

COUNTY OF SAN DIEGO BOARD OF SUPERVISORS
REGULAR MEETING
MEETING AGENDA
WEDNESDAY, SEPTEMBER 12, 2018, 9:00 AM
BOARD OF SUPERVISORS NORTH CHAMBER
1600 PACIFIC HIGHWAY, SAN DIEGO, CALIFORNIA

Order of Business

- A. Roll Call
- B. Closed Session Report
- C. Public Communication: Opportunity for members of the public to speak to the Board on any subject matter within the Board's jurisdiction but not an item on today's agenda.
- D. Approval of the Statement of Proceedings/Minutes for the meeting of August 8, 2018.
- E. Formation of Consent Calendar
- F. Discussion Items

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

Supporting documentation and attachments for items listed on this agenda can be viewed online at <http://www.sdcounty.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:
PROPERTY SPECIFIC REQUESTS UPDATE AND PROVIDE
DIRECTION TO STAFF FOR FUTURE CONSIDERATION |
| 2. | NOTICED PUBLIC HEARING:
ADOPTION OF THE OTAY RANCH PHASE 2 RESOURCE
MANAGEMENT PLAN UPDATE; RMP16-003 |

3. NOTICED PUBLIC HEARING:
ADOPT A RESOLUTION OF THE BOARD OF SUPERVISORS TO APPROVE A GENERAL PLAN AMENDMENT; GPA-16-009 COASTAL ZONE; AND ACCEPT THE LOCAL COASTAL PROGRAM LAND USE PLAN AS MODIFIED BY THE CALIFORNIA COASTAL COMMISSION
4. NOTICED PUBLIC HEARING:
MOUNTAIN MEADOW ROAD AREA - APPROVE ACQUISITION OF APPROXIMATELY 670 ACRES OF OPEN SPACE PRESERVE LAND (THE ESCONDIDO CREEK CONSERVANCY)
[FUNDING SOURCES: AVAILABLE PRIOR YEAR GENERAL FUND FUND BALANCE AND DPR GENERAL PURPOSE REVENUE]
5. AUTHORIZATION TO INCREASE CURRENT CONTRACT CAPACITY FOR AS-NEEDED CONSULTANT SERVICES FOR CEQA SUPPORT, RESOURCE MONITORING AND BIOLOGICAL RESTORATION SERVICES
6. REPORT OF GIFTS AND DONATIONS TOTALING OVER \$5,000 ACCEPTED AND EXPENDED FOR OFFICIAL COUNTY BUSINESS PURPOSES FOR EMPLOYEES DESIGNATED BY THE COUNTY DEPARTMENT OF ENVIRONMENTAL HEALTH
7. ADMINISTRATIVE ITEM:
SECOND CONSIDERATION AND ADOPTION OF ORDINANCE:
TRAFFIC ADVISORY COMMITTEE (08/08/18 - ADOPT RECOMMENDATIONS; 09/12/18 - SECOND READING OF AN ORDINANCE)
8. MCCLELLAN-PALOMAR AIRPORT - PALOMAR AIRPORT CENTER, LLC - SIXTH AMENDMENT TO AVIATION LEASE
[FUNDING SOURCE: INCREASED RENTAL PAYMENTS FROM THE LESSEE UNDER THE TERMS OF THE AMENDED AGREEMENT]
(4 VOTES)
9. GILLESPIE FIELD - MITRE AVIATION, L.P. - FIRST AMENDMENT TO AVIATION LEASE
(4 VOTES)
10. AUTHORIZATION TO EXECUTE A CHANGE ORDER AND ESTABLISH APPROPRIATIONS FOR THE SANTA YSABEL NATURE CENTER PROJECT
[FUNDING SOURCES: GENERAL PURPOSE REVENUE AND STATE OF CALIFORNIA FUNDING FROM THE OUTDOOR ENVIRONMENTAL EDUCATION FACILITIES GRANT]
(4 VOTES)

11. AUTHORIZATION TO APPROPRIATE FUNDS FOR THE SAN
DIEGO BOTANIC GARDEN IMPROVEMENTS PROJECT
[FUNDING SOURCE: AVAILABLE PRIOR YEAR GENERAL FUND
BALANCE]
(4 VOTES)

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**1. SUBJECT: NOTICED PUBLIC HEARING:
PROPERTY SPECIFIC REQUESTS UPDATE AND PROVIDE
DIRECTION TO STAFF FOR FUTURE CONSIDERATION
(DISTRICTS: 2, 3 & 5)**

OVERVIEW

This is a County of San Diego-initiated effort to analyze proposed General Plan land use designation changes associated with 41 Property Specific Requests (PSRs) that were raised during public testimony of the General Plan Update, but not adopted as part of the update. The Board of Supervisors (Board) direction for these PSRs occurred on June 20, 2012 (3) and June 27, 2012 (10). In addition, the area of the former Champagne Gardens Specific Plan has been included for the Board to consider options for updating land use designations in this area of an expired Specific Plan. Zoning changes are also included when necessary for consistency.

The proposed changes are analyzed as part of 23 Analysis Areas. The Analysis Areas consist of a single PSR or multiple PSRs and sometimes include surrounding properties for context. In total, the Analysis Areas cover 882 parcels over approximately 9,336 acres located in the Bonsall, Crest/Dehesa, Desert, Fallbrook, Mountain Empire, North County Metro (including Twin Oaks and Hidden Meadows), Pala/Pauma, San Dieguito, and Valley Center Community Planning Areas (CPAs). The Project also includes changes to the General Plan Mobility Element and the Valley Center Community Plan.

There are multiple alternatives identified for each Analysis Area. Today's request is for the Board to provide direction with regard to each of the Analysis Areas, in order for staff to prepare a Resolution (General Plan changes), Form of Ordinance (zoning changes), General Plan Conformance Findings, and CEQA Findings, for consideration at a future hearing later this year. This direction to prepare supporting documentation is not meant to constitute final approval of any of the options presented at today's hearing, as the Board may provide different direction at any time in the future. The majority of the content of these documents that will be prepared will depend on the Board's input for each Analysis Area, including the Board finding consistency with applicable General Plan policies for each Analysis Area map option selected.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

Receive this report and provide direction to staff with regard to each Analysis Area for use in the preparation of a Final Resolution, CEQA Findings for the certification of the Subsequent Environmental Impact Report (SEIR), Statements of Overriding Considerations pursuant to CEQA Guidelines, and the Form of Ordinance. The Planning Commission's recommendations for each Analysis Area are provided to the Board through this Board Letter, supporting materials, and staff's presentation.

FISCAL IMPACT

N/A

BUSINESS IMPACT STATEMENT

N/A

**2. SUBJECT: NOTICED PUBLIC HEARING:
ADOPTION OF THE OTAY RANCH PHASE 2 RESOURCE
MANAGEMENT PLAN UPDATE; RMP16-003 (DISTRICTS: 1 & 2)**

OVERVIEW

This is a request for the Board of Supervisors (Board) to consider and adopt the Otay Ranch Phase 2 Resource Management Plan Update (Management Plan).

The Board and the City of Chula Vista (City) City Council adopted the Otay Ranch General Development Plan/Subregional Plan (Subregional Plan) on October 28, 1993 (1). The Subregional Plan guides the development and preservation of lands within the Otay Ranch properties, located in the southwestern San Diego region in the area generally surrounding the Lower Otay Reservoir. The Subregional Plan established Otay Ranch as 14 villages and 7 planning areas. A two-phase Resource Management Plan (RMP) is required by the Subregional Plan to guide the monitoring and management of sensitive resources conserved in the Otay Ranch Preserve (Preserve).

The Phase 1 RMP, adopted with the Subregional Plan, established a comprehensive program for the long-term protection and management of sensitive natural, cultural, and scenic resources located within the Preserve, establishing a framework for habitat protection. The City adopted its Phase 2 RMP on March 6, 1996 (6), allowing development to progress in Otay Ranch within the City's jurisdiction. The Board approved one portion of the 1996 Phase 2 RMP, the Otay Ranch Conveyance Plan, which was later amended on August 7, 2002 (2) and December 5, 2007 (4) to reflect changing circumstances in the region. The Board never adopted a Phase 2 RMP in its entirety.

The Management Plan proposed today outlines the plan to implement the resource protection objectives in the Subregional Plan and the Phase 1 RMP. The Management Plan is required to be adopted by the Board in its entirety prior to, or concurrently with, approval of the first Specific Plan in the unincorporated area of Otay Ranch. In accordance with Board Policy I-109, "Subcommittee and Plans to Guide Development of the Otay Ranch Project," amendments to Otay Ranch Associated Documents must be considered by the Board at a publicly noticed hearing.

**RECOMMENDATION(S)
PLANNING COMMISSION**

On August 3, 2018, the Planning Commission considered the draft Final Otay Ranch Phase 2 Resource Management Plan Update and related information. The Planning Commission recommends the County of San Diego Board of Supervisors:

1. Find that it has reviewed and considered information contained within the Final Program Environmental Impact Report for Otay Ranch, dated December 1992, and the Findings of Fact for Otay Ranch General Development Plan/Subregional Plan, dated October 28, 1993.
2. Find that it has reviewed and considered the Addendum and information contained within the Environmental Review Update Checklist Form for Projects with a Previously Approved Environmental Document, which includes California Environmental Quality Act Guidelines Sections 15162, 15163, and 15164 Findings for Determining the Appropriate Environmental Documentation to be completed when there is a previously certified Environmental Impact Report dated August 23, 2018 (Attachments A & B).

3. Adopt the draft Final Otay Ranch Phase 2 Resource Management Plan Update, dated August 23, 2018 (Attachment C), as amended in response to public comments (Attachment D).
4. Adopt the attached RESOLUTION OF THE COUNTY OF SAN DIEGO BOARD OF SUPERVISORS ADOPTING THE OTAY RANCH PHASE 2 RESOURCE MANAGEMENT PLAN UPDATE (Attachment E).

DEPARTMENT OF PLANNING & DEVELOPMENT SERVICES

Planning & Development Services concurs with the recommendations of the Planning Commission.

FISCAL IMPACT

There is no fiscal impact associated with these recommendations. If approved, there will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT

N/A

3. **SUBJECT: NOTICED PUBLIC HEARING:
ADOPT A RESOLUTION OF THE BOARD OF SUPERVISORS TO
APPROVE A GENERAL PLAN AMENDMENT; GPA-16-009 COASTAL
ZONE; AND ACCEPT THE LOCAL COASTAL PROGRAM LAND USE
PLAN AS MODIFIED BY THE CALIFORNIA COASTAL COMMISSION
(DISTRICT: 5)**

OVERVIEW

This is a request for the Board of Supervisors (Board) to approve a General Plan Amendment (GPA) for the San Dieguito Community Plan and accept the Local Coastal Program Land Use Plan (LUP), with the policy modifications suggested by the Coastal Commission. Acceptance of the modifications and certification of the LUP, followed by adoption of an Implementation Plan (IP), will transfer permitting authority from the Coastal Commission to the County for projects within the Coastal Zone. Approximately 1,050 acres of unincorporated area within the San Dieguito Community Plan Area are located within the Coastal Zone.

This GPA is not subject to the maximum four GPAs per year in accordance with Government Code, Section 65358(b) and (d)(3), which state that Local Coastal Programs are exempt from this limitation. This is also a request for the Board to review and consider the information contained in the Addendum to the August 3, 2011 General Plan Program Environmental Impact Report.

On January 25, 2017 (2), the Board approved the LUP for the San Dieguito Community Plan Area. On May 11, 2017, the Coastal Commission certified the Board-approved LUP and modified several LUP policies to put in place further protections of the Coastal Zone and reflect standard language that is used by the Coastal Commission. The Coastal Commission's certification expires on November 9, 2018, and extensions past this date are not allowed by the Coastal Act. The modifications include: 1) limiting the expansion of new, multi-use trails to two additional miles for a total of six miles of trails, within or adjacent to Environmentally Sensitive Habitat Areas; 2) adding language to clarify that approvals of new trails in the Coastal Zone are appealable to the Coastal Commission; 3) adding language to consider sea level when applying setbacks and buffers; and 4) revising how building height is measured.

The suggested LUP modifications require approval of a GPA to amend the LUP component of the San Dieguito Community Plan. If the Board accepts the Coastal Commission's LUP modifications, staff will finalize the preparation and obtain approval of an IP. Upon certification of the IP, the review and approval of Coastal Development Permit authority would be transferred from the Coastal Commission to the County, within the unincorporated county Coastal Zone.

RECOMMENDATION(S)
PLANNING COMMISSION

A Planning Commission (PC) recommendation on the modifications to the Land Use Plan (LUP) requested by the Coastal Commission is not required. The PC reviewed the LUP on October 7, 2016, as an informational item, and recommended approval on December 9, 2016.

DEPARTMENT OF PLANNING & DEVELOPMENT SERVICES

1. Make the following findings necessary for the certification of the County of San Diego's Local Coastal Program Land Use Plan:
 - a. Find that the preparation and adoption of the Local Coastal Program Land Use Plan is exempt from the California Environmental Quality Act pursuant to Section 15265 of the State CEQA Guidelines.
 - b. Receive, accept, and agree to the Coastal Commission's resolution of certification, including the suggested modifications to the Local Coastal Program Land Use Plan from the Coastal Commission.
 - c. Agree to issue Coastal Development Permits for the total area included in the certified land use plan pursuant to Public Resources Code Section 30600.5.
2. Find that the General Plan Program Environmental Impact Report (PEIR), dated August 3, 2011, on file with Planning & Development Services (PDS) as Environmental Review Number 02-ZA-001, was completed in compliance with the California Environmental Quality Act (CEQA) and the State and County CEQA Guidelines, and that the Board of Supervisors has reviewed and considered the information contained therein, and the Addendum thereto, dated December 9, 2016, on file with PDS under PDS2013-POD-13-009 (Attachment A).
3. Prior to approving the General Plan Amendment (GPA), find that:
 - a. 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 PEIR, dated August 3, 2011;
 - b. There is no substantial increase in the severity of previously identified significant effects; and
 - c. There is no new information of substantial importance that has become available since the PEIR was certified, as explained in the Environmental Review Update Checklist, dated December 9, 2016.

4. Adopt the GPA Resolution entitled: A RESOLUTION OF THE SAN DIEGO COUNTY BOARD OF SUPERVISORS ACCEPTING THE LOCAL COASTAL PROGRAM AS MODIFIED BY THE CALIFORNIA COASTAL COMMISSION AND AMENDING THE SAN DIEGUITO COMMUNITY PLAN TO CONFORM WITH THE LAND USE PLAN COMPONENT OF THE LOCAL COASTAL PROGRAM REFLECTING THE CALIFORNIA COASTAL COMMISSION SUGGESTED POLICY MODIFICATIONS; GPA 16-009 (Attachment B).

FISCAL IMPACT

N/A

BUSINESS IMPACT STATEMENT

N/A

4. **SUBJECT: NOTICED PUBLIC HEARING:
MOUNTAIN MEADOW ROAD AREA - APPROVE ACQUISITION OF
APPROXIMATELY 670 ACRES OF OPEN SPACE PRESERVE LAND
(THE ESCONDIDO CREEK CONSERVANCY) (DISTRICT: 5)**

OVERVIEW

On July 25, 2018 (6), the Board of Supervisors set a Hearing for September 12, 2018.

Since 1998, the County of San Diego (County) has acquired more than 20,000 acres of open space land for the County's Multiple Species Conservation Program (MSCP) to ensure the long-term survival of sensitive plant and animal species and balance the public need for development and open space. For the draft North County Plan of the MSCP, the County has identified approximately 670 acres of vacant land on a 693 acre property (with improvements and encroachments on the other 23 acres) available to purchase within the unincorporated county north of Escondido. County acquisition of the 670 acres (Mountain Meadow Preserve), south of Mountain Meadow Road and east of Interstate 15, would conserve more than 450 acres of quality habitat.

In order to acquire the Mountain Meadow Preserve (the Preserve), the County and The Escondido Creek Conservancy (TECC) are proposing to partner with the Department of Navy Readiness and Environmental Protection Integration (REPI) buffer program to acquire the entire 693 acre property (the Property). All three entities will contribute to the purchase price of the Property. The Navy benefits through the REPI program because the purchase provides mitigation credits to help offset damage done to sensitive habitats on base during training maneuvers. The arrangement is detailed in a restrictive use easement (RUE) placed on the Property after TECC acquires it from the seller. Once the RUE is placed on the Property, the 670 acre Preserve will be transferred to the County. As part of the acquisition, TECC will sign a management agreement with the County that contains a provision stating it will use an endowment from the Navy to manage the Preserve for the County.

On July 25, 2018, the Board of Supervisors (Board) set a hearing for September 12, 2018 to consider the proposed acquisition and directed the Clerk of the Board to provide notice of said hearing. Staff is now returning to the Board to authorize the purchase of 670 acres, identified as parcel numbers 186-100-06 (portion), 186-100-15 (portion), 186-100-86 (portion), 186-100-87, 186-110-26, 186-101-20, 186-101-22, 187-041-57 (portion), 187-041-58, 187-041-59,

187-042-04, 186-641-18, 186-641-19 (portion), and 187-341-06, from The Escondido Creek Conservancy for \$2,899,324, with a total project cost of \$3,459,324 in Fiscal Year 2018-19.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. Find that the proposed project is exempt from the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines sections 15301, 15304 and 15325.
2. 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 670 acres, identified as parcel numbers 186-100-06 (portion), 186-100-15 (portion), 186-100-86 (portion), 186-100-87, 186-110-26, 186-101-20, 186-101-22, 187-041-57 (portion), 187-041-58, 187-041-59, 187-042-04, 186-641-18, 186-641-19 (portion), and 187-341-06, from The Escondido Creek Conservancy for \$2,899,324.
3. Authorize the Director, Department of General Services to execute all escrow and related documents necessary to complete the purchase.

FISCAL IMPACT

Funds for this request are included in the Fiscal Year (FY) 2018-19 Operational Plan in the Capital Multiple Species Conservation Program (MSCP) Acquisition Fund and the Department of Parks and Recreation (DPR). If approved, this request will result in current year one-time costs of \$3,447,324 itemized as follows: \$2,899,324 for property acquisition; \$55,000 for staff time and appraisal review to complete the transaction; \$3,000 for closing and title costs; and \$490,000 in one-time land protection costs, including initial stewardship that features signage, boundary survey, access control measures and vegetation management which encompasses removal of dead avocado trees (\$280,000), and the preparation of a Resource Management Plan including public access and vegetation management (\$210,000). The funding source is available prior year General Fund fund balance.

Beginning FY 2018-19, the County of San Diego will incur ongoing costs of \$12,000 for oversight of the 670 acres, associated with required monitoring and adaptive management for the North County Plan of the MSCP. The funding source for these costs will be DPR General Purpose Revenue. There will be no additional staff years.

BUSINESS IMPACT STATEMENT

N/A

5. **SUBJECT: AUTHORIZATION TO INCREASE CURRENT CONTRACT CAPACITY FOR AS-NEEDED CONSULTANT SERVICES FOR CEQA SUPPORT, RESOURCE MONITORING AND BIOLOGICAL RESTORATION SERVICES (DISTRICTS: ALL)**

OVERVIEW

Since June 2017, the Department of Parks and Recreation (DPR) has received significant new project funding from a variety of sources including: Parks Capital Improvement Projects (CIP), General Fund Commitment for Parks Expansion and Improvement (PEI), Neighborhood Reinvestment Program funds and recently awarded grants. The PEI projects received \$13.0 million in funding for new projects, while the Board of Supervisors (Board) adopted Fiscal Year

2018-19 Operational Plan included \$34.0 million of funding for new and existing DPR park projects in the Capital Outlay Fund. The total budget for these projects, as well as existing funding for current ongoing projects and anticipated upcoming grants, for environmental services is approximately \$8.0 million annually over the next two years. In order to successfully complete these new projects within their planned project timelines, DPR anticipates requiring additional services of consultants to provide California Environmental Quality Act (CEQA) analysis, land use and resource monitoring, and biological restoration services for new or ongoing projects within County of San Diego (County) Parks and Preserves, in order to allow DPR to pursue and complete other future projects that may be undertaken, such as grants, monitoring and management of newly acquired properties, or newly funded CIPs in future operational plans, additional services of consultants are also anticipated.

In April 2018, pursuant to Board Policy F-40, the County awarded contracts to the four most qualified consultants to provide CEQA analysis, land use and project planning services, resource monitoring and biological restoration services. Five-year term contracts were awarded to Helix Environmental Planning, Inc., Environmental Science Associates, ICF Jones and Stokes, Inc., and Harris Associates, Inc. This is a request to approve an increase to the annual contract capacity amount for these four contracts by an additional \$2,000,000 per year for the first two contract years, not to exceed a total contract capacity of \$3,000,000 per year, in order to accommodate the increased capacity requirements as detailed.

RECOMMENDATION(S)
CHIEF ADMINISTRATIVE OFFICER

1. Find that the proposed activity is not a project as defined by Section 15378 of the California Environmental Quality Act (CEQA) analysis as the increase in contract capacity is a government fiscal activity which does not involve any commitment to a specific project which may result in a potentially significant impact on the environment.
2. Authorize the Director of the Department of Purchasing and Contracting to amend Contract Number 557665 with Helix Environmental Planning to increase contract capacity by \$2,000,000 for contract years 1 and 2 (ending on March 14, 2020) for a revised total contract amount not to exceed \$9,000,000, subject to the availability of funds, and to amend the contract as required to reflect changes of services and funding allocations, subject to the approval of the Director of San Diego County Parks and Recreation.
3. Authorize the Director of the Department of Purchasing and Contracting to amend Contract number 557744 with Environmental Science Associates to increase contract capacity by \$2,000,000 for contract years 1 and 2 (ending on March 14, 2020) for a revised total contract amount not to exceed \$9,000,000, subject to the availability of funds, and to amend the contract as required to reflect changes of services and funding allocations, subject to the approval of the Director of San Diego County Parks and Recreation.
4. Authorize the Director of the Department of Purchasing and Contracting to amend Contract Number 557775 with ICF Jones and Stokes, Inc. to increase contract capacity by \$2,000,000 for contract years 1 and 2 (ending on March 14, 2020) for a revised total contract amount not to exceed \$9,000,000, subject to the availability of funds, and to amend the contract as required to reflect changes of services and funding allocations, subject to the approval of the Director of San Diego County Parks and Recreation.

5. Authorize the Director of the Department of Purchasing and Contracting to amend Contract Number 558735 with Harris and Associates, Inc. to increase contract capacity by \$2,000,000 for contract years 1 and 2 (ending on August 31, 2020) for a revised total contract amount not to exceed \$9,000,000, subject to the availability of funds, and to amend the contract as required to reflect changes of services and funding allocations, subject to the approval of the Director of San Diego County Parks and Recreation.

FISCAL IMPACT

There is no direct fiscal impact associated with these recommendations. If approved, this request will result in the increased capacity of existing contract totaling up to \$9.0 million. There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT

N/A

6. **SUBJECT: REPORT OF GIFTS AND DONATIONS TOTALING OVER \$5,000 ACCEPTED AND EXPENDED FOR OFFICIAL COUNTY BUSINESS PURPOSES FOR EMPLOYEES DESIGNATED BY THE COUNTY DEPARTMENT OF ENVIRONMENTAL HEALTH (DISTRICTS: ALL)**

OVERVIEW

The County of San Diego Department of Environmental Health (DEH) receives gifts and donations from organizations interested in expanding DEH expertise and supporting its programs, training events, and staff knowledge by offsetting costs through both cash and non-cash donations. County of San Diego Board Policy A-112, *Acceptance and Use of Gifts and Donations*, permits the acceptance of donations by the administrative head of each department of the County if specified conditions are met. County Administrative Code Section 66, *Acceptance of Gifts*, requires Board of Supervisors ratification of the acceptance of such gifts and approval prior to the expenditure of the gift, if the gift exceeds \$5,000. Because DEH did not receive Board approval prior to expending gifts in excess of \$5,000 as required by Administrative Code Section 66, the Board is requested to ratify the acceptance and expenditure of these gifts of \$39,772.66 in cash and non-cash gifts and donations exceeding \$5,000 in value received by DEH for the period of January 1, 2018 to June 30, 2018.

Today's proposed actions are to accept DEH's Report of Gifts and Donations for the period of January 1, 2018 to June 30, 2018, and to ratify the acceptance and expenditure of gifts by DEH that exceeded \$5,000. Donations received during this reporting period from non-profit and industry associations were used to support DEH conference participation, attendance, and staff training.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. Find that the proposed activity is not a project as defined by the California Environmental Quality Act pursuant to California Public Resources Code Section 21065 because none of the donations were used for actions that would result in a direct or indirect physical change in the environment.

2. In accordance with Administrative Code, Section 66, Acceptance of Gifts, and Board Policy A-112, Acceptance and Use of Gifts and Donations, accept the County of San Diego Department of Environmental Health Report of Gifts and Donations from the California CUPA Forum for the period of January 1, 2018 to June 30, 2018, and ratify the acceptance and expenditure of gifts exceeding \$5,000 during this period.

FISCAL IMPACT

There is no fiscal impact associated with these recommendations. The Department of Environmental Health received \$39,772.66 in cash and non-cash donations for the period of January 1, 2018 through June 30, 2018. These gifts and donations were used to support training and conference attendance. There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT

N/A

7. **SUBJECT: ADMINISTRATIVE ITEM:
SECOND CONSIDERATION AND ADOPTION OF ORDINANCE:
TRAFFIC ADVISORY COMMITTEE (08/08/18 - ADOPT
RECOMMENDATIONS; 09/12/18 - SECOND READING OF AN
ORDINANCE) (DISTRICTS: 2 & 5)**

OVERVIEW

On August 8, 2018 (2), the Board of Supervisors introduced the Ordinance for further consideration and adoption on September 12, 2018.

The Traffic Advisory Committee (TAC) meets every six weeks to review proposed additions, deletions, or changes to regulatory traffic control devices on County-maintained roads. The TAC recommends the Board of Supervisors (Board) act on seven items from the June 8, 2018, meeting agenda:

Item 2-A would establish a 35 MPH speed limit and certify the speed limit for radar enforcement on El Nopal from the Santee City Limit (near Santana Street) to Mountain View Lane in Lakeside.

Item 2-B would establish a 40 MPH speed limit and certify the speed limit for radar enforcement on El Nopal from Mountain View Lane to Riverford Road in Lakeside.

Item 2-C would recertify the existing 45 MPH speed limit for radar enforcement on Elm Street from Haverford Road to Olive Street in Ramona.

Item 2-D would recertify the existing 45 MPH speed limit for radar enforcement on Haverford Road from SR-78 to Pamo Road in Ramona.

Item 5-A would recertify the existing 40 MPH speed limit for radar enforcement on Rambla de las Flores from La Granada to La Orilla in Rancho Santa Fe.

Item 5-B would recertify the existing 40 MPH speed limit for radar enforcement on Rambla de las Flores from La Orilla to Linea Del Cielo in Rancho Santa Fe.

Item 5-C would recertify the existing 45 MPH speed limit for radar enforcement on North Lake Wohlford Road from Guejito Road to Valley Center Road in Valley Center.

Approval of these items will establish tools for speed enforcement that increase road safety and retain mobility. Properly posted speed limits provide feedback to safe and reasonable drivers to improve traffic safety, reduce the number and severity of collisions, and allow for fair enforcement.

The Board action on Items 2-A and 2-B will revise the San Diego County Code of Regulatory Ordinances (County Code) and requires two steps. On August 8, 2018, the Board will consider the TAC items. If the Board takes action on August 8, 2018, then on September 12, 2018, a second reading of an Ordinance amending Sections 72.161.18. (Item 2-A) and 72.161.18.1. (Item 2-B) of the County Code would be necessary to implement the Board's direction.

RECOMMENDATION(S)
TRAFFIC ADVISORY COMMITTEE

District 2

Item 2-A. El Nopal from the Santee City Limit to Mountain View Lane in Lakeside (58th Edition Thomas Guide Page 1231-F3) - Establish a 35 MPH speed limit and certify the speed limit for radar enforcement.

Item 2-B. El Nopal from Mountain View Lane to Riverford Road in Lakeside (58th Edition Thomas Guide Page 1231-F3) - Establish a 40 MPH speed limit and certify the speed limit for radar enforcement.

Item 2-C. Elm Street from Haverford Road to Olive Street in Ramona (58th Edition Thomas Guide Page 1152-H2-C5) - Recertify the existing 45 MPH speed limit for continued radar enforcement.

Item 2-D. Haverford Road from State Route 78 to Pamo Road in Ramona (58th Edition Thomas Guide Page 1152-F3) - Recertify the existing 45 MPH speed limit for continued radar enforcement.

District 5

Item 5-A. Rambla de las Flores from La Granada to La Orilla in Rancho Santa Fe (58th Edition Thomas Guide Page 1168-A3) - Recertify the existing 40 MPH speed limit for continued radar enforcement.

Item 5-B. Rambla de las Flores from La Orilla to Linea Del Cielo in Rancho Santa Fe (58th Edition Thomas Guide Page 1168-A4) - Recertify the existing 40 MPH speed limit for continued radar enforcement.

Item 5-C. North Lake Wohlford Road from Guejito Road to Valley Center Road in Valley Center (58th Edition Thomas Guide Page 1111-C1) - Recertify the existing 45 MPH speed limit for continued radar enforcement.

CHIEF ADMINISTRATIVE OFFICER

Consider and adopt the ordinance entitled:

ORDINANCE AMENDING SECTIONS 72.161.18. AND 72.161.18.1. OF THE SAN DIEGO COUNTY CODE RELATING TO SPEED LIMITS ON COUNTY MAINTAINED ROADS IN SAN DIEGO COUNTY.

FISCAL IMPACT

There is no fiscal impact associated with these recommendations. If approved, there will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT

N/A

8. SUBJECT: MCCLELLAN-PALOMAR AIRPORT - PALOMAR AIRPORT CENTER, LLC - SIXTH AMENDMENT TO AVIATION LEASE (DISTRICT: 5)

OVERVIEW

McClellan-Palomar Airport is a commercial service airport owned and operated by the County of San Diego (County). The airport is located within the municipal limits of the City of Carlsbad (57th Edition Thomas Guide Page 1127, D3) and is a gateway to and from San Diego’s north county, providing facilities and services to commercial, corporate and general aviation users. Approval of leases of airport property provides funding for the Department of Public Works (DPW) to ensure the airports are properly maintained and safe for all users.

On December 10, 2003 (13), the Board approved a new 30-year aviation lease with Jet Source, Inc. at McClellan-Palomar Airport, which was later assigned to Palomar Airport Center, LLC. This lease requires rent to be renegotiated every five years to keep current with market rates. This lease was amended on December 6, 2006 (6) to extend the term. The lease was amended on November 29, 2008 (9) to adjust the rent. There was an amendment on March 24, 2010 (6) to apply a rent credit to mitigate for a runway closure. On November 6, 2013 (7) the lease was amended to adjust the rent and update contact and appraisal information, and on June 22, 2016 (3) there was an amendment to revise premises and update contact information and lease language.

This is a request to approve the Sixth Amendment to Aviation Lease with Palomar Airport Center, LLC, County Contract Number 75758R. This amendment would increase monthly rent to reflect current market rates. If the proposed action is adopted, the current fiscal year’s revenue would increase by \$840 due to the increase in rent under the terms of the amended lease.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. Find, in accordance with Section 15301 of the California Environmental Quality Act (CEQA) Guidelines, that the proposed lease amendment is categorically exempt from CEQA review as it consists of the leasing of existing facilities involving negligible or no expansion of existing use.
2. Approve and authorize Clerk of the Board to execute, upon receipt, three copies of the Sixth Amendment to Aviation Lease with Palomar Airport Center, LLC, County Contract No. 75758R. **(4 VOTES)**

FISCAL IMPACT

Funds for this request are partially included in the Fiscal Year 2018-19 Operational Plan in the Airport Enterprise Fund. If approved, this request would result in total annual revenue of \$211,440 in Fiscal Year 2018-19, an increase of \$840 over the budgeted amount. The funding source for the Fiscal Year 2018-19 additional revenue is increased rental payments from the lessee under the terms of the amended agreement. There would be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT

N/A

9. SUBJECT: GILLESPIE FIELD - MITRE AVIATION, L.P. - FIRST AMENDMENT TO AVIATION LEASE (DISTRICT: 2)

OVERVIEW

Gillespie Field is a general aviation airport owned and operated by the County of San Diego (County). The airport is located within the municipal limits of the City of El Cajon and the City of Santee (57th Edition Thomas Guide Page 1251, D1) and is a gateway to and from San Diego's east county providing airplane storage, maintenance, and services to corporate and general aviation users. Approval of leases of airport property provides funding for the Department of Public Works (DPW) to ensure the County airports are properly maintained and safe for all users.

On October 29, 2014 (7), the Board of Supervisors approved a 23-year, 7-month aviation ground lease with Mitre Aviation, L.P. (Mitre). The existing lease contains provisions requiring Mitre to remove certain improvements located along Runway 17/35. DPW is in the process of reviewing Runway 17/35 to evaluate its current use and consider options to modify its classification, which could make the removal of these improvements unnecessary.

This is a request to approve the First Amendment to Aviation Ground Lease with Mitre, County Contract Number 315005. This amendment would provide Mitre an additional three years before it is required to remove the improvements while DPW evaluates the existing use and considers whether to change the classification of Runway 17/35.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. Find, in accordance with Section 15301 of the California Environmental Quality Act (CEQA) Guidelines, that the proposed lease amendments are categorically exempt from CEQA review as they consist of the leasing of existing facilities involving negligible or no expansion of existing use.
2. Approve and authorize the Clerk of the Board to execute, upon receipt, three copies of the First Amendment to Aviation Ground Lease with Mitre Aviation, L.P., County Contract Number 315005. **(4 VOTES)**

FISCAL IMPACT

There is no fiscal impact associated with these recommendations. There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT

N/A

- 10. SUBJECT: AUTHORIZATION TO EXECUTE A CHANGE ORDER AND ESTABLISH APPROPRIATIONS FOR THE SANTA YSABEL NATURE CENTER PROJECT (DISTRICT: 2)**

OVERVIEW

The Department of Parks and Recreation (DPR) owns and manages the 5,400 acre Santa Ysabel Preserve near the intersection of State Route 78 and State Route 79 (57th Edition Thomas Guide, page 1135, B-2). On May 3, 2017 (13), the Board of Supervisors (Board) authorized advertisement and award of a design-build contract for the Santa Ysabel Nature Center (SYNC). DPR applied for an Outdoor Environmental Education Facilities Grant from the State of California (State) in fall 2017 to enhance the interpretive features at SYNC. In April 2018, the SYNC design-build contract was awarded, and work began on the design of a 6,000-square-foot building with educational exhibits showcasing the unique ecology and history of the surrounding environment. The County was awarded \$275,000 of Outdoor Environmental Education Facilities Grant funding in May 2018 after the SYNC project was awarded. A change order is needed to add the grant funded enhancements to the SYNC contract.

Currently the DPR team that maintains north mountain area parks, which includes the Santa Ysabel preserve, is housed in a Heise Park building in Julian. The old maintenance building is well beyond its useful life and not conveniently located. The project footprint for the SYNC includes space for a park maintenance building. Funding for construction of a new maintenance building for the north mountain team was included in the Fiscal Year 2018-19 Operational Plan in the Major Maintenance Capital Outlay Fund, in the amount of \$464,282. Constructing a new maintenance building within the SYNC project footprint will provide a modern facility in a more convenient location. A change order is needed to add this maintenance building to the SYNC contract.

DPR is seeking authority to issue change orders to add enhanced outdoor educational exhibits and the new maintenance building to the existing SYNC project design-build contract. Today's proposed actions will add this work to the existing design-build contract; and will establish appropriations of \$739,282 in Capital Project 1014142 SYNC based on \$275,000 in State funding from the Outdoor Environmental Education Facilities Grant and \$464,282 from the Major Maintenance Capital Outlay Fund. If approved, the total project cost for the SYNC project will be \$9,521,629.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. Find that there are no substantial changes in the project or in the circumstances under which the project was undertaken that involve significant new environmental impacts which were not considered in the previously adopted Mitigated Negative Declaration adopted May 3, 2017 (13), that there is no substantial increase in the severity of previously identified significant effects due to the reallocation of funds, and that no new information of substantial importance has become available since the Mitigated Negative Declaration was adopted.

2. Cancel appropriations of \$464,282 in the Major Maintenance Capital Outlay Fund and related Operating Transfer In from the General Fund for Capital Project 1021939 Santa Ysabel - Maintenance Shed, to fund construction of the maintenance building as part of the Santa Ysabel Nature Center design-build contract and capital project.
3. Establish appropriations of \$739,282 in the Capital Outlay Fund for Capital Project 1014142, Santa Ysabel Nature Center, to fund the construction of the maintenance building based on an Operating Transfer In from the General Fund (\$464,282) and interpretive exhibits based on the Outdoor Environmental Education Facilities Grant from the State (\$275,000).
(4 VOTES)
4. In accordance with California Public Contract Code Section 20137, authorize the Director, Department of Purchasing and Contracting, to execute one or more change orders to add the maintenance building to the Santa Ysabel Nature Center design build contract for a total amount not to exceed \$464,282 and the enhanced outdoor interpretive exhibits for a total amount not to exceed \$275,000. **(4 VOTES)**

FISCAL IMPACT

Funds for this request are partially included in the Fiscal Year 2018-19 Operational Plan in the Major Maintenance Capital Outlay Fund in the amount of \$464,282. If approved, this request will result in additional costs of \$739,282 for Capital Project 1014142, Santa Ysabel Nature Center. The funding sources are General Purpose Revenue (\$464,282) and State of California funding from the Outdoor Environmental Education Facilities Grant (\$275,000). There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT

N/A

11. SUBJECT: AUTHORIZATION TO APPROPRIATE FUNDS FOR THE SAN DIEGO BOTANIC GARDEN IMPROVEMENTS PROJECT (DISTRICT: 3)

OVERVIEW

The San Diego Botanic Garden (SDBG) is a County of San Diego park located in the City of Encinitas at 230 Quail Gardens Drive. SDBG covers 37 acres and includes 30 different gardens, special events, recreation and operation facilities. The park site is leased to and operated by the Quail Botanical Gardens Foundation Inc. and has grown rapidly in popularity as a result of their festivals, shows, and plant conservation efforts. On October 19, 2016 (13), the Board of Supervisors authorized advertisement and award of a design-build contract for the San Diego Botanic Garden Improvements Project. The project will construct new horticulture and maintenance buildings along the western perimeter of the garden and make improvements to the existing Lawn and Larabee Houses. The new buildings will improve functionality and provide better use of the existing buildings for interpretation by visitors.

After advertising a design-build contract for the SDBG project, bids were opened in April, 2018 and were substantially higher than the original project budget. The high bids were a result of modifications required by permitting agencies, increases to material costs, a high volume of local construction work and a general labor shortage. Additional funding of \$1,700,000 is required to fully fund the SDBG project and to allow the full project scope to be constructed. The

design-build contract amount will be approximately \$3,200,000 and remaining project funds of \$600,000 will be used for construction contingency, permitting, inspection, construction management and project administration.

Today's request is to increase appropriations by \$1,700,000 for Capital Project 1018209, San Diego Botanic Garden Improvements project, for the design and construction of a new administrative and horticulture facility and improvements to the Lawn and Larabee Houses.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. Find in accordance with Sections 15301, 15303 & 15304 of the California Environmental Quality Act (CEQA) Guidelines that the San Diego Botanic Garden Improvements project is categorically exempt from CEQA because the project involves grading on land less than 10% slope, construction of small accessory buildings totaling less than 10,000 square feet and consists of interior improvements to an existing facility that will result in no or negligible expansion of facility operations.
2. Transfer appropriations of \$1,700,000 from Finance Other Shared Major Maintenance Org (31575), Operating Transfers Out (General Fund), for emergent projects requiring capitalization, to the Finance Other Contributions to Capital Org (7456Z), Operating Transfers Out (General Fund), to provide funding for the Botanic Garden Improvements Capital Project (1018209). **(4 VOTES)**
3. Transfer appropriations and related funding of \$1,700,000 from the Major Maintenance Capital Outlay Fund Org (7633D), Capital Assets/Land Acquisition for emergent projects requiring capitalization, to the Capital Outlay Fund Org (7456C) Capital Assets/Land Acquisition for the Botanic Garden Improvements Capital Project (1018209) based on an Operating Transfer In from the General Fund. **(4 VOTES)**

FISCAL IMPACT

Funds associated with this request are included in the Fiscal Year 2018-19 Operational Plan. Existing appropriations for emergent projects and related funding will be transferred from within the Capital Program to the Capital Outlay Fund to support this project. If approved, this request will result in additional costs of \$1,700,000 for Capital Project 1018209, San Diego Botanic Garden Improvements project. The funding source is available prior year General Fund balance. The design-build contract is approximately \$3,200,000. Remaining project funds of \$600,000 will be used for related project costs including construction contingency, permitting, inspection, construction management, and project administration for a total project cost of \$3,800,000. Upon project completion, annual operations and maintenance of improvements will be provided by San Diego Botanic Garden staff pursuant to the First Amendment to the Lease Agreement. There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT

N/A

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