

COUNTY OF SAN DIEGO BOARD OF SUPERVISORS
REGULAR MEETING
MEETING AGENDA
WEDNESDAY, AUGUST 06, 2014, 09:00 A.M.
BOARD OF SUPERVISORS NORTH CHAMBER
1600 PACIFIC HIGHWAY, ROOM 310, SAN DIEGO, CALIFORNIA

- A. Roll Call
- B. 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.

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.

Supporting documentation and attachments for items listed on this agenda can be viewed online at <http://www.sdcountry.ca.gov/cob/bosa/> or in the Office of the Clerk of the Board of Supervisors at the County Administration Center, 1600 Pacific Highway, Room 402, San Diego, CA 92101.

Board of Supervisors' Agenda Items

Agenda # Subject

- 1. AGRICULTURE PROMOTION PROGRAM:POD 14-001
 [FUNDING SOURCE(S): UNANTICIPATED GRANT REVENUE FROM THE UNITED STATES DEPARTMENT OF AGRICULTURE AND FISCAL YEAR 2013-14 GENERAL FUND FUND BALANCE AVAILABLE]
 (4 VOTES)
- 2. * OPTIONS TO AMEND THE COUNTY BUILDING CODE TO SUPPORT ENERGY EFFICIENCIES AND GREEN BUILDING TECHNOLOGY
- 3. NOTICED PUBLIC HEARING:
 PURCHASE OF AGRICULTURAL CONSERVATION EASEMENTS (PACE) PROGRAM MITIGATION COMPONENT AND PURCHASE OF EIGHT AGRICULTURAL CONSERVATION EASEMENTS IN BONSALL, CAMPO, CREST-DEHESA, JAMUL, AND VALLEY CENTER (8/6/2014-SET HEARING; 9/17/2014 – HOLD HEARING)
 [FUNDING SOURCE(S): FISCAL YEAR 2012-2013 AND FISCAL YEAR 2013-2014 GENERAL FUND FUND BALANCE AVAILABLE]

*Presentation

4. ESTABLISH APPROPRIATIONS, ADVERTISE AND AWARD A CONTRACT FOR CONSTRUCTION OF BRIDGE PREVENTIVE MAINTENANCE: BRIDGES IN DESCANSO, JACUMBA AND NORTH COUNTY METRO
[FUNDING SOURCE(S): FEDERAL HIGHWAY ADMINISTRATION HIGHWAY BRIDGE PROGRAM AND ROAD FUND FUND BALANCE]
(4 VOTES)
5. ESTABLISH APPROPRIATIONS, ADVERTISE AND AWARD A CONSTRUCTION CONTRACT FOR THE CENTERLINE RUMBLE STRIPS PROJECT
[FUNDING SOURCE(S): HIGHWAY SAFETY IMPROVEMENT PROGRAM AND ROAD FUND FUND BALANCE AVAILABLE]
(4 VOTES)
6. TRAFFIC ADVISORY COMMITTEE RECOMMENDATIONS
7. ESTABLISH APPROPRIATIONS, ADVERTISE AND AWARD A CONTRACT FOR CONSTRUCTION OF ALPINE CREEK DRAINAGE IMPROVEMENTS
[FUNDING SOURCE(S): FLOOD CONTROL DISTRICT, FLOOD CONTROL DISTRICT FUND BALANCE AVAILABLE AND HIGHWAY USER TAX ACCOUNT]

(RELATES TO FLOOD CONTROL DISTRICT AGENDA NO. FL1)
8. ESTABLISHMENT OF APPROPRIATIONS AND APPROVAL OF THE FIFTH AMENDMENT TO THE JOINT EXERCISE OF POWERS AGREEMENT BETWEEN THE COUNTY OF SAN DIEGO AND THE RAMONA UNIFIED SCHOOL DISTRICT FOR BASEBALL FIELD IMPROVEMENTS AT RAMONA HIGH SCHOOL
[FUNDING SOURCE(S): RAMONA PLDO FUND FUND BALANCE AVAILABLE]
(4 VOTES)
9. ESTABLISHMENT OF APPROPRIATIONS AND APPROVAL OF JOINT EXERCISE OF POWERS AGREEMENT BETWEEN THE COUNTY OF SAN DIEGO AND THE JAMUL-DULZURA UNION SCHOOL DISTRICT FOR IMPROVEMENTS AT OAK GROVE MIDDLE SCHOOL
[FUNDING SOURCE(S): FROM PARKLAND DEDICATION AREA 19 JAMUL FUND FUND BALANCE AVAILABLE]
(4 VOTES)

10. AUTHORIZATION TO SIGN AND EXECUTE A MEMORANDUM OF UNDERSTANDING BETWEEN THE COUNTY OF SAN DIEGO AND FIRST 5 COMMISSION OF SAN DIEGO; ESTABLISH APPROPRIATIONS AND ADVERTISE AND AWARD CONTRACTS FOR CONSTRUCTION OF THE TIJUANA RIVER VALLEY PATHWAYS FOR PLAY PROJECT
[FUNDING SOURCE(S): UNANTICIPATED REVENUE FROM THE FIRST 5 COMMISSION OF SAN DIEGO]
(4 VOTES)
11. SECOND CONSIDERATION AND ADOPTION OF ORDINANCE: REVISIONS TO THE COUNTY'S FOOD HANDLER PROGRAM AND AMENDMENTS TO COUNTY CODE OF REGULATORY ORDINANCES SECTION 61.114 AND SECTION 65.107 (FEES) RELATED TO THE FOOD HANDLER PROGRAM (7/30/2014 – FIRST READING; 8/6/2014 – SECOND READING)
12. SECOND CONSIDERATION AND ADOPTION OF ORDINANCE: AUTHORIZATION TO SIGN TWO MEMORANDA OF UNDERSTANDING REGARDING A FERAL PIG MANAGEMENT PROGRAM AND AMEND THE COUNTY CODE REGARDING THE USE OF FIREARMS IN COUNTY PARKS TO CONTROL INVASIVE, NON-NATIVE ANIMALS CAUSING SIGNIFICANT DAMAGE TO THE ENVIRONMENT (7/30/2014 –FIRST READING; 8/6/2014 – SECOND READING)

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**1. SUBJECT: AGRICULTURE PROMOTION PROGRAM: POD 14-001
(DISTRICTS: ALL)**

OVERVIEW:

On June 26, 2013 (7), Chairwoman Dianne Jacob, Second District, recommended that the Board of Supervisors (Board) direct the Chief Administrative Officer to identify ways to streamline regulations; provide more opportunities for agricultural ventures, such as microbreweries and cheese-making, to further support small-scale agricultural operations; and promote agricultural tourism throughout the unincorporated portions of the County. In response to Board direction, staff has prepared a proposed work plan, including time and cost estimates to amend and update agricultural regulations. An additional option presented for the Board's consideration would allow an expansion of winery uses into areas zoned with S92 General Rural use regulations (S92 winery option). Properties zoned S92 are currently allowed to grow grapes, but cannot establish wineries. The expansion of winery uses into these areas could provide a significant new opportunity for farmers.

FISCAL IMPACT:

Funds for updating agricultural regulations and implementing Policy & Ordinance Development project POD 14-001 are not included in the Fiscal Year 2014-15 Operational Plan for Planning & Development Services. Development of the Agriculture Promotion Program (Program) will result in costs of up to \$450,000 for procuring professional services for preparation of an Environmental Impact Report (EIR) and associated staff time for the next two years. If the Board approves inclusion of the S92 winery option in the Program, additional costs of up to \$85,000 will be required to complete the project. Therefore, total cost for the Program, including the S92 winery option, is up to \$535,000 for professional services and associated staff cost. Appropriations of up to \$535,000 will be required to develop the Agriculture Promotion Program if the winery option is included. Appropriations of up to \$450,000 will be required if the winery option is not included. The funding sources are unanticipated grant revenue of \$55,000 from the United States Department of Agriculture and up to \$480,000 in Fiscal Year 2013-14 General Fund fund balance available. There will be no additional staff years required.

BUSINESS IMPACT STATEMENT:

A future ordinance pursuant to the elements of the program would provide additional opportunities compared to those that exist today for development of agricultural uses and agricultural tourism. Streamlining agricultural permitting requirements reduces processing times and costs for applicants and encourages opportunities for new agricultural operations and businesses.

**RECOMMENDATION:
PLANNING COMMISSION**

1. Find, in accordance with Sections 15061(b)(3) and 15378 of the California Environmental Quality Act (CEQA) Guidelines, that developing the Agriculture Promotion Program is exempt from the provisions of CEQA, because this activity is not a project as defined under CEQA and it can be seen with certainty that developing the program will have no possible significant effects on the environment.
2. Direct the Chief Administrative Officer to develop the Agriculture Promotion Program, POD 14-001, and return to the Board within 30 months.
3. Direct staff to include in the Agriculture Promotion Program the S92 winery option.
4. Direct staff to include in the Agriculture Promotion Program updates to the Tiered Winery Ordinance that have been under discussion by PDS staff and certain members of the public.
5. Establish appropriations of up to \$535,000 in Planning & Development Services, Services and Supplies, to fund the Agriculture Promotion Program, POD 14-001, based on Fiscal Year 2013-14 General Fund fund balance available. **(4 VOTES)**

DEPARTMENT OF PLANNING & DEVELOPMENT SERVICES

PDS concurs with the Planning Commission recommendations except for the following changes. For Planning Commission recommendation 4, staff recommends not including updates to the Tiered Winery Ordinance as part of the Agriculture Promotion Program, because the updates will be handled separately and will return to the Board sooner than the overall program. For Planning Commission recommendation 5, staff recommends reducing the request for appropriations to reflect receipt of United States Department of Agriculture grant funding for this project in the amount of \$55,000 that occurred subsequent to the Planning Commission hearing on this matter. Therefore, PDS recommends the following modification to Planning Commission recommendation 5:

Establish appropriations of up to \$535,000 in Planning & Development Services (PDS), services and supplies, to fund the Agriculture Promotion Program, POD 14-001, based on unanticipated grant revenue from the United States Department of Agriculture (\$55,000) and Fiscal Year 2013-14 General Fund fund balance available (\$480,000). **(4 VOTES)**

2. **SUBJECT: OPTIONS TO AMEND THE COUNTY BUILDING CODE TO SUPPORT ENERGY EFFICIENCIES AND GREEN BUILDING TECHNOLOGY (DISTRICTS: ALL)**

OVERVIEW:

On April 16, 2014 (3), Chairwoman Dianne Jacob, Second District, and Supervisor Dave Roberts, Third District, recommended that the Board of Supervisors direct the Chief Administrative Officer to research and develop potential updates to the County Building Code that would further promote green-building technologies and encourage energy-efficiency through cost-effective measures aimed at reducing energy bills and working towards energy independence. Today's item is in response to the Board's direction and includes options for Board consideration of potential County Building Code amendments that will expand the County's existing programs that promote green building.

FISCAL IMPACT:

Funds for this request are included in the Fiscal Year 2014-16 Operational Plan. If approved, implementation of the options presented can be accomplished using existing staff resources. There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT:

If approved, these changes would result in some additional upfront cost for new home construction. The amount of the additional cost would be dependent on which options are selected. However, if a homeowner elected to install these improvements and retrofit an existing home at a later date, the cost for the retrofit would be greater than the upfront cost at the time of new home construction. In many cases, the retrofit costs for a homeowner can be greater than the costs at the time of initial home construction. The improvements in energy efficiency and green building are beneficial to property owners in that the improvements result in long term savings to the cost of energy.

Additionally, on July 1, 2014, the new California Energy Efficiency Standards were implemented throughout the state. A more detailed discussion on these standards is included below; however it is noteworthy that according to the California Energy Commission, these higher standards are expected to add approximately \$2,300 to the cost of constructing a new home, and are expected to save approximately that same amount in energy costs to the homeowner within the first 18 months of occupancy.

RECOMMENDATION:

CHIEF ADMINISTRATIVE OFFICER

1. Receive presentation on options for updates to the County Building Code to support energy efficiencies and green building technology.
2. Provide staff direction on which, if any, options to prepare amendments to the County Building Code and return to the Board.

**3. SUBJECT: NOTICED PUBLIC HEARING:
PURCHASE OF AGRICULTURAL CONSERVATION
EASEMENTS (PACE) PROGRAM MITIGATION
COMPONENT AND PURCHASE OF EIGHT
AGRICULTURAL CONSERVATION EASEMENTS IN
BONSALL, CAMPO, CREST-DEHESA, JAMUL, AND
VALLEY CENTER (8/6/2014-SET HEARING; 9/17/2014 –
HOLD HEARING) (DISTRICTS: 2 & 5)**

OVERVIEW:

On December 4, 2013 (3), the Board of Supervisors (Board) received a report detailing the opportunities and challenges realized during the pilot phase of Purchase of Agricultural Conservation Easements (PACE) program and provided staff with the following direction:

- Pursue the acquisition of agricultural conservation easements on the remaining 16 top ranked PACE properties;
- Prepare a mitigation program as an expanded component of the PACE program;
- Establish the PACE program as a permanent County program;
- Provide for continuous funding through an annual General Fund appropriation in addition to funding through mitigation; and
- Periodically reopen the PACE application process to interested property owners.

In response to the Board's direction, County staff pursued the acquisition of agricultural conservation easements on the remaining 16 properties and secured "willing seller" letters from eight of the property owners (property data found in Table 1). Staff has updated the PACE Program Guidelines to establish PACE as a permanent County program and prepared a mitigation component for the Board's consideration. Implementation of the mitigation component requires adoption of a new mitigation credit fee, establishment of an associated trust fund, and an update to the County's California Environmental Quality Act (CEQA) Guidelines for Determining Significance for Agricultural Resources.

The easement acquisition request requires two steps. On August 6, 2014, it is requested that the Board set a hearing for September 17, 2014, and provide public notice for the hearing. If the Board takes the actions recommended for August 6, 2014, then on September 17, 2014, after making the necessary findings, staff requests that the Board: approve the purchase of agricultural easements for the eight properties, direct staff to implement the mitigation component of the PACE program, adopt the Form of Ordinance amending the County Administrative Code to establish a new fee for the PACE mitigation program, and establish an associated trust fund.

FISCAL IMPACT:

Funds for this request are included in the Fiscal Year 2014-15 Operational Plan for Planning & Development Services. If approved, this request will result in a current year cost of \$1,319,850 for the purchase of the eight easements, and

\$125,150 for related administration, title and escrow costs for a total of \$1,445,000. The funding source is Fiscal Year 2012-2013 (\$700,000) and Fiscal Year 2013-2014 (\$795,000) General Fund fund balance available. After acquisitions of the eight properties totaling \$1,445,000 there will remain \$50,000 in the PACE program. There will be no change in net General Fund costs and no additional staff years. Today's action will also refer to the Fiscal Year 2015-16 budget the establishment of appropriations, up to \$1.5 million, for the Fiscal Year 2015-16 PACE program based on General Purpose Revenue.

BUSINESS IMPACT STATEMENT:

By permanently preserving agricultural land and providing property owners compensation for conservation easements, the PACE program makes the continued use of agriculture more viable in the long term. The PACE program also supports continued agricultural uses in the county by creating more affordable properties for farmers.

RECOMMENDATION:

CHIEF ADMINISTRATIVE OFFICER

On August 6, 2014:

1. Find, in accordance with Sections 15273, 15325(b) and 15061(b)(3) of the State CEQA Guidelines, that setting a hearing to purchase agricultural conservation easements over APNs 606-150-01, 128-211-01, 128-211-06, 128-212-01, 128-212-02, 519-110-22, 521-110-52, 189-021-10, 185-230-78, 185-230-79, 122-040-27, and 515-110-01; to establish a permanent PACE program with a mitigation component; and to establish the associated mitigation credit fee, are exempt from the provisions of the State CEQA Guidelines for the reasons stated in the Notice of Exemption.
2. Direct the Clerk of the Board to publish the required Notice of Intention to Purchase in accordance with Government Code Sections 25350 and 6063.
3. Set a hearing for September 17, 2014, at which time the Board may consider approving the purchase of agricultural easements over APNs 606-150-01, 128-211-01, 128-211-06, 128-212-01, 128-212-02, 519-110-22, 521-110-52, 189-021-10, 185-230-78, 185-230-79, 122-040-27, and 515-110-01.

If on August 6, 2014, the Board takes the actions recommended in Items 1-3 above, then on September 17, 2014:

1. Find that the proposed actions, to consider the purchase of agricultural easements over APNs 606-150-01, 128-211-01, 128-211-06, 128-212-01, 128-212-02, 519-110-22, 521-110-52, 189-021-10, 185-230-78, 185-230-79, 122-040-27, and 515-110-01; to establish a permanent PACE program with a mitigation component; and to establish the associated mitigation credit fee, are exempt from review under the CEQA pursuant to Sections 15273, 15325(b), and 15061(b)(3) of the State CEQA Guidelines for the reasons stated in the Notice of Exemption.
2. Approve the findings in Attachment E pursuant to the State CEQA Guidelines Section 15273(c).

3. Approve the real property contracts for the purchase of an agricultural conservation easements and authorize the Director of the Department of General Services to execute two copies of the agreement over:
 - a. APN 606-150-01 from Robert Shea for \$196,000;
 - b. APNs 128-211-01, 128-211-06, 128-212-01, and 128-212-02 from Cynthia Kinsman for \$341,750;
 - c. APN 519-110-22 from Nicanor Gonzalez III, Katrina Gonzales, and Jonathon F. Stirk for \$112,000;
 - d. APN 521-110-52 from Russell Walsh and Carolyn McGavock for \$62,500;
 - e. APN 189-021-10 from the Malek Mansour 1999 Trust for \$200,000;
 - f. APNs 185-230-78 and 185-230-79 from the John Hamilton Scudder Trust 03-25-91 for \$202,200;
 - g. APN 122-040-27 from Bagher and Ginger Bahardar for \$190,400; and
 - h. APN 515-110-01 from the Jeff and Edie Hawthorne Family Trust for \$15,000.
4. Authorize the Director of the Department of General Services, or designee, to execute all escrow and related documents necessary to complete the purchases.
5. Adopt the Form of Ordinance entitled: AN ORDINANCE AMENDING THE SAN DIEGO COUNTY ADMINISTRATIVE CODE TO ADD A PERMIT FEE RELATING TO THE PURCHASE OF AGRICULTURAL CONSERVATION EASEMENTS MITIGATION PROGRAM (Attachment C, on file with the Clerk of the Board).
6. Direct the Chief Administrative Officer to implement the mitigation program as an expanded component of the PACE Program:
 - a. Incorporate the PACE mitigation program into the County's CEQA Guidelines for Determining Significance for Agricultural Resources and the Land Use and Environmental Group's (LUEG) Conditions Manual.
 - b. Establish an interest accruing trust fund for the PACE mitigation program.
7. Refer to budget appropriations of up to \$1.5 million in Planning & Development Services, services and supplies, to fund the acquisition of PACE properties, based on Fiscal Year 2015-2016 General Purpose Revenue.

4. SUBJECT: ESTABLISH APPROPRIATIONS, ADVERTISE AND AWARD A CONTRACT FOR CONSTRUCTION OF BRIDGE PREVENTIVE MAINTENANCE: BRIDGES IN DESCANSO, JACUMBA AND NORTH COUNTY METRO (DISTRICTS: 2 & 5)

OVERVIEW:

The Federal Highway Bridge Program funds projects that extend the life of bridges on public roads through its Bridge Preventive Maintenance Program. The Department of Public Works' Bridge Preventive Maintenance project in Descanso, Jacumba and North County Metro addresses preventive maintenance needs for four bridges. One of the bridges is located on Los Terrinitos (57th Edition Thomas Guide Page 1236-A5), two bridges on Old Highway 80 (57th Edition Thomas Guide Page 1300-F6), and another on Lake Wohlford Road (57th Edition Thomas Guide Page 1110-H3). The project includes patching concrete, sealing the bridge deck, and removing and replacing pavement adjacent to the bridges.

This is a request to establish appropriations and approve advertisement and subsequent contract award, to the lowest responsible bidder for the project. The construction cost estimate is \$1,050,000, including contingency. Construction is scheduled to begin in fall 2014 and be completed by early 2015.

FISCAL IMPACT:

Funds for this request are not included in the Fiscal Year 2014-15 Operational Plan in the Department of Public Works Detailed Work Program. If approved, current year construction cost for this Bridge Preventive Maintenance project in Descanso, Jacumba and North County Metro will be \$1,050,000, including contingency. The funding sources are Federal Highway Administration Highway Bridge Program (\$920,556) and Road Fund fund balance (\$129,444). There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT:

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

RECOMMENDATION:

CHIEF ADMINISTRATIVE OFFICER

1. Find that the proposed project is exempt from California Environmental Quality Act (CEQA) as specified under Section 15301 of the state CEQA Guidelines.
2. Establish appropriations of \$1,050,000 in the Department of Public Works Detailed Work Program for the Bridge Preventive Maintenance project based on unanticipated revenue from the Federal Highway Administration Highway Bridge Program (\$920,556) and Road Fund fund balance available (\$129,444).
(4 VOTES)

3. Authorize the Director, Department of Purchasing and Contracting, to take any action necessary to advertise and award a contract and to take other action authorized by Section 401 et seq., of the Administrative Code with respect to contracting for subject public works 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.

5. **SUBJECT: ESTABLISH APPROPRIATIONS, ADVERTISE AND AWARD A CONSTRUCTION CONTRACT FOR THE CENTERLINE RUMBLE STRIPS PROJECT (DISTRICTS: 2 & 5)**

OVERVIEW:

The Department of Public Works was successful in obtaining a Federal Highway Safety Improvement Program (HSIP) grant for the installation of centerline rumble strips on various roads in unincorporated county areas. Centerline rumble strips are intended to reduce the collision rates by discouraging vehicles from traveling across the centerline into oncoming traffic or leaving the roadway at a curve. Rumble strips provide a vibratory and auditory warning to motorists that drive onto them.

This is a request to establish appropriations and approve the advertisement and subsequent construction contract award to the lowest responsible bidder for this project. This project is scheduled to begin in fall 2014 and be completed by the end of calendar year 2014. If approved, construction costs are estimated to be \$255,000, including contingency.

FISCAL IMPACT:

Funds for this request are not included in the Fiscal Year 2014-15 Operational Plan in the Department of Public Works Detailed Work Program. If approved, construction costs for this HSIP Grant for Centerline Rumble Strips Project will be \$255,000, including contingency. The funding sources are Highway Safety Improvement Program (\$200,376) and Road Fund fund balance available (\$54,624). There will be no change in net General Fund costs and no additional staff years.

BUSINESS IMPACT STATEMENT:

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

RECOMMENDATION:

CHIEF ADMINISTRATIVE OFFICER

1. Find that the proposed project is exempt from the California Environmental Quality Act (CEQA) as specified under Section 15301 of the state CEQA Guidelines.

2. Establish appropriations of \$255,000, in the Department of Public Works Detailed Work Program for construction of the Centerline Rumble Strips Project based on unanticipated revenue from the Highway Safety Improvement Program (\$200,376) and Road Fund fund balance available (\$54,624).
(4 VOTES)
3. Authorize the Director, Department of Purchasing and Contracting, to take any action necessary to advertise and award a contract and to take other action authorized by Section 401 et seq., of the Administrative Code with respect to contracting for subject public works 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.

**6. SUBJECT: TRAFFIC ADVISORY COMMITTEE
RECOMMENDATIONS (DISTRICTS: 2 & 5)**

OVERVIEW:

The Traffic Advisory Committee meets every six weeks to review proposed additions, deletions or changes to regulatory traffic controls. Seven items were on the Committee's June 13, 2014 meeting agenda. The Committee recommends your action on all seven items.

The Board of Supervisors' action on Item 2-A would amend the County Code of Regulatory Ordinances and requires two steps. On August 6, 2014, the Board will consider the Traffic Advisory Committee items. If the Board takes action on August 6, 2014, then on September 17, 2014, a second reading of an Ordinance amending Section 72.160.9. of the San Diego County Code of Regulatory Ordinances will be necessary to implement the Board's direction for Item 2-A.

FISCAL IMPACT:

Funds for this proposal are included in the Department of Public Works Road Fund Fiscal Year 2013-14 Operational Plan. If approved, there will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT:

N/A

**RECOMMENDATION:
TRAFFIC ADVISORY COMMITTEE**

District 2

- 2-A. Austin Drive from Sweetwater Springs Boulevard westerly to Montemar Drive (57th Edition Thomas Guide Page 1271-D7) Spring Valley -- Extend an existing 40 MPH speed limit, from Sweetwater Springs Boulevard westerly to South Barcelona Street, further west to Montemar Drive and certify for radar speed enforcement.

- 2-B. Pino Drive, both sides, adjacent to Our Lady of Perpetual Help Church (57th Edition Thomas Guide Page 1232-C3) Lakeside -- Delete an obsolete parking prohibition, passenger loading zone and two bus loading zones.
- 2-C. Maplevue Street, both sides, in the vicinity of Ashwood Street (57th Edition Thomas Guide Page 1232-B3) Lakeside -- Delete seven obsolete bus loading zone resolutions.

District 5

- 5-A. Lago Lindo from Avenida de Acacias to El Montevideo (57th Edition Thomas Guide Page 1168-D2) Rancho Santa Fe -- Direct the existing 35 MPH speed limit be recertified for radar speed enforcement.
- 5-B. Rambla de Las Flores from La Orilla southerly to Linea del Cielo (57th Edition Thomas Guide Page 1168-B5) Rancho Santa Fe -- Direct the existing 40 MPH speed limit be recertified for radar speed enforcement.
- 5-C. Reche Road, both sides, in the vicinity of Potter Junior High School and Live Oak School (57th Edition Thomas Guide Page 1028-A4) Fallbrook -- Amend two existing parking prohibitions and delete two existing parking prohibitions for consolidation.
- 5-D. Fruitvale Road, south side, in the vicinity of Valley Center Primary School (57th Edition Thomas Guide Page 1070 F-7) Fallbrook -- Delete an existing bus loading zone resolution and an existing passenger loading zone resolution.

CHIEF ADMINISTRATIVE OFFICER

- 1. Find that the proposed project is exempt from the California Environmental Quality Act (CEQA) as specified under Section 15301 of the CEQA Guidelines.
- 2. Adopt the Traffic Advisory Committee’s recommendations.
- 3. Adopt the following Resolutions:
 - RESOLUTION AMENDING TRAFFIC RESOLUTION NO. 300 RELATING TO THE ESTABLISHMENT OF LOADING ZONES IN THE COUNTY OF SAN DIEGO (Items 2-B, 2-C and 5-D).
 - RESOLUTION AMENDING TRAFFIC RESOLUTION NO. 301 RELATING TO THE ESTABLISHMENT OF NO STANDING OR PARKING ZONES IN THE COUNTY OF SAN DIEGO (Items 2-B and 5-C).
- 4. Approve the introduction, read title and waive further reading of the following Ordinance:
 - AN ORDINANCE AMENDING SECTION 72.160.9. OF THE SAN DIEGO COUNTY CODE RELATING TO TRAFFIC REGULATIONS IN THE COUNTY OF SAN DIEGO (Item 2-A).

If, on August 6, 2014, the Board takes action as recommended in Chief Administrative Officer's Recommendation 4 above, related to Item 2-A, on September 17, 2014:

Consider and adopt the Ordinance entitled: AN ORDINANCE AMENDING SECTION 72.160.9. OF THE SAN DIEGO COUNTY CODE RELATING TO TRAFFIC REGULATIONS IN THE COUNTY OF SAN DIEGO. (Item 2-A) (second reading)

7. SUBJECT: ESTABLISH APPROPRIATIONS, ADVERTISE AND AWARD A CONTRACT FOR CONSTRUCTION OF ALPINE CREEK DRAINAGE IMPROVEMENTS (DISTRICT: 2)

OVERVIEW:

The Alpine Creek Drainage Improvements project is located in the unincorporated community of Alpine. The improvements start at the intersection of Arnold Way and Tavern Road and proceed east of the intersection along Arnold Way for approximately 1,000 feet (57th Edition Thomas Guide Page 1234-A6). The improvements will benefit the community by upgrading the existing facilities to handle a 100-year storm event, thus reducing the potential of future flooding.

This is a request to establish appropriations and approve advertisement and subsequent construction contract award to the lowest responsible bidder for this project. The estimated construction cost for the project is \$815,000, including contingency. The project is scheduled to begin in late summer 2014 and be completed by early 2015.

FISCAL IMPACT:

Funds for this request are partially included in the Fiscal Year 2014-15 Operational Plan in the Department of Public Works Detailed Work Program. If approved, total construction cost will be \$815,000, including contingency. The funding sources are Flood Control District (\$390,000), Flood Control District fund balance available (\$35,000) and Highway User Tax Account (\$390,000). There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT:

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

RECOMMENDATION:

CHIEF ADMINISTRATIVE OFFICER

Acting on behalf of the Board of Supervisors for the County of San Diego:

1. Find that the Mitigated Negative Declaration (MND) on file in the Department of Public Works for the Alpine Creek Drainage Improvements Project, dated January 10, 2014, State Clearinghouse # 2013111043 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 MND, and 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 adopted.

2. Authorize the Director, Department of Purchasing and Contracting, to take any action necessary to advertise and award a contract and to take other action authorized by Section 401 et seq., of the Administrative Code with respect to contracting for subject public works 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.

Acting as the Board of Directors for the San Diego County Flood Control District: Establish appropriations of \$35,000 in the Department of Public Works Detailed Work Program for the Alpine Creek Drainage Improvements based on Flood Control District fund balance available. **(4 VOTES)**

(Relates to Flood Control District Agenda No. FL1)

8. **SUBJECT: ESTABLISHMENT OF APPROPRIATIONS AND APPROVAL OF THE FIFTH AMENDMENT TO THE JOINT EXERCISE OF POWERS AGREEMENT BETWEEN THE COUNTY OF SAN DIEGO AND THE RAMONA UNIFIED SCHOOL DISTRICT FOR BASEBALL FIELD IMPROVEMENTS AT RAMONA HIGH SCHOOL (DISTRICT: 2)**

OVERVIEW:

The Ramona Unified School District owns and manages Ramona High School, located in the unincorporated community of Ramona (2009 Thomas Guide page 1172, F1). On April 4, 1988, the County of San Diego and the Ramona Unified School District established a Joint Exercise of Powers Agreement (JEPA) whereby the County funded recreation improvements which Ramona Unified School District agreed to maintain and make available to the public. To date, the Joint Exercise of Powers Agreement has been amended four times since its inception.

The Ramona Unified School District and the Ramona Community Planning Group have requested \$150,000 in Parkland Dedication Area 28 Ramona (PLDO) funds for baseball field and dugout improvements at Ramona High School. The Department of Parks and Recreation concurs with the proposed improvements and has determined the funding request is an appropriate use of Ramona PLDO funding. Construction of the new baseball field improvements will support school and community baseball programs that enrich our resident's quality of life.

The requested action will authorize the Director, Department of Parks and Recreation to execute a fifth amendment to the JEPAs with the Ramona Unified School District to include an amendment to establish hours for public use. Also, the requested action will appropriate \$150,000 of Ramona PLDO funds to be used by the Ramona Unified School District for new baseball field improvements at the Ramona High School. Construction, operation and maintenance of the improvements will be the responsibility of the Ramona Unified School District. If approved, construction is expected to be completed fall 2015.

FISCAL IMPACT:

Funds for this request are not included in the Fiscal Year 2014-15 Operational Plan for the Parkland Dedication Area 28 Ramona (PLDO) fund. If approved, this request will result in current year cost of \$150,000. The funding source is the Ramona PLDO fund fund balance available. There will be no change in net General Fund cost and no additional staff years.

Construction, annual operations and maintenance of the improvements will be provided by the Ramona Unified School District.

BUSINESS IMPACT STATEMENT:

N/A

RECOMMENDATION:

CHIEF ADMINISTRATIVE OFFICER

1. Find in accordance with Sections 15303 and 15304 of the California Environmental Quality Act (CEQA) guidelines that the Baseball Field Improvements at Ramona High School are exempt from CEQA.
2. Establish appropriations of \$150,000 in the Ramona Parkland Dedication Area (PLDO) fund for Baseball Field Improvements at Ramona High School based on fund balance available. **(4 VOTES)**
3. Authorize the Director, Department of Parks and Recreation to execute a fifth amendment to the Joint Exercise of Powers Agreement (JEPAs) between the County and the Ramona High School District.

- 9. SUBJECT: ESTABLISHMENT OF APPROPRIATIONS AND APPROVAL OF JOINT EXERCISE OF POWERS AGREEMENT BETWEEN THE COUNTY OF SAN DIEGO AND THE JAMUL-DULZURA UNION SCHOOL DISTRICT FOR IMPROVEMENTS AT OAK GROVE MIDDLE SCHOOL (DISTRICT: 2)**

OVERVIEW:

The Jamul-Dulzura Union School District (School District) is seeking to construct an improved sports complex at their Oak Grove Middle School in the unincorporated community of Jamul. (2009 Thomas Guide page 1292, J1). The

School District has prepared a master plan for the sports complex which has received partial funding of \$200,000 through a District Two Neighborhood Reinvestment Program grant. The Department of Parks and Recreation supports the use of Parkland Dedication Area 19 Jamul (PLDO) funds of \$605,000 to construct Phase I of the Oak Grove Middle School sports complex that will construct an artificial turf multi-purpose field and related amenities. As part of the proposed agreement to fund construction of the sports complex, the Department of Parks and Recreation has drafted a Joint Exercise of Powers Agreement to provide funding and ensure the new multi-purpose field and track will be open to the public when not in use by the school.

If approved, today's request will provide funding for Phase I of the Oak Grove Middle School sports complex through allocation of \$605,000 of Jamul PLDO funds. Combined with \$200,000 of District Two Neighborhood Reinvestment Funds, the School District will fully fund Phase I of the Oak Grove Middle School sports complex project which will convert their main athletic field from grass to multi-use artificial turf, construct bleachers, shade structures and related structures. The requested action will also authorize the Director, Department of Parks and Recreation to execute a Joint Exercise of Powers Agreement (JEPA) with the Jamul-Dulzura Union School District. If approved, construction is expected to be completed fall 2015.

FISCAL IMPACT:

Funds for this request are not included in the Fiscal Year 2014-15 Operational Plan for the Parkland Dedication Area 19 Jamul fund. If approved, this request will result in current year cost of \$605,000 for the conversion of the main athletic field from grass to multi-use artificial turf, construct bleachers, shade structures and related structures. The funding source is from Parkland Dedication Area 19 Jamul fund fund balance available. There will be no change in net General Fund cost and no additional staff years.

Upon project completion, annual operations and maintenance of the improvements will be provided by the Jamul-Dulzura Union School District.

BUSINESS IMPACT STATEMENT:

N/A

RECOMMENDATION:

CHIEF ADMINISTRATIVE OFFICER

1. Find in accordance with Sections 15303 and 15304 of the California Environmental Quality Act (CEQA) guidelines that the sports complex construction at Oak Grove Middle School is exempt from CEQA.
2. Establish appropriations of \$605,000 in the Parkland Dedication Area 19 Jamul fund, Services and Supplies, for the conversion of the main athletic field from grass to multi-use artificial turf, construct bleachers, shade structures and related structures at Oak Grove Middle School based on fund balance available. **(4 VOTES)**

3. Authorize the Director, Department of Parks and Recreation to execute a new Joint Exercise of Powers Agreement between the County and the Jamul Dulzura Union School District.

10. SUBJECT: AUTHORIZATION TO SIGN AND EXECUTE A MEMORANDUM OF UNDERSTANDING BETWEEN THE COUNTY OF SAN DIEGO AND FIRST 5 COMMISSION OF SAN DIEGO; ESTABLISH APPROPRIATIONS AND ADVERTISE AND AWARD CONTRACTS FOR CONSTRUCTION OF THE TIJUANA RIVER VALLEY PATHWAYS FOR PLAY PROJECT (DISTRICT: 1)

OVERVIEW:

The 1,700-acre Tijuana River Valley Regional Park (2011 Thomas Guide 1350, D-4) preserves diverse natural habitats, includes a 22.5-mile multi-use recreational trail network, as well as a sports complex. The Department of Parks and Recreation was recently awarded funding from the First 5 Commission of San Diego (F5SD), to develop a project that will enhance the sports complex with nature based play elements.

F5SD promotes the health and well-being of young children from the prenatal stage through five years of age. On April 21, 2014, F5SD approved \$200,000 in funding for the construction of a Tijuana River Valley Pathways for Play project. This project will create natural play areas along an existing path that surrounds the Tijuana River Valley Regional Park sports complex.

This is a request to authorize the Director, Department of Parks and Recreation, to sign and execute a Memorandum of Understanding between the County of San Diego and F5SD. This request will also establish appropriations of \$200,000 in Capital Project 1019197, Tijuana River Valley Pathways for Play Construction to create play areas along the existing perimeter path that surrounds the sports complex for children up to five years old. Funding of \$200,000 is based on a Memorandum of Understanding with F5SD to implement the project. The requested action will also authorize the Director, Department of Purchasing and Contracting, to advertise and award construction contracts estimated at \$190,000. Additional project funds of \$10,000 will be used for design, inspection services, construction management and project administration. If approved, construction is expected to begin in fall 2015 and be completed in spring 2016.

FISCAL IMPACT:

Funds for this request are not included in the Fiscal Year 2014-15 Operational Plan for the Capital Outlay Fund. If approved, this request will result in costs and revenue of \$200,000 for Capital Project 1019197, Tijuana River Valley Pathways for Play Construction. The funding source is unanticipated revenue from the First 5 Commission of San Diego (\$200,000). There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT:

N/A

RECOMMENDATION:

CHIEF ADMINISTRATIVE OFFICER

1. Find in accordance with Section 15301 of the California Environmental Quality Act (CEQA) Guidelines that the proposed Tijuana River Valley Pathways for Play project is exempt from CEQA.
2. Approve and authorize the Director, Department of Parks and Recreation, to execute the Memorandum of Understanding between the County of San Diego and First 5 Commission of San Diego.
3. Establish appropriations of \$200,000 in the Capital Outlay Fund for Capital Project 1019197, Tijuana River Valley Pathways for Play Construction, for project implementation based on unanticipated revenue from the First 5 Commission of San Diego. **(4 VOTES)**
4. Authorize the Director, Department of Purchasing and Contracting, to advertise and award construction contracts and take any other action authorized by Section 401 et seq. of the Administrative Code with respect to contracting for the construction of the Tijuana River Valley Pathways for Play Project.

- 11. SUBJECT: SECOND CONSIDERATION AND ADOPTION OF ORDINANCE: REVISIONS TO THE COUNTY'S FOOD HANDLER PROGRAM AND AMENDMENTS TO COUNTY CODE OF REGULATORY ORDINANCES SECTION 61.114 AND SECTION 65.107 (FEES) RELATED TO THE FOOD HANDLER PROGRAM (7/30/2014 – FIRST READING; 8/6/2014 – SECOND READING) (DISTRICTS: ALL)**

OVERVIEW:

On July 30, 2014 (9), the Board of Supervisors introduced the Ordinance for further consideration and adoption on August 6, 2014.

The County of San Diego has historically been a leader in the State of California and across the nation in the implementation of a food handler program that protects public health and was one of the first counties in California to adopt such a program in the 1980s. The County's program promotes food safety education for employees involved in the preparation, storage, service or handling of food products. Anyone, including those who work for school districts, who prepares food or who may come in contact with food products, food utensils or equipment is required to have a standardized level of knowledge in food safety to provide the public with access to safe food.

In the County of San Diego food handlers have options to receive the necessary training. One option is to attend a local food handler school that can offer classroom or online training but certification exams are only available in the

classroom. This prompted online trainers to ask the Department of Environmental Health (DEH) to evaluate the possibility of online testing. As part of this evaluation, information technology security measures were also evaluated to ensure the integrity of an online testing option. Additionally, DEH conducted an in-depth review of the food handler program, identifying efficiencies that maintain the level of service to the regulated community, and are protective of public health. Some of the proposed changes that were identified require amendments to the County ordinance and will reduce the overall cost of the County's program.

This is a request to adopt ordinance amendments to Sections 61.114 and 65.107 of Title 6 of the County Code of Regulatory Ordinances relating to the food handler program. Amendments will require food handler training in addition to testing every three years by eliminating a seldom used option to recertify as a food handler by taking an examination proctored by the DEH, and decrease the food handler certificate fee charged by the DEH by 50 percent, from \$6 to \$3. Additionally, a fee based on the DEH hourly rate, will be established for services to training providers such as the review of new or changed curriculum, online exam security used by a food handler trainer, or assessment of food handler instructor knowledge.

FISCAL IMPACT:

Funds for this request are included in the Fiscal Year 2014-15 Approved Operational Plan in the Department of Environmental Health. If approved, this request will result in a decrease of costs and revenue of \$66,000. There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT:

Local food handlers and the food industry will benefit from the reduction in the food handler certificate fee for the County's implementation of the local program; local food handler training programs will be able to pass savings on to their customers. From August 2013 through June 2014 the DEH convened industry stakeholder meetings to discuss proposed changes and to seek their input. Letters and group email messages were sent to stakeholder subscribers. Information was also posted online on the Department's website.

RECOMMENDATION:

CHIEF ADMINISTRATIVE OFFICER

1. In accordance with Section 15061(b)(3) of the State of California Environmental Quality Act (CEQA) Guidelines, find that it can be seen with certainty that there is no possibility this project may have a significant effect on the environment and that it is therefore exempt from CEQA.
2. Adopt the Ordinance entitled: AN ORDINANCE AMENDING PORTIONS OF THE COUNTY CODE OF REGULATORY ORDINANCES RELATING TO THE FOOD HANDLER PROGRAM.

12. **SUBJECT: SECOND CONSIDERATION AND ADOPTION OF ORDINANCE: AUTHORIZATION TO SIGN TWO MEMORANDA OF UNDERSTANDING REGARDING A FERAL PIG MANAGEMENT PROGRAM AND AMEND THE COUNTY CODE REGARDING THE USE OF FIREARMS IN COUNTY PARKS TO CONTROL INVASIVE, NON-NATIVE ANIMALS CAUSING SIGNIFICANT DAMAGE TO THE ENVIRONMENT (7/30/2014 – FIRST READING; 8/6/2014 – SECOND READING) (DISTRICTS: ALL)**

OVERVIEW:

On July 30, 2014 (10), the Board of Supervisors introduced the Ordinance for further consideration and adoption on August 6, 2014.

Feral pigs are not native to the San Diego region. Feral pigs were released into the San Diego River watershed approximately six years ago. Local feral pig populations have and will likely continue to proliferate and expand their range by moving into various areas of the county. Feral pigs are problematic for a number of reasons. They negatively impact local ecosystems by competing with native species for resources. They can affect public health by transmitting diseases and can cause considerable damage to property, agricultural lands and the natural environment by creating wallows and rooting for food.

A large population of feral pigs has been identified in the Lake Morena and Houser Canyon area. This population has caused significant environmental damage at Lake Morena County Park and surrounding lands.

In 2010, the San Diego Feral Pig Working Group (Working Group) was formed to explore ways to eradicate or reduce the spread of feral pigs in San Diego County. Members of the Working Group include local, state and federal agencies and Native American Tribes. Environmental review has been completed, and the federal and state agencies, the City of San Diego, water/irrigation districts and Tribal Governments have agreed to cooperate in the eradication effort. If approved, today's actions will further efforts of cooperation by authorizing the Director, Department of Parks and Recreation (DPR) upon review and approval of County Counsel, to enter into the two Memoranda of Understanding for Feral Pig Management Program and Implementation.

To control feral pigs on land managed by DPR, County Code Sections 33.101 and 41.117 relating to firearms in County parks and shooting regulations need to be amended. These amendments will allow the Director of DPR to authorize the use of firearms or other weapons in County parks to control invasive, non-native animals that are causing significant damage to the environment. In addition, the amendments will clarify that the prohibition on having firearms in County parks does not apply to peace officers, federal law enforcement officers and other governmental employees, or their agents, authorized to carry firearms. Today's request requires two steps. The first step will introduce the ordinance on July 30, 2014, and if the Board takes action as requested, the second reading will occur on August 6, 2014.

FISCAL IMPACT:

There is no direct fiscal impact associated with the approval of the two Memoranda of Understanding with federal, state and local governments to implement a feral pig management program and to approve an ordinance to allow the authorization of the use of firearms on lands managed by the Department of Parks and Recreation (DPR) for control of invasive, non-native animals causing significant damage to the environment. DPR will provide staff time or other in-kind support during the next five years as required by the Memoranda of Understanding for this program. There will be no change in net General Fund costs and no additional staff years.

BUSINESS IMPACT STATEMENT:

N/A

RECOMMENDATION:

CHIEF ADMINISTRATIVE OFFICER

1. Find that the project is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Sections 15307 and 15308.
2. Adopt the Ordinance entitled: AN ORDINANCE AMENDING SECTIONS 41.117 AND 33.101 OF THE SAN DIEGO COUNTY CODE RELATING TO FIREARMS IN COUNTY PARKS AND SHOOTING REGULATIONS.

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