

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

- A. Roll Call
- B. Closed Session Report
- C. Approval of Statement of Proceedings/Minutes for meeting of November 18, 2015.
- D. 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:
 IMPACT FEE DEFERRAL PROGRAM EXTENSION (12/16/2015 – FIRST
 READING; 1/6/2016 – SECOND READING)

 (RELATES TO FLOOD CONTROL DISTRICT AGENDA NO. FL01 AND
 SANITATION DISTRICT AGENDA NO. SA01)
- 2. AUTHORIZATION TO UPDATE THE PARK LANDS DEDICATION
 ORDINANCE
- 3. OPTIONS FOR NEW MASTER PLAN FOR MCCLELLAN-PALOMAR
 AIRPORT
- 4. REORGANIZATION AGREEMENT WITH A PROPERTY TAX EXCHANGE
 FOR PROPOSED JURISDICTIONAL CHANGES FOR RANCHO SANTA FE
 FIRE PROTECTION DISTRICT AND APPROVAL OF FUNDS
 [FUNDING SOURCE: AVAILABLE PRIOR YEAR CSA 107 ELFIN FOREST
 FIRE PROTECTION/EMS FUND BALANCE]
 (4 VOTES)

5. ESTABLISH APPROPRIATIONS, ADOPT A MITIGATED NEGATIVE DECLARATION, ADOPT A TRAFFIC RESOLUTION AMENDMENT, AND ADVERTISE AND AWARD A CONSTRUCTION CONTRACT FOR THE ALPINE BOULEVARD STREETScape IMPROVEMENTS PROJECT
[FUNDING SOURCE: REVENUE FROM TRANSNET]
(4 VOTES)
6. TRAFFIC ADVISORY COMMITTEE
7. ADVERTISE AND AWARD A CONTRACT FOR CONSTRUCTION OF COUNTYWIDE SLURRY SEAL RESURFACING FISCAL YEAR 2015-2016
[FUNDING SOURCES: SAN DIEGO GAS AND ELECTRIC FRANCHISE FEES, AND ROAD FUND FUND BALANCE]
8. SUNSET REVIEW OF BOARD OF SUPERVISORS POLICIES, ADMINISTRATIVE CODE, AND COUNTY CODE PROVISIONS APPLICABLE TO THE LAND USE AND ENVIRONMENT GROUP

**1. SUBJECT: NOTICED PUBLIC HEARING:
IMPACT FEE DEFERRAL PROGRAM EXTENSION
(12/16/2015 – FIRST READING; 1/6/2016 – SECOND
READING) (DISTRICTS: ALL)**

OVERVIEW:

In 2008, the State of California approved Assembly Bill 2604 which allows local governments to defer impact fees for land development projects as opposed to collecting the fees when the building permit is issued. The intent of the legislation was to promote economic stimulus by deferring the payment and collection of impact fees.

On December 10, 2008 (14), the Board of Supervisors (Board) directed the Chief Administrative Officer to draft ordinance amendments to defer impact fees for residential tracts and commercial building permits until final inspection or certificate of occupancy. The Board directed that the impact fee deferrals include Transportation Impact Fee (TIF), Park Lands Dedication Ordinance (PLDO) Fee, drainage fees, sanitation district fees, sewer fees, as well as a sunset date for the deferral program. On March 4, 2009 (2), the Board adopted the Impact Fee Deferral Program which included ordinance amendments to authorize a two-year deferral of certain impact fees in accordance with Assembly Bill 2604. On July 13, 2011 (7), and again on December 4, 2013 (4), the Board authorized two separate two-year extensions of the Impact Fee Deferral Program, sun-setting December 31, 2015.

Today's request is that the Board authorize an additional two-year extension of the Impact Fee Deferral Program.

FISCAL IMPACT:

If approved, the Ordinances will result in the continued deferral of applicant payment and County collection of the TIF, PLDO Fee, drainage fees, sewer, and sanitation district fees. This deferral will result in a loss of revenue that would otherwise be generated by interest on the fees if they were collected earlier in the process. The previously adopted administration fee of \$170 ensures full cost recovery for additional staff time to administer the program, will remain unchanged. This administration fee will be charged for each commercial permit issued and for each grouped phase of homes for tract developments. Administration of the program will be accomplished with existing staff. Based on data from April 2009 – September 2015, customers were able to defer approximately \$5.5 million in impact fees, with an average deferral period of 136 days.

BUSINESS IMPACT STATEMENT:

Under Assembly Bill 2604, the proposed Impact Fee Deferral Program is designed to provide an economic stimulus for the region through the deferral of payment and collection of impact fees. The Building Industry Association (BIA) supports the extension of the impact fee deferral concept as a means to continue to stimulate development, job growth and the local economy.

**RECOMMENDATION:
CHIEF ADMINISTRATIVE OFFICER**

Acting as the San Diego County Board of Supervisors:
On December 16, 2015:

1. Find that the proposed project is exempt from the California Environmental Quality Act (CEQA) as specified in Section 15273 of the State CEQA Guidelines for the reasons detailed in the Notice of Exemption dated December 16, 2015, on file with the Department of Planning & Development Services (PDS), and approve the findings in Attachment G pursuant to the CEQA Guidelines Section 15273(c).
2. Approve the introduction of the Ordinance (first reading), read title and waive further reading of the Ordinance (Attachment B), titled:
AN ORDINANCE AMENDING THE COUNTY CODE AND THE UNIFORM SEWER ORDINANCE RELATED TO THE DEFERRAL OF DEVELOPMENT IMPACT FEES.

If on December 16, 2015, the Board takes action as recommended, then on January 6, 2016:

Consider and adopt the Ordinance (second reading):
AN ORDINANCE AMENDING THE COUNTY CODE AND THE UNIFORM SEWER ORDINANCE RELATED TO THE DEFERRAL OF DEVELOPMENT IMPACT FEES.

Acting as Board of Directors of the San Diego County Flood Control District:
On December 16, 2015:

1. Find that the proposed project is exempt from CEQA as specified in Section 15273 of the State CEQA Guidelines for the reasons detailed in the Notice of Exemption dated December 16, 2015, on file with PDS, and approve the findings in Attachment G pursuant to the CEQA Guidelines Section 15273(c).
2. Approve the introduction of the Ordinance (first reading), read title and waive further reading of the Ordinance (Attachment D), titled:
AN ORDINANCE AMENDING FLOOD CONTROL DISTRICT ORDINANCE NUMBERS 6 AND 7 TO DEFER THE PAYMENT OF SPECIAL DRAINAGE AREA FEES.

If on December 16, 2015, the Board takes action as recommended, then on January 6, 2016:

Consider and adopt the Ordinance (second reading):
AN ORDINANCE AMENDING FLOOD CONTROL DISTRICT ORDINANCE NUMBERS 6 AND 7 TO DEFER THE PAYMENT OF SPECIAL DRAINAGE AREA FEES.

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

On December 16, 2015:

1. Find that the proposed project is exempt from CEQA as specified in Section 15273 of the State CEQA Guidelines for the reasons detailed in the Notice of Exemption dated December 16, 2015, on file with PDS, and approve the findings in Attachment G pursuant to the CEQA Guidelines Section 15273(c).
2. Approve the introduction of the Ordinance (first reading), read title and waive further reading of the Ordinance (Attachment F), titled:
AN ORDINANCE AMENDING THE UNIFORM SEWER
ORDINANCE RELATED TO THE DEFERRAL OF
DEVELOPMENT IMPACT FEES.

If on December 16, 2015, the Board takes action as recommended, then on January 6, 2016:

Consider and adopt the Ordinance (second reading):

AN ORDINANCE AMENDING THE UNIFORM SEWER
ORDINANCE RELATED TO THE DEFERRAL OF
DEVELOPMENT IMPACT FEES.

(Relates to Flood Control District Agenda No. FL01 and Sanitation District Agenda No. SA01)

2. SUBJECT: AUTHORIZATION TO UPDATE THE PARK LANDS DEDICATION ORDINANCE (DISTRICTS: ALL)

OVERVIEW:

The Park Lands Dedication Ordinance (PLDO) was adopted by the Board of Supervisors in 1973, under the authority of the State of California's Quimby Act. It requires land developers to dedicate parks and/or pay fees for park and recreational facilities to meet the needs of their new residents. The PLDO was last brought before the Board of Supervisors in 2006.

There has not been a comprehensive update to the PLDO since its adoption and is out-of-date. Several PLDO stakeholders, including the development industry, community groups and sports leagues would have a strong interest in a County effort to update the PLDO to better meet a range of stakeholder needs. An updated PLDO would provide more flexibility to developers by providing a new toolbox for developing parks associated with discretionary projects while balancing the needs of the community and park users.

Today's action directs the Chief Administrative Officer to develop recommendations to update the PLDO that includes research into similar ordinances in the region with input from communities and stakeholders. The amended ordinance should provide developers with new opportunities that reflect current building industry practices, requirements and technologies, with continued focus on the County's commitment to healthy communities and meeting the recreational needs of its citizens.

FISCAL IMPACT:

There is no fiscal impact associated with this action.

BUSINESS IMPACT STATEMENT:

N/A

RECOMMENDATION:

SUPERVISOR DIANNE JACOB

1. Find that the proposed activity is not subject to review under the California Environmental Quality Act (CEQA) because it is not a project as a defined in Section 15378 of the State CEQA Guidelines.
2. Direct the Chief Administrative Officer to conduct outreach efforts, review similar ordinances and develop recommendations to amend the Park Lands Dedication Ordinance and return to the Board in 180 days.

3. SUBJECT: OPTIONS FOR NEW MASTER PLAN FOR MCCLELLAN-PALOMAR AIRPORT (DISTRICT: 5)

OVERVIEW:

McClellan-Palomar Airport (Airport), located in Carlsbad (57th Edition Thomas Guide Page 1127, D3), is a major gateway to and from San Diego’s North County. The Airport provides facilities and services to commercial, corporate and general aviation communities.

The process to develop a new Master Plan for McClellan-Palomar Airport began in January 2014. The Master Plan is intended to develop a framework for the future of McClellan-Palomar Airport within the context of local, regional, and national aviation system environments. The new 20-year Master Plan will identify and assess a range of development alternatives for meeting the Airport’s forecast, facility, safety, and operational requirements in the next planning period. The Master Plan process has considered many factors including market trends, land use opportunities and constraints, natural resources, community concerns, and financial feasibility.

This is a request for the Board to provide direction on a preferred option for Airport classification for the McClellan-Palomar Airport Master Plan, subject to the preparation of a Program-Level Environmental Impact Report.

FISCAL IMPACT:

There is no fiscal impact associated with today’s requested action as funds for the Master Plan and Program Level Environmental Impact Report are already included in the Airport Enterprise Fund 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:
CHIEF ADMINISTRATIVE OFFICER**

1. Find that the proposed action is exempt from review under the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) of the state CEQA Guidelines.
2. Direct staff to proceed with the McClellan Palomar Airport Master Plan focusing on the modified C/D-III classification as the preferred option, subject to the preparation of a Program-Level Environmental Impact Report (EIR).

4. SUBJECT: REORGANIZATION AGREEMENT WITH A PROPERTY TAX EXCHANGE FOR PROPOSED JURISDICTIONAL CHANGES FOR RANCHO SANTA FE FIRE PROTECTION DISTRICT AND APPROVAL OF FUNDS (DISTRICT: 5)

OVERVIEW:

The purpose of this agenda item is to request that the Board of Supervisors (Board) evaluate a potential property tax exchange associated with an application submitted by the Rancho Santa Fe Fire Protection District (FPD) to the Local Agency Formation Commission (LAFCO) for a reorganization that includes the dissolution of County Service Area (CSA) No. 107 (Elfin Forest) and annexation of the territory within the dissolved district, along with two small unserved areas, to the Rancho Santa Fe FPD. For the proposed reorganization and property tax exchange, staff worked closely with Rancho Santa Fe FPD to analyze service costs to determine an equitable transfer of revenue and assets. Section 99 of the Revenue and Taxation Code requires that the Board adopt a property tax exchange resolution before the LAFCO can process the proposal for reorganization.

The initiation of the reorganization is related to the approval of the Harmony Grove Village (HGV) Specific Plan, which was authorized by the Board on February 7, 2007 (5). In conjunction with the construction of homes within HGV, the San Diego County Fire Authority evaluated options for the provision of fire services for HGV, which is located within the boundaries of CSA No. 107. After evaluating various options, the Rancho Santa Fe FPD was identified as a potential service provider for the area because they have the ability to extend service to the area based on their current LAFCO sphere of influence and they have the ability to resolve interoperability issues. Rancho Santa Fe FPD subsequently submitted an application to LAFCO initiating the proposed reorganization and negotiations with the County to become the fire service provider. A reorganization agreement has been reached based on a cost analysis for providing services to CSA No. 107. The reorganization agreement seeks to maintain an equitable balance between the transfer of costs and the transfer of revenue in a manner that is consistent with previous property tax exchanges for areas that were beginning to be developed; such as the Meadowood Master Planned Community property tax exchange that was approved by the Board on June 19, 2013 (2). If the Board authorizes the property tax exchange, a LAFCO hearing will be required to finalize the reorganization process. The reorganization agreement specifies that the Rancho Santa Fe FPD will begin providing service to HGV on December 31, 2015. Staff

will return to the Board to seek approval of further actions required pursuant to the LAFCO terms and conditions of reorganization.

Today's request is for the Board to approve the terms outlined in the reorganization agreement, adopt a Resolution to exchange property tax revenue from the County to the Rancho Santa Fe FPD and establish appropriations to allow Rancho Santa Fe FPD to begin providing services in HGV.

FISCAL IMPACT:

The terms of the reorganization agreement include the transfer of property tax revenue, one-time funds, property assets, and lease revenue to the Rancho Santa Fe FPD with an estimated value of approximately \$7 million dollars. The anticipated cost was developed by an estimate of what it would cost if the County Fire Authority were to provide service to the area over the next 10 years.

The proposed exchange of property tax revenue includes an increase from the current fire services allocation of approximately 1.38% to 6.5% of the annual tax increment and base within CSA No. 107. During Fiscal Year 2014-15, the total property tax revenue generated within CSA No. 107 was \$2,693,824, of which approximately 1.38% or \$43,479 was dedicated to fire services. An increase to 6.5% of the annual tax increment and base would result in a projected transfer of approximately \$150,000 of General Purpose Revenue for Fiscal Year 2015-16. The amount of property tax revenue for fire services is expected to grow as the HGV project is constructed and properties are sold, thereby increasing property tax revenue. The proposed reorganization also includes the annexation of two unserved areas by Rancho Santa Fe FPD, which are identified as Areas 1B and 2 in the attached map, with a transfer of 6.5% of the annual tax increment and base within the areas. During Fiscal Year 2014-15, \$155,593 of property tax revenue was generated in these areas. The proposed exchange of property tax revenue also includes an increase to 6.5% for these areas and would result in a projected transfer of \$10,000 of General Purpose Revenue for Fiscal Year 2015-16.

The reorganization agreement includes a provision for the Rancho Santa Fe FPD to begin providing service to HGV on December 31, 2015. Funds in the amount of \$673,134 for this request are included in the Fiscal Year 2015-16 Operational Plan in the CSA 107 Elfin Forest Fire Protection/EMS. If approved, this request will result in current year costs of \$725,000. The funding sources are an operating transfer in from the CSA 107 Elfin Forest Fire Protection/EMS - Fund 14345 (\$673,134) and available prior year CSA 107 Elfin Forest Fire Protection/EMS - Fund 14351 fund balance (\$51,866). 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. Approve the terms of the reorganization agreement with Rancho Santa Fe Fire Protection District.
2. Adopt the Resolution entitled: RESOLUTION REGARDING NEGOTIATED PROPERTY TAX EXCHANGE RELATIVE TO JURISDICTIONAL CHANGES
3. Establish appropriations of \$51,866 in the CSA 107 Elfin Forest Fire Protection/EMS, for fire protection, prevention and emergency response services in CSA No. 107, based on CSA 107 Elfin Forest Fire Protection/EMS prior fiscal year fund balance available (**4 VOTES**).

5. **SUBJECT: ESTABLISH APPROPRIATIONS, ADOPT A MITIGATED NEGATIVE DECLARATION, ADOPT A TRAFFIC RESOLUTION AMENDMENT, AND ADVERTISE AND AWARD A CONSTRUCTION CONTRACT FOR THE ALPINE BOULEVARD STREETScape IMPROVEMENTS PROJECT (DISTRICT: 2)**

OVERVIEW:

Today's requested actions will authorize the construction of missing streetscape improvements along the north and south sides of Alpine Boulevard including sidewalks, curb and gutter, pedestrian ramps, retaining walls, on-street vehicle parking and associated storm drain conveyance systems in the unincorporated community of Alpine (57th Edition Thomas Guide page 1234, A6 – C6). The proposed improvements will benefit the community by enhancing safety for motorists, bicyclists and pedestrians.

This is a request to establish appropriations for construction, adopt a Mitigated Negative Declaration, adopt a traffic resolution amendment that will establish additional no parking zones in the County of San Diego along Alpine Boulevard, and approve the advertisement and award of a construction contract to the lowest responsive and responsible bidder for the Alpine Boulevard Streetscape Improvements 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 spring 2016 and be completed by fall 2016. The estimated construction cost is \$4,000,000 including contingency.

FISCAL IMPACT:

Funds for this request are not included in the Fiscal Year 2015-16 Operational Plan in the Department of Public Works, Detailed Work Program. If approved, total construction costs for the Alpine Boulevard Streetscape Improvements project is estimated at \$4,000,000, including contingency. The funding source will be based on revenue from TransNet (\$4,000,000). There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT:

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

RECOMMENDATION:

CHIEF ADMINISTRATIVE OFFICER

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 in the Department of Public Works, dated August 27, 2015 revised November 17, 2015, State Clearinghouse # 2015081069, 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 Director, Department of Public Works to ensure compliance with the Mitigation Monitoring and Reporting Program.
3. Adopt the Statement of Location and Custodian of Record (Attachment E).
4. Find that the Alpine Boulevard Streetscape Improvements Project is consistent with the Multiple Species Conservation Program, the County Subarea Plan and the Biological Mitigation Ordinance (County Code, section 86.501 et seq.), as explained in the Findings of Conformance with the Multiple Species Conservation Program (Attachment F).
5. Establish appropriations of \$4,000,000 in the Department of Public Works Fiscal Year 2015-16 Detailed Work Program for construction of Alpine Boulevard Streetscape Improvements project based on revenue from TransNet (\$4,000,000). **(4 VOTES)**
6. Authorize the Director, Department of Purchasing and Contracting 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.
7. 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.
8. Adopt Traffic Resolution No. 3236 (Attachment G) amending Traffic Resolution No. 301 relating to the establishment of a parking prohibition in San Diego County.

6. SUBJECT: TRAFFIC ADVISORY COMMITTEE (DISTRICTS: 2, 3 & 5)

OVERVIEW:

The Traffic Advisory Committee meets every six weeks to review proposed additions, deletions or changes to regulatory traffic controls. Four items were on the Committee's September 11, 2015 meeting agenda. The TAC recommends your action on all four items.

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 2

2-A. Pepper Drive from the Santee City Limit to the El Cajon City Limit (58th Edition Thomas Guide Page 1251-G-2) El Cajon – Recertify the existing 40 MPH speed limit for continued radar speed enforcement.

2-B. Julian Avenue from Los Coches Road to Lake Jennings Park Road (58th Edition Thomas Guide Page 1232-C-4) Lakeside – Recertify the existing 40 MPH speed limit for continued radar speed enforcement.

District 3

3-A. Carmel Valley Road from the San Diego City Limit (near Winecreek Road) to Dove Canyon Road (58th Edition Thomas Guide Page 1169-G-5) 4S Ranch – Recertify the existing 50 MPH speed limit for continued radar speed enforcement.

District 5

5-A. Lake San Marcos Drive, south side from Rancho Santa Fe Road, easterly 540 feet (58th Edition Thomas Guide Page 1128 C-2) Lake San Marcos – Amend a parking prohibition and add a restricted height parking prohibition.

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 Resolutions:

A RESOLUTION AMENDING TRAFFIC RESOLUTION NO. 301 RELATING TO THE ESTABLISHMENT OF NO STANDING OR PARKING ZONES IN SAN DIEGO COUNTY. (Item 5-A)

A RESOLUTION AMENDING TRAFFIC RESOLUTION NO. 1177 RELATING TO THE RESTRICTION OF VEHICLES SIX FEET OR HIGHER IN HEIGHT FROM PARKING OR STANDING WITHIN 100 FEET OF CERTAIN INTERSECTIONS WITHIN SAN DIEGO COUNTY. (Item 5-A)

7. **SUBJECT: ADVERTISE AND AWARD A CONTRACT FOR CONSTRUCTION OF COUNTYWIDE SLURRY SEAL RESURFACING FISCAL YEAR 2015-2016 (DISTRICTS: 1, 2, 3 AND 5)**

OVERVIEW:

The Department of Public Works maintains nearly 2,000 miles of roads in the unincorporated area of San Diego county. County road crews inspect all County-maintained roads and prioritize them for preventive maintenance. Through visual inspection and engineering methods, staff determines which roads require repair and resurfacing. Resurfacing provides the traveling public with structurally sound roads and protects the roads from deterioration and costly future repairs.

This is a request to approve advertisement and subsequent construction contract award to the lowest responsive and responsible bidder for slurry seal resurfacing on County-maintained roads. Project construction is tentatively scheduled to begin in the spring 2016 and be completed by summer 2016. The estimated construction cost for the project will be \$6,000,000, including contingency.

FISCAL IMPACT:

Funds for this request are included in the Fiscal Year 2015-16 Operational Plan in the Department of Public Works Detailed Work Program. If approved, construction costs for Countywide slurry seal resurfacing are estimated to be \$6,000,000, including contingency. The funding sources are San Diego Gas and Electric Franchise Fees (\$5,000,000), and Road Fund fund balance (\$1,000,000). 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**

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, because it involves the operation, repair, and maintenance of existing public roadway involving no or negligible expansion of existing use.
2. Authorize the Director, Department of Purchasing and Contracting to advertise and award a construction contract and to take any action authorized by Section 401, et seq. of the Administrative Code with respect to contracting for a Countywide Slurry Seal Resurfacing project.
3. Designate the Director, Department of Public Works, as the County Officer responsible for administering the construction contract in accordance with Board Policy F-41, Public Works Construction Projects.

**8. SUBJECT: SUNSET REVIEW OF BOARD OF SUPERVISORS
POLICIES, ADMINISTRATIVE CODE, AND COUNTY
CODE PROVISIONS APPLICABLE TO THE LAND USE
AND ENVIRONMENT GROUP (DISTRICTS: ALL)**

OVERVIEW:

In accordance with Board of Supervisors Policy A-76, Sunset Review Process, the Land Use and Environment Group periodically reviews certain Board policies and provisions of the County Administrative Code and County Code to ensure obsolete policies and Code provisions are deleted and remaining requirements reflect current Board standards and practices.

The proposed action includes approval of a new sunset review date for policies and ordinances revised by this letter. This action includes: revisions to County Administrative Code Article LIV, San Diego County Solid Waste Hearing Panel; Articles LVII, XV-A, San Diego County Environmental Health Advisory Board; and Article XV-AA, San Diego County Eye Gnat Abatement Appeals Board, Department of Environmental Health (DEH); rescission of Article XII-E of the County Administrative Code, Department of Agriculture, Weights and Measures (AWM); no changes are proposed to County Administrative Code Article XVI-E, Landscape Maintenance District No. 2 – Julian Advisory Committee, Department of Parks & Recreation (DPR); revisions to County Regulatory Code Title 2, Licenses, Business Regulations and Business Taxes; Title 4, Public Property; and Title 6, Health and Sanitation; rescission of Title 2, Pleasure Riding Trail Tax; revisions to Board Policies: A-115, F-016, F-045, I-038, and I-136; no revisions to Board Policies: A-008, A-100, I-017, I-018, I-22, and J-037; and rescission of Board Policy I-120. If the Board takes action on December 16, 2015 as recommended, the two proposed ordinance revisions will require adoption by a second reading on January 6, 2016.

FISCAL IMPACT:

There is no fiscal impact associated with these recommendations to amend certain Board of Supervisors Policies, Administrative Code, and County Code provisions and no additional staff years.

BUSINESS IMPACT STATEMENT:

N/A

RECOMMENDATION:

CHIEF ADMINISTRATIVE OFFICER

On December 16, 2015:

1. In accordance with State CEQA Guidelines section 15061(b)(3), find that it can be seen with certainty that there is no possibility that the proposed project may have a significant effect on the environment for the reasons stated in the Environmental Statement and the Notice of Exemption.

2. Read the title, waive further reading, and introduce the following Ordinances for further consideration and adoption on January 6, 2016:

AN ORDINANCE REPEALING ARTICLE XII-E AND AMENDING ARTICLES XV-A, XV-AA, LIV, AND LVII OF THE SAN DIEGO COUNTY ADMINISTRATIVE CODE PERTAINING TO THE DEPARTMENT OF AGRICULTURE, WEIGHTS AND MEASURES AND THE DEPARTMENT OF ENVIRONMENTAL HEALTH;

and

AN ORDINANCE REPEALING A PORTION OF TITLE 2 AND AMENDING PORTIONS OF TITLE 2, TITLE 4, AND TITLE 6, OF THE COUNTY REGULATORY CODE RELATING TO THE DEPARTMENT OF AGRICULTURE, WEIGHTS AND MEASURES, DEPARTMENT OF ENVIRONMENTAL HEALTH, AND DEPARTMENT OF PARKS AND RECREATION.

3. Determine no change is necessary and approve the sunset review date of 12-31-2022 for Article XVI-E – Landscape Maintenance District Zone No. 2, Julian Advisory Committee, of the County Administrative Code.

4. Determine no change is necessary and approve the sunset review date of 12-31-2022 for the following titles of the County Regulatory Code:

- a. Title 2, Division 1, Chapters 5, 17, and 20 – Licenses, Business Regulations and Business Taxes, and
- b. Title 6, Division 4, Chapter 2, Section 64.202 – Definition of “Vector.”

5. Determine no change is necessary and approve the sunset review date of 12-31-2022 for the following Board of Supervisors Policies:
 - a. A-008 Services to Newly Incorporated Cities,
 - b. A-100 Flood Control Advisory Commission,
 - c. I-017 Right of Way Dedication and Public Improvement Requirements in Connection with Major and Minor Use Permits,
 - d. I-018 Right of Way Dedication and Public Improvement Requirements in Connection with Major and Minor Use Permits,
 - e. I-122 Use of the County's 5% Allowable Loss of Coastal Sage Scrub by Other Jurisdictions of Property Owners, and
 - f. J-037 Landscape Maintenance Districts.

6. Approve amendments to and establish the sunset review date of 12-31-2022 for the following Board of Supervisors Policies:
 - a. A-115 Expediting Permit Processing for Residential Drug and Alcohol Treatment/Recovery Facilities,
 - b. F-016 Cleaning and Repair of Sewer Laterals,
 - c. F-045 Pesticide Use Reduction,
 - d. I-038 Agricultural Preserves, and
 - e. I-136 Comprehensive Goals and Policies for Community Facilities Districts.

7. Repeal Board of Supervisors Policy I-120 San Dieguito Joint Powers Authority – Acquisition and Disposal of Real Property Within the Unincorporated Area of the County.

If on December 16, 2015, the Board takes the action recommended in Item 2 above then, on January 6, 2016:

Adopt the Ordinances:

AN ORDINANCE REPEALING ARTICLE XII-E AND AMENDING ARTICLES XV-A, XV-AA, LIV, AND LVII OF THE SAN DIEGO COUNTY ADMINISTRATIVE CODE RELATING TO THE DEPARTMENT OF AGRICULTURE, WEIGHTS AND MEASURES AND THE DEPARTMENT OF ENVIRONMENTAL HEALTH;

and

AN ORDINANCE REPEALING A PORTION OF TITLE 2 AND AMENDING PORTIONS OF TITLE 2, TITLE 4, AND TITLE 6, OF THE COUNTY REGULATORY CODE RELATING TO THE DEPARTMENT OF AGRICULTURE, WEIGHTS AND MEASURES, DEPARTMENT OF ENVIRONMENTAL HEALTH, AND DEPARTMENT OF PARKS AND RECREATION.

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