

**October 10, 2018**

**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, OCTOBER 10, 2018, 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 9:03 a.m.

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

B. Closed Session Report

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

D. Approval of the Statement of Proceedings/Minutes for the meeting of September 26, 2018.

**ACTION:**

ON MOTION of Supervisor Cox, seconded by Supervisor Horn, the Board of Supervisors approved the Statement of Proceedings/Minutes for the meeting of September 26, 2018.

AYES: Cox, Jacob, Gaspar, Horn

ABSENT: Roberts

E. Formation of Consent Calendar

F. Discussion Items

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

**Board of Supervisors' Agenda Items**

<b>Agenda #</b>	<b>Subject</b>
1.	MCCLELLAN-PALOMAR AIRPORT MASTER PLAN UPDATE
2.	RECEIVE THE REPORT ON OPTIONS TO IMPROVE HOUSING AFFORDABILITY IN THE UNINCORPORATED AREA; PROVIDE DIRECTION ON THE OPTIONS CONTAINED IN THE REPORT

3. ADMINISTRATIVE ITEM:  
SECOND CONSIDERATION AND ADOPTION OF ORDINANCE:  
NEWLAND SIERRA GENERAL PLAN AMENDMENT, SPECIFIC  
PLAN, ZONE RECLASSIFICATION, RESOURCE PROTECTION  
ORDINANCE AMENDMENT, AND TENTATIVE MAP, LOCATED IN  
THE NORTH COUNTY METROPOLITAN SUBREGIONAL PLAN  
AREA AND THE BONSTALL COMMUNITY PLAN AREA
4. SEMI-ANNUAL REPORT OF GIFTS AND DONATIONS TOTALING  
OVER \$5,000 TO THE DEPARTMENT OF PARKS AND  
RECREATION
5. ADVERTISE AND AWARD A CONSTRUCTION CONTRACT FOR  
ALTA ROAD AND OTAY MESA ROAD WIDENING  
IMPROVEMENTS PROJECT IN EAST OTAY MESA AND GRANT  
AUTHORITY TO EXECUTE A UTILITY CONSTRUCTION  
AGREEMENT AND AN AMENDED AND RESTATED REVENUE  
AGREEMENT  
[FUNDING SOURCE: PAYMENT FROM THE STATE OF  
CALIFORNIA DEPARTMENT OF CORRECTIONS AND  
REHABILITATION AND REVENUE FROM AGREEMENTS WITH  
KEARNY PCCP OTAY 311, LLC, OMC PROPERTIES, LLC, AND  
AVS PROPERTIES, LLC]  
(4 VOTES)
6. ACCEPTANCE OF A DONATION OF WINDOW SHADES, WINDOW  
CLEANING AND CHAIRS TO THE DEPARTMENT OF PARKS AND  
RECREATION FOR USE AT FALLBROOK COMMUNITY CENTER
7. ADMINISTRATIVE ITEM:  
SECOND CONSIDERATION AND ADOPTION OF ORDINANCE:  
TRAFFIC ADVISORY COMMITTEE (09/26/18 - ADOPT  
RECOMMENDATIONS; 10/10/18 - SECOND READING OF AN  
ORDINANCE)
8. PUBLIC COMMUNICATION

1. **SUBJECT: MCCLELLAN-PALOMAR AIRPORT MASTER PLAN UPDATE  
(DISTRICT: 5)**

**OVERVIEW**

McClellan-Palomar Airport (Palomar Airport) is owned and operated by the County of San Diego and located in the City of Carlsbad. The airport provides general aviation, corporate and commercial services; serves as a gateway to resorts, tourist attractions; and is utilized by local businesses and residents. Based on an economic vitality study prepared for the Palomar Airport, activities related to the airport generate millions of dollars of income and revenue for the surrounding local communities, including Carlsbad, San Marcos, Vista, Oceanside, and Encinitas. Across the nation, airport master plans provide a framework to guide future airport development over a 20-year period. Palomar Airport has had two previous master plans. The most recent one, completed in 1997, has reached the end of its 20-year planning period. On December 16, 2015 (3), the Board of Supervisors (Board) directed Department of Public Works (DPW) staff to proceed with a Master Plan Update and to prepare a Program Environmental Impact Report (PEIR).

Staff collaborated with stakeholders including aviation business owners, pilots, and individuals from the surrounding community to get community input for the proposed Master Plan Update. DPW has prepared a proposed Master Plan Update for Palomar Airport with the goal of developing a framework to ensure existing and future aviation demand continue to be accommodated in a safe and cost-effective manner. Existing facilities, forecasts of future airplane operations, aviation demand, and alternatives for future facility development were all considered during the update process.

This is a request for the Board to adopt the McClellan-Palomar Airport Master Plan Update. Through the development of the proposed Master Plan Update, a staff recommendation and several options were developed and are included for the Board's consideration. This is also a request to certify the associated Final Program Environmental Impact Report (PEIR).

**RECOMMENDATION(S)**

**CHIEF ADMINISTRATIVE OFFICER**

1. Certify that the Final PEIR, SCH No. 2016021105, has been completed in compliance with CEQA and the State CEQA Guidelines, that the Final PEIR was presented to the Board of Supervisors, that the Board of Supervisors reviewed and considered the information contained therein, and that the Final PEIR reflects the independent judgment and analysis of the Board of Supervisors.
2. Adopt the Findings Concerning Mitigation of Significant Environmental Effects pursuant to Section 15091 of the State CEQA Guidelines. (Attachment C)
3. Adopt the Statement of Location and Custodian of Record. (Attachment E)
4. Adopt the decision and explanation regarding recirculation of the draft PEIR. (Attachment F)
5. Adopt the Mitigation Monitoring and Reporting Program prepared in accordance with Section 15097 of the State CEQA Guidelines. (Attachment G)
6. Approve the McClellan-Palomar Airport Master Plan Update (Attachment H)

7. Provide direction on the classification of the Palomar Airport final Master Plan Update alternative and associated options by selecting one of the following alternatives and any available options:
  - 7a.1 D-III Modified Standards Compliance Alternative, with a runway extension of 370 feet; or,  
Option #7a.2: Allows a runway extension up to 800 feet
  - Or
  - 7b.1 B-II Enhanced Alternative, with no runway extension; or
    - Option #7b.2: With a runway extension up to 200 feet; and/or
    - Option #7b.3: With a runway extension up to 900 feet; and/or
    - Option #7b.4: Directs staff to return to the Board for further consideration of the D-III Modified Standards Compliance Alternative

### **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.

The proposed actions will not commit the County of San Diego (County) to construct any facilities or improvements and will not financially obligate the County. The Department of Public Works will return to the Board of Supervisors (Board) at a later date for approval to advertise and award construction contracts as projects are fully designed, and for any necessary appropriations as funding becomes available for implementing the Board's selected Master Plan alternative. It is expected the projects will be completed in phases over the 20-year planning period covered by the Master Plan Update, and staff will seek annual authorization to apply for federal, including Federal Aviation Administration (FAA), and state grants in future years.

### **BUSINESS IMPACT STATEMENT**

Approval of the proposed Master Plan Update would plan for future investment in Palomar Airport allowing the County of San Diego to continue to provide aviation services to businesses and communities in north county. The proposed Master Plan Update, if approved, will make safety and operational efficiency improvements at Palomar Airport which will play a role in accommodating current and forecast of aviation activities at the airport. Jobs created by airports attract highly skilled trades and professional service employees. The Economic Vitality Analysis Study, prepared for the Palomar Airport, forecasts that by 2030, Palomar Airport will support over 4,600 jobs in the area, with an estimated \$155.2M in personal income, \$33.4M in state and local tax revenue, and \$560.8M in business revenues.

### **ACTION:**

Noting for the record that an Errata sheet was submitted; ON MOTION of Supervisor Horn, seconded by Supervisor Cox, the Board of Supervisors adopted the following:

1. Certified that the Final PEIR, SCH No. 2016021105, has been completed in compliance with CEQA and the State CEQA Guidelines, that the Final PEIR was presented to the Board of Supervisors, that the Board of Supervisors reviewed and considered the information contained therein, and that the Final PEIR reflects the independent judgment and analysis of the Board of Supervisors.

2. Adopted the Findings Concerning Mitigation of Significant Environmental Effects pursuant to Section 15091 of the State CEQA Guidelines.
3. Adopted the Statement of Location and Custodian of Record.
4. Adopted the decision and explanation regarding recirculation of the draft PEIR.
5. Adopted the Mitigation Monitoring and Reporting Program prepared in accordance with Section 15097 of the State CEQA Guidelines
6. Approved the McClellan Palomar Airport Master Plan Update.
7. Provided direction on the classification of the Palomar Airport final Master Plan Update alternative and associated options, selecting D-III Modified Standards Compliance Alternative with Option #7a.2: allowing a runway extension up to 800 feet in addition to the improvements included on Option #7a.1; and, directed the Chief Administrative Officer to return to the Board to amend the make-up of the Palomar Airport Advisory Committee to allow the City of Carlsbad to submit one suggested committee member for the Board of Supervisor's consideration, and continue to work with the City of Carlsbad on noise concerns.

AYES: Cox, Jacob, Roberts, Horn  
 RECUSED: Gaspar

2. **SUBJECT: RECEIVE THE REPORT ON OPTIONS TO IMPROVE HOUSING AFFORDABILITY IN THE UNINCORPORATED AREA; PROVIDE DIRECTION ON THE OPTIONS CONTAINED IN THE REPORT (DISTRICTS: ALL)**

**OVERVIEW**

According to the American Communities Survey (2017), nearly half of all households in San Diego county (Region) spend more than 30 percent of their income on housing. In May of 2017, the Public Policy Institute of California released a report that reveals the shortfall of available rental homes in the Region exceeds 140,000 units and growing. Furthermore, regional housing production goals contained in the County of San Diego (County) General Plan for the unincorporated area are not being met, with a housing production shortfall of nearly 18,000 units since 2010, or approximately 2,250 units per year. This shortage of housing has contributed to increases in median rental and home prices in the Region. A lack of housing supply and product variety limits affordability and housing options in the Region and for households in various life stages such as young couples, families, students, seniors, and veterans.

In response to the affordable housing shortage, on March 28, 2018 (12) the Board of Supervisors (Board) directed the Chief Administrative Officer (CAO) to investigate ways to retain General Plan housing capacity and "to investigate the means and mode of establishing a Density Transfer Credit program, a Transfer Development Rights, or an equivalent program in the County of San Diego". On April 18, 2018 (5), the Board directed the CAO to "investigate options that would further promote the expedient building of homes in the unincorporated area and the closing of the housing gap through incentive programs and/or reductions in regulations in San Diego County."

The report on Options to Improve Housing Affordability in the Unincorporated Area (Report) identifies opportunities to address lack of housing supply and to improve areas within the control of the County such as local regulations and the local permitting processes. The Report includes a total of 19 actions within the following five categories:

- Process & Streamlining (PS): There are three actions in this category focused on reducing time and costs associated with the permit process.
- Regulatory Reform (RR): There are four short term actions in this category to correct inconsistent or outdated regulations that inadvertently act as barriers to housing production.
- Participation & Incentives (PI): There are four actions in this category to explore incentives to stimulate production of diverse housing types.
- General Plan & Community Plans (GP): There are four actions in this category intended to implement General Plan goals and policies related to maintaining General Plan housing capacity.
- Land Development Code (LDC): There are four actions in this category to consolidate and modernize zoning and use regulations.

Some of the actions contained within these categories are already underway as part of the Planning & Development Services (PDS) work program, several have been previously directed by the Board, and others are new efforts requiring Board direction.

This is a request for the Board to accept the Report and provide direction on the options contained in the Report.

**RECOMMENDATION(S)**  
**PLANNING COMMISSION**  
N/A

**DEPARTMENT OF PLANNING & DEVELOPMENT SERVICES**

1. Find in accordance with Section 15061(b)(3) that today's actions are exempt from CEQA pursuant to the general rule since it can be seen with certainty that there is no possibility that today's actions may have a significant effect on the environment.
2. Receive the report on Options to Improve Housing Affordability in the Unincorporated Area (Report) (Attachment A) and the associated 19 actions, six of which include programmatic options.
3. Provide direction on programmatic options for six actions contained in the Report: Density Bonus Program (PI-1), Affordable and Inclusionary Housing Programs and Ordinances (PI-2), Accessory Dwelling Units (PI-3), Development Impact Fee Study (PI-4), General Plan Capacity and Transfer of Development Rights (GP-3), and Allow and Encourage Varied Housing types (LDC-4).

**FISCAL IMPACT**

There is no fiscal impact associated with accepting the report on Options to Improve Housing Affordability in the Unincorporated Area (Report). There will be no change in net General Fund cost and no additional staff years in Fiscal Year (FY) 2018-19.

There are implementation costs for the actions contained in the Report. If all of the programmatic options for the actions are accepted and directed by the Board of Supervisors (Board), additional costs are estimated up to: \$11,000,000 for a five-year trial fee waiver program (\$2,200,000 annually beginning in FY 2019-20); \$3,100,000 in one-time funding requests in FY 2019-20; \$740,000 in one-time funding requests in FY 2020-21; and \$160,000 in ongoing costs to support the addition of 1.00 staff year in the Department of Planning & Development Services beginning in FY 2019-20; and if approved, will be included in future Operational Plans. If directed, PDS will return in the last year of the trial period to report on the status of this program. The annual estimated fiscal impact is as follows:

<i>incremental cost in millions – not to exceed</i>		FY19/20	FY20/21	FY21/22	FY22/23	FY23/24
A	One-time Funding Requests	3.10	0.74	0.00	0.00	0.00
B	Five-year trial fee waiver Program	2.20	2.20	2.20	2.20	2.20
C (A+B)	<b>Total Annual One-time Funding Cost</b>	<b>5.30</b>	<b>2.94</b>	<b>2.20</b>	<b>2.20</b>	<b>2.20</b>
D	Ongoing Cost (1.00 staff year in PDS)	0.16	0.16	0.16	0.16	0.16
E (C+D)	<b>Total Annual Cost</b>	<b>5.46</b>	<b>3.10</b>	<b>2.36</b>	<b>2.36</b>	<b>2.36</b>

**BUSINESS IMPACT STATEMENT**

The report on Options to Improve Housing Affordability in the Unincorporated Area includes actions that support the local economy by working with the public, developers, and construction related professionals, to improve permit processing and regulations, and by creating new incentives for increasing the supply of housing in the unincorporated area.

**ACTION 2.1:**

Supervisor Jacob made a motion, seconded by Supervisor Gaspar, for the Board of Supervisors to approve the following programmatic options:  
 Accessory Dwelling Units (PI-3), staff recommendations on Option 1, Option 2 and Option 3;  
 Group Quarters Ordinance (RR-4);  
 Residential Rounding (LDC-2);  
 Permit Procedures (RR-3); and,  
 Site Implementation Agreements (RR-1)

*(Supervisor Jacob withdrew the motion)*

**ACTION 2.2 – Grading Ordinance LDC-1:**

ON MOTION of Supervisor Jacob, seconded by Supervisor Roberts, the Board of Supervisors directed the Chief Administrative Officer to complete an update through a bifurcated approach separating agricultural clearing permit from the grading for residential housing projects.

AYES: Cox, Jacob, Gaspar, Roberts, Horn

**ACTION 2.3 – Density Bonus Program PI-1:**

ON MOTION of Supervisor Roberts, seconded by Supervisor Horn, the Board of Supervisors directed the Chief Administrative Officer to develop a program and return to the Board for consideration on Option 1: Increase maximum Number of Incentives and Concessions Allowed and on Option 2: Middle Income Density Bonus Program; and found, in accordance with Section 15061(b)(3), that today's actions taken are exempt from CEQA pursuant to the general rule since it can be seen with certainty that there is no possibility that today's actions may have a significant effect on the environment.

AYES: Cox, Jacob, Gaspar, Roberts, Horn

**ACTION 2.4 – Affordability and Inclusionary Housing Programs and Ordinance PI-2:**

ON MOTION of Supervisor Roberts, seconded by Supervisor Horn, the Board of Supervisors directed the Chief Administrative Officer to prepare an economic analysis and criteria and return to the Board for consideration on Option 1: GPA Affordable Housing Program and on Option 2: GPA inclusionary Ordinance; and, directed the Chief Administrative Officer to not develop ordinances for Option 3: Large Project Inclusionary Housing Program/Ordinance and for Option 4: Prepare Comprehensive Inclusionary Housing Ordinance.

AYES: Cox, Roberts, Horn

NOES: Jacob, Gaspar

**ACTION 2.5 – Accessory Dwelling Units (ADUs) PI-3:**

ON MOTION of Supervisor Roberts, seconded by Supervisor Jacob, the Board of Supervisors directed the Chief Administrative Officer to prepare plans and implement a program on Option 1: Pre-Approved Plans and Program Development; directed the Chief Administrative Officer to develop a program and return to the Board for consideration on Option 2: Waiver of Impact and Permit Fees; directed the Chief Administrative Officer to prepare an ordinance and return to the Board for consideration on Option 3: Junior Accessory Dwelling Units; and, directed the Chief Administrative Officer to monitor implementation of programs in other jurisdictions and report back to the Board in one-year for consideration on Option 4: Subsidize Construction of ADU.

AYES: Cox, Jacob, Gaspar, Roberts, Horn

**ACTION 2.6 – Development Impact Fees Study PI-4:**

ON MOTION of Supervisor Roberts, seconded by Supervisor Jacob, the Board of Supervisors directed the Chief Administrative Officer to conduct a review of Development Impact Fees with all departments and evaluate the ability to modify fixed development impact fees for new dwellings to fees based on the total square footage of the dwelling, prepare a study and return to the Board for consideration.

AYES: Cox, Jacob, Gaspar, Roberts, Horn

**ACTION 2.7 – Explore Options to retain General Plan Capacity and Transfer of Development Rights GP-3:**

ON MOTION of Supervisor Jacob, seconded by Supervisor Roberts, the Board of Supervisors directed the Chief Administrative Officer to work with stakeholders in the Alpine community to develop a transfer of development rights program for the community and incorporate this into the current update of the Alpine Community Plan.

AYES: Cox, Jacob, Gaspar, Roberts, Horn

**ACTION 2.8 – Explore Options to retain General Plan Capacity and Transfer of Development Rights GP-3:**

ON MOTION of Supervisor Roberts, seconded by Supervisor Cox, the Board of Supervisors directed the Chief Administrative Officer to defer program development on Option 1: Excess Dwelling Unit Bank, Option 2: Limited-Scope TDR Program (County Managed), and Option 3: Transition-Based TDR Program (Market Driven); adopted Option 4: Consider Impact of General Plan Initiative directing the Chief Administrative Officer to defer program development and return to the Board with options 180-days after the March 3, 2020 election results for consideration; and, directed the Chief Administrative Officer to not amend the General Plan policies on Option 5: Require Residential Projects to provide minimum Densities.

AYES: Cox, Jacob, Gaspar, Roberts, Horn

**ACTION 2.9 – Allow and Encourage Varied Housing Types LDC-4:**

ON MOTION of Supervisor Gaspar, seconded by Supervisor Roberts, the Board of Supervisors directed the Chief Administrative Officer to develop a program and return to the Board for consideration.

AYES: Cox, Jacob, Gaspar, Roberts, Horn

**ACTION 2.10:**

ON MOTION of Supervisor Roberts, seconded by Supervisor Jacob, the Board of Supervisors received the report on Options to Improve Housing Affordability in the Unincorporated Area.

AYES: Cox, Jacob, Gaspar, Roberts, Horn

**3. SUBJECT: ADMINISTRATIVE ITEM:  
SECOND CONSIDERATION AND ADOPTION OF ORDINANCE:  
NEWLAND SIERRA GENERAL PLAN AMENDMENT, SPECIFIC  
PLAN, ZONE RECLASSIFICATION, RESOURCE PROTECTION  
ORDINANCE AMENDMENT, AND TENTATIVE MAP, LOCATED IN  
THE NORTH COUNTY METROPOLITAN SUBREGIONAL PLAN  
AREA AND THE BONSCALL COMMUNITY PLAN AREA  
(DISTRICT: 5)**

**OVERVIEW**

On September 26, 2018 (1), the Board of Supervisors introduced an Ordinance for further Board consideration and adoptions on October 10, 2018.

The Newland Sierra project is a mixed-use community located on a 1,985-acre site that consists of 2,135 residential units, 81,000 square feet of commercial uses, a six-acre school site, 35.87 acres of public and private parks, 19.2 miles of multi-use community trails, an equestrian staging area, and 1,209 acres of biological open space. The site is located directly west of Interstate 15, within one mile of the cities of San Marcos and Escondido to the south, and three miles to the west of the City of Vista, within the North County Metropolitan Subregional Plan Area and the Bonsall Community Plan Area.

This is a request for the Board of Supervisors (Board) to consider amending the San Diego County General Plan Land Use Element, the Mobility Element, the North County Metropolitan Subregional Plan, and the Bonsall Community Plan, as well as any associated implementing actions, such as the proposed Specific Plan, the Zone Reclassification, and the Tentative Map. In addition, this project includes an amendment to add an exemption to Section 86.605, the San Diego County Resource Protection Ordinance (RPO).

This request represents the third such amendment of the Land Use Element and the first such amendment of the Mobility Element to be considered by the Board in 2018. Gov. Code §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)**

**DEPARTMENT OF PLANNING & DEVELOPMENT SERVICES**

Adopt the Ordinance entitled:

**AN ORDINANCE AMENDING THE RESOURCE PROTECTION ORDINANCE TO ADD AN EXEMPTION FOR THE NEWLAND SIERRA SPECIFIC PLAN AND APPROVING A RESOURCE PROTECTION PLAN.**

**FISCAL IMPACT**

N/A

**BUSINESS IMPACT STATEMENT**

N/A

**ACTION:**

ON MOTION of Supervisor Horn, seconded by Supervisor Cox, the Board of Supervisors took action as recommended, adopting Ordinance No. 10566 (N.S.) entitled: AN ORDINANCE AMENDING THE RESOURCE PROTECTION ORDINANCE TO ADD AN EXEMPTION FOR THE NEWLAND SIERRA SPECIFIC PLAN AND APPROVING A RESOURCE PROTECTION PLAN.

AYES: Cox, Gaspar, Horn  
ABSENT: Roberts  
ABSTAINED: Jacob

4. **SUBJECT: SEMI-ANNUAL REPORT OF GIFTS AND DONATIONS TOTALING OVER \$5,000 TO THE DEPARTMENT OF PARKS AND RECREATION (DISTRICTS: ALL)**

**OVERVIEW**

The County of San Diego (County) Department of Parks and Recreation (DPR) received donations from the San Diego County Parks Society (Parks Society) during the period of January 1, 2018 to June 30, 2018. The Parks Society is a nonprofit organization committed to promoting DPR and supporting its programs and special events by offsetting costs through both cash and non-cash donations. County of San Diego Administrative Code, Section 66, *Acceptance of Gifts*, permits the acceptance of donations by the administrative head of each department of the County, subject to ratification by the Board of Supervisors (Board). Board approval is required to accept individual gifts over \$5,000. Donations received from the Parks Society for the period of January 1, 2018 to June 30, 2018 total \$23,324.07 (\$5,669.91 in cash donations and \$17,654.16 in non-cash donations).

Today's proposed actions are to accept the DPR's Report of Gifts and Donations for the period of January 1, 2018 to June 30, 2018 from the Parks Society. In addition, today's action authorizes the Chair of the Board to sign a letter of appreciation to the Parks Society for the donations.

**RECOMMENDATION(S)**

**CHIEF ADMINISTRATIVE OFFICER**

1. Find that the proposed activity is not a project as defined by the California Environmental Quality Act pursuant to Section 21065 because none of the donations were used for actions that would constitute direct or indirect physical change in the environment.
2. In accordance with Administrative Code Section 66, *Acceptance of Gifts* and Board Policy A-112, *Acceptance and Use of Gifts and Donations*, accept the County of San Diego Department of Parks and Recreation Report of Gifts and Donations from the San Diego County Parks Society for the period of January 1, 2018 to June 30, 2018.
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 San Diego County Parks Society.

**FISCAL IMPACT**

There is no fiscal impact associated with these recommendations. The Department of Parks and Recreation received donations from the San Diego Parks Society totaling \$23,324.07 from January 1, 2018 to June 30, 2018. Donations are used to support Department of Parks and Recreation programs. 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 Horn, seconded by Supervisor Cox, the Board of Supervisors took action as recommended, on Consent.

AYES: Cox, Jacob, Gaspar, Horn  
ABSENT: Roberts

- 5. **SUBJECT: ADVERTISE AND AWARD A CONSTRUCTION CONTRACT FOR ALTA ROAD AND OTAY MESA ROAD WIDENING IMPROVEMENTS PROJECT IN EAST OTAY MESA AND GRANT AUTHORITY TO EXECUTE A UTILITY CONSTRUCTION AGREEMENT AND AN AMENDED AND RESTATED REVENUE AGREEMENT (DISTRICT: 1)**

**OVERVIEW**

The Alta Road and Otay Mesa Road Widening Improvements project in East Otay Mesa will substantially improve traffic operations by enhancing road safety and reducing traffic congestion on Otay Mesa Road in the unincorporated community of East Otay Mesa. The project will widen Otay Mesa Road and Alta Road to four lanes, improve the intersection and construct a traffic signal at Otay Mesa Road and Alta Road, and modify the signal at Alta Road and Lone Star Road. Utility relocation will be completed by San Diego Gas and Electric (SDG&E) and an agreement is needed between SDG&E and County of San Diego.

On March 28, 2018 (11), the Board of Supervisors (Board) appropriated funding from the Department of Corrections for their portion of the Otay Mesa Road Improvement project. At the same hearing, the Board authorized execution of a revenue agreement between the County and three developers to provide funding for a portion of the Correctional Facility traffic mitigation and additional improvements along Otay Mesa Road. Kearny PCCP Otay 311, LLC, OMC Properties, LLC, and AVS Properties, LLC (Developers) own land adjacent to the Department of Corrections improvement project. In review of the design, it was determined that additional improvements were needed and staff has revised the cost estimate. Subsequently, the three developers have agreed to contribute \$13,000 each to cover the additional cost of the improvements that total \$39,000.

This is a request to approve the advertisement and subsequent award of a construction contract to the lowest responsive and responsible bidder. This item also includes a request to amend the revenue agreement with the three developers to include additional funding for the revised scope of work and to establish appropriations for the payments from the developers. This item also includes a request to execute a utility construction agreement with SDG&E for

reimbursement to SDG&E of an estimated \$350,000 for replacement and relocation of utility poles at the intersection of Otay Mesa Road and Alta Road. Construction is scheduled to begin in early 2019 and be complete by late summer 2019. The construction cost is estimated at \$3,330,000, including contingencies. The funding sources for the total construction cost of \$3,680,000 are as follows: a payment from the State of California Department of Corrections and Rehabilitation; and revenue from agreements with three developers (Kearny PCCP Otay 311, LLC; OMC Properties, LLC; and AVS Properties, LLC).

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

1. Find in accordance with section 15096 of the State California Environmental Quality Act (CEQA) Guidelines, that the County of San Diego (County), as a responsible agency under CEQA, has considered the environmental effects of the road improvement work included as a mitigation measure for the project detailed in the Environmental Impact Report prepared by the Department of Corrections for the Level II Infill Corrections Facility Project, State Clearinghouse No. 2012122038, and the Findings thereto prepared by County DPW dated March 28, 2018 and May 7, 2018, and has reached its own conclusions on whether and how to approve the road improvement work and determined there are no substantial environmental impacts identified in the EIR associated with completion of the road improvement work; and,

Find that there are no changes in the road improvement work or in the circumstances under which it is undertaken which involve significant new environmental impacts which were not considered in the previously certified EIR, or a substantial increase in the severity of previously identified significant effects, and that no new information of substantial importance regarding the road improvement work has become available since the EIR was prepared.

2. Authorize the Director of the Department of Public Works, or his designee, to execute the Amended and Restated Revenue Agreement for Construction of Road Improvements in East Otay Mesa, between the County of San Diego and Kearny PCCP Otay 311, LLC; OMC Properties, LLC; and AVS Properties, LLC.
3. Establish appropriations of \$39,000 in the Department of Public Works Fiscal Year 2018-19 Road Fund Detailed Work Program for the Alta Road and Otay Mesa Road Improvements project based on revenue from Kearny PCCP Otay 311, LLC; OMC Properties, LLC; and AVS Properties, LLC. (\$39,000) **(4 VOTES)**
4. 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 Construction Contract for Road Improvements in East Otay Mesa project.
5. 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.

6. Authorize the Clerk of the Board to execute, upon receipt, the Utility Construction Agreement between the County of San Diego and San Diego Gas and Electric for construction of utility facilities within the project.

#### **FISCAL IMPACT**

Funds for this request are partially included in the Fiscal Year 2018-19 Operational Plan in the Department of Public Works Road Fund Detailed Work Program. If approved, this request will result in total construction cost of \$3,680,000 including contingencies. The funding sources are a payment from the State of California Department of Corrections and Rehabilitation (\$2,612,000) and revenue from agreements with Kearny PCCP Otay 311, LLC (\$356,000), OMC Properties, LLC (\$356,000), AVS Properties, LLC (\$356,000). 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 Horn, seconded by Supervisor Cox, the Board of Supervisors took action as recommended, on Consent.

AYES: Cox, Jacob, Gaspar, Horn

ABSENT: Roberts

6. **SUBJECT: ACCEPTANCE OF A DONATION OF WINDOW SHADES, WINDOW CLEANING AND CHAIRS TO THE DEPARTMENT OF PARKS AND RECREATION FOR USE AT FALLBROOK COMMUNITY CENTER (DISTRICT: 5)**

#### **OVERVIEW**

Fallbrook Community Center and Park is an 8.5-acre facility located in the unincorporated community of Fallbrook. 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 place for Fallbrook for weddings, ceremonies, special public events, community meetings, recreational programs, and classes.

The Friends of Fallbrook Community Center (Friends), is a non-profit organization committed to enhancing the Fallbrook community and assisting in the support of its programs. The Friends propose to donate five automated window shades, window cleaning service, and 280 chairs for use at Fallbrook Community Center. The shades will be installed in the auditorium to better control light and regulate temperatures. In preparation for installation of the new window shades, five windows will be professionally cleaned. Two hundred and eighty chairs will be donated for use in the auditorium. The total value of the donation is estimated at \$16,592. If approved, the shades and chairs will be purchased and donated in the fall/winter 2018.

**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 and chairs will replace existing window coverings and chairs 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 five automated window shades, window cleaning services, and 280 chairs valued at \$16,592 from the Friends of the 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 the Fallbrook Community Center.

**FISCAL IMPACT**

There is no fiscal impact associated with accepting the donation of window shades, window cleaning service and chairs valued at \$16,592 from the Friends of the Fallbrook Community Center. The Director, Department of Parks and Recreation (DPR), or his designee, shall oversee the delivery, installation, and use of the shades and folding chairs at Fallbrook Community Center. Ongoing maintenance of the shades and chairs 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 Horn, seconded by Supervisor Cox, the Board of Supervisors took action as recommended, on Consent.

AYES: Cox, Jacob, Gaspar, Horn

ABSENT: Roberts

7. **SUBJECT: ADMINISTRATIVE ITEM:  
SECOND CONSIDERATION AND ADOPTION OF ORDINANCE:  
TRAFFIC ADVISORY COMMITTEE (09/26/18 - ADOPT  
RECOMMENDATIONS; 10/10/18 - SECOND READING OF AN  
ORDINANCE) (DISTRICTS: 2 & 5)**

**OVERVIEW**

On September 26, 2018 (2), the Board of Supervisors introduced the Ordinance for further Board consideration and adoption on October 10, 2018

The Traffic Advisory Committee (TAC) meets every six weeks to review proposed additions, deletions, or changes to regulatory traffic control devices on County-maintained roads. The TAC recommends the Board of Supervisors (Board) act on eight items from the July 27, 2018, meeting agenda:

Item 2-A would establish a 40 MPH speed limit and certify the speed limit for radar enforcement on Broadway/Campo Road from the Lemon Grove City Limit to the SR-125 Ramp in Spring Valley.

Item 2-B would establish a 35 MPH speed limit and certify the speed limit for radar enforcement on Campo Road from the SR-125 Ramp to Bancroft Drive in Spring Valley/Casa de Oro.

Item 2-C would recertify the existing 35 MPH speed limit for radar enforcement on Campo Road from Bancroft Drive to South Granada Avenue in Casa De Oro.

Item 2-D would recertify the existing 50 MPH speed limit for radar enforcement on Dye Road/Ramona Street/Warnock Drive from 1,000 feet west of Ramona Street to San Vicente Road in Ramona.

Item 2-E would recertify the existing 50 MPH speed limit for radar enforcement on San Vicente Road from Hanson Lane to Eleventh Street in Ramona.

Item 2-F would establish an all-way stop at the intersection of Agua Dulce Boulevard and Madrid Way in Casa De Oro.

Item 5-A would recertify the existing 50 MPH speed limit for radar enforcement on San Dieguito Road from the San Diego City Limit to El Apajo in Fairbanks Ranch.

Item 5-B would recertify the existing 40 MPH speed limit for radar enforcement on Via de Santa Fe from Calzada del Bosque to Via de la Valle in Rancho Santa Fe.

Approval of Items 2-A through 2-E, 5-A, and 5-B will establish tools for speed enforcement that increase road safety and retain mobility. Properly posted speed limits provide feedback to safe and reasonable drivers to improve traffic safety, reduce the number and severity of collisions, and allow for fair enforcement.

Approval of Item 2-F will provide a safety enhancement measure for pedestrians, bicyclists, and all other road users by assigning a full stop to all approaches at the intersection. Properly posted stop controls at intersections reduce the number and severity of collisions by assuring that reasonable drivers enter the intersection at a low speed and have more time to take heed of the traffic situation.

The Board action on Items 2-A and 2-B will revise the San Diego County Code of Regulatory Ordinances (County Code) and requires two steps. On September 26, 2018, the Board will consider the TAC items. If the Board takes action on September 26, 2018, then on October 10, 2018, a second reading of an Ordinance amending Sections 72.173.11.1. (Item 2-A) and 72.173.11. (Item 2-B) of the County Code would be necessary to implement the Board's direction.

**RECOMMENDATION(S)**

**CHIEF ADMINISTRATIVE OFFICER**

Adopt the Ordinance entitled:

ORDINANCE AMENDING SECTIONS 72.173.11. AND 72.173.11.1. OF THE SAN DIEGO COUNTY CODE RELATING TO SPEED LIMITS ON COUNTY MAINTAINED ROADS IN SAN DIEGO COUNTY.

**FISCAL IMPACT**

There is no fiscal impact associated with these recommendations. 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 Horn, seconded by Supervisor Cox, the Board of Supervisors took action as recommended, on Consent, adopting Ordinance No. 10567 (N.S.) entitled: ORDINANCE AMENDING SECTIONS 72.173.11. AND 72.173.11.1. OF THE SAN DIEGO COUNTY CODE RELATING TO SPEED LIMITS ON COUNTY MAINTAINED ROADS IN SAN DIEGO COUNTY.

AYES: Cox, Jacob, Gaspar, Horn

ABSENT: Roberts

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

**OVERVIEW**

Martha Welch spoke to the Board regarding the Registrar of Voters.

Lynne Simich and Jane Humphries spoke to the Board regarding the El Monte Sand Mining Project.

Reginald Carroll spoke to the Board regarding the HIV Planning Group.

**ACTION:**

Heard, Referred to the Chief Administrative Officer.

There being no further business, the Board adjourned at 12:04 p.m.

DAVID HALL

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

Consent: Rodriguez

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.

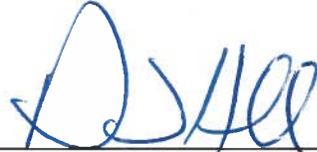
Approved by the Board of Supervisors, on Wednesday October 31, 2018.



---

KRISTIN GASPAR  
Chairwoman

Attest:



---

DAVID HALL  
Clerk of the Board

10/10/18