact associated with today’s proposed actions. If approved, the Department of Parks and Recreation (DPR) will submit grant applications to the Habitat Conservation Fund (HCF) for a total of \$400,000 for the Sierra Verde Connection land acquisition (\$200,000) and Peutz Creek land acquisition (\$200,000).

The HCF grant is competitive; therefore, it is unknown if grant funding will be awarded or the final amount of the award. The HCF grant program requires a dollar-for-dollar funding match. If awarded, matching funds for Sierra Verde Connection land acquisition (\$200,000) and Peutz Creek land acquisition (\$200,000) will be provided in Fiscal Year 2018-19 by available funds in the Multiple Species Conservation Program (MSCP) Acquisitions Fund. If approved and grant funds are awarded, DPR will return to the Board to request appropriation of funds as necessary. 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 Roberts, seconded by Supervisor Horn, the Board of Supervisors took action as recommended, on Consent, adopting Resolution No.: 17-134 entitled: RESOLUTION OF THE SAN DIEGO COUNTY BOARD OF SUPERVISORS AUTHORIZING THE APPLICATION AND ACCEPTANCE OF GRANT FUNDS FROM THE HABITAT CONSERVATION FUND (HCF) PROGRAM FOR THE SIERRA VERDE CONNECTION LAND ACQUISITION; and, Resolution No.: 17-135 entitled: RESOLUTION OF THE SAN DIEGO COUNTY BOARD OF SUPERVISORS AUTHORIZING THE APPLICATION AND ACCEPTANCE OF GRANT FUNDS FROM THE HABITAT CONSERVATION FUND (HCF) PROGRAM FOR THE PUETZ CREEK LAND ACQUISITION.

AYES: Cox, Jacob, Gaspar, Roberts, Horn

**9. SUBJECT: PUBLIC COMMUNICATION (DISTRICTS: ALL)**

**OVERVIEW**

Diana Jackson spoke to the Board regarding a flood control deed and improper planning staff conduct.

**ACTION:**

Heard, referred to the Chief Administrative Officer.

There being no further business, the Board adjourned at 9:17 a.m. in memory of Al Beauchamp.

DAVID HALL

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

Consent: Miller

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, September 27, 2017.



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DIANNE JACOB  
Chairwoman

Attest:



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DAVID HALL  
Clerk of the Board

09/13/17