

COUNTY OF SAN DIEGO BOARD OF SUPERVISORS
REGULAR MEETING
MEETING AGENDA
WEDNESDAY, SEPTEMBER 16, 2015, 9:00 A.M.
BOARD OF SUPERVISORS NORTH CHAMBER
1600 PACIFIC HIGHWAY, ROOM 310, SAN DIEGO, CALIFORNIA

- A. Roll Call
- B. Approval of the Statement of Proceedings/Minutes for the meeting of August 5, 2015.
- 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.

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. NOTICED PUBLIC HEARING:
 AMENDMENT TO THE COUNTY CODE REGARDING BEES AND APIARIES (9/16/15 – FIRST READING; 9/30/15 – SECOND READING), ESTABLISHMENT OF APPROPRIATIONS, NEGOTIATION OF LEASES OF COUNTY PROPERTIES FOR BEEKEEPING AND IMPLEMENTATION OF THE BEE PROGRAM
 [FUNDING SOURCES: AVAILABLE PRIOR YEAR GENERAL FUND FUND BALANCE; GENERAL PURPOSE REVENUE]
 (4 VOTES)

- 2. NOTICED PUBLIC HEARING:
 SAN LUIS REY RIVER PARK – ACQUISITION OF 60.31 ACRES FOR INCLUSION IN THE RIVER PARK (SAN LUIS REY DOWNS ENTERPRISES, LLC) (7/22/2015 – SET HEARING; 9/16/2015 – HOLD HEARING)
 [FUNDING SOURCES: EXISTING GENERAL FUND, AN OPERATING TRANSFER IN FROM THE GENERAL FUND IN THE CAPITAL OUTLAY FUND AND UNANTICIPATED REVENUE FROM THE PARKS AND RECREATION TRUST FUND BASED ON FUNDS FROM STATE ROUTE 76, CALTRANS WIDENING PROJECT, ASSOCIATED BOARD ACTION JUNE 29, 2011 (05); GENERAL PURPOSE REVENUE]
 (4 VOTES)

3. NOTICED PUBLIC HEARING:
SAN LUIS REY RIVER PARK – ACQUISITION OF 20.3 ACRES FOR INCLUSION IN THE RIVER PARK (SINGH FAMILY TRUST, ET. AL.) (7/22/2015 – SET HEARING; 9/16/2015 – HOLD HEARING)
[FUNDING SOURCE: OPERATING TRANSFER IN FROM THE GENERAL FUND]
4. NOTICED PUBLIC HEARING:
EVERGREEN NURSERY MAJOR USE PERMIT; LAKESIDE COMMUNITY PLAN AREA
5. ACCEPT DONATION, ESTABLISH APPROPRIATIONS, ADVERTISE AND AWARD A CONTRACT FOR THE CONSTRUCTION OF DEHESA ROAD AND SYCUAN ROAD TRAFFIC SIGNAL IMPROVEMENT PROJECT
(4 VOTES)
6. APPROVAL OF FUNDS AND ESTABLISHMENT OF APPROPRIATIONS FOR SPECIAL TAXES FOR COMMUNITY FACILITIES DISTRICT NO. 2008-01 (HARMONY GROVE VILLAGE)
[FUNDING SOURCE: LEVIES COLLECTED FROM SPECIAL TAX B]
(4 VOTES)

(RELATES TO FLOOD CONTROL DISTRICT AGENDA NO. FL1)
7. COUNTY OF SAN DIEGO TRACT NO. 5516-1: APPROVAL OF FINAL MAP, ACCEPTANCE OF RELATED EASEMENTS, AND APPROVAL OF SECURED AGREEMENT FOR PUBLIC AND PRIVATE IMPROVEMENTS FOR RANCHITA DEL SOL TENTATIVE MAP LOCATED IN NORTH MOUNTAIN SUBREGIONAL PLAN AREA
8. AUTHORIZATION TO ADVERTISE AND AWARD A CONSTRUCTION CONTRACT FOR THE STEELE CANYON ARTIFICIAL TURF PROJECT
[FUNDING SOURCE: PRIOR YEAR AVAILABLE GENERAL FUND FUND BALANCE]
9. ADOPT A RESOLUTION TO APPLY FOR AND ACCEPT GRANT FUNDS FROM HABITAT CONSERVATION FUND FOR IRON MOUNTAIN CONNECTION
10. TRAFFIC ADVISORY COMMITTEE

1. **SUBJECT: NOTICED PUBLIC HEARING:
AMENDMENT TO THE COUNTY CODE REGARDING
BEES AND APIARIES (9/16/2015 – FIRST READING;
9/30/2015 – SECOND READING), ESTABLISHMENT OF
APPROPRIATIONS, NEGOTIATION OF LEASES OF
COUNTY PROPERTIES FOR BEEKEEPING AND
IMPLEMENTATION OF THE BEE PROGRAM
(DISTRICTS: ALL)**

OVERVIEW:

On October 29, 2014 (11) the Board of Supervisors (Board) directed the Chief Administrative Officer (CAO) to conduct a California Environmental Quality Act (CEQA) review and to draft the amendment to County Code Title 6, Division 2, Chapter 9 (Bee Ordinance) in accordance with the proposed three-tiered ordinance presented and to return to the Board for approval, and to accept requests to use the identified County-owned properties for beekeeping purposes. The Board also directed the CAO to return with a plan for implementation of the Bee Program, including components for education and enforcement and a definitive process for the “Opt-In” as sensitive sites for businesses with employees who work outside.

Pursuant to Board direction, the proposed amendment to the Bee Ordinance incorporates expertise and suggestions obtained from the San Diego Beekeeping Society (SDBS), commercial beekeepers, local community planning groups, industry stakeholders, external experts, and the County of San Diego’s Department of Agriculture, Weights and Measures (AWM) to require important safety measures for responsible beekeeping in an Africanized honey bee zone. The amendment proposes reduced setback distances from roads and neighboring dwellings, and defines distances from property lines and sensitive sites based on a tiered system that specifies the number of hives in the apiary. These reduced distances are mitigated by the Bee Program’s components of required beekeeper registration, robust educational outreach, required best management practices and ongoing compliance monitoring. There will be a two calendar-year timeframe for adaptive management of the program to evaluate its effectiveness, with an expected report to the Board in 2018.

This is a request for the Board to (1) adopt the CEQA Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program for the Bee Ordinance Amendment; (2) establish appropriations totaling \$345,000 for one-time program costs for software development, outreach, and equipment (\$150,000); funding for one Senior Agricultural/Standards Inspector position and additional staff time to administer the Bee Program (\$150,000); and activities related to identification and coordination of appropriate sites for beekeeping purposes and making them available for lease (\$45,000). This is also a request to provide the Director of the Department of General Services the authority to negotiate leases with the commercial beekeepers for County properties. The amendment to the County Code requires two steps. The first step will introduce the deletion of County Code Sections 62.901 through 62.915 and the addition of all new Sections

62.901 through 62.927 on September 16, 2015. If the Board takes action as requested, the second reading will occur on September 30, 2015.

FISCAL IMPACT:

Funds for this request are not included in the Fiscal Year 2015-16 Operational Plan for the Department of Agriculture, Weights and Measures. If approved, this request will result in costs and revenue of \$300,000 in Fiscal Year 2015-16 and costs and revenue of \$150,000 in Fiscal Years 2016-17 and thereafter. The Fiscal Year 2015-16 funding source is available prior year General Fund fund balance.

The Fiscal Year 2015-16 program cost of \$300,000 is for one-time costs for software development, outreach development, and equipment (\$150,000) and costs for the addition of 1.0 FTE (\$90,000) and additional staff time to administer the Bee Program (\$60,000). In Fiscal Years 2016-17 and subsequent years, estimated ongoing staffing costs would be \$150,000. The funding source will be General Purpose Revenue.

Funds for this request are not included in the Fiscal Year 2015-16 Operational Plan for the Department of General Services. If approved, the request will result in costs and revenue of \$45,000 in Fiscal Year 2015-16 for real estate efforts to coordinate County properties which could be made available for leasing to beekeepers. The Fiscal Year 2015-16 funding source is available prior year General Fund fund balance. On-going costs and revenue of the program will be dependent on the beekeepers interest in County properties.

BUSINESS IMPACT STATEMENT:

The proposed ordinance amendment will benefit beekeepers by expanding opportunities for responsible beekeeping in the unincorporated areas of San Diego county while promoting public safety. The new Bee Program will require beekeepers to register and use Best Management Practices. It will offer robust educational opportunities on proper beekeeping and include ongoing compliance monitoring to ensure public safety.

RECOMMENDATION:

CHIEF ADMINISTRATIVE OFFICER

On September 16, 2015, take the following actions:

1. Find, on the basis of the whole record, that there is no substantial evidence that the project will have a significant effect on the environment. Consider the Mitigated Negative Declaration, on file with the Department of Agriculture, Weights and Measures dated April 2, 2015, State Clearinghouse #2015041003, together with comments received during public review, and adopt it, finding that it reflects the independent judgment and analysis of the Board of Supervisors.
2. Adopt the Mitigation Monitoring and Reporting Program prepared in accordance with Public Resources Code section 21081.6, and authorize the Agricultural Commissioner to ensure compliance with the Mitigation Monitoring and Reporting Program.

3. Read the Title, waive further reading, and introduce an Ordinance for further consideration and adoption on September 30, 2015:

AN ORDINANCE AMENDING THE SAN DIEGO COUNTY CODE OF REGULATORY ORDINANCES, RELATING TO BEES AND DELETING SECTIONS 62.901-62.915 OF CHAPTER 9, DIVISION 2 OF TITLE 6 OF THE SAN DIEGO COUNTY CODE AND ADDING ALL NEW SECTIONS 62.901-62.927 OF REGULATORY ORDINANCES RELATING TO BEES AND APIARIES.

If on September 16, 2015, the Board of Supervisors takes action as requested in Recommendations 1, 2 and 3, then on September 30, 2015:

1. Consider and adopt the Ordinance amending Title 6, Division 2, Chapter 9, of the County Code of Regulatory Ordinances to amend the County Code regarding Bees and Apiaries (Second Reading).
2. Establish appropriations of \$300,000 in the Department of Agriculture, Weights and Measures, Salaries and Benefits (\$150,000) and Services and Supplies (\$150,000) for staffing and one-time program costs based on available prior year General Fund fund balance. **(4 VOTES)**
3. Approve the request to add one (1.0) staff year to support the Department of Agriculture, Weights and Measures and direct the Department of Human Resources to classify the position at the appropriate level.
4. Amend the Fiscal Year 2015-16 Facilities Management Internal Service Fund (ISF) Spending Plan by cancelling appropriations of \$45,000 and related revenue to realign the funding source related to the coordination efforts to lease available County properties to beekeepers.
5. Establish appropriations of \$45,000 in the General Fund Contributions to Facilities Management Internal Service Fund (ISF), Operating Transfer Out, for staff time to coordinate leasing activities of available County properties to beekeepers, based on available prior year General Fund fund balance. **(4 VOTES)**
6. Amend the Fiscal Year 2015-16 Department of General Services Facilities Management ISF Spending Plan by \$45,000 to provide funding for staff time to coordinate leasing activities of available County properties to beekeepers, based on an Operating Transfer from the General Fund. **(4 VOTES)**
7. Direct the Director, Department of General Services to negotiate leases with the commercial beekeepers for County properties.
8. Direct the Chief Administrative Officer to report to the Board in 2018 with a status report on the Bee Program, any recommendations for improvements, and a request for additional funding if needed, after the amended Bee Ordinance has been in effect for two calendar years.

2. **SUBJECT: NOTICED PUBLIC HEARING:
SAN LUIS REY RIVER PARK – ACQUISITION OF 60.31
ACRES FOR INCLUSION IN THE RIVER PARK (SAN LUIS
REY DOWNS ENTERPRISES, LLC) (7/22/2015 – SET
HEARING; 9/16/2015 – HOLD HEARING) (DISTRICT: 5)**

OVERVIEW:

On July 22, 2015 (7), the Board of Supervisors set a Hearing for September 16, 2015.

The County has identified approximately 60.31 acres in the Bonsall area available for acquisition to add to the planned San Luis Rey River Park. The property is located north of Camino del Rey and east of State Route 76 (57th Edition Thomas Guide page 1068, A-1) within the approved San Luis Rey River Park Master Plan core study area. As planned, the park as a whole will help preserve the sensitive habitat along the river and offer both active and passive recreational opportunities, including non-motorized, multi-use trails and sports fields. The 60.31-acre property and an adjacent 1.61-acre property under separate ownership will be considered for future, as yet unplanned, recreational facilities. Pursuant to Government Code Section 25350.60 and County Administrative Code Section 73, the acquisition of the 1.61-acre parcel will be completed administratively as its assessed value is expected to be less than \$250,000.

Today's request requires two steps. On July 22, 2015, it is requested that the Board set a hearing for September 16, 2015, and provide public notice of the hearing. If the Board takes the actions recommended for July 22, 2015, then on September 16, 2015 after making the necessary findings, the Board is requested to approve the purchase of Assessor's Parcel Numbers 126-230-14, -67 and 126-060-43 from San Luis Rey Downs Enterprises, LLC at the appraised value of \$3,166,275.

FISCAL IMPACT:

Funds for this request are partially included in Fiscal Year 2015-16 CAO Approved Operational Plan for the Capital Outlay Fund. If approved, this request will result in costs of \$3,423,575 for Capital Project 1007108, San Luis Rey River Park Acquisition itemized as follows: \$3,166,275 for 60.31-acre property acquisition; \$53,800 for staff, appraisal and ancillary costs to complete the transaction; \$3,500 for closing and title costs; and \$200,000 for the purchase of 1.61 acres (including the property acquisition, staff, appraisal, ancillary, closing, and title costs). The establishment of appropriations for the future administrative purchase of 1.61 acres is being requested through today's Board action. The funding sources are existing General Fund (\$3,100,579.19), an Operating Transfer In from the General Fund in the Capital Outlay Fund (\$210,000) and unanticipated revenue from the Parks and Recreation trust fund based on funds from State Route 76, Caltrans widening project (\$112,995.81), associated Board action June 29, 2011 (05).

If approved, this request will also result in costs of \$181,000 for Capital Project 1019796, San Luis Rey Land Improvements. The one-time land protection costs of \$181,000 include vegetation management and installation of or rehabilitation of existing fencing, gates, signage, lighting, and removal of a structure on site due to unsafe conditions. The funding source is unanticipated revenue from the Parks and Recreation trust fund based on funds from State Route 76, Caltrans widening project (\$181,000).

Funds for this request are not included in Fiscal Year 2015-16 CAO Approved Operational Plan for the Department of Parks and Recreation. If approved, this request will also result in costs and revenue of \$69,000 for maintenance of the existing water well, septic system, and a building on the property. The funding source is unanticipated revenue from the Parks and Recreation trust fund based on funds from State Route 76, Caltrans widening project (\$69,000).

In Fiscal Year 2017-18, it is anticipated that the total annual management costs for the San Luis Rey River Park will be \$135,000. In addition, there will be an estimated annual cost of \$2,139 for fixed charge assessment including vector control and water standby charges. The funding source will be General Purpose Revenue and will be provided for in future Operational Plans.

There will be no change in current year net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT:

N/A

RECOMMENDATION:

CHIEF ADMINISTRATIVE OFFICER

1. Find that the Final Program Environmental Impact Report (FPEIR) on file in the Department of Parks and Recreation for the San Luis Rey River Park Master Plan, dated September 24, 2008, State Clearinghouse #2006051074, was completed in compliance with the California Environmental Quality Act (CEQA) and State and County CEQA Guidelines, that the Board of Supervisors has reviewed and considered the information contained therein before approving the project, that the FPEIR reflects the independent judgment and analysis of the Board of Supervisors and:

Find that there are no changes in the project or in the circumstances under which the project is undertaken that involve significant new environmental impacts which were not considered in the previously certified FPEIR, dated September 24, 2008, 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 said FPEIR was certified as explained in the Environmental Review Update Checklist dated June 17, 2015.

2. Cancel appropriations of \$210,000 and related Operating Transfer from the General Fund in the Multiple Species Conservation Program Acquisition Fund, to provide funding for San Luis Rey Downs Enterprises, LLC Acquisition.
3. Establish appropriations of \$322,995.81 in the Capital Outlay Fund for Capital Project 1007108, San Luis Rey River Park Acquisition based on an Operating Transfer In from the General Fund (\$210,000) and unanticipated revenue from the Parks and Recreation trust fund (\$112,995.81). **(4 VOTES)**
4. Establish appropriations of \$181,000 in the Capital Outlay Fund for Capital Project 1019796, San Luis Rey Land Improvements based on unanticipated revenue from the Parks and Recreation trust fund. **(4 VOTES)**
5. Establish appropriations of \$69,000 in the Department of Parks and Recreation, Services and Supplies for maintenance costs related to San Luis Rey Downs Enterprises, LLC property based on unanticipated revenue from the Parks and Recreation trust fund. **(4 VOTES)**
6. Authorize the Director, Department of General Services to execute two originals of the Purchase and Sale Agreement and Joint Escrow Instructions for the purchase of 126-230-14, -67 and 126-060-43 from San Luis Rey Downs Enterprises, LLC for the appraised value of \$3,166,275.
7. Authorize the Director, Department of General Services, or designee, to execute all escrow related documents necessary to complete the purchase of the property.

**3. SUBJECT: NOTICED PUBLIC HEARING:
 SAN LUIS REY RIVER PARK – ACQUISITION OF 20.3
 ACRES FOR INCLUSION IN THE RIVER PARK (SINGH
 FAMILY TRUST, ET AL.) (7/22/2015 – SET HEARING;
 9/16/2015 – HOLD HEARING) (DISTRICT: 5)**

OVERVIEW:

On July 22, 2015 (8), the Board of Supervisors set a Hearing for September 16, 2015.

The County has identified 20.3 acres available for acquisition west of Old River Road in Bonsall to add to the planned San Luis Rey River Park (57th Edition Thomas Guide page 1067, J-4). The property is located within the approved San Luis Rey River Park Master Plan core study area and contains valuable habitat within the Pre-Approved Mitigation Area in the Multiple Species Conservation Program (MSCP) Draft North County Plan. The appraised value of the property is \$825,000.

Today's request requires two steps. On July 22, 2015, it is requested that the Board set a hearing for September 16, 2015, and provide public notice of the hearing. If the Board takes the actions recommended for July 22, 2015, then on September 16, 2015, after making the necessary findings, the Board is requested to approve the purchase of Assessor Parcel Number 126-170-88 and a portion of 126-170-86 from the Singh Family Trust, et al. in two separate transactions, for the combined appraised value of \$825,000.

FISCAL IMPACT:

Funds for this request are included in the Fiscal Year 2015-17 CAO Approved Operational Plan for the Multiple Species Conservation Program (MSCP) Acquisitions Fund. If approved, this request will result in current year costs of \$887,200 itemized as follows: \$825,000 for property acquisition; \$37,200 for staff, appraisal and ancillary costs to complete the transaction; \$5,000 for closing and title costs; and \$20,000 in one-time land protection costs, including signage, fencing, vegetation management and boundary survey. The funding source is an Operating Transfer In from the General Fund.

Total annual cost for land monitoring and management of the 20.3 acres, consistent with the requirements in the Multiple Species Conservation Program Draft North County Plan, are estimated at \$1,000. In addition, there will be an estimated annual cost of \$640 for fixed charge assessments including vector control and water standby charges. These costs will be absorbed within the Department of Parks and Recreation's existing budget. 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 that the Final Program Environmental Impact Report (FPEIR) on file in the Department of Parks and Recreation for the San Luis Rey River Park Master Plan, dated September 24, 2008, State Clearinghouse #2006051074, was completed in compliance with the California Environmental Quality Act (CEQA) and State and County CEQA Guidelines, that the Board of Supervisors has reviewed and considered the information contained therein before approving the project, and that the FPEIR reflects the independent judgment and analysis of the Board of Supervisors; and

Find that there are no changes in the project or in the circumstances under which the project is undertaken that involve significant new environmental impacts which were not considered in the previously certified FPEIR, dated September 24, 2008, 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 said FPEIR was certified as explained in the Environmental Review Update Checklist dated June 2, 2015.

2. Cancel appropriations of \$20,000 and related Operating Transfer In from the General Fund in the Multiple Species Conservation Program Acquisitions Fund, for initial land protection.
3. Transfer appropriations of \$20,000 from the Contributions to Capital Outlay Fund, Operating Transfer Out, to the Department of Parks and Recreation, Services and Supplies, for initial land protection.
4. Approve and authorize the Director, Department of General Services to execute two originals of the Purchase and Sale Agreement and Joint Escrow Instructions for the purchase of a portion of Assessor Parcel Number 126-170-86 for the appraised value of \$572,547 from the trustees of the Singh Trust B.
5. Approve and authorize the Director, Department of General Services to execute two originals of the Purchase and Sale Agreement and Joint Escrow Instructions for the purchase of Assessor Parcel Number 126-170-88 for the appraised value of \$252,453 from the trustees of the Singh Trust B, et al.
6. Authorize the Director, Department of General Services, or designee, to execute all escrow and related documents necessary to complete the purchase of Assessor Parcel Number 126-170-88 and a portion of APN 126-170-86.

**4. SUBJECT: NOTICED PUBLIC HEARING:
EVERGREEN NURSERY MAJOR USE PERMIT;
LAKESIDE COMMUNITY PLAN AREA (DISTRICT: 2)**

OVERVIEW:

Application Date: May 31, 2012.

This is a request for the Board of Supervisors (Board) to consider an appeal of the Planning Commission's approval of the proposed Evergreen Nursery Major Use Permit. The project includes a retail nursery and green waste recycling operation. The site is currently developed with a wholesale nursery.

The site is located at 9708 Flinn Springs Road, within the Lakeside Community Plan Area (57th Edition Thomas Guide 1232 H/3, H/4, J/3, J/4).

The case numbers for this project are PDS2012-3300-12-009 (MUP) and PDS2012-3910-12-14-002 (ER).

FISCAL IMPACT:

N/A

BUSINESS IMPACT STATEMENT:

N/A

**RECOMMENDATION:
PLANNING COMMISSION**

On May 15, 2015, the Planning Commission considered the application and made the following decisions:

1. Adopt the Environmental Findings included in Attachment F, which includes the adoption of a Mitigated Negative Declaration (MND).
2. Grant Major Use Permit PDS2012-3300-12-009 and impose the requirements and conditions set forth in the Major Use Permit Form of Decision (Attachment D).

PLANNING & DEVELOPMENT SERVICES

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

1. Deny the appeal (Attachment B) for the reasons discussed in this Board Letter.
2. Adopt the Environmental Findings included in Attachment F, which includes the adoption of an MND pursuant to the California Environmental Quality Act (CEQA).
3. Grant Major Use Permit PDS2012-3300-12-009 and impose the requirements and conditions set forth in the Major Use Permit Form of Decision (Attachment D).
4. Require Mark Collins/ Evergreen Nursery to enter into a Defense and Indemnification Agreement in accordance with County Code Section 86.201 et seq. and authorize the Director of Planning & Development Services to execute the Agreement. If litigation is filed challenging the Board's action on this project, require Mark Collins/ Evergreen Nursery to provide security in the amount of \$100,000 in the form of an irrevocable letter of credit or bond, in a form acceptable to County Counsel within 10 days of litigation being filed (Attachment I).

5. **SUBJECT: ACCEPT DONATION, ESTABLISH APPROPRIATIONS, ADVERTISE AND AWARD A CONTRACT FOR THE CONSTRUCTION OF DEHESA ROAD AND SYCUAN ROAD TRAFFIC SIGNAL IMPROVEMENT PROJECT (DISTRICT: 2)**

OVERVIEW:

Today's requested actions will authorize the construction of a new traffic signal and pedestrian ramps at the intersection of Dehesa Road and Sycuan Road in the unincorporated community of Dehesa (57th Edition Thomas Guide page 1253, C5). The proposed improvements will benefit the community by enhancing safety for motorists, bicyclists and pedestrians. The total project cost is estimated at \$481,590. The Sycuan Band of Kumeyaay Nation has committed to donate

\$281,590 towards the project with the remaining funds coming from a San Diego County Indian Gaming Local Community Benefit Grant (IGLCBC) approved at \$200,000.

This is a request to accept a \$281,590 donation from Sycuan Band of Kumeyaay Nation, establish appropriations for construction, and approve the advertisement and award of a construction contract to the lowest responsive and responsible bidder for the Dehesa Road and Sycuan Road Traffic Signal Improvement project. Upon Board approval, the Department of Purchasing and Contracting will advertise and subsequently award a contract for construction. Project construction is scheduled to begin fall 2015 and be completed by winter 2015. The estimated construction cost is \$369,590 including contingency.

FISCAL IMPACT:

Funds for this request are partially included in the Fiscal Year 2015-16 Operational Plan in the Department of Public Works, Detailed Work Program. If approved, this request will establish appropriations of \$369,590 for construction of the Dehesa Road and Sycuan Road Traffic Signal Improvement project based on unanticipated revenue from the Sycuan Band of the Kumeyaay Nation (\$281,590) and the Indian Gaming Local Benefit Committee (IGLCBC) grant (\$88,000). In addition, \$112,000 was included in the Fiscal Year 2015-16 Operational Plan, based on revenue from the IGLCBC grant, for preparation of the project design and environmental work for a total project cost of \$481,590. 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.

RECOMMENDATION:

CHIEF ADMINISTRATIVE OFFICER

1. Find that the proposed project is exempt from review under the California Environmental Quality Act (CEQA) pursuant to Section 15301 of the CEQA Guidelines because the project would result in only the minor alteration of existing public roadway, sidewalks, and gutters involving no or negligible expansion of an existing use.
2. In accordance with Administrative Code Section 66 and Board Policy A-112, accept a donation of \$281,590 from the Sycuan Band of the Kumeyaay Nation for the Dehesa Road and Sycuan Road Traffic Signal Improvement Project.
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 Sycuan Band of the Kumeyaay Nation.

4. Establish appropriations of \$369,590 in the Department of Public Works Fiscal Year 2015-16 Detailed Work Program for construction of Dehesa Road and Sycuan Road Traffic Signal Improvement project based on unanticipated revenue from the Sycuan Band of the Kumeyaay Indians (donation \$281,590) and a portion of an Indian Gaming Local Community Benefit Committee (IGLCBC) grant (\$88,000). **(4 VOTES)**
5. 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.
6. 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: APPROVAL OF FUNDS AND ESTABLISHMENT OF APPROPRIATIONS FOR SPECIAL TAXES FOR COMMUNITY FACILITIES DISTRICT NO. 2008-01 (HARMONY GROVE VILLAGE) (DISTRICT: 5)

OVERVIEW:

On June 25, 2008 (9), the Board of Supervisors (Board) adopted a resolution forming Community Facilities District No. 2008-01 (Harmony Grove Village), County of San Diego, State of California (CFD No. 08-01 or District), an approximately 470-acre community development located west of the City of Escondido where Harmony Grove Road meets Country Club Drive in the unincorporated community of Elfin Forest. Harmony Grove Village is being developed by Standard Pacific Corporation (Developer) with two improvement areas composed of 736 residential units and 20,000 square feet of non-residential floor area, an equestrian center, trails and parks, and a town square.

The Board authorized the levy of special taxes related to Harmony Grove Village on January 7, 2015(7). The special taxes levied will fund bonding for the construction and acquisition of public facilities (Acquisition of Facilities or Special Tax A) and ongoing maintenance and operation services for public facilities related to Harmony Grove Village (Funds for Services or Special Tax B). Acquisition of Facilities by the County will be funded for each of the two separate phases of development. Funds for Services are needed for the County and Flood Control District. Rincon and the Sanitation District have independent authority to establish and collect fees for service. The Sanitation District has already established fees for service in Harmony Grove. Maintaining separate funds for Facilities acquisition by the County for each phase of development and for funding Services by the County and Flood Control District will improve controls and transparency and streamline accounting procedures for CFD No. 08-01.

The imposition of special taxes for Harmony Grove Village was approved by landowner vote on July 23, 2008. Special taxes collected from property owners within CFD No. 08-01 will help fund public facilities (Facilities) to be acquired and / or operated by the County of San Diego (County), Rincon del Diablo Water District (Rincon), San Diego County Flood Control District (Flood Control District) and the San Diego County Sanitation District (Sanitation District), and certain public services (Services) to be provided by the County and Flood Control District. The Facilities to be acquired and/or operated are: by the Sanitation District, a sewage treatment plant and pump station; by Rincon, various water infrastructure improvements; by the Flood Control District, maintenance of storm drain structures; and by the County, various street improvements, public parks/recreation facilities/open space and fire protection, streetlighting and emergency response facilities and services.

Today's recommendation is for the Board to approve the establishment of funds and appropriations from County Facilities and Services tax levies associated with CFD No. 08-01 now that homes are being sold and revenue is anticipated. Acting as the Board of Directors for the Flood Control District, today's request also proposes the establishment of an operating fund and appropriations for flood control Services for CFD No. 08-01.

FISCAL IMPACT:

Funds for this request are not included in the Fiscal Year 2015-16 Operational Plan. If approved, this request will establish two new interest bearing agency funds: Harmony Grove CFD No. 08-01 IA 1 – Special Tax A Fund and Harmony Grove CFD No. 08-01 IA 2 – Special Tax A Fund based on tax levies collected within the Harmony Grove District. Agency funds have only receipts and disbursements, and do not require a budget be established.

If approved, this request will also establish two operational funds: Flood Control – Harmony Grove Fund and Other Services – Harmony Grove Fund. Current year costs and revenues for the Flood Control – Harmony Grove Fund will be \$4,725 and for the Other Services – Harmony Grove Fund will be \$47,779. The funding source for both funds is levies collected from Special Tax B of \$52,504.

There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT:

N/A

RECOMMENDATION:

CHIEF ADMINISTRATIVE OFFICER

Acting as the Board of Supervisors

1. Find that the Environmental Impact Report (EIR) for the Harmony Grove Village project dated November 15, 2006 and approved by the Board of Supervisors on February 7, 2007 (5) on file with the Department of Planning and Development Services as EIR No. 04-08-011 has been adopted in compliance with the California Environmental Quality Act (CEQA) and state and County CEQA Guidelines, that the decision-making body has reviewed

and considered the information contained therein prior to taking today's action, that the EIR reflects the independent judgment and analysis of the Board; and,

Find that there are no changes in the project or 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 has become available since said EIR was prepared.

2. Direct the Auditor and Controller to establish an agency fund to be designated "Harmony Grove CFD No. 08-01 IA 1 – Special Tax A" for Special Tax A collected in Improvement Area No. 1 of Community Facilities District No. 08-01 (Harmony Grove Village) ("CFD No. 08-01") with interest earned to be retained within the fund.
3. Direct the Auditor and Controller to establish an agency fund to be designated, "Harmony Grove CFD No. 08-01 IA 2 – Special Tax A" for Special Tax A collected in Improvement Area No. 2 of CFD No. 08-01 with interest earned to be retained within the fund.
4. Direct the Auditor and Controller to create an operating fund to be designated "Other Services – Harmony Grove Fund" for Special Tax B amounts collected for other services within Community Facilities District No. 08-01 (Harmony Grove Village) ("CFD No. 08-01") that are not intended to be utilized for flood control services, with interest earned to be retained within the fund.
5. Establish appropriations of \$47,779 in the Other Services – Harmony Grove Fund, Services and Supplies based on unanticipated levies from Special Tax B. **(4 VOTES)**

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

1. Direct the Auditor and Controller to establish an operating fund to be designated "Flood Control – Harmony Grove Fund" for Special Tax B collected in Community Facilities District No. 08-01 (Harmony Grove Village) ("CFD No. 08-01") that is intended to be utilized to fund Flood Control Services, with interest earned to be retained within the fund.
2. Establish appropriations of \$4,725 in the Flood Control – Harmony Grove Fund, Services and Supplies based on unanticipated levies from Special Tax B. **(4 VOTES)**

(RELATES TO FLOOD CONTROL DISTRICT AGENDA NO. FL1)

7. SUBJECT: COUNTY OF SAN DIEGO TRACT NO. 5516-1: APPROVAL OF FINAL MAP, ACCEPTANCE OF RELATED EASEMENTS, AND APPROVAL OF SECURED AGREEMENT FOR PUBLIC AND PRIVATE IMPROVEMENTS FOR RANCHITA DEL SOL TENTATIVE MAP LOCATED IN NORTH MOUNTAIN SUBREGIONAL PLAN AREA (DISTRICT: 5)

OVERVIEW:

The purpose of this item is for the Board of Supervisors (Board) to review and approve the Final Map, accept the related easements, and approve, authorize, and execute the Agreement to Improve Major Subdivision (Agreement) for public and private improvements for County of San Diego Tract No. 5516-1. This project, known as Ranchita Del Sol, is a subdivision consisting of 17 single family residential lots on 149.91 acres. Ranchita Del Sol is located within the North Mountain Subregional Plan area on the north side of Montezuma Valley Road east of Lease Road (2009 Thomas Guide, Page 410, A-9).

FISCAL IMPACT:

N/A

BUSINESS IMPACT STATEMENT:

N/A

RECOMMENDATION:

CHIEF ADMINISTRATIVE OFFICER

1. Find that the approval of the Final Map, the Agreement and associated actions is not a project subject to review under the California Environmental Quality Act (CEQA) pursuant to Sections 15060(c)(1) and (2) of the CEQA Guidelines.
2. Approve the Final Map for County of San Diego Tract No. 5516-1.
3. Accept on behalf of the public, subject to improvements, a portion of Montezuma Valley Road (SF 1406) for use as a street, as dedicated on the Final Map, together with the access rights from Lots 1, 4, 5 and 14 in and to Montezuma Valley Road (SF 1406) except at access openings Numbers 1, 2, 3 and 4 as relinquished and waived on the Final Map.
4. Accept on behalf of the County the access restriction easements as granted on the Final Map.
5. Approve and authorize the Clerk of the Board of Supervisors to execute the Agreement, which includes street improvements, drainage facilities and final monumentation (Attachment B).

8. SUBJECT: AUTHORIZATION TO ADVERTISE AND AWARD A CONSTRUCTION CONTRACT FOR THE STEELE CANYON ARTIFICIAL TURF PROJECT (DISTRICT: 2)

OVERVIEW:

Steele Canyon Park is an 8.3-acre County park located in Rancho San Diego that offers tennis and basketball courts, a playground, a shaded picnic area, and a multi-purpose sports field (2010 Thomas Guide page 1272, C-6). The multi-purpose sports field currently consists of natural turf that is irrigated. To reduce its water consumption and provide greater service to the community, the Department of Parks and Recreation continues to convert natural turf to synthetic turf at multiple sites within the park system. The sports field at Steele Canyon Park has been identified as a priority for conversion based on water usage and water costs. Synthetic turf only uses water for cooling, not irrigation, and uses approximately 90% less water than natural turf. Synthetic turf areas do not require annual reseeding and are open to the public for recreation more days per year than a natural turf field.

The requested action will authorize the Director, Department of Purchasing and Contracting to advertise and award a construction contract for \$1,400,000 including contingency for Steele Canyon Artificial Turf project. Remaining project funds of \$140,000 will be used for related project costs including design, inspection, construction management, and project administration for a total project cost of \$1,540,000. If approved, project design would begin in fall 2015 with construction completion anticipated in spring 2016.

FISCAL IMPACT:

Funds for the Steele Canyon Artificial Turf project are included in the Fiscal Year 2015-16 Operational Plan for the Capital Outlay Fund. If approved, this request will result in costs of \$1,540,000 for Capital Project 1019562, Steele Canyon Artificial Turf project. Construction costs are estimated at \$1,400,000 including contingency. Remaining project funds of \$140,000 will be used for related project costs including design, inspection, construction management, and project administration for a total project cost of \$1,540,000. The funding source is prior year available General Fund fund balance.

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

BUSINESS IMPACT STATEMENT:

N/A

**RECOMMENDATION:
CHIEF ADMINISTRATIVE OFFICER**

1. Find that the Steele Canyon Artificial Turf project is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines section 15301 and 15304 because the project involves the maintenance of existing landscaping and involves a negligible expansion of an existing use of the park.
2. Authorize the Director, Department of Purchasing and Contracting, to advertise and award a construction contract and take any other action authorized by Section 401 et seq. of the Administrative Code with respect to contracting, for the construction of the Steele Canyon Artificial Turf project.

9. SUBJECT: ADOPT A RESOLUTION TO APPLY FOR AND ACCEPT GRANT FUNDS FROM HABITAT CONSERVATION FUND FOR IRON MOUNTAIN CONNECTION (DISTRICT: 2)

OVERVIEW:

Iron Mountain is located in the City of Poway and has become one of the more popular hiking spots in San Diego County (57th Edition Thomas Guide page 1171, F-7). On April 8, 2015 (2), the Board adopted a resolution declaring a partnership between the County of San Diego and the City of Poway to jointly pursue funding sources to potentially purchase additional open space lands in the Iron Mountain area. The County and City learned that property near the County's Boulder Oaks Preserve and adjacent to open space owned by the City of Poway may be available for acquisition which could connect existing preserve areas. The Department of Parks and Recreation (DPR) has identified a potential funding source for the possible acquisition of the property.

The Habitat Conservation Fund (HCF) provides grant funds to local government agencies for land acquisition for the protection of plant and animal species and to develop wildlife corridors and trails. The HCF grant is competitive and requires a dollar-for-dollar funding match. A project specific resolution from the governing body must be included with the grant application.

This is a request to adopt a resolution authorizing DPR to apply for and accept up to \$200,000 of HCF grants to fund the acquisition of approximately 160 acres to provide a connection to Iron Mountain. This request is also to 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 for authorization to appropriate funds as necessary.

FISCAL IMPACT:

There is no fiscal impact associated with today's actions. If approved, the Department of Parks and Recreation (DPR) will submit a grant application to the Habitat Conservation Fund (HCF) for up to \$200,000 for the Iron Mountain Connection land acquisition.

The HCF grant is competitive; therefore, it is unknown if grant funding will be awarded or the amount of the award. The HCF grant program requires a dollar-for-dollar funding match. If approved and a grant is awarded, matching funds are proposed to be provided by the Multiple Species Conservation Program Acquisitions Fund for the Iron Mountain Connection land acquisition. If approved and grant funds are awarded, DPR will return to the Board to appropriate funds as necessary. 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 that the proposed Iron Mountain Connection land acquisition is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15325, as it 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 IRON MOUNTAIN CONNECTION LAND ACQUISITION.
3. Authorize the Director, Department of Parks and Recreation, or designee, as agent of the County, to conduct all negotiations and submit all documents including, but not limited to, applications, contracts, payment requests and, if funds are awarded, to execute the grant agreement, including any extensions or amendments thereof that do not materially impact or alter the grant programs or funding levels.

10. SUBJECT: TRAFFIC ADVISORY COMMITTEE (DISTRICTS: 1, 2 & 5)

OVERVIEW:

The Traffic Advisory Committee (TAC) meets every six weeks to review proposed additions, deletions or changes to regulatory traffic controls. Seven items were on the Committee's June 12, 2015 meeting agenda. The TAC recommends your action on five items. Two items, 1-B and 5-A were continued to a future meeting.

FISCAL IMPACT:

Funds for this request are included in the Fiscal Year 2015-2016 Operational Plan for the Department of Public Works Road Fund. If approved, there will be no change in net General Fund cost and no additional staff.

BUSINESS IMPACT STATEMENT:

N/A

RECOMMENDATION:

District 1

- 1-A. Bonita Road from the Chula Vista City Limit (near Plaza Bonita Road) easterly to the Chula Vista City Limit (near Willow Street), (58th Edition Thomas Guide Page 1310-E5) Bonita – Recertify the existing 50 MPH speed limit for continued radar speed enforcement.
- 1-B. Proctor Valley Road and San Miguel Road, (58th Edition Thomas Guide Page 1291-B7) Bonita – The Committee recommends an All-Way Stop control not be established at the intersection of San Miguel Road and Proctor Valley Road. The Committee also recommends this matter be brought back for further review. This item will be continued to a future TAC meeting for further discussion at the request of the Sweetwater Community Planning Group.

District 2

- 2-A. Brabham Street from Jamacha Road (SR-54) easterly to Merlyn Place, (58th Edition Thomas Guide Page 1272-B4) Rancho San Diego – Recertify the existing 40 MPH speed limit for continued radar speed enforcement.
- 2-B. Chase Avenue from Jamacha Road (SR-54) easterly to Hillsdale Road, (58th Edition Thomas Guide Page 1272-B2) El Cajon – Recertify the existing 45 MPH speed limit for continued radar speed enforcement.
- 2-C. Jamacha Road from Sweetwater Road to the Lemon Grove City Limit, (58th Edition Thomas Guide Page 1290-J2) Spring Valley – Recertify the existing 45 MPH speed limit for continued radar speed enforcement.
- 2-D. Graves Avenue, east side from 40 feet north of Bradley Avenue northerly 120 feet, (58th Edition Thomas Guide Page 1251-G2) Lakeside – Repeal obsolete Bus Loading Zone.

District 5

- 5-A. Lake San Marcos Drive, south side from Rancho Santa Fe Road easterly 540 feet, (58th Edition Thomas Guide Page 1128-C2) Lake San Marcos – The Committee recommends continuing this item to a future TAC meeting to allow participation from additional stakeholders.

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 because the proposed action involves minor alteration of existing public facilities relating to regulatory traffic control issues on County-maintained roads, resulting in negligible or no expansion of use beyond that existing at the time of the Board action.
- 2. Adopt the Traffic Advisory Committee’s recommendations.
- 3. Adopt the following Resolution:
A RESOLUTION AMENDING TRAFFIC RESOLUTION NO. 300 RELATING TO THE ESTABLISHMENT OF LOADING ZONES IN SAN DIEGO COUNTY. (Item 2-D)